

Monday, June 10, 2019

**BOARD OF MAYOR AND ALDERMEN – REGULAR MEETING
Immediately following Beer Board**

AGENDA

1. Prayer
2. Pledge Of Allegiance
3. Roll Call
4. Approval Of Agenda
5. Approve Minutes Of May 13, 2019

Documents:

[BMA MINUTES 5-13-2019.PDF](#)

6. Terrance Fluker - 2020 Census
7. Public Comments
8. Public Hearing – Ordinance 2019-14 Adopting The Fiscal Year 2020 Operating And Capital Improvement Budgets For The City Of Millington And To Establish Budget Related Procedures And Controls
9. Consideration Of Ordinance 2019-14 Adopting The Fiscal Year 2020 Operating And Capital Improvement Budgets For The City Of Millington And To Establish Budget Related Procedures And Controls – Final Reading

Documents:

[ORDINANCE 2019-14 APPROVAL OF FY20 BUDGET.PDF](#)

10. Public Hearing – Ordinance 2019-15 Approving Tax Rate For Real Property And Personal Property For Tax Year 2019 (FY20)
11. Consideration Of Ordinance 2019-15 Approving Tax Rate For Real Property And Personal Property For Tax Year 2019 (FY20) – Final Reading

Documents:

[ORDINANCE 2019-15 APPROVING FY 19 TAX RATE.PDF](#)

12. Public Hearing – Ordinance 2019-16 Amending Title 18, Water And Sewers, Of The Millington Municipal Code
13. Consideration Of Ordinance 2019-16 Amending Title 18, Water And Sewers, Of The Millington Municipal Code – Final Reading

Documents:

[ORDINANCE 2019-16 AMENDMENTS TO TITLE 18 OF CODE ON WATER AND SEWERS.PDF](#)

14. Consideration Of Resolution 32-2019 Ratifying Private Chapter 17 Of The 111th General Assembly Amending The City Of Millington Charter

Documents:

[RESOLUTION 32-2019 RATIFYING PRIVATE CHAPTER 51.PDF](#)
[CHARTER AMENDMENTS SUMMARY.PDF](#)

15. Consideration Of Resolution 33-2019 Approving Appointment To The Millington Housing Authority

Documents:

[RESOLUTION 33-2019 MHA APPOINTMENT.PDF](#)

16. Consideration Of Resolution 34-2019 Approving Appointments To The Millington Library Board

Documents:

[RESOLUTION 34-2019 LIBRARY BOARD APOINTMENTS.PDF](#)

17. Consideration Of Resolution 35-2019 Award Of Bid 2019-4 For Construction Of A New Fire Station 2

Documents:

[RESOLUTION 35-2019 AWARD OF BID FOR CONSTRUCTION OF FIRE STATION 2.PDF](#)

18. Consideration Of Resolution 36-2019 Approving A Travel Policy

Documents:

[RESOLUTION 36-2019 -APPROVING A TRAVEL POLICY.PDF](#)
[RESOLUTION 36-2019 EXHIBIT A.PDF](#)

19. Board Reports

20. Adjourn

ADA NOTICE

The City seeks to meet the needs of all individuals with disabilities. Should you need an accommodation to attend, speak or hear at this meeting, please call City Hall at 901.873.5701 at least eight (8) working hours in advance of the meeting.

CITY OF MILLINGTON BOARD OF MAYOR AND ALDERMEN
MINUTES OF REGULAR MEETING
May 13, 2019

Call to Order, Prayer, and Pledge of Allegiance

The Board of Mayor and Aldermen of the City of Millington, TN met in regular session at Millington City Hall Chambers on Monday, May 13, 2019. The meeting was called to order at 6:10 pm, and opened with a prayer by Mr. McGhee. Mayor Jones led the Pledge of Allegiance.

Roll Call and Quorum Determination

The following Board members were present:

Mayor Terry Jones
Bethany Huffman
Al Bell
Jon Crisp
Larry Dagen
Thomas McGhee
Don Lowry
Mike Caruthers

A quorum being present, the following proceedings were held:

4. Approval of Agenda

Approve Agenda

Motion: Lowry
Second: Caruthers
Vote: unanimous consent to approve

5. Approve Minutes of April 8, 2019, April 29, 2019, and May 3, 2019

Approve Minutes

Motion: Bell
Second: Dagen
Vote: unanimous consent to approve

6. Badge Presentation - Fire Department

Director Graves introduced three new firefighters who have completed over 240 hours of training to earn their firefighter badge. The new firemen are Aaron Perry, Dustin Richard, and Austin Smith.

