

# CITY OF FAIRVIEW

## BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

MAY 20, 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, Blackburn, Hughes, Ross, Sullivan, 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 7:00 p.m.**

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

**4. Approval of the Agenda and Executive Session Announcements** – remove item 11C at the request of the presenter and move item 9C to 10B

Motion: Lucas – to approve 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 – N/A**

**6. Citizen Comments**

- A. Sam Calil, 7833 Pinecrest Ct, member of the Planning Commission states he spoke with Commissioner Butler about this as well. About five years ago the state, county and TVA were brought in to discuss identifying potential industrial sites to develop within the city. The state and county would cover the costs to present the property for sale as industrial, such as needed surveys, drone footage and pictures, and the listing of the property as part of a searchable database for potential industrial locations. Cali would like to move forward with this process to help bring industrial business to our area. This could work in conjunction with the Mechatronics program at Fairview High School as well. There are new people in the positions we previously met with so it's a good time to review and move forward.

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

- A. Arbor Day Proclamation – Mayor Rainey presents the proclamation to the Parks and Landscape

Board Chair, Scott McCoy, thanking him for completing the process to make Fairview a Tree City. McCoy adds that this designation includes the establishment of Arbor Day recognition for the city as well as acknowledging the importance of trees to our city as they beautify the city making it a more pleasing and pleasant place to live.

## 8. Staff Comments and Reports

- A. Fire Department Report, Chief Scott Hughes – In April, the fire department answered 119 calls, up significantly from last year and they continue to see a rising number of calls. There were 12 overlapping incidents requiring service, 5 automatic mutual aid calls and 5 fires to be extinguished. Station 31 hosted a ventilation class and machinery rescue class with some recruits from the county. The departments training hours for April totaled 425 plus two public education opportunities totaling 34 participants. Medical calls still account for our highest volume of calls although this month we had a lot of fires and MVA's. If residents need smoke detectors please contact the station so we can install as part of a state grant. In an emergency situation, always call 911 first. We still have people calling the station and this slows down our response time. Dawson asked for information about the new vehicle extrication equipment and Chief Hughes shared we have switched from hydraulic equipment to battery tools which are self-contained, no cords and can hook to power we already have on the trucks. With the new equipment there are no location limitations due to needing power supply or cords, like the hydraulics.
- B. Police Department Report, Chief Zack Humphreys – POSTPONED UNTIL NEXT MEETING
- C. City Manager Report – Scott Collins notes the first Focus on Fairview event held last Saturday had some good participation and discussion about general items. The second event will be held next Tuesday. Once this is complete, all information will be combined, typos corrected and get posted to the city website to provide a good overview of where we are and plan to be for the next twelve to eighteen months.

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

- A. Minutes from the May 6, 2021, Board of Commissioners Meeting
- B. Minutes from the May 6, 2021, Board of Commissioners Work Session
- C. ~~Second and Final Reading of Ordinance 2021-11, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Section 7-503(b) and to Create Section 7-503(c)~~  
MOVED TO ITEM 10B

Motion: Lucas

Second: Butler

	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 2021-03, Rezoning of Parcel on City Center Way
  - 1. Public Hearing on Item A2 – 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 – Commissioner Butler notes he has been back and forth regarding the walkability issue with this zoning but we have fast food that services cars, gas station that services cars and Public parking lot. He would like to hear more from the rest of the board and thinks this is a good item. Vice Mayor Anderson requested viewing the rendering so that all can view, noting when she first heard was thinking exposed car wash stations wondering if City Center is the best location. Once she saw the rendering, her view changed because the car wash workings are all internal and she was impressed with the visual of the building and really likes what is being presented.

