

**APRIL 29, 2019**

**BOARD OF MAYOR AND ALDERMEN – SPECIAL CALLED MEETING  
4:00 PM**

1. Prayer
2. Pledge Of Allegiance
3. Roll Call
4. Approval Of Agenda
5. Consideration Of Ordinance 2019-11 Adding Chapter 4 "Fireworks" To Title 7 Of The City Of Millington Municipal Code And Deleting Part Of Chapter 3 - First Reading

Documents:

[ORDINANCE 2019-11 FIREWORKS.PDF](#)

6. Consideration Of Ordinance 2019-12 Adopting And Adding Chapter 27, Fireworks Sales Overlay District To The Millington Zoning Ordinance - First Reading

Documents:

[ORDINANCE 2019-12 ADDING CHAPTER 27, FIREWORKS SALES OVERLAY.PDF](#)

7. Consideration Of Ordinance 2019-13 Adopting And Adding Chapter 26, Entertainment Recreation District To The Millington Zoning Ordinance - First Reading

Documents:

[ORDINANCE 2019-13 CHAPTER 26 ENTERTAINMENT RECREATION DISTRICT.PDF](#)

8. Consideration Of Resolution 20-2019 Approving Award Of Bid 2019-2 Naval Facility Connector (Astoria Avenue)

Documents:

[RESOLUTION 20-2019 AWARD OF BID FOR CONSTRUCTION OF ASTORIA.PDF](#)

9. Consideration Of Resolution 21-2019 Declaring Property Known As USA Stadium Complex As Surplus

Documents:

[RESOLUTION 21-2019 DECLARE SURPLUS PROPERTY.PDF](#)

10. Adjourn

**ADA NOTICE**

**The City of Millington is in compliance with the Americans with Disabilities Act. Should you need accommodations for the above meeting, please call City Hall at (901)873-5701, at least 8 hours in advance of the meeting.**

ORDINANCE 2019-11

AN ORDINANCE TO ADD CHAPTER 4, "FIREWORKS," TO TITLE 7 OF THE CITY  
OF MILLINGTON MUNICIPAL CODE AND DELETE PART OF  
CHAPTER 3

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MILLINGTON, TENNESSEE, THAT:

Section 1. Chapter 304, "Fireworks," is deleted from title 7 of the City of Millington, TN, Municipal Code.

Section 2. Chapter 4, "Fireworks," is added to title 7 of the City of Millington, TN Municipal Code to read as follows:

CHAPTER 4 FIREWORKS SECTION:

7-401. Definitions.

7-402. Permits and permit fees.

7-403. Permit revocation.

7-404. Permissible fireworks.

7-405. Storing and structures.

7-406. Limitations on structures.

7-407. Location of fireworks outlets.

7-408. Parking for retail fireworks sales site.

7-409. Additional standards for fireworks retailers.

7-410. Unlawful sale to certain children and other persons; unlawful use of fireworks.

7-411. Limited time period to use fireworks.

7-412. Exemptions.

7-413. Violations and penalty.

7-401. Definitions.

(1) As used in this chapter, unless the content otherwise requires:

(a) "Fireworks" means any composition or device for the purpose of producing a visible or an audible effect by combustion, deflagration, or detonation, and which meets the definition of:

(i) All articles of fireworks classified as 1.4G, or referred to as "Consumer Fireworks", or "Class C Common Fireworks,"

(ii) Theatrical and novelty, classified as 1.4S, or

(iii) Display fireworks, classified as 1.3G, as set forth in the U.S. Department of Transportation's (DOT) Hazardous Materials Regulation, Title 49, Code of Federal Regulations (CFR), Parts 171-180.

(iv) Exceptions:

(A) Toy caps for use in toy pistols, toy canes, or toy guns, and novelties and trick noisemakers manufactured in accordance with DOT regulations, 49 CFR 173.100(p), and packed and shipped according to those regulations;

(B) Model rockets and model rocket motors designed, sold, and used for the purpose of propelling recoverable aero models.

(C) Propelling or expelling charges consisting of a mixture of sulfur, charcoal, saltpeter are not considered as designed to produce audible effects.

(b) "Mobile Retailer" means a vendor operating from motor vehicles, trailers, bicycles, or motorbikes.

(c) "Permit" means the written authority of the City of Millington issued under the authority of this section.