7. Public Comments

Nancy Reese, 7128 Juana Drive, spoke against the R-4 zoning for the apartments; Candy Taylor, 7008 Cades Brook, has complaints about some dead trees and who is responsible for cutting them down; Debra Sigee, 4181 Bennett Wood, is concerned that the Crises Center would still be able to use USA Stadium for fundraising purposes; Gary Shuck, 6630 Chase Rd, requesting some improvements to be made to Aycok Park; Katrina Skerritt, 38053 Lucy Road, told the Board about the Millington Exchange Club about the Field of Flags which will be open from May 20th to June 1st.

Close Public Comments

Motion: McGhee
Second: Caruthers
Vote: unanimous consent to close

8. Public Hearing - Ordinance 2019-10 Amending Title 8, Alcoholic Beverages, of the Millington Municipal Code, by the Amendment, Deletion, and Addition of Certain Sections of Title 8, Chapter 2

Close Public Hearing

Motion: McGhee
Second: Huffman
Vote: unanimous consent to close

9. Consideration of Ordinance 2019-10 Amending Title 8, Alcoholic Beverages, of the Millington Municipal Code, by the Amendment, Deletion, and Addition of Certain Sections of Title 8, Chapter 2 - Final Reading

Approve Ordinance 2019-10

Motion: Bell
Second: Lowry
Vote: unanimous vote to approve on final reading w/ Mr. McGhee abstaining

10. Presentation on Zoning Changes by City Planner

Mr. Charles Goforth gave a brief presentation on the zoning changes which will be affected by the six ordinances which are being presented for final reading.

11. Public Hearing - Ordinance 2019-5 Amending and Replacing Chapter, 23, Old Town Provisions of the City of Millington, Tennessee Zoning Ordinance
 - Close Public Hearing
 - Motion: Caruthers
 - Second: McGhee
 - Vote: unanimous consent to close

12. Consideration of Ordinance 2019-5 Amending and Replacing Chapter, 23, Old Town Provisions of the City of Millington, Tennessee Zoning Ordinance - Final Reading
 - Approve Ordinance 2019-5
 - Motion: McGhee
 - Second: Bell
 - Vote: unanimous vote to approve on final reading

13. Public Hearing - Ordinance 2019-11 Adding Chapter 4 "Fireworks" to Title 7 of the City of Millington Municipal Code and Deleting Part of Chapter 3

Melissa Bast, Lady Liberty Fireworks, 11721 Old Meadow Rd, Eads, TN, complimented the Board for the remarkable job that's been done with the Fireworks ordinance and pointed out several changes that she wants to see made. William Howard, 1682 St. Paul Rd, was against the ordinance only allowing sales on a four-lane road.

 - Close Public Hearing
 - Motion: McGhee
 - Second: Crisp
 - Vote: unanimous consent to close

14. 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 - Final Reading

City Attorney, Gerald Lawson, disclosed that in the past he has represented several companies and individuals that sell fireworks. Ms. Huffman offered a motion to amend 7-402(3) to add the words "or City Manager" so that him or the Mayor can sign the state applications for a fireworks permit. Also, 7-402(8) needs to be changed to 32 square feet to be consistent with the overlay district ordinance. Mr. Lowry seconded, and unanimous consent to approve. Attorney Gerald Lawson had submitted some recommended changes to the ordinance. Mr. McGhee made a motion to accept the changes with a second by Mr. Bell. Then an amendment was made to the amendment by Ms. Huffman and seconded by Mr. Caruthers to change parts of the amendment. The changes made are to identify "structure" as "tent" and to change the word "structure" to "tent" throughout the ordinance and to remove wording on 7-405 that states "unless the building has a sprinkler system and is constructed of non-flammable materials such as metal or concrete block." In section 7-407, the last line "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", is deleted. This motion was approved by unanimous vote.

 - Approve Amended Ordinance 2019-11
 - Motion: McGhee
 - Second: Crisp
 - Vote: unanimous vote to approve amended Ordinance 2019-11 on final reading

15. Public Hearing - Ordinance 2019-12 Adopting and Adding Chapter 27, Fireworks Sales Overlay District to the Millington Zoning Ordinance
 - Close Public Hearing
 - Motion: Dagen
 - Second: McGhee
 - Vote: unanimous consent to close

16. Consideration of Ordinance 2019-12 Adopting and Adding Chapter 27, Fireworks Sales Overlay District to the Millington Zoning Ordinance - Final Reading
 - Approve Ordinance 2019-12
 - Motion: Caruthers
 - Second: Dagen
 - Vote: unanimous vote to approve on final reading

17. Public Hearing - Ordinance 2019-13 Adopting and Adding Chapter 26, Entertainment Recreation District to the Millington Zoning Ordinance
 - Close Public Hearing
 - Motion: Crisp
 - Second: Bell
 - Vote: unanimous consent to close

18. Consideration of Ordinance 2019-13 Adopting and Adding Chapter 26, Entertainment Recreation District to the Millington Zoning Ordinance - Final Reading

Mr. Lowry had some concerns about noise levels and the closeness of some activities next to homes. He made motion to change the minimum side lot setback to 300 ft where adjacent to single family residential zoning. Mr. McGhee seconded the motion, and unanimous consent to approve.

