

Monday, January 10, 2022

Attorney-Client Meeting(not open to public)

5:00 PM

BOARD OF MAYOR AND ALDERMEN – REGULAR MEETING

6:00 PM

1. Prayer
2. Pledge Of Allegiance
3. Roll Call
4. Approval Of Agenda
5. Approve Minutes Of December 13, 2021

Documents:

[BMA MINUTES 12-13-21.PDF](#)

6. Fire Department – Badge Presentation
7. Police Department – Introduction Of New Officers
8. Police Department – Special Recognition
9. Public Comments
10. Public Hearing – Ordinance 2021-20 Amending FY22 Budget For The Millington Municipal Schools
11. Consideration Of Ordinance 2021-20 Amending FY22 Budget For The Millington Municipal Schools – Final Reading

Documents:

[ORDINANCE 2021-20 AMENDING FY22 BUDGET FOR SCHOOLS.PDF](#)
[BUDGET AMENDMENT 8 EARLY LITERACY NETWORKS.PDF](#)
[BUDGET AMENDMENT 9 HOURLY WAGE ALIGNMENT.PDF](#)
[BUDGET AMENDMENT 10 HOLIDAY BONUS.PDF](#)

12. Public Hearing – Ordinance 2021-21 Amending Title 9, Businesses, Peddlers, Solicitors, Etc., To Provide Regulations For Mobile Food Vendors
13. Consideration Of Ordinance 2021-21 Amending Title 9, Businesses, Peddlers, Solicitors, Etc., To Provide Regulations For Mobile Food Vendors – Final Reading

Documents:

[ORDINANCE 2021-21 FOOD TRUCKS.PDF](#)
[TITLE 9 REV 112921.PDF](#)

14. Consideration Of Ordinance 2022-1 Amending Title 8, Chapter 2, Beer – First Reading

Documents:

[ORDINANCE 2022-1 AMEND TITLE 8 BEER.PDF](#)

15. Consideration Of Resolution 1-2022 Approving Residential Subdivision Development Agreement With Thornhill Estates II, LLC

Documents:

[RESOLUTION 1-2022 SUBDIVISION AGREEMENT THORNHILL PHASE 2.PDF](#)

16. Consideration Of Resolution 2-2022 Approving Residential Subdivision Development Agreement With Huntington Estates, LLC

Documents:

[RESOLUTION 2-2022 SUBDIVISION AGREEMENT HUNGTINGTON PHASE 1.PDF](#)

17. Consideration Of Resolution 3-2022 Approving Residential Subdivision Development Agreement With Huntington Estates Phase 2 Subdivision

Documents:

[RESOLUTION 3-2022 SUBDIVISION AGREEMENT HUNGTINGTON PHASE 2.PDF](#)

18. Consideration Of Resolution 4-2022 Appointing Members To The Industrial Development Board

Documents:

[RESOLUTION 4-2022 IDB APPOINTMENTS.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
December 13, 2021

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, December 13, 2021. The meeting was called to order at 6:00 pm by Mayor Terry Jones and Mr. McGhee led everyone in prayer, followed by the Pledge of Allegiance.

Roll Call and Quorum Determination

The following Board members were present:

Mayor Terry Jones
Al Bell
Jon Crisp
Larry Dagen
Thomas McGhee
Mike Caruthers

Ms. Huffman and Mr. Lowry were absent.

A quorum being present, the following proceedings were held:

4. Approval of Agenda

An item was added for the acquisition of the Sandusky property.

Add item to agenda

Motion: Caruthers

Second: McGhee

Vote: unanimous consent to approve

Approve amended agenda

Motion: McGhee

Second: Crisp

Vote: unanimous consent to approve amended agenda

5. Approve Minutes of November 8, 2021

Approve Minutes

Motion: Caruthers

Second: Dagen

Vote: unanimous consent to approve

6. Presentation to the Fire Department

On October 5, 2020, at approximately 8:30 pm, Engine #332 and Battalion Command #23 (C Shift) responded to a 911 call reporting a house fire in North Shelby County with multiple children trapped inside. On the first sweep thru the house, they rescued 3 people, and went back a second time and saved 2 more. State Senator Paul Rose and Representative Tom Leatherwood presented Director Graves with a framed proclamation showing their appreciation for the outstanding service and dedication of C Shift.

7. Special Recognition

Debra Sigee was given a Proclamation and recognized for her outstanding community involvement. She is retiring as the Director of the Crisis Center, effective December 31, 2021.

8. Public Comments

Ms. Kimberly Hughes, 4673 Saratoga, came in front of the Board last month with a complaint about people riding ATVs in her neighborhood. She wanted to thank the police department for coming by and putting a stop to it. Bo Griffin, 6391 Chase Rd, spoke about the schools and said they would be meeting soon with the Board to present their 5-year plan.

Close Public Comments

Motion: McGhee

Second: Crisp

Vote: unanimous consent to close

9. Public Hearing - Ordinance 2021-19 Amending FY22 Budget for the Millington Municipal Schools

Close Public Hearing

Motion: Caruthers

Second: Dagen

Vote: unanimous consent to close

10. Consideration of Ordinance 2021-19 Amending FY22 Budget for the Millington Municipal Schools - Final Reading

Approve Ordinance 2021-19

Motion: Bell

Second: McGhee

Vote: unanimous vote to approve

11. Consideration of Ordinance 2021-20 Amending FY22 Budget for the Millington Municipal Schools - First Reading
Approve Ordinance 2021-20
Motion: Dagen
Second: Crisp
Vote: unanimous vote to approve
12. Consideration of Ordinance 2021-21 Amending Title 9, Businesses, Peddlers, Solicitors, Etc., to Provide Regulations for Food Trucks - First Reading
Approve Ordinance 2021-21
Motion: Crisp
Second: Dagen
Vote: unanimous vote to approve
13. Consideration of Resolution 69-2021 Authorizing Terry Jones, in his Capacity as Mayor of the City of Millington, Tennessee, to Enter into a Mutual Aid Agreement with the City of Germantown for Participation in the District Nine Swiftwater Rescue Team
Approve Resolution 69-2021
Motion: Crisp
Second: Caruthers
Vote: unanimous consent to approve
14. Consideration of Resolution 70-2021 Authorizing City of Millington to Join the State of Tennessee and Other Local Governments as Participants in the Tennessee State Subdivision Opioid Abatement Agreement and Approving the Related Settlement Agreements
Approve Resolution 70-2021
Motion: McGhee
Second: Crisp
Vote: unanimous consent to approve
15. Approving Acquisition of Sandusky Property
Sandusky has closed operations at the property on Jack Huffman Blvd, and initial investigations on Phase 1 and Phase 2 environmental have come back clean. City Attorney is asking approval to enter into a contract for this approximate 25 acres and buildings for \$875,000.00.
Approve Acquisition
Motion: McGhee
Second: Crisp
Vote: unanimous consent to approve
16. Public Hearing - New MPO Project Applications
Close Public Hearing
Motion: McGhee
Second: Crisp
Vote: unanimous consent to close
17. Board Reports
Mr. Caruthers gave a Planning Commission report. There will be no PC meeting in December. Mr. McGhee said the Blue Angels were in town last week to check out the runway for the Airshow scheduled for June 18th and 19th. Mr. Crisp talked about the new 75,000 ft shopping center that will be across from Arby's and it is already 100% leased.

Adjourn

There being no further business, the meeting was adjourned at 6:42 pm.

These minutes are approved as of the 10th day of January, 2022.

