

CITY OF FAIRVIEW

BOARD OF COMMISSIONERS MEETING MINUTES

August 3, 2017

Patti L Carroll, Mayor
Shannon L Crutcher, Vice Mayor
Derek K. Burks, Commissioner
Scott Lucas, Commissioner
Debby Rainey, Commissioner
Scott Collins, City Manager
Tom Daugherty, CFO
Tim Potter, City Attorney
Brandy Johnson, City Recorder

Present: Carroll, Burks, Crutcher, Lucas, Rainey

Others Present: Collins, Potter, Martel, Costanzo, Sullivan, Daugherty, Humphreys, Paisley

1. **Roll Call** – Administrative Assistant Martel confirmed everyone was present for a quorum.
2. **Call to order by Mayor Carroll at 7:02 p.m.**
 - A. Prayer and Pledge led by Mayor Carroll
3. **Approval of the Agenda** – Vice Mayor Crutcher made a motion for approval with Commissioner Lucas seconding. Mayor Carroll requested the addition of item J under new business allocating use of Tree Bank Funds for hiring Landscape Architect to prepare conceptual master plan documents for parks. Burks also acknowledged the receipt of an application from Donna Brooks for the Board of Zoning Appeals (Item 12-A). Crutcher withdrew his motion and Lucas his second and Crutcher made a motion for approval to include the amendments seconded by Commissioner Rainey. All were in favor.
4. **Public Hearing** - NONE
5. **Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each).**
 - A. Tim Mangrum, 7410 Old Nashville Road, states his property is currently zoned R20 and he is requesting a change to R15. He has a 33,000 square foot lot that he wants to sub-divide but cannot under the current restrictions and is requesting assistance from the city so he can do so.
 - B. Marshall Walker, 1729 Northwest Hwy, doesn't understand why our park closes so early when other nearby parks (Warner Parks, Montgomery Bell, Crockett Park & Pinkerton Park) stay open much later. He feels making it unlawful to be in the park past dark isn't right and that citizens should be allowed more freedom. Walker asks the Board to look at extending the hours of the park.
6. **Awards and/or Recognitions** - NONE
7. **Public Announcements**
 - A. FMS/FHS New Traffic Pattern – City Manager Collins presents the revised traffic flow to assist with alleviating traffic congestion near the middle school and high school. Traffic will not be allowed to turn onto Cumberland Drive from 7:15 to 8:30 am and from 2:15 to 3:30 pm. This is a temporary solution until we can upgrade the intersection at Cumberland/Crow Cut and Highway 100 which could take a couple of years. The entrance to the high school near the soccer field will be for buses, faculty and staff only from 7:15 am until 3:30 pm Monday through Friday. FMS and FHS traffic will be routed to King Road and turn onto Snow Mangrum to enter. Parents with students at both FHS and FMS will drop off high school students first then travel to the middle school for drop off and exit onto Cumberland Drive. FHS students dropping off siblings at the middle school will return to the

high school and enter the parking area via the access road adjacent to the new performing arts center. Road and parking lot restriping was completed on Tuesday and all new signage will be installed by Monday. Fairview will have extra help in the way of officers to direct traffic as everyone gets accustomed to the new traffic pattern.

- B. Comprehensive Plan – Collins addresses the need for applying a business model to growth and removing politics from the discussion. Our biggest three departments to fund are police (\$1.6 million), fire (\$1.385 million) and public works at \$853,000. Currently we have growth away from the city center. There is no easy route if Highway 100 is congested for any reason. Police and fire are big considerations but also public works for leaf and limb pick up. We currently have a staff of 5 in this department. The width of Northwest Highway varies from 17' to 24'. We annexed a portion of this road but to bring it up to standard would cost an estimated \$3 million and the city would owe the tree bank an estimated \$100,000. Fairview is not anti-growth but we have to grow smart. We need to; 1) establish areas for growth based on infrastructure and community impact, 2) maintain a realistic expectation and model for the impact of growth and understand the infrastructure costs, 3) develop a long term financial plan and adjust for growth to fit within that plan. We will get service economy before we get retail economy. We must consider all the costs of growth.

8. Staff Comments - NONE

9. Approval of the Minutes - NONE

10. Consent Agenda Consisting of Items as Follows

- A. Minutes from the July 20, 2017 Board of Commissioners Meeting
- B. Minutes from the June 15, 2017 Beer Board Meeting

Commissioner Burks made a motion for approval with Vice Mayor Crutcher seconding. Mayor Carroll noted she voted with the Board on item 12C in the July 20 meeting and there is an error in the minutes. All were in favor.