Approve Amended Ordinance 2019-13
Motion: Lowry
Second: Caruthers
Vote: unanimous vote to approve

19. Public Hearing - Ordinance 2019-6 Adopting the Proposed Zoning Plan as the Official Zoning Map for the City of Millington, Tennessee

Linda Overstreet, 4694 Oak Harbour Trace, stated that she was against the R-4 zoning on Raleigh Millington Road. Mr. Robert Sanford, 7054 Sassy Tree, was also against the R-4 zoning.

Close Public Hearing
Motion: Huffman
Second: Dagen
Vote: unanimous consent to close

20. Consideration of Ordinance 2019-6 Adopting the Proposed Zoning Plan as the Official Zoning Map for the City of Millington, Tennessee - Final Reading

Mr. McGhee made a motion, which was seconded by Mr. Crisp, to add the Entertainment Recreation District to the zoning map. Unanimous consent to make that change. Mr. Lowry commented that R-4 zoning has been reduced by over 300 acres. However, he feels like the City needs to allow this option for apartments because not everyone who wants to live in Millington is interested in homeownership.

Approve Amended Ordinance 2019-6
Motion: Huffman
Second: Bell
Vote: unanimous vote to approve

21. Public Hearing - Ordinance 2019-7 Amending and Replacing Chart One, Permitted Uses and Chart 2, District Bulk Regulations, of the City of Millington, Tennessee Zoning Ordinance

Close Public Hearing
Motion: Huffman
Second: Bell
Vote: unanimous consent to close

22. Consideration of Ordinance 2019-7 Amending and Replacing Chart One, Permitted Uses and Chart 2, District Bulk Regulations, of the City of Millington, Tennessee Zoning Ordinance - Final Reading

This ordinance has been amended since the first reading to allow the addition of the Fireworks Overlay District and the Entertainment Overlay District and the changes on the setbacks

Approve Amended Ordinance 2019-7
Motion: Huffman
Second: Caruthers
Vote: unanimous vote to approve with Mr. Lowry away from the podium at the time of vote

23. Consideration of Ordinance 2019-14 Adopting the Fiscal Year 2020 Operating and Capital Improvement Budgets for the City of Millington and to Establish Budget Related Procedures and Controls - First Reading

Approve Ordinance 2019-14
Motion: Huffman
Second: Bell
Vote: unanimous vote to approve on first reading

24. Consideration of Ordinance 2019-15 Approving Tax Rate for Real Property and Personal Property for Tax Year 2019 (FY20) - First Reading

No tax rate increase for the upcoming year.

Approve Ordinance 2019-15
Motion: Caruthers
Second: Lowry
Vote: unanimous vote to approve on first reading

25. Consideration of Ordinance 2019-16 Amending Title 18, Water And Sewers, Of The Millington Municipal Code - First Reading

This change to Title 18 makes updates to development fees, and water and sewer connection charges.

Approve Ordinance 2019-16
Motion: McGhee
Second: Lowry
Vote: unanimous vote to approve

26. Consideration of Resolution 23-2019 Amending the City of Millington Compensation Policy

Approve Resolution 23-2019
Motion: Lowry
Second: Crisp
Vote: unanimous consent to approve

27. Consideration of Resolution 24-2019 Establishing Rent/User Fees for Millington Parks & Recreation Facilities

Approve Resolution 24-2019
Motion: Huffman
Second: Crisp
Vote: unanimous consent to approve

28. Consideration of Resolution 25-2019 Approving Engineering Consultant for the US51 Multimodal Project

Approve Resolution 25-2019
Motion: Bell
Second: Lowry
Vote: unanimous consent to approve

29. Consideration of Resolution 26-2019 Approving Lease Agreement for USA Stadium Complex

Approve Resolution 26-2019
Motion: McGhee
Second: Crisp
Vote: unanimous consent to approve

30. Consideration of Resolution 27-2019 Approving Extension of City Manager Contract

Approve Resolution 27-2019
Motion: McGhee
Second: Lowry
Vote: unanimous consent to approve

31. Consideration of Resolution 28-2019 Amending Development Fees For Residential And Non-Residential Development Contracts

Approve Resolution 28-2019
Motion: McGhee
Second: Caruthers
Vote: unanimous consent to approve

32. Consideration of Resolution 29-2019 Approving Beckham Place Subdivision Development Agreement

Approve Resolution 29-2019
Motion: Dagen
Second: Bell
Vote: unanimous consent to approve

33. Consideration of Resolution 30-2019 Accepting Grant From Kiwanis Club Of Millington
This money will go to building an ADA approved swing at Aycock Park

Approve Resolution 30-2019
Motion: Lowry
Second: Caruthers
Vote: unanimous consent to approve

34. Consideration of Resolution 31-2019 Expressing Support for an Application to the Bureau of Justice for a Body Worn Cameras (BWC) Grant and for Commitment to This Long-Term Program

This is a 50/50 matching grant.