(d) "Person" means any individual, firm, partnership, or corporation.

(e) "Retailer" means any person engaged in the business of making retail sales of fireworks to the general public.

(f) "Sale" means an exchange of articles of fireworks for money and also includes barter, exchange, gift, or offer and each such transaction made by any person, whether as principal, proprietor, salesperson, agent, association, copartnership, or one (1) or more individual(s),

(g) "State Fire Marshal permit" means the appropriate fireworks permit issued by the Tennessee Fire Marshal under the authority of Tennessee Code Annotated § 68-104-101, et seq

(2) Singular words and plural words used in the singular include the plural and the plural as singular.

#### 7-402. Permits and permit fees.

(1) It is unlawful for any person to sell or to offer for sale in the City of Millington any item of fireworks without first having secured a State Fire Marshal Permit and a Permit issued by the City of Millington

(a) Permits are not transferable.

(b) A permit (to sell fireworks to the general public) is valid only from June 20 through July 5 or December 21 through January 2.

(c) The permit fee for retail permits is \$1000 per location.

(d) The fee for public displays using Special Display (1.3G) Fireworks is five dollars (\$5).

(e) Schools, wedding groups, businesses, and civic clubs that desire to have a 1.3G Special Display or 1.4G Consumer Fireworks display may obtain a permit to use fireworks for any time of the year by paying a \$5 permit fee and obtaining a permit from the City.

(2) A permit to sell fireworks in the City of Millington must be obtained at least one week prior to the date on which the applicant begins making sales. Each application shall contain the following:

(a) The application must include the name, address, and telephone number of applicant.

(b) The applicant must be the natural person who will operate or be responsible for sales.

(c) The applicant's name must be the same as the name on the State Fire Marshal Permit.

(d) The applicant is liable for all violations of this chapter by persons under his/her supervision.

(3) A copy of the State Fire Marshal Permit. (For a state permit to be obtained by a retailer, the Mayor must sign in behalf of the retailer an Application for Fireworks Permit that the state requires before a state permit is issued to a retailer for a specific location.)

(4) A person that applies for a retail fireworks permit must show proof that a state sales tax number has been obtained for sales tax purposes.

(5) A site plan must be submitted that includes the dimensions of the lot, size and location of structure, setback of structure from the right-of-way, location of other structures in the area that are occupied, location and number of parking places, location of any nearby residences, location of the nearest fuel outlets, and location of other fireworks outlets if located within 750 feet of a retail structure.

(6) Mobile vendors are not permitted.

(7) Flashing signs are not permitted.

(8) One double-faced sign is permitted; however, each sign face may not exceed thirty-six (36) square feet in area and eight (8) feet in height.

(9) The application must contain evidence that general liability insurance has been obtained by applicant naming the City of Millington as additional insured for at least \$2,000,000 for each occurrence, whether in respect to bodily injury liability or property damage liability or bodily injury liability and property damage liability combined.

(10) The application must disclose the location where the applicant will conduct the business of selling fireworks and the dates for which the right to do business is desired.

(11) Applicant shall pay \$100 cleanup deposit per location, which shall be refunded after the fireworks season or used by the city to clean up the retail fireworks site if needed.

(12) After the application has been submitted and approved, a city codes inspector shall inspect the site for compliance with applicable codes and ordinances.

#### 7-403. Permit revocation.

(1) The Codes Director and/or fire official may revoke any permit upon failure of retailer to correct any of the following conditions within thirty-six (36) hours after the Codes Director gives written notice.

(a) When the permittee or the permittee's operator violates any lawful rule, regulation, or order of the City Codes Director.

(b) When the permittee's application contains any false or untrue statements.

(c) When the permittee fails to timely file any report or pay any tax, fee, fine, or charge.

(d) When the permittee or the permittee's operator violates any fireworks ordinance or statute.

(2) When any activities of the permittee constitute a distinct hazard to life or property, the Codes Director or fire official, or both, may revoke the permit immediately.

#### 7-404. Permissible fireworks.

(1) It is unlawful for any individual, firm, partnership, or corporation to sell or use within the City of Millington, except as provided in this chapter, any "fireworks" as defined in § 7-401(1)(a), other than the following:

- (a) Those items classified by the U.S. Department of Transportation as 1.4G Consumer Fireworks, or
  - (b) Those items that comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission and permitted for use by the general public under its regulations.
- (2) Any display using 1.3G Display Fireworks must be under the control of a licensed pyrotechnics technician.