Terry G. Jones, Mayor

Karen Findley, City Clerk

ORDINANCE 2021-20

AN ORDINANCE TO AMEND THE FY22 BUDGET FOR
THE MILLINGTON MUNICIPAL SCHOOLS

WHEREAS, The Board of Mayor and Aldermen of the City of Millington, Tennessee, adopted the FY22 Budget for all Funds by Ordinance 2021-7; and

WHEREAS, The FY22 Budget adopted for the Millington Municipal School Board included four funds: General Purpose School Fund, School Federal Projects Fund, School Cafeteria Fund and School Capital Projects Fund; and

WHEREAS, Section 9.06 of the Millington Charter requires the adoption of the budget and amendments to the budget (appropriations) to be by ordinance which must be approved at two separate meetings of the Board of Mayor and Aldermen; and

WHEREAS, The Millington Municipal School Board has submitted amendment number 7 to their budget for approval by the Board of Mayor and Aldermen; and

WHEREAS, Amendment 8 amends the Federal Projects School Fund for a grant of \$80,000.00 As part of the Early Literacy Networks; and

WHEREAS, Amendment 9 amends the General Purpose School Fund for an hourly wage adjustment/alignment of \$15,000.00 to bring all employees to \$15.00/hour minimum and amends the School Nutrition Fund for an hourly wage adjustment/alignment of \$22,000.00 to bring all employees to \$15.00/hour minimum; and

WHEREAS, Amendment 10 amends the General Purpose School Fund for Christmas Bonus payments to Employees of \$43,440.00 and amends the School Nutrition Fund for Christmas Bonus payments to Employees of \$4,060.00; and

NOW THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, the FY22 Millington Municipal School Board Budget is amended as shown in Exhibit A, which are attached and incorporated herein by reference.

BE IT FURTHER ORDAINED, That the amended budgeted revenues and expenditures of the funds of the Millington Municipal School Board are:

	Revenues	Expenditures
General Purpose School Fund	\$ 25,193,427	\$ 25,251,867
Federal Projects Fund	\$ 6,049,363	\$ 6,129,363
School Cafeteria Fund	\$ 1,708,633	\$ 1,734,693
School Capital Projects Fund	\$ 906,840	\$ 906,840

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

Public Hearing: January 10, 2022
First Reading: December 13, 2021
Final Reading: January 10, 2022

Terry G. Jones, Mayor

Karen Findley, City Clerk



**RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 BUDGET OF
MILLINGTON MUNICIPAL SCHOOL DISTRICT
BUDGET AMENDMENT EIGHT**

WHEREAS, T.C.A. § 49-2-301(W)(i) provides that the budget shall set forth in itemized form the amount necessary to operate the schools for the scholastic year beginning on July 1, following, or on such date as provided for by charter or private legislative act; and (ii) that any change in the expenditure of money as provided for by the budget shall be ratified by the local board and the appropriate local legislative body; AND

WHEREAS, it is necessary to amend the Fiscal Year 2021 - 2022 budget and appropriate said funds as reflected as described below;


NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Millington Municipal School District hereby approves the Fiscal Year 2021 - 2022 amended budget and appropriates said funds, as described below, thereby amending the aggregate budget in the Federal Projects School Fund from \$6,049,363 to \$6,129,363.

Included below is a summary of the respective components of the budget amendment. A summary of the budget impacts can be found on Exhibit A herein.

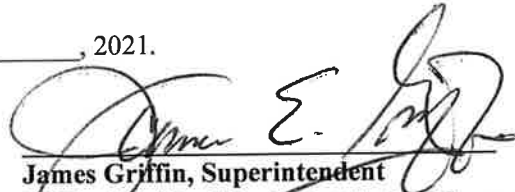
1. Federal Projects Fund

- a. Early Literacy Networks - \$80,000

On this 6th day of December, 2021.



School Board Chairman
Millington Municipal Schools Board of Education



James Griffin, Superintendent
Millington Municipal Schools Board of Education



MILLINGTON MUNICIPAL SCHOOLS
Budget Summary For Fiscal Year 2021-2022

	Original Budget as of 1 JUL 2021	Budget Amendment 1 as of 27 JUL 2021	Budget Amendment 2 as of 2 AUG 2021	Budget Amendment 3 as of 07 SEP 2021	Budget Amendment 4 as of 07 SEP 2021	Budget Amendment 5 as of 07 SEP 2021	Budget Amendment 6 as of 04 OCT 2021	Budget Amendment 7 as of 18 OCT 2021	Budget Amendment 8 as of 06 DEC 2021	Revised Budget as of 06 DEC 2021
FEDERAL PROJECTS FUND										
REVENUES / SOURCE OF FUNDS										
Federal (Acct # 47301-47590)	2,810,986	3,720,145	-	-	34,000	141,896	(679,655)	21,991	80,000	6,129,363
TOTAL REVENUE/SOURCE OF FUNDS	\$ 2,810,986	\$ 3,720,145	\$ -	\$ -	\$ 34,000	\$ 141,896	\$ (679,655)	\$ 21,991	\$ 80,000	\$ 6,129,363
EXPENDITURES										
Instruction (Acct # 71100-71300)	1,647,827	598,735	-	-	34,000	141,896	(679,655)	3,000	-	1,845,803
Instructional Support (Acct # 72210-72230)	1,063,842	397,675	-	-	-	-	-	16,991	80,000	1,558,508
Student Support (Acct # 72120, 72130)	48,935	23,699	-	-	-	-	-	-	-	72,634
Plant Services (Acct # 72620)	50,289	-	-	-	-	-	-	-	-	50,289
Transportation (Acct # 72710)	-	-	-	-	-	-	-	2,000	-	2,000
Food Service (Acct # 73100)	93	-	-	-	-	-	-	-	-	93
Indirect Cost/Transfers Out (Acct# 99100)	-	81,158	-	-	-	-	-	-	-	81,158
Capital Outlay (Acct# 76100)	-	2,518,878	-	-	-	-	-	-	-	2,518,878
TOTAL EXPENDITURES	\$ 2,810,986	\$ 3,720,145	\$ -	\$ -	\$ 34,000	\$ 141,896	\$ (679,655)	\$ 21,991	\$ 80,000	\$ 6,129,363
FEDERAL PROJECTS FUND BUDGET	\$ 6,531,131	\$ 6,531,131	\$ 6,531,131	\$ 6,531,131	\$ 6,565,131	\$ 6,707,027	\$ 6,027,372	\$ 6,049,363	\$ 6,129,363	



ePlan Home
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Planning
Monitoring
Funding
Data and Information
Reimbursement Requests
Project Summary
LEA Document Library
Address Book
TDOE Resources
Help for Current Page
Contact TDOE
ePlan Sign Out

Turner, Kristen

Production
 Session Timeout
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Program Details

Millington Municipal Schools (798) Public District - FY 2022 - Early Literacy Networks - Rev 1 - Early Literacy Networks

Go To

Partnerships with professional learning vendors can be a lever that propels change strategically and with high impact.

Which of the following activities would be most beneficial to support your district in implementation of your knowledge-building and foundational skills materials as you work with a state-approved professional learning vendor?

- Providing systematic implementation support by *collaboratively building a district literacy strategy*
- Providing *follow-up support of summer training* with application of learning to district-specific foundational skills state-approved curriculum
- Developing a *comprehensive PreK-2 ELA implementation plan* to include *ongoing, spiraled professional learning for teachers and leaders* in both strands of literacy instruction: knowledge-building and foundational skills
- Build the knowledge and skills necessary to *equip leaders to use the TN ELA Instructional Practice Guide (IPG) and TN Early Literacy IPG* (to include norming)
- Foster teacher application of professional learning to instruction* that propels change in classroom practice resulting in increased student reading achievement
- Provide training for PreK-2 educators in sounds-based strategies for teaching foundational skills
- Provide training for PreK-2 educators in regard to *scaffolded supports, intervention programming design, and data use* for students at-risk or with a significant reading deficiency
- Facilitate *unit and lesson preparation* for knowledge building lessons and foundational skills lessons
- Additional district and schoolwide literacy planning* as a result of baseline data

There are many benefits to becoming a member of a collaborative system intentionally designed with district needs at the forefront. Districts across Tennessee frequently partner to solve problems of practice, brainstorm, and share resources. There is strength in numbers and the Tennessee Department of Education believes that "Together We are Better".