Approve Resolution 31-2019
Motion: Bell
Second: Crisp
Vote: unanimous consent to approve

35. Board Reports

Mr. Lowry mentioned that most of them were wearing pink in support of all mothers and also in support of breast cancer.

Adjourn

There being no further business, the meeting was adjourned at 8:10 pm.

These minutes are approved as of the 10th day of June, 2019.

Terry Jones, Mayor

Karen Findley, City Clerk

ORDINANCE NO. 2019-14

AN ORDINANCE TO ADOPT THE FISCAL YEAR 2020 OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR THE CITY OF MILLINGTON AND TO ESTABLISH BUDGET RELATED PROCEDURES AND CONTROLS

BE IT ORDAINED by the Board of Mayor and Alderman of the City of Millington, Tennessee that the Fiscal Year 2020 Operating and Capital Improvement budgets are as follows:

OPERATING BUDGETS

General Fund	\$ 13,175,013
State Street Aid Fund, net of Transfers	\$ 453,907
State Drug Fund	\$ 23,470
DEA Drug Fund	\$ 60,120
Storm Water Fund	\$ 393,050
Sanitation Fund	\$ 858,200
General Purpose School Fund	\$ 25,251,139
School Federal Projects Fund	\$ 1,897,932
School Cafeteria Fund	\$ 1,578,557
Water Fund	\$ 1,707,560
Sewer Fund	\$ 2,152,480

CAPITAL IMPROVEMENT BUDGETS

Capital Improvement Program Fund, net of Transfers	\$ 1,000,440
School Capital Projects Fund	\$ 1,229,000

BE IT FURTHER ORDAINED, That the Board of Mayor and Alderman approve City Funding to Millington Municipal Schools in the amount of \$500,000.00 for operations, meeting the requirement for maintenance of effort, and \$230,219 for the debt payment to Shelby County Schools.

BE IT FURTHER ORDAINED, That the Superintendent and the Board of Education shall adhere to the budget as approved and no action shall be taken to purchase goods or services that will cause any fund, office, or department to exceed its appropriations.

BE IT FURTHER ORDAINED, That the Superintendent, with any required approval of the Board of Education, may transfer funds between accounts within each fund and establish new accounts as necessary to properly account for the School District's finances in accordance with generally accepted accounting principles as long as the total appropriations or revenues of each individual fund is not increased or decreased.

BE IT FURTHER ORDAINED, That the Superintendent of Schools and the Schools Finance Director are authorized to increase the Schools Budget for grant revenues and expenditures once a grant has been awarded to the Schools and accepted by Resolution of the School Board if no matching funds are required or if adequate matching funds are available in the already appropriated budget. The Schools Finance Director shall provide written notice to the City Finance Director of the changes to their budget.

BE IT FURTHER ORDAINED, That the Board of Education with the assistance of the Superintendent of Schools and School's Finance Director shall submit monthly reports of revenue received and expenditures incurred to the City Finance Director.

BE IT FURTHER ORDAINED, That Operating Budgets are appropriated on a fiscal year basis, appropriations expire as of June 30 each year and any goods or services not received as of June 30 must be purchased from the new fiscal year budget, except that appropriations associated with purchase of fixed assets shall carry-forward. The FY20 or FY21, as appropriate, expenditure budget shall be increased equal to any outstanding encumbrance for the purchase of a fixed asset with an equal increase to the funding source (grant or planned use of fund balance).

BE IT FURTHER ORDAINED, That Capital Projects, except Schools, are authorized on a "project" basis and the appropriation expires on completion or cancellation of the project. The FY20 Capital Budget shall be increased for the unexpended portion of any appropriated project budgets as of June 30, 2019 with a corresponding amendment for the appropriate funding source. Projects shown in FY21 through FY24 for the Capital Improvement Program Fund and Schools Capital Projects Fund are preliminary needs but not approved until the budget for that fiscal year is approved.

BE IT FURTHER ORDAINED, That each office, department, and Elected Official, excluding Schools, which receives appropriations from the City shall adhere to the budget as approved and that no action shall be taken to purchase goods or services that will cause any fund, office, department or Elected Official to exceed its appropriations and that no personnel shall be hired or compensated, including any adjustments for any previous personnel actions found not to be in compliance with previous policy, unless provided for in this budget.