The office area with glass doors will face the Hardee's side with parking between the two housing the canopies for the vacuum areas. These canopies are a mesh screen type arched in design. There is nothing on the highway side of the building except the sign and entrance to the wash area, screened by landscaping. Lucas states he is kind of in the same boat as Butler and Anderson, not sure if this is the right location, but has seen one being built in Madison, TN, and it has changed his opinion. One of his biggest concerns was the exit to Hardee's but the gate requiring vehicles to stop alleviates that and is now more comfortable voting. Dawson offers concerns over increasing traffic as Fairview grows noting the area is currently zoned to decrease vehicle traffic and increase foot traffic. Developer Peterson noted the site plan can accommodate vehicles on site for even our busiest days with the stacking design for approximately 35 vehicles. It is one of our largest designs simply by how the property works. Customer safety is our priority and with our controlled exit utilizing a gate requiring vehicles to stop we feel the impact won't be an issue. We have a dozen or so other similar access points to various locations and they work very well. I exchanged contact information with the general manager of Hardee's so they can directly contact us with any issues whatsoever. Dawson offered concerns over the Publix waiver that was received since they have such a tight reign on neighboring businesses. Peterson notes they have now built a good relationship with Publix and have four locations adjacent to Publix. Anderson verifies the rendering is of the actual building proposed for this lot and Peterson confirms noting they typically use black EIFS but may use all brick in varying colors as an alternative.

Motion: Lucas to approve

Second: Butler

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

- B. Second and Final Reading of Ordinance 2021-11, An Ordinance to Amend City of Fairview, Tennessee, Municipal Code, Title 7, Chapter 5, Section 7-503(b) and to Create Section 7-503(c) – Commissioner Lucas shares 3 points; 1) from the beginning of this discussion in 2017, he has said either sell or don't sell, 2) the term and requirements for "members" is muddy and it would be up to the non-profit to determine membership so how would the city police this? Is there are card required? Does member = volunteer?, and 3) last meeting Commissioner Dawson believed a post office box was a physical address and the vice mayor didn't agree. Lucas argues that if you can go into a building, speak to someone at that location and call 911, It is not, he continues, a post office box or a mailbox at a certain store. He thinks the attempt is policing the issue to death and doesn't know who in the city is going to enforce. Vice Mayor Anderson believes the non-profits will police themselves so they can raise funds and the money remains in Fairview and doesn't go with a big retailer who takes the money with them. Anderson continues that a lot of people need physical addresses for business use and use mailboxes at her store. Lucas notes that if these same restrictions were placed on any non-profit for any type of fundraising in the city, Nando's wouldn't have been able to give a percentage of profits to benefit the new playground. We say we want the non-profits to be capable of raising funds by selling fireworks but then we want to tell them how to do it. They are smart to partner with another company and that agreement should be between the two groups. Dawson doesn't believe this is the same at all noting we don't want big boxes taking funds and leaving Fairview but want the non-profits to keep funds

in Fairview to serve the underserved. Butler adds the intent is for the non-profit to thrive but what penalty is there if caught – what is “unlawful”? Potter replies it would fall under a catch-all ordinance violation provision for a \$50 fine. Potter admits the ordinance is drafted very narrowly and Collins adds that is the difficulty for staff in that we have no way to police whether someone is a member or not, if they are a “qualified” non-profit, what is their address? To cover, we would bring each application to the BOC as we don’t have the ability to confirm with these things not being defined. Dawson adds they should have a permit for 501(c)3 or 501(c)19 for groups such as the American Legion, for example. Collins reminds that the slightest inference has resulted in lengthy, daily discussions. Dawson adds staff can issue the permits if each of the items required can be checked off. Collins questions amending the physical address note to the ability to provide an address in the city.

Motion: Butler to approve, striking the non-member working in the booth section and amending the physical address to provide documentation of a mailing address in the city of Fairview.

Second: Anderson

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

## 11. New Business

- A. Special Event Beer Permit for Murphy & Sons Grocery Stores, 2080 Fairview Boulevard, July 3, City of Fairview Independence Day Celebration

Motion: Lucas

Second: Dawson

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

- B. Appointments to Expiring Board Seats:

1. Parks & Landscape Board has two open seats with Kathy Tarolli, as a member of the Friends of Bowie Nature Park, desiring to be re-appointed and Jane Woodall will be stepping down at the conclusion of her term. There are no new applicants currently.