7-405. Storing and structures. No person may smoke within a structure where fireworks are sold. No person selling fireworks may permit the presence of lighted cigars, cigarettes, or pipes within a structure where fireworks are offered for sale. At all places where fireworks are stored or sold, there must be posted signs with the words "Fireworks- No Smoking" in letters not less than four (4) inches high. An inspected and currently tagged fire extinguisher with a minimum 2A rating and one pressurized water type fire extinguisher must be present at each retail fireworks site. Fireworks sold at retail may be sold only from a freestanding structure. Fireworks must be stored at least ten (10) feet away from windows and other areas where the sun may shine through. Fireworks are not permitted to be stored in residential districts, except for personal use.

7-406. Limitations on structures. Tents meeting the current adopted International Building Code and the Life Safety Code (NFPA 101) may be used for the retail sale of fireworks. Ground fault interrupter protection must be used for power cords that supply power to tents and other outdoor structures. Electrical wiring inside tents and other outdoor locations shall be securely installed, without splices, and lamps shall be protected from accidental breakage by a suitable fixture or guard. No structure from which fireworks are sold may exceed 3,200 square feet. Fireworks may not be stored in a permanent building unless the building has a sprinkler system and is constructed of non-flammable materials such as metal or concrete block.

7-407. Location of fireworks outlets. Fireworks sales structures must be no closer than 120 feet from any occupied building. Fireworks sales are permissible only on property in the FW Fireworks Sales Overlay Zoning District and the sales structure must be located a minimum of 45' from the right of way. Any fireworks sales structure must be at least 300 feet from a residence. Fireworks sales are not allowed on any property where there is an existing retail business that is operated from a building in excess of 75,000 square feet.

Retail fireworks sales must also be located on a four-lane roadway.

7-408. Parking for retail fireworks sales site. The site for a fireworks retailer shall be improved to provide at least ten (10) graveled or paved parking places for off street and right-of-way customer parking. In addition, the retail fireworks site must provide for an on-site turn-around area so that backing of vehicles onto the street will not be necessary. There shall be no parking on the grass or other vegetated areas to avoid a fire hazard.

7-409. Additional standards for fireworks retailers.

- (1) Any site for a fireworks retailer must be located so that all parts of the structure and fireworks inventory on the site are no closer than 100 feet to any fuel source.
- (2) The parcel in which a fireworks retail use is required shall be a minimum of seven hundred and fifty (750) feet from other similar uses. This distance shall be measured in a straight line from structure to structure. Priority shall be given to the retailer who obtained a permit the previous year at the same location.

7-410. Unlawful sale to certain children and other persons; unlawful use of fireworks. It is unlawful to offer for sale or to sell any fireworks to children under the age of sixteen (16) years of age or to any intoxicated person. It is unlawful to explode or ignite fireworks within six hundred (600) feet of any church, assisted living facility, nursing home, hospital, funeral home, public or private school academic structure, or within two hundred (200) feet of where fireworks are stored, sold, or offered for sale. It is unlawful to ignite or discharge any permissible articles of fireworks within or throw them from a motor vehicle. It is unlawful to place or throw any ignited article of fireworks into or at a motor vehicle, or at or near any person or group of persons. It is unlawful to ignite fireworks on another person's private property unless permission is obtained from the owner or occupant of the property. It is unlawful to launch fireworks onto property of persons who have not given permission. It is unlawful to use fireworks at times, places, or in any manner that endangers other persons. It is unlawful to ignite fireworks during a burning ban declared by either the State of Tennessee or the

City of Millington Fire Department, except for public (and/or group) displays for which permits have been granted.

7-411. Limited time period to use fireworks. Limited time period to use fireworks. It is unlawful to discharge or use fireworks except for the following time periods.

(1) July 1 through July 4—The permissible hours are from 10 AM to 10:30 PM except for July 3 when permissible hours are from 10 AM to 11:30 PM.

(2) December 31 and January 1—The permissible hours from 8:00 PM on December 31 to 1:00 PM on January 1.