BE IT FURTHER ORDAINED, That the Finance Director is authorized to transfer funds between accounts and to establish new accounts as necessary to properly account for the City's finances in accordance with generally accepted accounting principles as long as the total appropriations or revenues for any fund is not increased or decreased. Budget transfers may be requested by Department Directors or the City Manager and shall be approved by both the Finance Director and City Manager.

BE IT FURTHER ORDAINED, That the City Manager and Finance Director are authorized to increase the budget for grant revenues and expenditures once a grant has been awarded to the City and accepted by resolution of the Board of Mayor and Aldermen if no matching funds are required or if adequate matching funds are available in the already appropriated budget and for pay supplements from the State for employees of the Fire and Police Departments.

BE IT FURTHER ORDAINED, That the Police Chief and Fire Chief is authorized to accept donations from individuals, businesses, civic and charitable organizations and foundations of up to \$4,500.00 per donation for Police and Fire Services, respectively. Such donations shall not be restricted by the donor except as to use for the public purpose of that department. Such donations shall be deposited to the City General Fund. The City Clerk shall acknowledge such donations in writing if required by the donor for tax purposes. The City Manager and Finance Director are authorized to increase the budget for these donations and to increase the appropriate expenditure accounts in a like amount each time a donation is received. Any donated funds received during a year and remaining unexpended at year-end shall be reported as committed fund balance and the following year's budget shall be increased as planned use of fund balance and the appropriate expenditure account.

BE IT FURTHER ORDAINED, That the City Manager and Finance Director are authorized to track the amount of funds collected by the Millington Library for lost or damaged books and to increase the General Fund budget revenue and the appropriate expenditure account in a like amount for these funds in order to allow the books to be replaced in a timely manner.

BE IT FURTHER ORDAINED, That a financial plan with detailed revenue, expenditure and transfers accounts shall be prepared in support of the budget and shall include a listing by classification and number of approved full time positions for each department and such document shall be attached hereto as Exhibit A.

BE IT FURTHER ORDAINED, That employees may only be hired and paid to the extent that funds have been included in the Fiscal Year 2020 Operating Budget. To the extent that a full time position is vacant or in a leave without pay status, a part-time or temporary employee may be hired with those available funds. All compensation and classification of positions shall be in compliance with the Compensation Policy separately adopted by the Board.

BE IT FURTHER ORDAINED, That the Board of Mayor and Aldermen hereby establish a Financial Stabilization Account (committed General Fund Fund Balance) at no less than 30% of

the next fiscal year's appropriations, an Emergency Account (committed General Fund Fund Balance) in the amount of \$1,000,000 and a Library Account (committed General Fund Fund Balance) in an amount equal to 50% of collections from the red light camera/speed van violations beginning in FY12, less any expenditures that have been made from said funds. Below this level, unspent budgets will accrue toward this. Amounts above this level may be used as directed by the Board.

BE IT FURTHER ORDAINED, That any rate or fee established by previous resolution, ordinance or administrative action will remain in effect unless amended in the same manner as originally adopted.

BE IT FURTHER ORDAINED, That a grant to the Millington Chamber of Commerce in the amount not to exceed \$18,000 is hereby appropriated to promote the general welfare of the residents of the City of Millington and that disbursements of these funds shall not be made until the individual non-profit civic organization has fully complied with T. C. A. Section 6-54-111 et.seq.

BE IT FURTHER ORDAINED, That a grant to the Millington Y.M.C.A. in the amount not to exceed \$20,000 is hereby appropriated to promote the general welfare of the residents of the City of Millington and that disbursements of these funds shall not be made until the individual non-profit civic organization has fully complied with T. C. A. Section 6-54-111 et seq.

BE IT FURTHER ORDAINED, That the City Manager with the assistance of the Finance Director shall submit monthly reports of revenue received and expenditures incurred to the Board of Mayor and Alderman.

BE IT FURTHER ORDAINED, That all Ordinances heretofore passed in conflict herewith are hereby repealed insofar as they are in conflict with this Ordinance.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect upon its second and final passage.

Public Hearing: June 10, 2019
First Reading: May 13, 2019
Second Reading: June 10, 2019

Terry Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2019-15

ORDINANCE TO LEVY AND ASSESS A TAX RATE FOR AD VALOREM TAXES
UPON REAL PROPERTY AND PERSONAL PROPERTY IN THE CITY OF
MILLINGTON
FOR THE TAX YEAR 2019 (FY20)

BE IT ORDAINED by the Board of Mayor and Alderman of the City of Millington, Tennessee, hereinafter referred to as the 2019 Tax Rate Ordinance to provide as follows:

SECTION 1: TAX RATE -- There is hereby levied upon all real property in the City of Millington pursuant to TCA 67-5-101 et sec., a tax calculated upon a rate of \$1.53 for each \$100.00 of assessed valuation and there is hereby levied upon all taxable personal property a tax calculated upon a rate of \$1.53 for each \$100.00 of assessed valuation.