11. Old Business - NONE

12. New Business

- A. Appointments to Open Seats
 - 1. Board of Zoning Appeals
 - A. Citizen Seat Expiring 6-30-2018 – no applications received
 - B. Citizen Seat Expiring 6-30-2020 – Commissioner Burks nominated Donna Brooks for the seat with Vice Mayor Crutcher seconding. Mayor Carroll noted she would like to appoint to the seat expiring in 2020. Motion and second were withdrawn. Commissioner Burks made a motion to appoint Donna Brooks to the Board of Zoning Appeals seat expiring in 2020 seconded by Vice Mayor Crutcher. All were in favor.
 - 2. Tree Board
 - A. Citizen Seat Expiring 6-30-2019 – City Manager Collins noted former Beer Board member John Conners is interested in this seat. Vice Mayor Crutcher made a motion to appoint Conners with Commissioner Rainey seconding. All were in favor.
 - 3. Planning Commission
 - A. Michael Mitchell's seat expired 6-30-2017 (3-year term) - Vice Mayor Crutcher made a motion to appoint Salvatore Cali seconded by Commissioner Rainey. All were in favor.
 - B. Citizen Seat Expiring 6-30-2019 (Matt Beata resigned) -Vice Mayor Crutcher made a motion to appoint former Beer Board member Daniel Jenkins seconded by Commissioner Burks. All were in favor.
 - 4. Industrial Development Board
 - A. Citizen Seat Expiring 6-30-2020 – no applications received
- B. Resolution No. 16-17, A Resolution of the Board of Commissioners of the City of Fairview, Tennessee, to Formally Accept the Subdivision Improvements Associated with Brandenburg Cove Subdivision – Costanzo – Vice Mayor Crutcher read the caption and made a motion for approval with Commissioner

Rainey seconding. City Manager Collins confirmed all improvements were completed. All were in favor.

- C. Request to Waive Compliance with Conditions Specified in the Evergreen Industrial Park Covenants and Restrictions on Behalf of Kris Mangrum for a Portion of Lot 6 – City Planner Costanzo addressed the Board on behalf of citizen Kris Mangrum who is looking to purchase the tract of land build a single-family home. In order to do so, the Board would have to waive the covenants. Given the topography of the land it would be difficult to use for industrial and is surrounded by residential property. Vice Mayor Crutcher noted two things would need to happen in order to use as residential; 1) variance on restrictive covenants and; 2) rezoning. Crutcher made a motion to defer in order to give the attorney time to bring this in the form of a resolution to lift the restrictions of the Evergreen Industrial Park on the parcel in question seconded by Commissioner Rainey. Mayor Carroll questioned a similar issue in the past and Costanzo confirmed it was the same parcel with a different owner who was requesting to be vacated from the subdivision plat, however, the proposed method seems to be the more direct route. All were in favor.
- D. Roadscapes Project – Commissioner Rainey notes the Tree Commission has concerns over the Roadscapes project. According to the city arborist, the mulch installed was not weed-free mulch and weeds we are seeing came after the mulch was installed plus he doesn't believe there was a final walk-through performed. The landscape architect on the project works for the state and is not allowed to talk to the city. There were concerns over being penalized by TDOT if the city removed the plantings. Collins is under the impression that the contract with LSI is complete and the project has been turned over to the city. It was the recollection that the city was responsible for maintenance after the completion of the project and the funds for this were to come from the Tree Bank. The concern is whether LSI has completed their part of the contract. City Manager Collins suggests getting all parties together for a discussion. No Action.
- E. Future Developments – Mayor Carroll notes she is getting questioned about what developments Fairview will approve in light of the recent moratorium. She feels we may have handicapped ourselves where we can no longer use good judgment. We need to be concerned with adding value and being picky, quality over quantity of developments. Carroll continues we let between \$800,000 and \$1 million worth of road improvements walk by turning down a development. Developers will build anyway but feels the builders would appreciate some direction. Vice Mayor Crutcher notes the moratorium is not ambiguous and was put in place for three main reasons; 1) sewer issues with WADC, 2) need for comprehensive plan, and 3) completion of document review from city engineer to ensure consistency across documents. It was never intended to prevent citizens from doing what they want on their land and if we had looked more closely at a recently approved PUD we would have realized it was creating an island within it. Attorney Potter points out the moratorium resolution can be amended to eliminate some of the unintended consequences. Crutcher notes he requested Collins put together the presentation due to the need to view annexations and zonings as business decisions making sure we look at what the cost really is to the city of providing services to the additional houses. Collins reminds the Board of the planned meetings with local builders and developers to present the revised documents and review the system going forward as well as giving them a chance to air grievances. No Action.
- F. Addendum C, An Extension to the Interlocal Agreement Between Williamson County and the City of Fairview for the Joint Use of a Facility to Provide Emergency Response Services – Vice Mayor Crutcher read the caption and made a motion for approval with Commissioner Rainey seconding. All were in favor.
- G. Ordinance No. 2017-21, An Ordinance to Modify the Hours of Public Park Use by Making it Unlawful to Occupy the Park by any Person or Persons During the Hours of Darkness with the Exception of City Sanctioned Events. Individuals Found in Violation of this Ruling Shall be Subject to Prosecution. Commissioner Burks questioned the proposed time frame and City Manager Collins noted it was because of vandalism and safety issues so protecting city interests. The gate is currently still in place just being left open. City Attorney Potter noted it is customary to post an opening and closing time and not legally suggested to leave the park open all night long. Vice mayor Crutcher made a motion to pass the ordinance with the amendment of park open hours of 5am until 10pm with Commissioner Rainey seconding. Lucas and Burks offered concerns of no lighting, especially at the playground area. Attorney Potter suggested signage at the playground noting it closes at dark. Commissioner Burks amended the motion to include the playground only be open during daylight hours with Mayor