7-412. Exclusions. Nothing in this chapter prohibits:

(1) The sale of any kind of fireworks that are to be shipped directly out of the corporate limits of the city in accordance with the regulations of the United States Department of Transportation covering the transportation of explosives and other dangerous articles by motor, rail, and water.

(2) The sale, transportation, handling, or use of industrial pyrotechnic devices or fireworks, such as railroad torpedoes, fuses, automotive, aeronautical, and marine flares and smoke signals.

(3) The sale or use of blank cartridges for theater, for signal or ceremonial purposes, in athletics or sporting events, or legal power tools.

(4) The transportation, handling, or use of any pyrotechnic devices by the armed forces of the United States.

(5) The use of pyrotechnics in training by the fire service, law enforcement, or similar government agencies.

(6) The use of fireworks for agricultural purposes under conditions approved by the fire chief or his designee.

(7) Supervised displays of fireworks as provided for in this chapter.

7-413. Violations and penalties. Violations of any provision of this chapter shall be subject to a penalty of up to \$50 per violation.

Section 2. This ordinance shall take effect from and after its passage, the public welfare requiring it.

Public Hearing:

First Reading: April 29, 2019

Final Reading:

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Terry G. Jones, Mayor

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Karen Findley, City Clerk

ORDINANCE 2019-12

ORDINANCE ADOPTING AND ADDING CHAPTER 27, FIREWORKS SALES  
OVERLAY DISTRICT TO THE MILLINGTON ZONING ORDINANCE.

WHEREAS, The Tennessee Code Annotated Statutes, as amended, Title 13, grants municipalities and counties the authority to provide for the planning, and;

WHEREAS, The City of Millington Tennessee has adopted the Millington Zoning Ordinance to provide for the establishment of districts within the corporate limits of Millington, Tennessee: to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot occupancy, the size of open spaces, the density of population, and the uses of land, buildings and other structures, the percentage of lot occupancy, the size of open spaces, the density of population, and the uses of land, buildings and other structure for trade, industry, residence, recreation, public activities and similar purposes; and

WHEREAS, It is necessary to amend the Zoning Ordinance to establish an Overlay District to regulate the sale of fireworks in the City of Millington; and

WHEREAS, The Millington Planning Commission on April 15, 2019 reviewed and recommended the adoption of Chapter 27, Fireworks Sales Overlay District to the Millington Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE Board of Mayor and Aldermen of the City of Millington, Tennessee, that Chapter 27, Fireworks Sales Overlay District be approved and added to the Millington Zoning Ordinance, as provided in Attachment A.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its final passage, the public welfare requiring it.

Public Hearing:

First Reading: April 29, 2019

Final Reading:

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Terry G. Jones, Mayor

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Karen Findley, City Clerk

## ATTACHMENT A

### SECTION

14-2701	Purpose
14-2702	FW-Fireworks Sales Overlay District
14-2703	Adoption and Effective Date

14-2701 Purpose. The purpose of this district is to provide land area for the temporary sales of fireworks consistent with the requirements and conditions of the City of Millington Fireworks Ordinance and any other conditions that may be deemed appropriate by the Planning Commission and Board of Mayor and Aldermen. For the purposes of this Ordinance the FW District shall represent an overlay zoning of the B-2, General Commercial District and the P-C, Planned Commercial District that permits Temporary Fireworks Sales in addition to all other Permitted Uses as shown on Chart 1, Permitted Uses. The following restrictions shall apply:

#### 14-2702 FW-Fireworks Sales Overlay District.

1. **Submittal Requirements:** A Site Concept Plan shall be submitted, drawn to scale, showing the location of all structures and storage trailers on the property, parking areas, storage facilities, etc. The concept plan must include the dimensions of the property and the exact location of all structures, including the distances between structures and property lines and other structures. Indicate where electrical service is to be provided. Provide information on the type of temporary structure that will be provided. All fabric tents shall be fire retardant treated or classified as noncombustible.
2. **Site Design:** All structures shall conform to the setbacks of the underlying zoning. All storage shall be located at the rear of the site. All storage must be located a minimum of 50' from the sales structure.
3. **Access and Parking:**
  - a. A minimum of ten (10) parking spaces must be provided and one shall be accessible in accordance with the Millington Zoning Ordinance. The parking areas shall be gravel as a minimum. There shall be no parking on the grass or other vegetated areas to avoid a fire hazard.
  - b. All new drives shall be located as approved by the Planning Commission and shall be approved by the State of Tennessee if the facility is located on a State Route.
  - c. No person will be allowed within any street right-of-way flagging or directing traffic. No interference with the flow of traffic shall be permitted.
4. **Restroom:** Each fireworks stand must provide a portable restroom if there are not restrooms available on the site.
5. **Signs and Banners:** There shall be no more than one (1) sign or banner located on or attached to the fireworks stand or tent. The banner or sign attached to the tent or stand shall not exceed 200 square feet. No fireworks sales signage is permitted on a trailer located on the site. In addition, one ground sign shall be permitted for each fireworks stand, provided it is located at least 15 feet from the street right-of-way. The ground sign shall not exceed 32 square feet or 8 feet in height.