SECTION 2: COLLECTION -- The taxes herein provided for are to be collected for the year 2018, and shall be due on the first Monday in October and shall be delinquent from and after the first day of March of the subsequent year, and shall be paid and collected through the Office of the Shelby County Trustee.

SECTION 3: APPORTIONMENT OF TAX RATE -- The taxes levied in Section 1 of this Ordinance when collected shall be apportioned as follows:

For the General Purposes of the City of Millington, \$.991 on each \$100.00 of assessed valuation.

For the Debt Service of the City of Millington, including interest and principal payments, \$.539 on each \$100.00 of assessed valuation.

SECTION 3: SEVERABILITY -- To the extent that any prior Ordinance, assessment or tax rate specification conflicts with this Ordinance the same is repealed.

SECTION 4: EFFECTIVE DATE -- Be it further ordained that this Ordinance shall take effect upon its second and final passage.

Public Hearing: June 10, 2019
First Reading: May 13, 2019
Second Reading: June 10, 2019

Terry G. Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2019-16

ORDINANCE AMENDING TITLE 18, WATER AND SEWERS, OF THE MILLINGTON MUNICIPAL CODE

WHEREAS, The Charter of the City of Millington authorizes the Board of Mayor and Aldermen to operate water and sewer systems in order to promote and protect the public health, and to impose charges to cover the costs of such services; and

WHEREAS, State law requires that said charges cover the operating costs separately for the water and sewer systems; and

WHEREAS, The City of Millington charges certain development fees to cover the administrative and service costs in the development of property; and

WHEREAS, It has been determined that the development fees charged by the City of Millington, which have been in place for over a decade, are inadequate to cover these costs.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MILLINGTON, TENNESSEE, That Section 18-107 of Title 18 of the Millington Municipal Code is repealed in its entirety and replaced with:

18-107. Sewer development charge. There is established a sewer development charge as set forth herein to defray part of the construction costs of sewer outfalls and extensions, which charges shall be payable by the applicant, developer of the subdivision, or developer of industrial, commercial or residential site as set forth herein, which charge shall be payable upon the execution of the subdivision contract, or the sewer extension contract, or at the time of application for the sewer connection or plumbing permit as appropriately determined by the city. Sewer development charges shall apply to all subdivisions, land developments, new buildings, and redevelopments of land or buildings served by the City of Millington sanitary sewer system, or where the facility served requires modification to or enlargement of the existing sewers, whether within or without the corporate limits of the City of Millington, and whether service is by existing or by new facilities to be constructed.

Sewer development charges shall be:

- (1) For all connections made to the main sewer line or any lateral lines of the North Fork Creek sewer outfall line, whether for residential, industrial, multi-dwelling or commercial use, the sewer development charge shall be the greater of \$3,000.00 per acre or \$1,200.00 per connection.
- (2) For all connections made to the main sewer line or any lateral lines other than those served by the North Fork Creek sewer outfall line, whether for residential, industrial, multi-dwelling or commercial use, the sewer development charge shall be the greater of \$1,250.00 per acre or \$500.00 per connection.

BE IT FURTHER ORDAINED, That Section 18-108 of Title 18 of the Millington Municipal Code is repealed in its entirety and replaced with:

18-108. Sewer connection charge. The following sewer connection charges shall be, and the same are hereby fixed:

- (1) For any lot with service lines available, the sewer connection charge shall be \$500.00.
- (2) For any lot without service lines available, the sewer connection charge shall be the actual cost of connection as determined by the sewer department.

BE IT FURTHER ORDAINED, That Section 18-109 of Title 18 of the Millington Municipal Code is repealed in its entirety and replaced with:

18-109. Water development charge and water connection charge.

(1) Water development charge. For all connections made to the main water line or any lateral lines of the North Fork Creek water line, whether for residential, industrial, multi-dwelling or commercial use, the water development charge shall be the greater of \$3,000 per acre or \$1,200 per connection.

(2) Water connection charge. In addition to the water development charge established by subsection (1) above, there shall be water connection charge as follows:

(a) For all connections with service lines from main to the lot: \$500.00 plus the actual cost of the meter as determined by the water department.

(b) All established lots without service lines from main to the lot: actual cost including the cost of the meter as determined by the water department.

BE IT FURTHER ORDAINED, That this Ordinance shall take effect for all Subdivision contracts approved after the date of final approval of this ordinance and for all other connection requests received after the date of final approval of this ordinance.