Which of the following activities would be most beneficial to support your district in implementation of your knowledge-building and foundational skills materials as a member of a district collaborative? Select all that apply.

- Participate in quarterly virtual learning sessions focused on the implementation of high-quality materials and strategies-based support
- Participate in monthly virtual state-wide communities of practice focusing on curriculum-specific supports for both knowledge building and foundational skills
- Participate in quarterly regional sharing opportunities at which districts will share problems of practice and work toward solutions with state vendor facilitators

1. Have you selected, adopted and begun using state-adopted ELA HQIM in grades K through 2?

Yes

2. Will 25% of K-2 teachers successfully complete Week One and Week Two of the TN Early Reading Training Series by the beginning of school year 2021-2022?

Yes

3. Do you expect your district to have an approved FLSP plan by June 1, 2021?

Yes

4. Are you committed to selecting a community of practice sequence (four sessions a year), selecting an implementation support vendor, and creating an implementation plan?

Yes

5. Will you be willing to reflect on your implementation plan and share data (screeners, IPG, teacher survey data, etc.) to support your success?

Yes

Resources

[Click here to open the application guidance document.](#)

Go To



**RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 BUDGET OF
MILLINGTON MUNICIPAL SCHOOL DISTRICT
BUDGET AMENDMENT NINE**

WHEREAS, T.C.A. § 49-2-301(W)(i) provides that the budget shall set forth in itemized form the amount necessary to operate the schools for the scholastic year beginning on July 1, following, or on such date as provided for by charter or private legislative act; and (ii) that any change in the expenditure of money as provided for by the budget shall be ratified by the local board and the appropriate local legislative body; AND

WHEREAS, it is necessary to amend the Fiscal Year 2021 - 2022 budget and appropriate said funds as reflected as described below;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Millington Municipal School District hereby approves the Fiscal Year 2021 - 2022 amended budget and appropriates said funds, as described below, thereby amending the aggregate budget in the General Purpose School Fund from \$25,193,427 to \$25,208,427 and the School Nutrition Fund from \$1,708,633 to \$1,730,633.

Included below is a summary of the respective components of the budget amendment. A summary of the budget impacts can be found on Exhibit A herein.


1. General Purpose Fund

- a. Hourly wage alignment to \$15/hour minimum - \$15,000

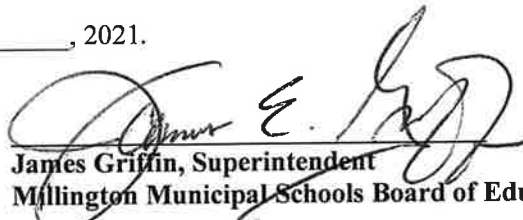
2. School Nutrition Fund

- a. Hourly wage alignment to \$15/hour minimum - \$22,000

On this 6th day of December, 2021.



School Board Chairman
Millington Municipal Schools Board of Education



James Griffin, Superintendent
Millington Municipal Schools Board of Education



MILLINGTON MUNICIPAL SCHOOLS
Budget Summary For Fiscal Year 2021-2022

	Original Budget as of 1 JUL 2021	Budget Amendment 1 as of 27 JUL 2021	Budget Amendment 2 as of 2 AUG 2021	Budget Amendment 3 as of 07 SEP 2021	Budget Amendment 4 as of 07 SEP 2021	Budget Amendment 5 as of 07 SEP 2021	Budget Amendment 6 as of 04 OCT 2021	Budget Amendment 7 as of 18 OCT 2021	Budget Amendment 8 as of 06 DEC 2021	Budget Amendment 9	Revised Budget as of 06 DEC 2021
GENERAL PURPOSE FUND											
REVENUES / SOURCE OF FUNDS											
City of Millington (Acct # 40275, 49400, 49810)	303,280	-	-	-	-	-	-	-	-	-	303,280
State (Acct # 46511-47163)	13,489,041	-	-	-	-	-	-	-	-	-	13,489,041
Federal (Acct # 44146, 47630, 47640)	458,000	-	-	-	-	-	-	-	-	-	458,000
County (Acct # 40110-40240)	9,703,439	-	-	-	-	-	272,000	-	-	-	9,975,439
Other Local Sources (Acct # 44110, 44120, 44570, 44990)	210,709	-	-	-	-	-	-	-	-	-	210,709
Indirect Cost/Transfers In and Out (Acct # 49800-49810)	500,000	-	-	-	-	-	-	-	-	-	500,000
Donations (Acct # 48510)	6,000	100,000	-	-	-	25,090	-	-	-	-	106,000
Planned Use of Fund Balance	-	81,000	-	45,274	-	-	(406)	-	-	15,000	165,958
TOTAL REVENUE/SOURCE OF FUNDS	\$ 24,670,469	\$ 181,000	\$ 45,274	\$ 25,090	\$ 271,594	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 25,208,427
EXPENDITURES											
Instruction (Acct # 71100-71300)	13,184,745	-	-	-	-	-	-	-	-	-	13,184,745
Instructional Support (Acct # 72210-72230)	1,440,441	100,000	-	-	272,000	-	-	-	-	9,500	1,440,441
Student Support (Acct # 72190, 72190)	859,306	-	-	-	-	-	(406)	-	-	-	858,900
Office of the Principal (Acct # 72410)	1,846,416	-	-	-	-	-	-	-	-	-	1,846,416
General Administration (Acct # 72310, 72320)	758,068	-	-	-	-	-	-	-	-	-	758,068
Education Technology (Acct # 72250)	1,139,787	-	-	-	-	-	-	-	-	-	1,139,787
Fiscal Services (Acct # 72510)	470,827	-	-	-	-	-	-	-	-	-	470,827
Other Support Services (Acct # 72500, 72810)	315,705	83,000	-	-	-	-	-	-	-	-	396,705
Student Transportation (Acct # 72710)	1,343,203	-	-	-	-	-	-	-	-	-	1,343,203
Plant Services (Acct # 72610, 72620, 76100)	2,315,107	-	-	-	-	-	-	-	-	-	2,315,107
Early Childhood (Acct # 71400)	587,470	-	-	45,274	-	-	-	-	-	-	632,744
Debt Service (Acct # 82130, 82330)	409,594	-	-	-	-	25,090	-	-	-	-	434,684
TOTAL EXPENDITURES	\$ 24,670,469	\$ 181,000	\$ 45,274	\$ 25,090	\$ 271,594	\$ -	\$ -	\$ -	\$ -	\$ 15,000	\$ 25,208,427
GENERAL FUND BUDGET	\$ 24,670,469	\$ 24,851,469	\$ 24,896,743	\$ 24,921,833	\$ 25,193,427	\$ 25,193,427	\$ 25,193,427	\$ 25,193,427	\$ 25,193,427	\$ 25,208,427	\$ 25,208,427