Flashing lights of any type are not permitted. No inflatable objects or other signs of any kind are permitted on the site or on any storage containers.

14-2703 Adoption and Effective Date. The Fireworks Sales Overlay District shall be established and in effect upon recommendation for approval by the Millington Planning Commission and adoption as an Ordinance by the Millington Board of Mayor and Aldermen.



ORDINANCE 2019-13

ORDINANCE ADOPTING AND ADDING CHAPTER 26, ENTERTAINMENT RECREATION DISTRICT TO THE MILLINGTON ZONING ORDINANCE.

WHEREAS, The Tennessee Code Annotated Statutes, as amended, Title 13, grants municipalities and counties the authority to provide for the planning; and

WHEREAS, The City of Millington Tennessee has adopted the Millington Zoning Ordinance to provide for the establishment of districts within the corporate limits of Millington, Tennessee: to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot occupancy, the size of open spaces, the density of population, and the uses of land, buildings and other structures, the percentage of lot occupancy, the size of open spaces, the density of population, and the uses of land, buildings and other structure for trade, industry, residence, recreation, public activities and similar purposes; and

WHEREAS, It is necessary to amend the Zoning Ordinance to establish a district to regulate the development of Water Parks and other related activities; and

WHEREAS, The Millington Planning Commission on April 15, 2019 reviewed and recommended the adoption of Chapter 26 Entertainment Recreation District to the Millington Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE Board of Mayor and Aldermen of the City of Millington, Tennessee, that Chapter 26, Entertainment Recreation District be approved and added to the Millington Zoning Ordinance, as provided in Attachment A. .

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its final passage, the public welfare requiring it.

Public Hearing:  
First Reading: April 29, 2019  
Final Reading:

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Terry G. Jones, Mayor

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Karen Findley, City Clerk

ATTACHMENT A

CHAPTER 26

ENTERTAINMENT RECREATION DISTRICT

SECTION

- 14-2601 Purpose
- 14-2602 E-R Entertainment Recreation District
- 14-2603 Adoption and Effective Date

14-2601 Purpose. The purpose of this district is to provide for the development of public and/or privately owned recreational areas that provide a high level of recreational entertainment than is normally found in a public park. These activities are further described in 14-2602 below and are made available to the general public with an entry fee. The specific purpose of this district is to provide land for a Water Park, defined as: An amusement park with facilities (such as pools and wetted slides) for primarily aquatic recreation. The use is normally a large outdoor area with aquatic rides, shows, refreshments and food service and other entertainment.

14-2602 E-R Entertainment Recreation District. Within the areas designed for E-R on the Zoning Map of the City of Millington, Tennessee, the following provisions shall apply:

- (1) Uses permitted.
  - (a) Lakes and Pools with water slides
  - (b) Lazy Rivers
  - (c) Ropes Courses
  - (d) Ziplines
  - (e) Wake Boarding Lakes and Areas
  - (f) Entrance Buildings and Gift Shops
  - (g) Event Buildings and Assembly Areas
  - (h) Restaurants and Snack Areas
  - (i) Other Similar Uses as may be requested and approved by the Millington Planning Commission.

Note: All uses are subject to Site Plan approval by the Planning Commission as provided in Section 14-1201 of this Ordinance.

- (2) Minimum Lot Area: Twenty-Five (25) Acres
- (3) Minimum Lot Width: Two Hundred (200) Feet
- (4) Minimum Lot Front Yard: Fifty (50) Feet
- (5) Minimum Lot Side Yard: One-Hundred (100) Feet where the use is adjacent to Single Family Residential, and Twenty Five (25) Feet in all other locations.