Public Hearing: June 10, 2019
First Reading: May 13, 2019
Final Reading: June 10, 2019

Terry Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 32-2019

RESOLUTION RATIFYING PRIVATE CHAPTER 17 OF THE 111TH GENERAL ASSEMBLY AMENDING THE CITY OF MILLINGTON CHARTER

WHEREAS, the Board of Mayor and Aldermen of the City of Millington drafted proposed amendments to the City Charter and submitted the amendments to the State General Assembly; and

WHEREAS, Private Chapter 17 of the 111th General Assembly was adopted in April 2019, the governor signed it on May 10, 2019 and the Secretary of State certified its adoption on May 16, 2019; and

WHEREAS, Section 11 of Private Chapter 51 and Tennessee Code Annotated Sections 8-3-201 and 8-3-202 requires that the local legislative body ratify the action of the General Assembly by a two-thirds majority vote and certify the results to the Secretary of State.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that Private Chapter 17 of the 111th General Assembly is hereby ratified.

BE IT FURTHER RESOLVED that the Mayor is directed to certify this action to the Secretary of State.

BE IT FURTHER RESOLVED that the Amendments to the Charter herein approved shall be effective as of this date, the public welfare requiring it.

This Resolution is adopted as of the 10th day of June, 2019.

Terry G. Jones, Mayor

Karen Findley, City Clerk

Charter Amendments

1. Section 4.07 CALLED MEETINGS. Eliminate ability to add to agenda of called meeting. Change is to be consistent with general law.
2. Section 4.08 ORDINANCE PROCEDURE. Eliminate requirement to publish in newspaper for public hearing. Notice will be given by posting on City Hall bulletin board and web site. Change is to reduce costs and recognizes that fewer individuals take any printed newspaper.
3. Section 4.09 OFFICIALS' OATH OF OFFICE. Adds specific wording for Oath of Office for all individuals assuming office in the City. Oath ends with "This, I do solemnly swear, so help me God."
4. Section 5.02 (City Manager) DUTIES. Adds authority for City Manager to direct City Attorney to initiate legal proceedings to enforce contracts and provisions of the City Code.
5. Section 6.02 (City Attorney) APPOINTMENT, DUTIES, AND SALARY. Adds wording to allow the City Attorney to initiate legal proceedings as directed by the City Manager or resolution adopted by the Board of Mayor and Aldermen.
6. Section 8.01 DEPARTMENTS, OFFICES, AND AGENCIES. Clarifies that the Board may establish or abolish City departments, offices or agencies and may prescribe their functions.
7. Section 9.04 REQUIRED CONTENT AND ORGANIZATION OF BUDGET. Clarifies that a budget must be adopted for each financial statement fund and be prepared on the same accounting basis as generally accepted accounting principles require for the financial statements of that fund. (Example - General Fund is modified accrual while Water Fund is accrual.)
8. Section 9.13 DISBURSEMENTS. Changes the method of approving check signers from Ordinance to Resolution.
9. Article IX JUDICIAL DEPARTMENT. Amends numerous sections to eliminate Elected City Judge at end of this term (August 31, 2022).

This will convert to a city traffic court only with no concurrent General Sessions Jurisdiction. City Traffic Judge will be appointed by the Board. City Court Clerk will be hired in same manner as other City Employees.

RESOLUTION 33-2019

RESOLUTION APPROVING APPOINTMENT TO THE MILLINGTON HOUSING
AUTHORITY

WHEREAS, TCA §13-20-408(a) authorizes the Mayor to appoint Commissioners to the Millington Housing Authority; and

WHEREAS, The term of a commissioner has expired and the Mayor wishes to reappoint him.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen, that the Mayor's appointment to the Millington Housing Authority IS approved, and that he shall serve until the later of the end of his term or a successor is appointed:

Robert Hunt, term ending May 15, 2024 (renewing)

This Resolution is adopted this June 10, 2019.

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 34-2019

RESOLUTION APPROVING APPOINTMENTS TO THE MILLINGTON PUBLIC LIBRARY BOARD

WHEREAS, the Board of Mayor and Aldermen of the City of Millington has established the Millington Public Library Board; and

WHEREAS, the terms of several members have expired and the Mayor wishes to reappoint them.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Mayor and Aldermen, that the Mayor's appointments to the Millington Public Library Board are approved, and that they shall serve until the later of the end of their term or their successor is appointed:

Mary McGhee, term ending May 31, 2021 (renewing)

Bitha Luze, term ending May 31, 2021 (renewing)

Ben Hill, term ending May 31, 2021, (renewing)

This Resolution is adopted this 10th day of June, 2019.