Carroll seconding. Crutcher suggested just using a sign with City Manager Collins agreeing. Burks removed his motion and Carroll removed her second. Vote on original motion: All in favor.

- H. Resolution No. 15-17, A Resolution Enacting a Moratorium on all Zonings and Rezonings of Residential Densities Greater than the City's Current RS20 Zoning Classification *and* on Future Proposals for Planned Unit Developments (P.U.D.s). – Vice Mayor Crutcher notes he requested this be placed back on agenda to address issues mentioned earlier tonight. His biggest concern is the sewer situation and need for step systems on larger developments but not intended to apply to multi-family residential. Rainey offers concerns of amendments based on situations while Crutcher argues this property was left on an island within a PUD. City Planner Costanzo offered restricting to PUDs with densities greater than R20. Mayor Carroll made a motion to restrict PUDs with densities greater than R20 with Commissioner Crutcher seconding. Vice Mayor Crutcher amends the motion to include the exact wording of the last whereas in the proposed resolution with Mayor Carroll seconding. Vote on the amended motion: FOR: Burks, Carroll, Crutcher; AGAINST: Lucas, Rainey. Motion carried.
- I. Fund Balance Policy Revision – City Manager Collins states he will bring this to the board in ordinance form but wants to revise to reflect 10% of the operating budget of \$2 million into reserves along with a 5% additional reserve in an effort to secure the reserve dollars and further protect them. No action.
- J. Use of Tree Bank funds for Hiring Landscape Architect to Prepare Conceptual Master Plan Documents for Parks – Tree Board member Brandon Butler brings a proposal for landscape conceptual plans for Veterans Park, Historical Village and City Hall from Lose Associates noting this had been approved or at least discussed by a previous board to spend funds from the Tree Bank fund and he wanted to verify this was still ok. It was put on hold because of funds that needed to be expended for the Roadscapes grant and now that it is completed we would like to move forward while we have great interest. City Manager Collins was asked to arrange a meeting between all involved parties to hammer out the details so it can be determined how to move forward. No action.

13. City Manager Items for Discussion

- A. Miscellaneous Updates - NONE
- B. City Attorney Comments - NONE

14. Communications from the Mayor and Commissioners

- A. Commissioner Rainey - NONE
- B. Commissioner Lucas knows there has been grumblings over traffic at the schools and cautions folks to get through it for a while. We can't please everyone but please be patient.
- C. Commissioner Burks wishes his wife a happy 15th anniversary and his son a happy 8th birthday.
- D. Vice Mayor Crutcher - NONE
- E. Mayor Carroll also wishes Burks' son a happy birthday.

- 15. Adjournment** – Commissioner Burks made a motion for adjournment seconded by Commissioner Rainey. Meeting was adjourned at 10:10 p.m.

Brandy Johnson
City Recorder