

CITY OF FAIR VIEW
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA

APRIL 7, 2022

7:00 P.M.

1. Roll Call
2. Call to Order
3. Prayer and Pledge
4. Approval of Agenda and Executive Session Announcements
5. Public Hearing(s)
6. Citizen Comments (Limited to the first 5 citizens to sign in and a limit of 3 minutes each)
7. Public Announcements, Awards and Recognitions
 - A. Arbor Day Proclamation
 - B. City Events
8. Staff Comments and Monthly Reports
 - A. Planning Report
 - B. Finance Report
 - C. Public Works Report
 - D. City Manager Report, Scott Collins
9. Consent Agenda (Any Item May be Removed for Individual Consideration)
 - A. Minutes from Board of Commissioners Meeting March 24, 2022
 - B. Minutes from Board of Commissioners Work Session March 24, 2022
10. Old Business
 - A. Rezoning of Property on Highway 96 N
 - (1) Public Hearing
 - (2) Second and Final Reading of Ordinance 2022-09, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, Tennessee, by Rezoning 3.44 Acres of Property Consisting of Williamson County Tax Map 022, Parcel 165.01, (Highway 96 N), From CG (Commercial General) to RM-12 (Multifamily), Property Owner: Jonathan Caldwell
 - B. Rezoning of Property on Highway 96 N
 - (1) Public Hearing
 - (2) Ordinance 2022-10, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, Tennessee, by Rezoning 1.33 Acres of Property Consisting of Williamson County Tax Map 022, Parcel 164.00, From RS-40 (Residential, Single-Family) to R-20 (Residential), Property Owner: Platinum Equities, LLC
 - C. Rezoning of Property on Highway 96 N
 - (1) Public Hearing
 - (2) Second and Final Reading of Ordinance 2022-11, An Ordinance to Amend the Zoning Ordinance of the City of Fairview, Tennessee, by Rezoning Property Consisting of

Williamson County Tax Map 022, Part of Parcel 164.00, Located on Highway 96 N, From R-20 (Residential) to RM-12 (Multifamily), Property Owner: Platinum Equities, LLC

D. Amended Budget

- (1) Public Hearing
- (2) Second and Final Reading of Ordinance 2022-13, An Ordinance of the City of Fairview, Tennessee, Amending the Annual Budget for the Fiscal Year Beginning July 1, 2021, and Ending June 30, 2022

11. New Business

- A. Resolution 08-22, A Resolution to Support Restoring the Historic Revenue Sharing Relationship Between the State of Tennessee and its Local Governments and to Return the Local Share of the Single Article Cap to Local Governments

12. Communications from the Mayor and Commissioners

13. Meeting Adjournment



CITY OF FAIRVIEW

ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of More than a million trees; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Dr. Evangeline Bowie used land management techniques including planting over 500,000 trees that transformed barren and eroded land into a park treasure gifted to the city that now includes over 700 acres of forest, lakes and 17 miles of trails; and

WHEREAS, the City of Fairview is located on the Western Highland Rim, and within a diverse and unique hardwood forest; and

WHEREAS, the Redbud Tree has been designated the Official City Tree; and

WHEREAS, the City of Fairview was designated as a Tree City USA in 2019; and

WHEREAS, Trees

- Save storm water retention cost
- Save energy
- Appeal to shoppers
- Slow traffic
- Provide health benefits
- Mitigate noise
- Provide wildlife habitat
- Clean and cool the air
- Attract people and industry
- Increase home values
- Increase pavement life
- Reduce crime
- Increase office worker productivity
- Are beautiful; and,

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Fairview, Tennessee does hereby proclaim April 29, 2022, as Arbor Day in the City of Fairview, to be observed annually on the last Friday in April going forward, and urges the citizens to plant trees and protect our woodlands to promote the wellbeing of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the great seal of the City of Fairview to be affixed, this 7th day of April, 2022.

Mayor, Debby Rainey

The logo consists of the letters 'IDA' in a bold, black, sans-serif font, centered within a bright yellow rectangular background.