Motion: Lucas to reappoint Kathy Tarolli to the Parks and Landscape Board

Second: Dawson

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

\*will continue to advertise for the remaining opening

2. Planning Commission has one expiring seat, currently belonging to Emilee

Senyard. We have several applicants, some are new and some applied to the opening back in January. The board heard from all applicants present at the meeting.

Motion: Lucas to appoint Rick Olsewski  
Second: Rainey

Butler noted that Senyard was appointed to a partial term and has been a great asset, contributing to discussion and feel she will continue to be. It was his intent to nominate her but is excited to see all the interest in the Planning Commission.

Lucas removed his motion and Rainey concurred. Anderson thinks all the applicants are so sharp and wishes we had more open seats. She feels the same as Butler about Senyard but notes it is good to see so many willing to serve.

Motion: Dawson to nominate Emilee Senyard  
Second: Butler

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

~~C. Ordinance 2021-13, An Ordinance to Amend the Zoning Ordinance of the City of Fairview by Rezoning 37.14 Acres of Property, Located at 2451 Fairview Boulevard, Williamson County Tax Map 046, Part of Parcel 087.00, from CG, Commercial General, to RM-20, Multi-Family Residential, Owner: Estate of Laura Katherine Sullivan, Agent: Choteau Creek Holdings, LLC  
REMOVED AT REQUEST OF AGENT~~

D. First Reading of Ordinance 2021-12, An Ordinance of the City of Fairview, Tennessee, Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2021 and Ending June 30, 2022 – Collins advises this is the first reading and there will be a public hearing at the second reading. The public hearing will be separate for two items: 1) the tax rate proposed as unchanged, and 2) the budget prior to the second reading. Due to tax rate discussions, as we are working toward a bond issue, a public hearing will be on the next agenda to discuss the property tax rate and bond issue. This will be an informational hearing with no vote scheduled for the next meeting on budget or tax rate.

Motion: Lucas  
Second: Dawson

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

E. Reconsideration of Resolution 07-21 Treehouse Playground at Bowie Nature Park Fundraising and Advertising – Rainey requested this item on the agenda. Collins begins by noting at the last meeting we discussed a tri-fold flyer to be used for playground fundraising. Part of the discussion was who owned the document and it has been determined it is the property of the Friends of Bowie Nature Park so the BOC does not have governance over it except for the approval of naming rights. A couple of changes have come about in the last couple of weeks. We don't have a resolution tonight but can present one at the next board meeting. The city will receive federal stimulus funds in the amount of \$2,450,000. Half of these

funds will be received by June 30, 2021, with the remaining balance to be received by June 30, 2022. The use of these funds is highly restricted so it cannot be used for the playground, however, after reading over the complete documents twice, it is allowed to be utilized for stormwater and stormwater management. We have talked for some time about a bond issue and including stormwater work. Collins spoke with John Werner, the financial advisor with Cumberland Securities who assisted the city with our 2015 bond issue and believes that when issuing bonds, some of the federal funding should be applied to stormwater work rather than bond funds. Collins suggests rescinding the resolution passed at the last meeting as it relates to naming rights and the city can commit \$500,000 from the bond proceeds to the playground. We would anticipate receipt of those funds early in 2022. All funds raised to date should be remitted to the city within 30 days to be deposited into the park fund and secured for playground construction. The remaining funds held by the Friends of Bowie Nature Park should be remitted to the city (\$35,000) plus the \$500,000 leaves approximately \$65,000 left to raise, which Collins suggests raising through the brick sponsorship sales. He would eliminate the naming rights for equipment within the playground and suggests using the personalized bricks instead. Additionally, Collins suggests an annual event with proceeds into the park fund set aside specifically for maintenance of the playground. In response to a question on when the playground build could begin, Collins doesn't see why it can't begin Spring of 2022 and he proposes a grand opening event on July 2, 2022 to coincide with the July 3 Independence Day annual event for a community celebration weekend. Butler notes this is awesome and exciting but believes the revised quote is \$700,000 and that pledged funds from The Big Payback are still coming in. Collins will submit a resolution at the next meeting if everyone is ok with it. Anderson questions obtaining the funds from the Friends of Bowie Nature Park and Collins replies at some point those funds have to be figured out, who controls them, if raised on behalf of the city then it is incumbent upon the city to secure the funds, if we are asking taxpayers to fund the playground with bond issue proceeds then we are responsible for accurately keeping records of such.