- (6) Minimum Rear Yard: One-Hundred (100) Feet where the use is adjacent to Single Family Residential use, and Twenty Five (25) Feet in all other locations.
- (7) Maximum Height: All structures shall not exceed Thirty Five (35) Feet.

This limitation shall not apply to flagpoles, antennas and towers required for ziplines or waterslides provided they comply with the provisions of all pertinent codes and ordinances and provided they are located a distance equal to their height plus ten (10) feet from the nearest property line adjacent to residential.

All buildings and structures located within the horizontal zone of any airport runway shall be subject to the regulations pertaining to such approach zone.

- (8) Accessory Buildings, Accessory buildings are permitted subject to all setbacks and requirements set forth in this section and are also subject to Site Plan Review as provided in Section 14-1201 of this Ordinance
- (9) Parking Requirements: One (1) space for each 7,500 square feet of entertainment recreation use plus one (1) space for each four (4) customers.

14-2603 Adoption and Effective Date. The Entertainment Recreation District shall be established and in effect upon recommendation for approval by the Millington Planning Commission and adoption as an Ordinance by the Millington Board of Mayor and Aldermen.

RESOLUTION 20-2019

RESOLUTION APPROVING AWARD OF BID 2019-2 NAVAL FACILITY CONNECTOR  
(ASTORIA AVENUE)

WHEREAS, Bid # 2019-2 for the construction of the Naval Facility Connector, Astoria Avenue, was re-issued, advertised in the paper and due on April 25, 2019 at 2:00 PM; and

WHEREAS, Bids were received from five (6) companies:

Encor, LLC	\$2,375,580.00
White Construction and Associates, Inc.	\$2,552,442.93
Madden-Phillips	\$2,811,918.27
VuCon, LLC	\$2,872,385.27
Chancellor Brothers, LLC	\$3,046,004.05
Wagner General Contractor	\$3,064,276.97

; and

WHEREAS, The design consultant Barge Design Solutions reviewed each of the bids as well as the qualifications of each of the contractors and recommended that the City award this bid to Encor, LLC.; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that Bid # 2019-2 for Naval Facility Connector, Astoria Avenue, is awarded to the lowest and best bidder, Encor, LLC.

BE IT FURTHER RESOLVED, That this award is subject to concurrence by the Tennessee Department of Transportation, prior to executing a contract.

BE IT FURTHER RESOLVED That the Mayor is hereby authorized to sign a contract and any related documents with Encor, LLC., at a lump sum not to exceed \$2,375,580.00 upon approval by the City Attorney.

BE IT FURTHER RESOLVED, That any and all prior resolutions regarding award of Bid #2019-2 are rescinded.

This Resolution is adopted as of the 29<sup>th</sup> day of April 2019.

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Terry G. Jones, Mayor

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Karen Findley, City Clerk

RESOLUTION 21-2019

RESOLUTION DECLARING PROPERTY KNOWN AS USA STADIUM COMPLEX AS SURPLUS

WHEREAS, The City owns a combination of eight (8) parcels totaling 124 acres, more or less, located at 8 Babe Howard Avenue , known as the USA Stadium Complex in Millington, Tennessee, consisting of Parcel ID's # M0115J C00040, M0115J C00045, M0115J C00046, M0115J C00047, M0115J C00048, M0115J C00049, M0115J C00050, M0115J C00051; and

WHEREAS, The City operates the USA Stadium on this property along with other activities that together cost annually approximately \$150,000.00 more than related revenues collected ; and

WHEREAS, The property is in need of significant renovations and/or maintenance that would place a further burden on the City's resources; and

WHEREAS, The City has always viewed this property as a method of bringing visitors to the City to utilize our hotels, restaurants and other stores; and

WHEREAS, The City would like to reduce the taxpayer burden this property causes and encourage private owners to further develop the property as a recreational area bringing visitors to the City to utilize our hotels, restaurants and other stores and should therefore declare it as surplus and lease or sell it.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee that the property known as USA Stadium Complex, as described herein, is surplus and may be leased/sold.

This Resolution is adopted this 29<sup>th</sup> day of April, 2019.

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Terry G. Jones, Mayor

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Karen Findley, City Clerk