ORDINANCE No. 2022-09

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 3.44 ACRES OF PROPERTY CONSISTING OF WILLIAMSON COUNTY TAX MAP 022, PARCEL 165.01, LOCATED ON HIGHWAY 96 N, FROM CG (COMMERCIAL GENERAL) TO RM-12 (MULTIFAMILY), OWNER: JONATHAN CALDWELL

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 3.44 acres of property consisting of Williamson County tax map 022, parcel 165.01 (Highway 96 N), from CG (Commercial General) to RM-12 (Multifamily), property owner: Jonathan Caldwell

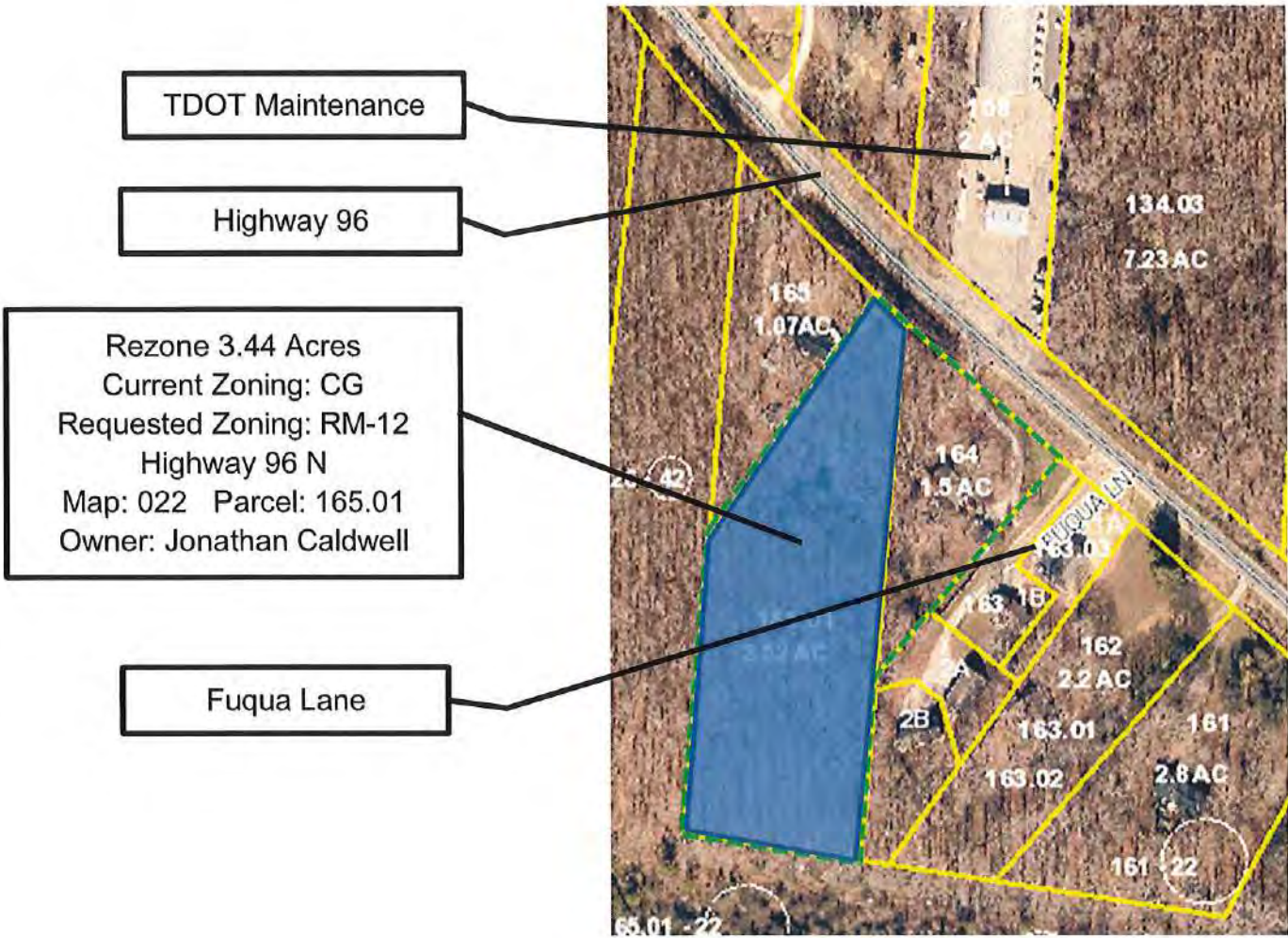
WHEREAS, said property to be rezoned from CG to RM-12 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on February 8, 2022, without a recommendation for approval; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS AS FOLLOWS:

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 3.44 acres of property consisting of Williamson County tax map 022, parcel 165.01 (Highway 96 N), from CG (Commercial General) to RM-12 (Multifamily), as requested by owner Jonathan Caldwell, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.