MILLINGTON MUNICIPAL SCHOOLS
Budget Summary For Fiscal Year 2021-2022

	Original Budget as of 1 JUL 2021	Budget Amendment 1 as of 27 JUL 2021	Budget Amendment 2 as of 2 AUG 2021	Budget Amendment 3 as of 07 SEP 2021	Budget Amendment 4 as of 07 SEP 2021	Budget Amendment 5 as of 07 SEP 2021	Budget Amendment 6 as of 04 OCT 2021	Budget Amendment 7 as of 18 OCT 2021	Budget Amendment 8 as of 06 DEC 2021	Budget Amendment 9	Revised Budget as of 06 DEC 2021
SCHOOL NUTRITION FUND											
REVENUES / SOURCE OF FUNDS											
State (Acct # 46520)	16,500	-	-	-	-	-	-	-	-	-	16,500
Federal (Acct # 47111, 47112, 47114)	1,509,637	67,750	-	-	-	56,726	-	-	-	-	1,628,113
Other Local Sources (Acct # 43522, 43525, 44110, 44570)	64,020	-	-	-	-	-	-	-	-	22,000	64,020
Planned Use of Fund Balance	-	-	-	-	-	-	-	-	-	-	22,000
TOTAL REVENUE/SOURCE OF FUNDS	\$ 1,584,157	\$ 67,750	\$ 67,750	\$ 1,651,907	\$ 1,651,907	\$ 56,726	\$ 1,708,633	\$ 1,708,633	\$ 1,708,633	\$ 22,000	\$ 1,730,633
EXPENDITURES											
Food Service (Acct # 73100)	1,584,157	-	67,750	-	-	56,726	-	-	-	22,000	1,730,633
TOTAL EXPENDITURES	\$ 1,584,157	\$ 67,750	\$ 67,750	\$ 1,651,907	\$ 1,651,907	\$ 56,726	\$ 1,708,633	\$ 1,708,633	\$ 1,708,633	\$ 22,000	\$ 1,730,633
SCHOOL NUTRITION FUND BUDGET	\$ 1,584,157	\$ 1,651,907	\$ 1,651,907	\$ 1,651,907	\$ 1,651,907	\$ 1,708,633	\$ 1,708,633	\$ 1,708,633	\$ 1,708,633	\$ 22,000	\$ 1,730,633



**RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 BUDGET OF
MILLINGTON MUNICIPAL SCHOOL DISTRICT
BUDGET AMENDMENT TEN**

WHEREAS, T.C.A. § 49-2-301(W)(i) provides that the budget shall set forth in itemized form the amount necessary to operate the schools for the scholastic year beginning on July 1, following, or on such date as provided for by charter or private legislative act; and (ii) that any change in the expenditure of money as provided for by the budget shall be ratified by the local board and the appropriate local legislative body; AND

WHEREAS, it is necessary to amend the Fiscal Year 2021 - 2022 budget and appropriate said funds as reflected as described below;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Millington Municipal School District hereby approves the Fiscal Year 2021 - 2022 amended budget and appropriates said funds, as described below, thereby amending the aggregate budget in the General Purpose School Fund from \$25,208,427 to \$25,251,867 and the School Nutrition Fund from \$1,730,633 to \$1,734,693.

Included below is a summary of the respective components of the budget amendment. A summary of the budget impacts can be found on Exhibit A herein.

1. General Purpose Fund

- a. Christmas Bonus – \$43,440

2. School Nutrition Fund

- a. Christmas Bonus - \$4,060

On this 6 day of December, 2021.

**School Board Chairman
Millington Municipal Schools Board of Education**

**James Griffin, Superintendent
Millington Municipal Schools Board of Education**



MILLINGTON MUNICIPAL SCHOOLS
Budget Summary For Fiscal Year 2021-2022

	Original Budget as of 1 JUL 2021	Budget Amendment 1 as of 27 JUL 2021	Budget Amendment 2 as of 2 AUG 2021	Budget Amendment 3 as of 07 SEP 2021	Budget Amendment 4 as of 07 SEP 2021	Budget Amendment 5 as of 07 SEP 2021	Budget Amendment 6 as of 04 OCT 2021	Budget Amendment 7 as of 18 OCT 2021	Budget Amendment 8 as of 06 DEC 2021	Budget Amendment 9	Budget Amendment 10	Revised Budget as of 06 DEC 2021
GENERAL PURPOSE FUND												
REVENUES / SOURCE OF FUNDS												
City of Millington (Acct # 40275, 49400, 49810)	303,280											303,280
State (Acct # 46511, 47243)	13,489,041											13,489,041
Federal (Acct # 44346, 47694, 47640)	458,000											458,000
County (Acct # 40110, 40240)	9,703,439						272,000					9,975,439
Other Local Sources (Acct # 44110, 44120, 44570, 44890)	210,709											210,709
Indirect Cost/Transfers In and Out (Acct # 49600, 49810)	500,000											500,000
Donations (Acct # 48610)	6,000											6,000
Planned Use of Fund Balance			100,000			25,090	(406)			15,000	43,440	209,998
			81,000			25,090	(406)			15,000	43,440	209,998
TOTAL REVENUE/SOURCE OF FUNDS	\$ 24,670,469	\$ 181,000	\$ 45,274	\$ 45,274	\$ -	\$ 25,090	\$ 271,594	\$ -	\$ -	\$ 15,000	\$ 43,440	\$ 25,251,867
EXPENDITURES												
Instruction (Acct # 7100, 71300)	13,184,745											13,184,745
Instructional Support (Acct # 72210, 72230)	1,440,441		100,000				272,000			9,500	29,785	1,443,196
Student Support (Acct # 72120, 72130)	859,306						(406)				2,755	860,495
Office of the Principal (Acct # 72410)	1,846,416										1,595	1,849,951
General Administration (Acct # 72310, 72320)	758,068										580	758,648
Education Technology (Acct # 72250)	1,139,787										870	1,140,657
Fiscal Services (Acct # 72510)	470,827										725	471,552
Other Support- Services (Acct # 72520, 72810)	315,705		81,000								435	397,140
Student Transportation (Acct # 72710)	1,343,203											1,343,203
Plant Services (Acct # 72610, 72620, 76100)	2,315,107										1,885	2,362,266
Early Childhood (Acct # 73400)	587,470			45,274						5,500	1,275	594,245
Debt Service (Acct # 81130, 81330)	409,394					25,090						434,484
						25,090						
TOTAL EXPENDITURES	\$ 24,670,469	\$ -	\$ 181,000	\$ 45,274	\$ -	\$ 25,090	\$ 271,594	\$ -	\$ -	\$ 15,000	\$ 43,440	\$ 25,251,867
GENERAL FUND BUDGET	\$ 24,670,469	\$ -	\$ 24,851,469	\$ 24,896,743	\$ 24,896,743	\$ 24,921,833	\$ 25,193,427	\$ 25,193,427	\$ 25,193,427	\$ 25,208,427	\$ 25,251,867	\$ 25,251,867



MILLINGTON MUNICIPAL SCHOOLS
Budget Summary For Fiscal Year 2021-2022

	Original Budget 01 of 1 JUL 2021	Budget Amendment 1 01 of 27 JUL 2021	Budget Amendment 2 01 of 2 AUG 2021	Budget Amendment 3 01 of 07 SEP 2021	Budget Amendment 4 01 of 07 SEP 2021	Budget Amendment 5 01 of 07 SEP 2021	Budget Amendment 6 01 of 04 OCT 2021	Budget Amendment 7 01 of 18 OCT 2021	Budget Amendment 8 01 of 06 DEC 2021	Budget Amendment 9	Budget Amendment 10	Revised Budget 01 of 06 DEC 2021
SCHOOL NUTRITION FUND												
REVENUES / SOURCE OF FUNDS												
State (Acct # 46520)	16,500	-	-	-	-	-	-	-	-	-	-	16,500
Federal (Acct # 47111, 47112, 47114)	1,503,637	67,750	-	-	-	56,726	-	-	-	-	-	1,628,113
Other Local Sources (Acct # 43522, 43525, 44110, 44570)	64,020	-	-	-	-	-	-	-	-	-	-	64,020
Planned Use of Fund Balance	-	-	-	-	-	-	-	-	-	22,000	4,060	26,060
TOTAL REVENUE/SOURCE OF FUNDS	\$ 1,584,157	\$ 67,750	\$ -	\$ -	\$ -	\$ 56,726	\$ -	\$ -	\$ -	\$ -	\$ 4,060	\$ 1,734,693
EXPENDITURES												
Food Service (Acct # 73100)	1,584,157	67,750	-	-	-	56,726	-	-	-	22,000	4,060	1,734,693
TOTAL EXPENDITURES	\$ 1,584,157	\$ 67,750	\$ -	\$ -	\$ -	\$ 56,726	\$ -	\$ -	\$ -	\$ 22,000	\$ 4,060	\$ 1,734,693
SCHOOL NUTRITION FUND BUDGET	\$ 1,584,157	\$ 1,651,907	\$ 1,651,907	\$ 1,651,907	\$ 1,651,907	\$ 1,708,633	\$ 1,708,633	\$ 1,708,633	\$ 1,708,633	\$ 1,730,633	\$ 1,734,693	\$ 1,734,693