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 35-2019

RESOLUTION APPROVING AWARD OF BID 2019-4 FOR CONSTRUCTION
OF NEW FIRE STATION 2

WHEREAS, Bid # 2019-4 for the construction of the new Fire Station 2 was issued, advertised in the paper and due on May 22, 2019 at 2:00 PM; and

WHEREAS, Bids were received from seven (7) companies:

Fulwood Construction Company, LLC	\$2,153,156.00
Victor Hall Construction LLC	\$2,352,000.00
Barnes & Brower, Inc.	\$2,365,927.00
Zellner Construction Services, LLC	\$2,423,800.00
Rose Construction, Inc.	\$2,468,000.00
A & B Construction Co., Inc.	\$2,715,056.00
Wagner General Contractors, Inc.	\$2,720,000.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that Bid # 2019-4 for the construction of the new Fire Station 2 is awarded to the lowest and best bidder, Fulwood Construction Co. LLC, in an amount not to exceed \$2,153,156.00.

BE IT FURTHER RESOLVED That the Mayor or City Manager is hereby authorized to sign a contract and any related documents upon approval by the City Attorney.

This Resolution is adopted as of the 10th day of June 2019.

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 36-2019

RESOLUTION APPROVING A TRAVEL POLICY

WHEREAS, Millington Municipal Code Section 4-107 authorizes payment of expenses, including travel and training, of elected and appointed officials and employees as permitted by Tennessee Code Annotated, § 6-54-901; and

WHEREAS, Section 4-107 directs the city manager to develop a travel policy for adoption by the Board of Mayor and Aldermen and rules and regulations for implementation of that policy; and

WHEREAS, A revised policy and related procedures for use have been developed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the Travel Policy, which is attached hereto as Exhibit A and incorporated herein by reference, is hereby approved and adopted in place of all previously adopted travel policies.

BE IT FURTHER RESOLVED, that a copy of this Resolution and policy shall be filed with the Tennessee Comptroller of the Treasury in accordance with Tennessee Code Annotated, § 6-54-903.

This Resolution is adopted this 10th day of June, 2019.

Terry G. Jones, Mayor

Karen Findley, City Clerk

TRAVEL POLICY

PURPOSE

This policy establishes travel regulations and reimbursement rates and procedures for elected and appointed city officials and employees in order to be in compliance with *Tennessee Code Annotated* § 6-54-901-907.

INTRODUCTION

It is the intent of this policy that employees not suffer additional cost as a result of travel incurred to carry out assigned duties. Employees shall be reimbursed for such expenses subject to the limitations provided in this policy.

When traveling, city employees should be as conservative as circumstances permit. The lower cost should be selected whenever practical. Reimbursement for travel will be based upon the most direct or expeditious route possible. Employees traveling by an indirect route must assume any extra expense incurred. It is the responsibility of the employee to be familiar with and adhere to this policy. Deliberate disregard of this policy, while traveling on city business or the filing of an intentionally misleading or fraudulent travel claim, is grounds for disciplinary action including termination of employment.

DEFINITIONS

1. **Traveler or Authorized Traveler** means any elected or appointed municipal officer or employee, including members of municipal boards and committees appointed by the mayor or the municipal governing body, and the employees of such boards and committees who are traveling on official municipal business and whose travel was authorized in accordance with this ordinance.

Authorized Traveler shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this policy.

2. **Eligible Travel Expenses** may include:
 - transportation,
 - lodging,
 - meals,
 - registration fees for conferences, conventions and seminars, and
 - other actual and necessary expenses related to official business subject to approval of the city manager.

3. **Travel Authorization Form** is the form used to identify all costs associated with proposed out of county travel and training and to document authorization for travel.
4. **Travel Advance** includes all amounts disbursed by city, whether by credit card, check or bank transfer, prior to submission of a Travel Expense Report.
5. **Travel Reimbursement Rates** shall be the federal travel regulation rates for hotels, meals and incidentals. Reimbursement for use of a personal vehicle shall be the IRS standard mileage rate for business miles driven. The city's travel reimbursement rates will automatically change when the federal travel regulation and IRS rates are adjusted.
6. **Travel Expense Report** is the form used to report and document actual costs of the travel, as supported by receipts for claimed travel costs, and identify amounts due to city or traveler.

POLICY

Travel and any related training or conference costs will only be authorized if the purpose of the travel and/or training serves a governmental purpose that bears a direct benefit to the city and/or to the traveler's duties and position resulting in an enhancement to their job knowledge and performance.

Subject to limits established by the Travel Reimbursement Rates, the City will pay for Eligible Travel Expenses for an Authorized Traveler while traveling on official city business. Expenses considered excessive by the city manager will not be allowed. Payment may be made to the provider directly or the authorized traveler in any combination of advance payments and reimbursements.

Travel must be authorized by the Travel Authorization Form before any city funds are obligated or disbursed and before any travel begins.

Upon completion of travel, Authorized Traveler must submit a Travel Expense Report to the Finance Department.

Any person attempting to defraud the city or misuse city travel funds is subject to legal action for recovery of fraudulent travel claims and/or advances.

The City Manager shall establish forms required herein along with procedures and instructions for compliance with this policy. The City Manager may authorize exceptions to this policy when he determines it is in the best interest of the city.