Subject Property requested zoning change from CG to RM-12



Entire boundary of property under consideration (3 ordinances)

Approved by the Board of Commissioners:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st Reading: March 3, 2022

Public Hearing: April 7, 2022

Passed 2nd Reading: _____

Published for public notice on:

March 22, 2022

In:

Observer
Publication

10B

ORDINANCE No. 2022-10

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING 1.33 ACRES OF PROPERTY CONSISTING OF WILLIAMSON COUNTY TAX MAP 022, PARCEL 164.00, LOCATED ON HIGHWAY 96 N, FROM RS-40 (RESIDENTIAL, SINGLE-FAMILY) TO R-20 (RESIDENTIAL), OWNER: PLATINUM EQUITIES, LLC

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 1.33 acres of property consisting of Williamson County tax map 022, parcel 164.00 (Highway 96 N), from RS-40 (Residential, Single-Family) to R-20 (Residential), property owner: Platinum Equities LLC

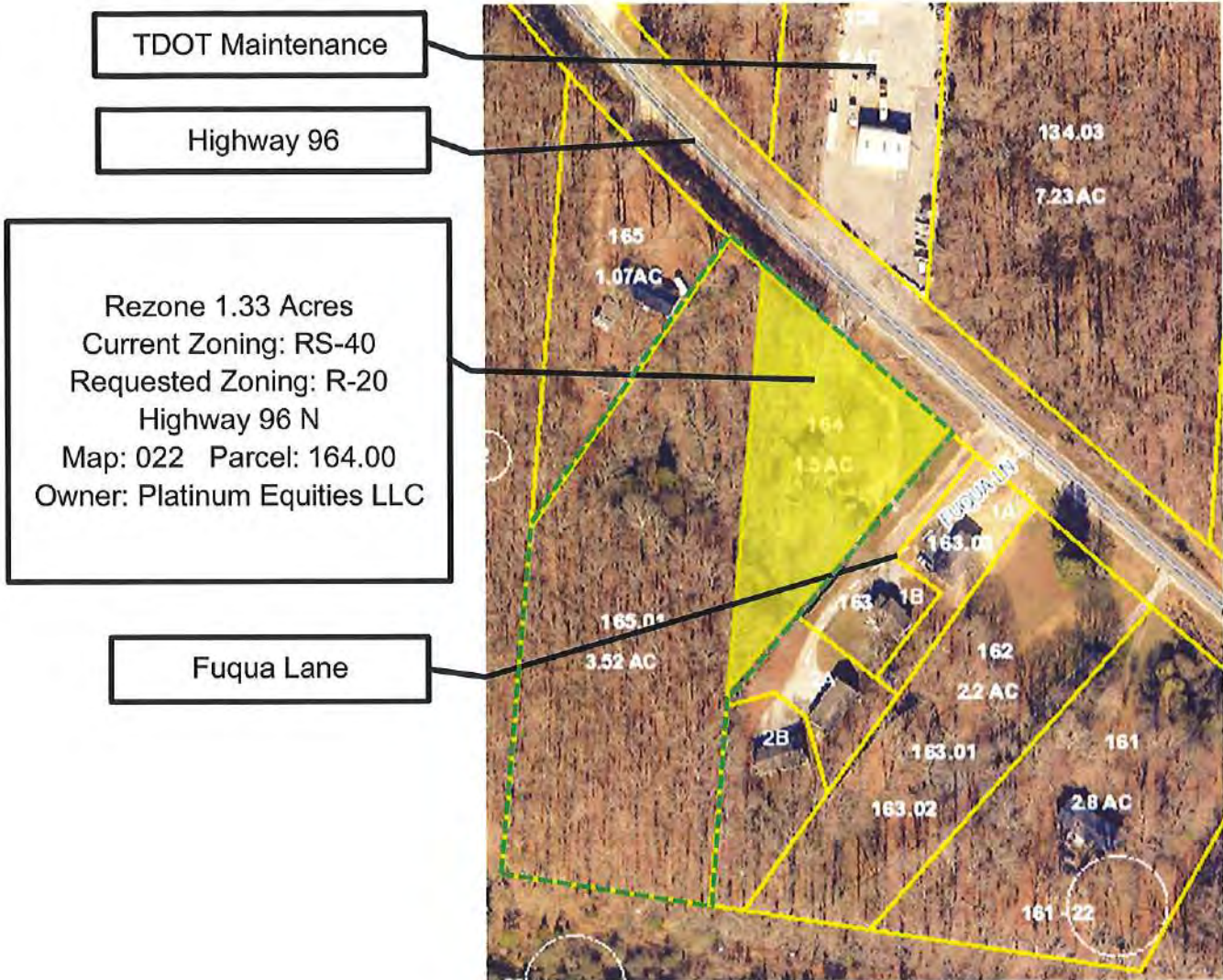
WHEREAS, said property to be rezoned from RS-40 to R-20 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on February 8, 2022, with a recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS AS FOLLOWS:

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 1.33 acres of property consisting of Williamson County tax map 022, parcel 164.00 (Highway 96 N), from RS-40 (Residential, Single-Family) to R-20 (Residential), as requested by owner Platinum Equities LLC, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.



Subject property requested zoning change from RS-40 to R-20



Entire boundary of property under consideration (3 ordinances)

Approved by the Board of Commissioners:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st Reading: March 3, 2022

Public Hearing: _____

Passed 2nd Reading: _____

Published for public notice on:

In:

Publication



ORDINANCE No. 2022-11

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE, BY REZONING PROPERTY CONSISTING OF WILLIAMSON COUNTY TAX MAP 022, PART OF PARCEL 164.00, LOCATED ON HIGHWAY 96 N, FROM R-20 (RESIDENTIAL) TO RM-12 (MULTIFAMILY), OWNER: PLATINUM EQUITIES, LLC

WHEREAS, the City of Fairview zoning ordinance, and the zoning maps therein adopted be, and the same are hereby amended by rezoning the property herein described as 1.33 acres of property consisting of Williamson County tax map 022, part of parcel 164.00 (Highway 96 N), from R-20 (Residential) to RM-12 (Multifamily), property owner: Platinum Equities LLC

WHEREAS, said property to be rezoned from R-20 to RM-12 is located within the corporate limits of the City of Fairview; and

WHEREAS, the City of Fairview Municipal Planning Commission forwarded the request to the Board of Commissioners on February 8, 2022, with a recommendation for approval without conditions; and

WHEREAS, that all ordinances or parts of ordinances in conflict are hereby repealed; and

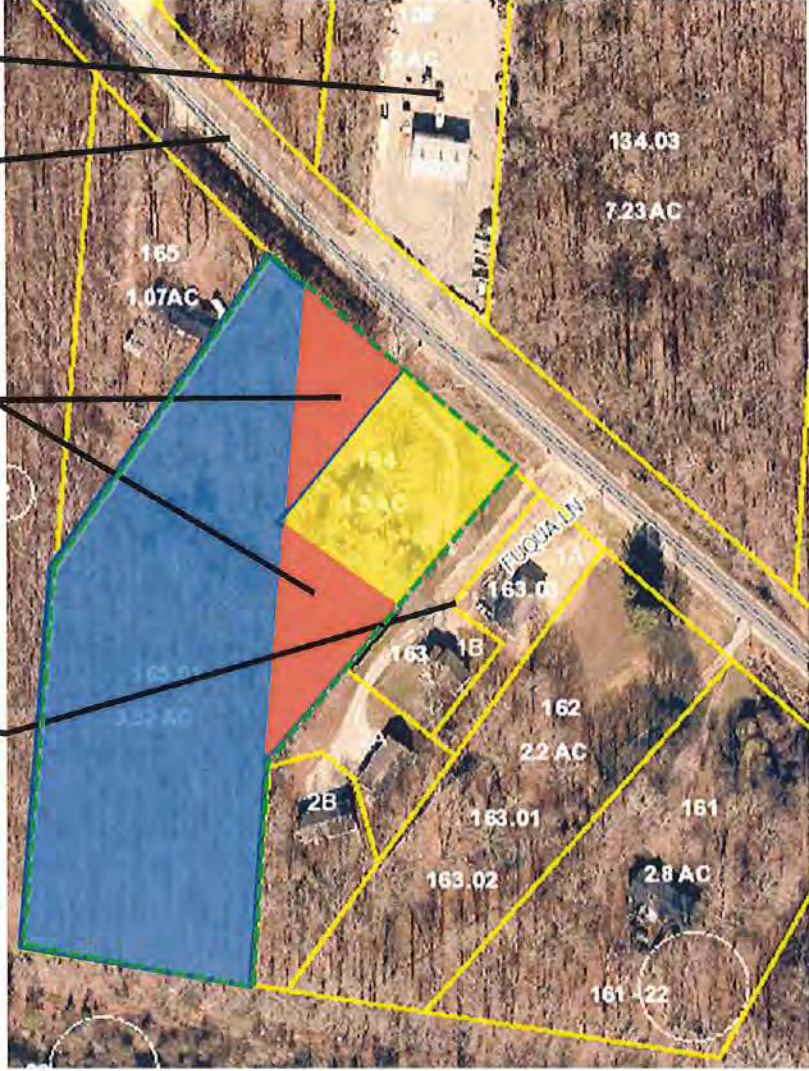
NOW THEREFORE BE IT ORDAINED BY THE CITY OF FAIRVIEW, TENNESSEE, BOARD OF COMMISSIONERS AS FOLLOWS:

The zoning ordinance of the City of Fairview, Tennessee, is hereby amended by rezoning 1.33 acres of property consisting of Williamson County tax map 022, part of parcel 164.00 (Highway 96 N), from R-20 (Residential) to RM-12 (Multifamily), as requested by owner Platinum Equities LLC, the public welfare requiring it. The rezoning of this site shall be subject to all City of Fairview ordinances and regulations.

TDOT Maintenance

Highway 96

Rezone part of parcel
 Current Zoning: RS-40
 Requested Zoning: R-20
 (Ordinance 2022-09) to RM-12
 (Ordinance 2022-11)
 Highway 96 N
 Map: 022
 Part of Parcel: 164.00
 Owner: Platinum Equities LLC



Fuqua Lane

- Adjacent to subject property and parcel requested change to RM-12 zoning
- Property requested zoning change to R-20
- Subject property subdivided off R-20 parcel and requested change to RM-12 zoning
- Entire boundary of property under consideration (3 ordinances)

Approved by the Board of Commissioners:

Mayor

ATTESTED:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st Reading: March 3, 2022

Public Hearing: April 7, 2022

Passed 2nd Reading: _____

Published for public notice on:

March 22, 2022

In:

Observer
Publication

ORDINANCE No. 2022-13



**AN ORDINANCE OF THE CITY OF FAIRVIEW, TENNESSEE,
AMENDING THE PREVIOUSLY ADOPTED ANNUAL BUDGET FOR THE FISCAL YEAR
BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022**

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FAIRVIEW, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body projects anticipated revenues from all sources and appropriates planned expenditures for each department, board, office or other agency of the municipality, herein presented together with the actual annual receipts and expenditures of the last preceding fiscal year and the estimated annual expenditures for the current fiscal year, and from those revenues and unexpended and unencumbered funds as follows for fiscal year 2022, and including the projected ending balances for the budget year, the actual ending balances for the most recent ended fiscal year and the estimated ending balances for the current fiscal years:

General Fund	Actual FY 2020	Estimated FY 2021	FY 2022 Budget
Cash Receipts			
Taxes	5,816,729	6,183,238	6,792,550
Licenses and Permits	260,594	264,210	504,335
Fines and Fees	223,232	222,236	205,700
Intergovernmental	55,873	1,617,379	1,520,235
Other Revenue	418,770	230,277	626,075
Debt Proceeds	0	0	9,685,000
TAN and GAN Proceeds	0	0	0
Transfers In From Other Funds	0	0	0
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Total Cash Receipts	6,775,198	8,517,340	19,333,895