ORDINANCE 2021-21

ORDINANCE AMENDING TITLE 9, BUSINESS, PEDDLERS, SOLICITORS, ETC. TO
PROVIDE REGULATIONS FOR MOBILE FOOD VENDORS

WHEREAS, Title 9, Business, Peddlers, Solicitors, Etc. of the Millington Code has been previously adopted; and

WHEREAS, It has become necessary for this title to be amended to provide rules and regulations for the proper operation of mobile food vendors within the City of Millington, Tennessee.

NOW, THEREFORE, BE IT ORDAINED That Title 9 of the Millington Code is amended as shown in Attachment A.:

BE IT FURTHER ORDAINED, that this Ordinance shall take March 15, 2022, the public welfare requiring it.

Public Hearing: January 10, 2022
First Reading: December 13, 2021
Final Reading: January 10, 2022

Terry G. Jones, Mayor

Karen Findley, City Clerk

TITLE 9
BUSINESS, PEDDLERS, SOLICITORS, ETC.¹

CHAPTER

1. PEDDLERS, SOLICITORS, TRANSIENT VENDORS, MOBILE FOOD VENDOR, -AND STREET BARKERS.
2. TAXICABS.
3. [DELETED.]
4. [DELETED.]
5. PAWNBROKERS REGULATED.
6. REGULATION OF MASSAGE PARLORS, ETC.
7. REGULATION OF TOWING SERVICES, ETC.
8. CABLE TELEVISION.
9. FOOD ESTABLISHMENT SANITATION.
10. TATTOO REGULATION.
11. SEXUALLY ORIENTED BUSINESSES.

CHAPTER 1

PEDDLERS, SOLICITORS, TRANSIENT VENDORS
MOBILE FOOD VENDORS, AND STREET BARKERS²

SECTION

- 9-101. Definitions.
- 9-102. Exemptions.
- 9-103. Permit required.
- 9-104. Permit application.
- 9-105. Permit fee.
- 9-106. Location of transient vendor sites.
- 9-107. Issuance of permit.
- 9-108. Restrictions on transient vendors, peddlers, mobile food vendors, street barkers and solicitors.
- 9-109. Restrictions on advertising, etc. by transient vendors mobile food vendors.
- 9-110. Display of permit.
- 9-111. Suspension or revocation of permit.
- 9-112. Expiration and renewal of permit.
- 9-113. Enforcement by city's police department and codes enforcement officers.
- 9-114. Use of streets and other public property.
- 9-115. Time requirements.
- 9-116. No transfer or assignment.
- 9-117. Violation and penalty.

¹Municipal code references

- Building, plumbing, wiring and housing regulations: title 12.
- Liquor and beer regulations: title 8.
- Noise reductions: title 11.
- Zoning: title 14.

²Municipal code reference

- Privilege taxes: title 5.

9-101. Definitions. Unless otherwise expressly stated, whenever used in this chapter, the following words shall have the meanings given to them in this section:

(1) "Peddler" means any person, firm or corporation, either a resident or a nonresident of the city, who has no permanent regular place of business and who goes from dwelling to dwelling, business to business, place to place, or from street to street, carrying or transporting goods, wares or merchandise and offering or exposing the same for sale.

(2) "Solicitor" means any person, firm or corporation who goes from dwelling to dwelling, business to business, place to place, or from street to street, taking or attempting to take orders for any goods, wares or merchandise, or personal property of any nature whatever for future delivery, except that the term shall not include solicitors for charitable and religious purposes and solicitors for subscriptions as those terms are defined below.

(3) "Solicitor for charitable or religious purposes" means any person, firm, corporation or organization who or which solicits contributions from the public, either on the streets of the city or from door to door, business to business, place to place, or from street to street, for any charitable or religious organization, and who does not sell any single item at a cost to the purchaser in excess of twenty-five dollars (\$25.00). No organization shall qualify as a "charitable" or "religious" organization unless the organization meets one of the following conditions:

(a) Has a current exemption certificate from the Internal Revenue Service issued under Section 501(c)(3) of the Internal Revenue Service Code of 1954, as amended and delivers a copy of such certificate to the city;

(b) Is a member of United Way, Community Chest or similar "umbrella" organizations for charitable or religious organizations and provides proof of such membership to the city; or

(c) Has been in continued existence as a charitable or religious organization in Shelby County for a period of two (2) years prior to the date of its application for registration under this chapter and provides proof of such continued existence to the city.

(4) "Solicitor for subscriptions" means any person who solicits subscriptions from the public, either on the streets of the city, or from door to door, business to business, place to place, or from street to street, and who offers for sale subscriptions to magazines or other materials protected by provisions of the Constitution of the United States.

(5) "Transient vendor" means any person who brings into temporary premises and exhibits stocks or merchandise to the public for the purpose of selling or offering to sell the merchandise to the public. "Transient vendor" does not include any person selling goods by sample, brochure, or sales catalog for future delivery; or to sales resulting from the prior invitation to the seller by the owner or occupant of a residence. For purposes of this definition, "merchandise" means any consumer item that is or is represented to be new or not previously owned by a consumer, and "temporary premises" means any public or quasi-public place including a hotel, rooming house, storeroom, building or part of a building, tent, vacant lot, railroad car, or motor vehicle which is temporarily occupied for the purpose of exhibiting stocks of merchandise to the public. Premises are not temporary if the same person has conducted business at those premises for more than six (6) consecutive months or has occupied the premises as his or her permanent residence for more than six (6) consecutive months.

(6) "Street barker" means any peddler who does business during recognized festival or parade days in the city and who limits his business to selling or offering to sell novelty items and similar goods in the area of the festival or parade. (1981 Code, § 5-201, as replaced by Ord. #2005-21, Nov. 2005)

(7) "Mobile food vendor" means as any person selling food and/or drink from a mobile vehicle, including a food truck, food trailer, and ice cream truck.

(8) "Mobile food service vehicle" is defined as a vehicle that returns daily to its base of operations and is used either in the preparation or sale of food or drink products, or both.

(9) "Food truck" is defined as an enclosed motor vehicle equipped with facilities for preparing, cooking and selling various types of food and/or drink products other than exclusively ice cream and related frozen products.

(10) "Food trailer" is defined as a detached trailer that is equipped with facilities for preparation, cooking, and selling various types of food and/or drink products

(11) "Ice cream truck" means a motor vehicle containing a commercial freezer from which a vendor sells only frozen, pre-packaged food products such as ice cream, frozen yogurt, frozen custard, flavored frozen water and similar frozen items.

(12) "Edible food products" means those products that are ready for immediate consumption, including prepackaged food and food cooked, prepared or assembled on-site. The term "edible food products" does not include fresh produce unless the produce has been packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared for consumption.

(13) "Location" means any single property parcel or any combination of contiguous parcels that are owned or controlled by a single entity or affiliated entities.

(14) "Mobile food vendor permit" means a permit issued by the City for the operation of a mobile food service vehicle valid for not more than three days per permit. Permits for food trucks are valid for Special Events only.