Motion: Butler to rescind the resolution regarding sponsorship levels and naming rights that was approved at the last meeting and bring forth a new resolution for the funding of the playground

Second: Rainey

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

- F. Parks System Discussion – Commissioner Dawson requested this discussion and noted the 2040 comprehensive plan brought about a lot of discussion on what we want to see at Bowie and all of the parks in our system. In 2015, a master plan was developed for Bowie Park yet it was not fully implemented lacking a forestry plan. Dawson would like to revisit the 2015 master plan, update it and include all of our parks in a plan of how we want them to work together. He proposes a parks master plan committee (unsure of the exact makeup of individuals) to identify our parks, how each of them fit into the overall puzzle of our parks system and the location of all the parts, proposed activities and how they should interact with one another to include management plan, maintenance plan, future developments for activities, how many people needed to run, how to handle guests, what the community wants to see and the level of community involvement. Mayor Rainey asked if the Parks and Landscape board doesn't have the capability to complete this task and Dawson would like to see a separate committee with more community involvement. Commissioner Butler adds the 2015 plan is a great base to begin with but he would like to pose questions to citizens, get feedback and review other park systems master plans as a comparison. He recalls in 2015/16 the discussions of a forestry plan with regular, prescribed burns. Butler also adds that an outside party might give a push to the project and add a sense of urgency for completion. Vice Mayor Anderson asks if Dawson is willing to be in charge of the committee and Dawson agrees willing. Butler asks Collins about funds to bring in an outside party and Collins replies it depends on the group, task and scope of the overall project. The

design footprint of Bowie begins with the deed and restrictions so maybe some of this is more conceptual and we engage the community for their appetite of potential plans as well as employee ideas because they will implement. Collins notes we need a business plan for the parks that includes a master plan. Dawson adds that it should include maintenance of the new playground so it is not an after-thought.

Motion: Dawson to begin a committee for developing a parks system master plan with a BOC member to head it up

Second: Anderson

	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 noted it is exciting news about the playground funding as she knows a lot of effort and work have been put into this project including kids dropping by her store to add change to the fundraising bucket. Congratulations to all seniors and tomorrow night is graduation. In the fall my son will be heading off to college so it will just be me in my house so I will spend lots of time on BOC items. Keep Fairview beautiful by picking up trash and not throwing out trash.
- B. Commissioner Butler thanked the Mayor and all for the discussion at tonight's work session. It is exciting to hear that we will be able to set aside a big chunk of funding for the playground.
- C. Commissioner Dawson offered congratulations to the FMS Falcons Soccer Team who won all 8 games, played all over Williamson County along with a shoutout to Matt and Robin Redding for coaching. This season was a huge showing by the Falcons. Today is a monumental day for Treehouse Playground. Whenever I speak with citizens this is at the forefront of their mind and it is amazing to be able to fund. Great work by the city staff on figuring out an option and to the committee for their fundraising efforts. Amazing things happen when our community comes together.
- D. Commissioner Lucas reminds everyone of the Focus on Fairview event on Tuesday, May 25 at 5:30 p.m. noting if you haven't attended one of the sessions he highly encourages attendance as they are very informative sessions.
- E. Mayor Rainey offers congrats to all grads noting the seniors have done an amazing job as it has been a difficult last couple of years and she is proud of all the young people Graduation is at 7 p.m. on the football field and is a time to honor the last 12 years and we are extra proud of our graduates. Rainey also thanked the staff for finding funding for the playground for kids for all abilities and thanks for the committee who has worked so hard.

## 13. Adjournment –Commissioner Lucas made a motion for adjournment meeting was adjourned at 9:04 p.m.

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**Brandy Johnson**  
City Recorder