Appropriations

Board of Commissioners	32,027	44,129	62,202
Administration	1,696,671	1,753,819	2,531,081
Finance Department	112,450	134,785	140,865
Planning Department	262,859	335,217	288,222
Engineering Department	-	-	1,613,829
Municipal Court	150,773	184,500	204,621
Police Department	1,630,486	1,875,495	2,114,824
Fire Department	1,350,251	1,551,953	1,742,470
Parks Department	-	-	1,104,153
Public Works Department	669,658	882,251	964,962
Debt Service	217,000	264,000	426,600
Transfers Out To Other Funds	0	0	0
Total Appropriations	6,122,175	7,026,149	11,193,829
Change in Cash (Receipts - Appropriations)	653,023	1,491,191	8,140,066
Beginning Cash Balance on July 1	2,282,486	2,935,509	4,426,700
Ending Cash Balance on June 30	2,935,509	4,426,700	12,566,766
Ending Cash as a % of Appropriations	47.95%	63.00%	112.27%

State Street Aid	Actual FY 2020	Estimated FY 2021	FY 2022 Budget
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Cash Receipts

State Gasoline and Motor Fuel Taxes	285,788	273,150	326,000
Local Gasoline and Motor Fuel Taxes	0	0	0
Other Revenue	243	200	200
Debt Proceeds	0	0	0
Total Cash Receipts	286,031	273,350	326,200

Appropriations

Public Works Department	300,442	264,713	349,500
Debt Service	39,192	40,000	0
Total Appropriations	339,634	304,713	349,500
Change in Cash (Receipts - Appropriations)	(53,603)	(31,363)	(23,300)
Beginning Cash Balance on July 1	191,966	138,363	107,000
Ending Cash Balance on June 30	138,363	107,000	83,700
Ending Cash as a % of Appropriations	40.74%	35.12%	23.95%

Drug Enforcement Fund	Actual FY 2020	Estimated FY 2021	FY 2022 Budget
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Cash Receipts

Fines and Court Costs	18,751.0	12,000.0	12,000.0
Other Revenue	86.0	10,050.0	10,050.0
Total Cash Receipts	18,837.0	22,050.0	22,050.0

Appropriations

Police Operational Expenses	33,438.0	21,844.0	34,000.0
Police Capital Expenditures	0.0	0.0	0.0
Drug Enforcement	0.0	0.0	0.0
Other	0.0	0.0	0.0
Total Appropriations	33,438.0	21,844.0	34,000.0
Change in Cash (Receipts - Appropriations)	(14,601.0)	206.0	(11,950.0)
Beginning Cash Balance on July 1	86,395.0	71,794.0	72,000.0
Ending Cash Balance on June 30	71,794.0	72,000.0	60,050.0
Ending Cash as a % of Appropriations	214.71%	329.61%	176.62%

SECTION 2: At the end of fiscal year 2022, the governing body estimates fund balances or deficits as follows:

General Fund	\$12,566,766
State Street Aid	\$83,700
Drug Enforcement Fund	\$60,050

SECTION 3: That the governing body herein certifies that the condition of its sinking funds, if applicable, are compliant pursuant to its bond covenants, and recognizes that the municipality has outstanding bonded and other indebtedness as follows:

General Fund	\$11,760,000
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SECTION 4: During the coming fiscal year (2022) the governing body has pending planned capital projects with proposed funding as follows:

The Highway 100 Sidewalk Project and the Cumberland Drive Intersection Project, both funded through state and federal resources; Americans with Disabilities Act (ADA) accessibility improvements funded by grant and general fund sources; roadway improvements funded through state and general fund sources; technology improvements funded through grant and general fund sources.

SECTION 5: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accordance with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 6: Money may be transferred from one appropriation to another in the same fund in an amount of up to \$1,000, subject to such limitations and procedures as set in the Budget Policy adopted by the Board of Commissioners in Ordinance No. 840 adopted on **June 30, 2014** by Section 6-56-209 of the *Tennessee Code Annotated*. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full-time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 8: The previously levied property tax of \$ 0.8765 per \$100 of assessed value on all real and personal property is hereby unchanged.

SECTION 9: This AMENDED annual operating and capital budget ordinance and supporting documents may be submitted to the Comptroller of the Treasury or Comptroller's Designee. If the Comptroller of the Treasury or Comptroller's Designee determines that this AMENDED budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: This ordinance shall take effect April 8, 2022, the public welfare requiring it.