(15) "Operate" means to sell food, beverages, and other permitted items from a mobile food service vehicle and includes all tenses of the word.

(16) "Operator" means any person operating or permitted to operate a mobile food service vehicle.

(17) "Permit administrator" means the City Clerk who oversees the issuance, suspension and revocation of mobile food vendor permits.

(18) "Vehicle" means every device in, upon or by which any person or property may be transported or drawn upon a street, including devices moved by human power.

(19) "City sponsored special event" owners of private property, churches and non-profit organizations as described in 9-106 (3) may request city approval of a special event two (2) times each calendar year. This event shall not last for more than three (3) days and no more than three (3) Mobile food vendors shall be permitted. All requests for mobile food vendor permits on private property, churches and non-profit organizations shall be accompanied by a request for special event approval signed by the property owner.

State law references

Tennessee Code Annotated, § 62-30-101 et seq. contains permit requirements for "transitory vendors." The definition of "transient vendors" is taken from Tennessee Code Annotated, § 62-30-101(3). Note also that Tennessee Code Annotated, § 67-4-709(a)(6) prescribes that transient vendors shall pay a tax of \$50.00 for each 14 day period in each county and/or municipality in which such vendors sell or offer to sell merchandise for which they are issued a business license, but that they are not liable for the gross receipts portion of the tax provided for in Tennessee Code Annotated, § 67-4-709(b).

9-102. Exemptions. Except to the extent necessary for public safety under § 9-108(3) of this chapter, the terms of this chapter shall not apply to persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, nor to persons selling agricultural products, who, in fact, themselves produced the products being sold, nor to minor school children who are selling merchandise or soliciting solely to benefit the school which they attend. (1981 Code, § 5-202, as replaced by Ord. #2005-21, Nov. 2005)

9-103. Permit required. (1) No person, firm, corporation or other entity shall operate a business as a peddler, transient vendor, solicitor or street barker, and no solicitor for charitable or religious purposes or solicitor for subscriptions shall solicit within the city unless the same has obtained a permit from the city in accordance with the provisions of this chapter. Provided, however, that this section shall not apply to any locally established organization or church operated exclusively for charitable or religious purposes when the solicitations are conducted exclusively among the members thereof, voluntarily and without remuneration for making such solicitations, or when the solicitations are in the form of collections or contributions at the regular assemblies of any such established organization or church. (1981 Code, § 5-203, as replaced by Ord. #2005-21, Nov. 2005)

(2) It shall be unlawful for any person to engage in business as a mobile food vendor in the City of Millington without first obtaining a mobile food vendor's permit. Any permits, licenses, and certifications required by the Shelby County Department of Health and/or State of Tennessee for operation of the business are also required. City of Millington transient vendor licenses will not be required for those business owners residing in the State of Tennessee and/or businesses based in Tennessee. State transient vendor licenses will be required for owners of businesses residing outside of Tennessee and/or businesses based outside of Tennessee as required by the State of Tennessee. Upon being granted a mobile food vendor permit, a mobile food vendor must comply with the rules and regulations outlined herein.

9-104. Permit application. (1) A sworn application containing the following information, together with evidence of the applicant's status if required under § 9-101(3), shall be completed and filed with the city clerk by each applicant for a permit as a peddler, transient vendor, mobile food vendor, solicitor, or street barker and by each applicant for a permit as a solicitor for charitable or religious purposes or as a solicitor for subscriptions:

(a) The complete name, permanent address, telephone number and social security number or federal employer identification number of the applicant, and the

- complete name, permanent address, telephone number and federal employer identification number of the business or organization the applicant represents;
- (b) A brief description of the type of business and the goods to be sold;
- (c) A recent clear photograph approximately two inches square showing the head and shoulders of the applicant;
- (d) The dates, times and places during which the applicant intends to do business or make solicitations;
- (e) The names, permanent addresses, telephone numbers and social security numbers of each person who will make sales or solicitations within the city on behalf of or as a representative of the applicant;
- (f) A statement as to whether or not the applicant has been convicted of any crime or misdemeanor or for violating any municipal ordinance, the nature of the offense, the date and jurisdiction of conviction, and the punishment or penalty assessed therefor;
- (g) The make, model, complete description, and license tag number and state of issue, of each vehicle to be used to make sales or solicitations, whether or not such vehicle is owned individually by the person making sales or solicitations, by the business or organization itself, or rented or borrowed from another business or person; and
- (h) Proof of valid automobile liability insurance in an amount required by law for operation of the applicable mobile food vendor vehicle. Failure to maintain this insurance during the time of the permit will result in an immediate revocation of the mobile food vendor permit.
- (i) Tennessee sales tax number, if applicable.

(2) Each applicant for a transient vendor or mobile food vendor permit shall submit, along with the permit application, written consent by the property owner or authorized agent for the property owner, for the applicant to use said owner's private property for the purpose stated in the application. In addition, a plan of the property showing the proposed location of the vendor shall be provided.

(3) Due to the highly perishable nature of seafood and the severity of poisoning that can result, each transient vendor who desires to sell seafood (including all types of fish and shellfish) shall present to the city a health permit issued by the Shelby County Health Department with the application. (1981 Code, § 5-204, as replaced by Ord. #2005-21, Nov. 2005)

9-105. Permit fee. Each applicant for a permit as a peddler, transient vendor, solicitor or street barker shall submit with the application a nonrefundable administrative fee of twenty-five dollars (\$25.00). The permit fee for a mobile food vendor shall be \$250.00. Notwithstanding the provisions of Tennessee Code Annotated, § 67-4-719 and any other law to the contrary, such tax shall be paid prior to the first day of engaging in business. For transient vendors, state law prescribes an additional fee. There shall be no fee for an application for a permit as a solicitor for charitable or religious purposes or as a solicitor for subscriptions. (1981 Code, § 5-205, as replaced by Ord. #2005-21, Nov. 2005)

9-106. Location of transient vendor and mobile food vendor sites. (1) Transient vendor sites shall be allowed only in B-2 (general commercial) or PC (planned commercial) zoning districts. A minimum setback of fifteen (15) feet from all public sidewalks or rights of way shall be required for the location of any transient vendor site. Setbacks from streets or rights of way shall be measured from the curb or right of way line, and setbacks from sidewalks shall be measured from the edge of the sidewalk farthest away from the curb. (1981 Code, § 5-206, as replaced by Ord. #2005-21, Nov. 2005)

(2) Location of mobile food vendors on streets and public property.

(a) Ice cream trucks are permitted to vend on public streets as long as they remain mobile and only make stops of ten (10) minutes or less at one location. The hours of operations for ice cream trucks is from 10:00 A. M. until sunset.

(b) Food trucks and food trailers are prohibited from selling food on any public street, sidewalk, alley, trail, or right-of-way or any city owned or controlled property. This includes, but is not limited to, parks and schools unless approved by the city as a part of a city permitted special event. All mobile food vendors must comply with all rules, regulations and requirements related to the city permitted special event, including but not limited to, provisions as to where the mobile food vendors will be located, how long the

mobile food vendors can be present at the location, and how many and which food trucks can participate in the city permitted special event.

(c) City-wide and other publicly sponsored festivals and events such as: Goat Days, Flag City Freedom fireworks, Midsouth Airshow, and other festivals and events that may be authorized by the Millington Board of Mayor and Aldermen shall be exempt from this ordinance.

(3) Location of mobile food vendors on private property. Mobile food vendors are prohibited from conducting business on private property unless it is a city permitted special event. Property owners of properties zoned B-2 and P-C shall be permitted to hold a city permitted special event two times per year. These special events shall be limited to three mobile food vendors. Churches and other Non-Profit organizations are also permitted to hold a special city permitted event two times per year. These special event shall be limited to three mobile food vendors, provided that all activities shall not be within one hundred (100) feet of any residential property.