Debby Rainey, Mayor

Brandy Johnson, City Recorder

APPROVED AS TO FORM:

City Attorney

Budget Passed First Reading: March 24, 2022

Budget Passed Second Reading: _____

Budget Public Hearing Held on: _____

**CITY OF FAIRVIEW
RESOLUTION No. 08-22**



**A RESOLUTION TO SUPPORT RESTORING THE HISTORIC REVENUE
SHARING RELATIONSHIP BETWEEN THE STATE OF TENNESSEE AND ITS
LOCAL GOVERNMENTS AND TO RETURN THE LOCAL SHARE OF THE
SINGLE ARTICLE CAP TO LOCAL GOVERNMENTS**

WHEREAS, Tennessee's municipal communities are the economic engine of the state and today 92% of the state's total sales tax collections are generated within municipal boundaries; and,

WHEREAS, such economic growth is intentional and when it occurs, it is financed largely through city taxes for police, fire, streets, water and sewer, schools, parks, libraries and other amenities that attract and retain businesses and make Tennessee's communities desirable places for people to raise a family, start a business, and visit; and,

WHEREAS, in 1947, the state began sharing 4.6% of each year's total state sales tax collections with cities for the purposes of recognizing the collective contribution of cities as the state's economic engine; thereby acknowledging that city residents incur a local tax burden that is directly attributable to financing, developing, and maintaining an economic environment that continues to generate a healthy portion of the sales tax revenue accruing to the state; and,

WHEREAS, when confronting serious fiscal challenges in 2002, the state of Tennessee increased the state sales tax rate from 6% to 7%; and,

WHEREAS, the state chose not to share a portion of the sales tax revenues generated by the increase from 6% to 7% with Tennessee municipalities; and,

WHEREAS, as a result of this change the state broke a 55-year relationship of sharing 4.6% of all sales tax revenue designated for the state's general fund with municipalities; and,

WHEREAS, at the same time in 2002, the state also doubled from \$1,600 to \$3,200 the amount of the purchase price any single item that is subject to a combined state and local option sales tax of 9.75%; and

WHEREAS, in addition to the single article cap increase from \$1,600 to \$3,200, the state also captured and continues to capture 100% of the state's 7% levy as well as the 2.75% portion of the sales tax levy that is customarily reserved for local government on the added sale of items with a purchase price above \$1,600; and

WHEREAS, in the 20 years since these provisions took effect, these two changes have combined to result in the state realizing nearly \$2 billion in additional sales tax collections -- \$2 billion that would have benefitted local taxpayers had the historic revenue sharing relationship and single article cap not been altered in 2002; and,

WHEREAS, in the 20 years since these provisions took effect, Tennessee's state leaders have managed the budget with great care and a strong fiscally conservative approach to create a dynamic and growing economy with eight consecutive years of surplus revenues; and,

WHEREAS, in the 20 years since these provisions took effect, the State of Tennessee's sustained economic and fiscal performance have erased the conditions which led to these austerity measures in 2002; and,

WHEREAS, there is expected to be a surplus of recurring revenues produced by the economic engines of our state and managed by its leaders; and,

WHEREAS, as a result of the accolades bestowed upon the state for its economic success, its fiscally conservative policies and strong leadership, the state has garnered an enviable reputation as the state in which to live, work and play; and,

WHEREAS, a consequence of this reputation has led to continued and substantial economic growth and an increase and realignment of the state's population, thereby increasing the fiscal pressures on municipal governments to meet demands to expand and maintain infrastructure, to deliver essential services, to provide the amenities that allow for continued quality of life for Tennessee's citizens, and to promote an economic environment that allows Tennessee's businesses and communities to prosper; and,

WHEREAS, these fiscal pressures create the need for recurring dollars to keep pace with this demand and to counteract the effects of inflation; and,

WHEREAS, correcting the provisions which took effect in 2002 will help to offset these fiscal pressures and to provide relief to local taxpayers shouldering the burden of meeting this demand which is associated with generating the sales tax revenues accruing to the state;

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the City of Fairview, on behalf of its residents, formally supports the restoration of the historic revenue sharing relationship of recurring state shared sales taxes in order for cities to once again receive 4.6% of all state general fund sales tax revenue. The Board also formally supports the state allowing local governments to receive the local share of sales tax revenues realized by increasing the single article cap in 2002 to collect on items with a purchase price between \$1,600 and \$3,200.

Resolved this the _____ day of _____, 2022.

MAYOR DEBBY RAINEY

ATTEST:

CITY RECORDER

APPROVED AS TO FORM

CITY ATTORNEY