9-107. Issuance of permit. Upon the completion of the application form, presentation of any additional required documentation and the payment of the permit fee (where required), the city clerk shall issue a permit and shall provide a copy of the permit to the applicant. Upon issuance of the permit, the city clerk shall immediately deliver a copy of the application, together with all required documentation, and a copy of the permit to the chief of police. (1981 Code, § 5-207, as replaced by Ord. #2005-21, Nov. 2005)

¹State law reference:

Tennessee Code Annotated, § 67-4-709(a)(6). Transient vendors shall pay a tax of fifty dollars (\$50.00) for each fourteen (14) day period in each county and/or municipality in which such vendors sell or offer to sell merchandise or for which they are issued a business license.

9-108. Restrictions on transient vendors, mobile food vendors, peddlers, street barkers and solicitors. (1) No transient vendor, peddler, street barker, solicitor, solicitor for charitable purposes, or solicitor for subscriptions shall:

(a) Be permitted to set up and operate a booth or stand on any street or sidewalk, or in any other public area within the city;

(b) Stand or sit in or near the entrance to any dwelling or place of business, or in any other location that may disrupt or impede pedestrian or vehicular traffic;

(c) Offer to sell goods or services, or solicit in, vehicular traffic lanes, or operate a "road block" of any kind, except as otherwise permitted by state law, or use a parked vehicle on public streets, highways or rights of way as a business stand to sell goods, wares or merchandise to occupants of other vehicles;

(d) Call attention to his business or merchandise or to his solicitation efforts by crying out, blowing a horn, ringing a bell, using any sound amplifying device, or creating other noise, where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the adjacent sidewalks, streets, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such person proposes to sell, except that street barkers shall be allowed cry out to call attention to their business or merchandise, as applicable, during recognized parade or festival days of the city;

(e) For purposes of the activities regulated by this chapter, enter in or upon any premises or attempt to enter in or upon any premises where a sign or placard bearing the notice "Peddlers or Solicitors Prohibited", or similar language carrying the same meaning, is located, or where the owner of said premises requests that the transient vendor, peddler, street barker, solicitor, solicitor for charitable purposes, or solicitor for subscriptions leave his or her property. Violation of this sub-section (5) shall constitute trespassing as well as a violation of this chapter. (1981 Code, § 5-208, as replaced by Ord. #2005-21, Nov. 2005)

(2) All mobile food vendors shall:

(a) Maintain litter receptacle/s of sufficient size to accept the litter being generated by the sales from the vendor's mobile food vehicle at the point of sales. The receptacle must be maintained in such a manner as to preclude an overflow of refuse. Each mobile food vendor shall pick up litter which is associated with the vendor's sale in the vicinity of the vendor's mobile food vehicle prior to departing a sales location. A pattern of leaving excessive litter caused by product packaging shall be basis for suspension or revocation of the mobile food vendor license.

(b) Mobile food vendors shall be limited to edibles and hot and cold beverages containing no alcohol. The sale of non-food or drink items from mobile food vendor vehicles shall be limited to merchandise displaying the mobile food company logo and/or branding.

(c) There shall be no benches, tables, chairs or other furniture which may be used for eating or sitting provided by or associated with a mobile food vendor vehicle.

(d) All food trucks and food trailers must be equipped with a fire extinguisher that is certified annually by a licensed company. Additionally, food trucks and food trailers that produce grease laden vapors (i.e., units with deep fat fryers or flat-top griddles) must have a fire suppression system certified bi-annually by a licensed company.

(e) Mobile food vendor vehicles shall not obstruct or impede pedestrian or vehicular traffic, access to driveways, and sight distance for drivers. Mobile food vendor vehicles shall serve pedestrians only; drive-through or drive-in services are hereby prohibited.

(f) Other than ice cream trucks being able to play a song associated with its business at a reasonable level of sound, no mobile food vendors shall sound any device which produces an offensive or loud noise to attract customers, and mobile food vendors shall not use a public-address system on the vehicle to broadcast and advertise products.

(g) Signs which are permanently affixed to the mobile food vendor vehicle shall extend no more than six inches (6") from the vehicle. Except as stated herein, all signs shall be attached or painted on the mobile food vendor vehicle. Electronic signs are prohibited as are signs that flash, reflect motion pictures, emit smoke or vapor, or produce any rotation, motion or movement. Each food truck or food trailer is permitted one sandwich board type sign located within ten feet (10') of the applicable food truck or food trailer for advertisement purposes while the food truck or food trailer is open for business. Such sandwich board sign shall be no more than forty-eight inches (48") high and contain no more than seven (7) square feet.

(h) All mobile food vendors shall be located at least 300 feet from any eating establishment and 100' from any retail store that sells food unless both the owners of the eating establishment and retail stores and their leaseholders grant written notarized permission.

(i) Mobile food vendors operating at a location for a duration of more than three hours shall provide a notarized permission statement from the property owners to have access to a flushable restroom with hand washing facilities within 300 feet for the duration of the sales.

9-109. Restrictions on advertising, etc. by transient vendors and mobile food vendors. A transient vendor or mobile food vendor shall not advertise, represent, or hold forth a sale of goods, wares or merchandise as an insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver's or manufacturer's wholesale, cancelled order, or misfit sale, or closing-out sale, or a sale of any goods damaged by smoke, fire, water or otherwise, unless such advertisement, representation or holding forth is actually of the character it is advertised, represented or held forth. (1981 Code, § 5-209, as replaced by Ord. #2005-21, Nov. 2005)

9-110. Display of permit. Each peddler, street barker, transient vendor, solicitor, solicitor for charitable purposes or solicitor for subscriptions is required to have in his possession a valid permit while making sales or solicitations and shall be required to display the same to any police officer or codes enforcement officer upon demand or to any person solicited, upon such person's request. (1981 Code, § 5-210, as replaced by Ord. #2005-21, Nov. 2005)

9-111. Suspension or revocation of permit. (1) The permit issued to any person or organization under this chapter may be suspended or revoked for any of the following causes:

- (a) Any false statement, material omission, or untrue or misleading information which is contained in or left out of the application or other documentation required to be provided to the city along with the application; or
- (b) Any violation of this chapter.

(2) The permit issued to any person or organization under this chapter may be suspended or revoked by the board of mayor and aldermen, after notice and hearing, for the same causes set out in § 9-111(1) above. The city clerk shall give written notice to the application of the

hearing on proposed suspension or revocation of a permit issued under this chapter, which notice shall set forth specifically, the grounds of complaint and the date, time and place of the hearing. Such notice shall be mailed to the permit holder at his or her last known address at least five (5) days prior to the date set for hearing, or it shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

(3) When reasonably necessary in the public interest the mayor may suspend a permit pending the hearing. (1981 Code, § 5-211, as replaced by Ord. #2005-21, Nov. 2005)

9-112. Expiration and renewal of permit. (1) The permits of peddlers, solicitors and transient vendors shall expire on the same date that the permit holder's privilege license expires. The permit of any peddler, solicitor, or transient vendor who for any reason is not subject to the Tennessee privilege tax shall be valid for a period of six (6) months from the date of issuance. The permits of street barkers shall be for a period corresponding to the dates of the recognized parade or festival days of the city. The permits of solicitors for religious or charitable purposes and solicitors for subscriptions shall expire on the date provided in the permit, not to exceed thirty (30) days from the date of issuance. Any permits for mobile food vendors shall expire three days after the permit is issued. Except as provided in subsection (2) below, and provided they are in compliance with this chapter, holders of expired permits may apply for issuance of a new permit.

(2) No permit holder whose permit has been revoked by the board of mayor and aldermen shall make application for a new permit until a period of at least six (6) months has elapsed since the last revocation.

(3) An application for renewal of a permit issued under this chapter shall be made substantially in the same form as an original application, provided that only so much of the application shall be completed as is necessary to identify the renewal applicant and to show the same information required in the initial application as to any conditions or personnel that have changed since the last application was filed. (1981 Code, § 5-212, as replaced by Ord. #2005-21, Nov. 2005)

9-113. Enforcement by city's police department and codes enforcement officers. The provisions of this chapter shall be enforced by the city's police department and codes enforcement officers. (1981 Code, § 5-213, as replaced by Ord. #2005-21, Nov. 2005)

9-114. Use of streets and other public property. No permit holder shall have any exclusive right to any location on public streets or other public property, nor shall any permit holder be permitted a stationary location thereon. No permit holder shall operate in a congested area where the operation might impede or inconvenience the public use of the streets. For the purpose of this chapter, the judgment of a police officer, or codes enforcement officer exercised in good faith shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced by the location of a permit holder. (as added by Ord. #2005-21, Nov. 2005)

9-115. Time requirements. No transient vendor shall keep his business open, and no peddler or solicitor shall solicit business after 8:00 P.M. and prior to 8:00 A.M. (as added by Ord. #2005-21, Nov. 2005)

9-116. No transfer or assignment. No permit issued under the provisions of this chapter shall be transferred or assigned, and no such permit shall be used by any person other than the one to whom it was issued. (as added by Ord. #2005-21, Nov. 2005)

9-117. Violation and penalty. Violation of any provision of this chapter shall be a misdemeanor, and such violation shall be punishable by a fine of up to \$50.00. Each day a violation occurs shall constitute a separate offense. In addition to any fine that may be imposed, the permit of any permit holder convicted of violation of this chapter shall be cancelled and revoked by the court. (as added by Ord. #2005-21, Nov. 2005)

ORDINANCE 2022-1

AN ORDINANCE TO AMEND TITLE 8, ALCOHOLIC BEVERAGES, CHAPTER 2,
BEER, OF THE MILLINGTON MUNICIPAL CODE

WHEREAS, Tennessee Code Annotated empowers the City of Millington to pass proper ordinances governing the issuance and revocation or suspension of license for the storage, sale, manufacture and/or distribution of beer within the corporate limits of the City: and

WHEREAS, the Board of Mayor and Aldermen deem it necessary for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Millington Municipal Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that Title 8, Chapter 2, of the Millington Municipal Code be amended as follows:

- 1) Section 8-218 shall be deleted and replaced with the following language:

8-218. Entertainment Recreation District Beer Permit.

- (1) An application for an “on-premises” beer permit for the sale within a recreational facility that lies solely within the Millington Entertainment Recreation Zoning District may be submitted to and approved by the Beer Board.
- (2) The “on-premises” permit shall be limited to sales made during the hours of operation of the recreational facility; shall not be subject to the condition imposed in Section 8-207(2); but shall be required to follow all other laws, ordinances and restrictions imposed in the Millington Municipal Code in particular Title 8 Chapter 2.
- (3) No permit will be issued authorizing the sale of beer under an "on-premises" permit at an establishment located within two hundred (200) feet of any real property zoned for residential use. Measurements as stated in this subsection shall be measured in a straight line from the nearest property line of the residentially zoned property to the nearest point of sale at which beer is to be sold for "on-premises" consumption at the recreational facility.
- (4) The beer board may impose such additional requirements and conditions upon “on-premises” permittee and permit as it may deem necessary for the health, safety and security of the citizens of the City of Millington.

- 2) Section 8-219 shall be deleted and replaced with the following language:

8-219. Violations. Any violation of the provisions of this chapter or any rule or regulation of the beer board, or any violation of any law or regulation of the State of Tennessee relative to the sale, distribution, manufacture or storage of beer, shall be a Class A misdemeanor, and where the punishment is not otherwise fixed, the offender shall be punished in accordance with the provisions of the general penalty clause in this Official Code of the City of Millington.

- 3) Section 8-220 shall be added with the following language:

8-820. Severability. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to that end the provisions of this chapter are declared to be severable.

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

Public Hearing:

First Reading: January 10, 2022

Final Reading:

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 1-2022

RESOLUTION APPROVING RESIDENTIAL SUBDIVISION DEVELOPMENT
AGREEMENT WITH THORNHILL ESTATES II, LLC

WHEREAS, Thornhill Estates II, LLC, is the owner and developer of a tract of land zoned R-1, Residential, which contains approximately 44.84 acres and desires to improve and develop the subdivision site into a 116-lot subdivision to be known as Thornhill Estates Phase Two; and

WHEREAS, The Millington Planning Commission approved the subdivision plan November 15, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the Residential Subdivision Development Agreement with PFMT Holding, LLC, is approved.

BE IT FURTHER RESOLVED, That Millington Planning Commission must approve the Alternative Minimum Bond amount of \$658,879.12, at the January 18, 2022 meeting before execution of the agreement.

BE IT FURTHER RESOLVED, That the Mayor may sign the aforementioned agreement.

This Resolution is adopted as of the 10th day of January, 2022.

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 2-2022

RESOLUTION APPROVING RESIDENTIAL SUBDIVISION DEVELOPMENT
AGREEMENT WITH HUNTINGTON ESTATES, LLC

WHEREAS, Huntington Estates, LLC, is the owner and developer of a tract of land zoned R-2, Residential, which contains approximately 14.99 acres and desires to improve and develop the subdivision site into a 50-lot subdivision to be known as Huntington Estates Phase One Subdivision; and

WHEREAS, The Millington Planning Commission approved the subdivision plan July 19, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the Residential Subdivision Development Agreement with PFMT Holding, LLC, is approved.

BE IT FURTHER RESOLVED, That Millington Planning Commission must approve the Alternative Minimum Bond amount of \$504,720.77, at the January 18, 2022 meeting before execution of the agreement.

BE IT FURTHER RESOLVED, That the Mayor may sign the aforementioned agreement.

This Resolution is adopted as of the 10th day of January, 2022.

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 3-2022

RESOLUTION APPROVING RESIDENTIAL SUBDIVISION DEVELOPMENT
AGREEMENT WITH HUNTINGTON ESTATES PHASE 2 SUBDIVISION

WHEREAS, Huntington Estates Phase 2 Subdivision, is the owner and developer of a tract of land zoned R-1, Residential, which contains approximately 16.55 acres and desires to improve and develop the subdivision site into a 52-lot subdivision to be known as Huntington Estates Phase Two Subdivision; and

WHEREAS, The Millington Planning Commission approved the subdivision plan July 19, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the Residential Subdivision Development Agreement with PFMT Holding, LLC, is approved.

BE IT FURTHER RESOLVED, That Millington Planning Commission must approve the Alternative Minimum Bond amount of \$503,382.76, at the January 18, 2022 meeting before execution of the agreement.

BE IT FURTHER RESOLVED, That the Mayor may sign the aforementioned agreement.

This Resolution is adopted as of the 10th day of January, 2022.

Terry G. Jones, Mayor

Karen Findley, City Clerk

RESOLUTION 4-2022

RESOLUTION APPROVING APPOINTMENTS TO THE MILLINGTON INDUSTRIAL BOARD

WHEREAS, Tennessee Code Annotated 7-53-301 authorizes the governing body of the City of Millington to elect members to the City's Industrial Development Board; and

WHEREAS, several of the positions are open and the Mayor wishes to make new appointments.

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

John Perales, term ending January 30, 2028 (replaces Carey Parham)
Jack Langford, term ending January 30, 2028 (replaces Tommy Whitlock)
Bethany Huffman, Aldermen Liaison

This Resolution is adopted as of the 10th day of January, 2022.

Terry G. Jones, Mayor

Karen Findley, City Clerk