



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, OCTOBER 27, 2020 - CONFERENCE CALL - 6:00 PM

Due to the COVID-19 Global Pandemic, the City of Bartlett's Board of Mayor and Aldermen voted to meet electronically during the month of October on September 22, 2020. These meetings will follow T.C.A. 8-44-102; Governor Bill Lee's Executive Order No. 60, extending Order No. 16 regarding the Tennessee Open Meetings Act. To submit a comment to be read at the meeting, please email Penny Medlock at pmedlock@cityofbartlett.org and provide your name and address by Monday, 5 p.m. prior to the Tuesday meetings. These meetings will be broadcast live on the City's Facebook page. Minutes and recordings will be posted within two days of the Board of Mayor and Aldermen meeting.

INVOCATION

Opening Prayer by Alderman Emily Elliott

FUTURE MEETINGS

Family Assistance Commission, November 2 at 6 p.m.

Planning Commission, November 2 at 7 p.m.

Beer Board, November 3 at 6 p.m.

City Beautiful Commission, November 5 at 6:30 p.m.

RECOGNITIONS

Pulmonary Hypertension Awareness Month Proclamation

Official Business of the Day

MINUTES ACCEPTANCE

Minutes of the October 13, 2020 Board of Mayor and Aldermen Regular Meeting

UNFINISHED BUSINESS

- I **Second Reading of Ordinance 20-06, an ordinance amending Title 3, Chapter 3, Section 3-402, Court Costs; Imposition of fines, penalties and costs, of the Code of Ordinances of the City of Bartlett, Tennessee. (Mark Brown, Chief Administrative Officer).** The public hearing is set for November 10, 2020.

- 2 **Second Reading of Ordinance 20-07, an ordinance amending Ordinance 92-5 and Title 20, Chapter 3, Parkland Dedication and Development Fee Ordinance, Section 20-305, Collection and Disbursement of Payments, of the Code of Ordinances of the City of Bartlett, Tennessee. (Mark Brown, Chief Administrative Officer).** The public hearing is set for November 10, 2020.

CONSENT AGENDA

- I **Proposal for design and construction administration services for the Ellendale ADA Restroom Renovation Project. (Shan Criswell, Director of Parks and Recreation)**
Recommend accepting the proposal from Ross/Witt PLLC for design and construction administration services for the Ellendale ADA Restroom Renovation project at a cost of \$39,480.00.
Funds are available in Account 126.48126.922.
- 2 **Treasurer's Report for September 2020. (Dick Phebus, Director of Finance)**

NEW BUSINESS

- I **Appoint Phillip R. Walker as Assistant City Prosecutor effective November 1, 2020. (A. Keith McDonald, Mayor)**
- 2 **Resolution 32-20, an initial resolution authorizing the incurrence of indebtedness by the City of Bartlett, Tennessee, of not to exceed \$8,000,000, by the execution with the Public Building Authority of the City of Clarksville, Tennessee, of a loan agreement to provide funding for certain public works projects, and to fund the incidental and necessary expenses related thereto. (Dick Phebus, Director of Finance)**
- 3 **Resolution 33-20, a resolution authorizing a loan pursuant to a loan agreement between the City of Bartlett, Tennessee, and the Public Building Authority of the City of Clarksville, Tennessee, in the principal amount of not to exceed \$8,000,000; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such Public Building Authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; consenting to the assignment of the City's obligation under such loan agreement; and, certain other matters. (Dick Phebus, Director of Finance)**

- 4 **Resolution 35-20, a resolution to accept a Bulletproof Vest Partnership Grant from the U.S. Department of Justice FY20 Programs in the amount of \$12,000.00 and to amend the Fiscal Year 2021 Grant Fund to appropriate the funds. (Dick Phebus, Director of Finance)**

- 5 **First Reading of Ordinance 20-08, an ordinance amending Title 20, Chapter I, Section 20-101, Air Pollution Control Code, of the Code of Ordinances of the City of Bartlett, Tennessee. (Mark Brown, Chief Administrative Officer).**
The public hearing to be set for December 8, 2020.

OPEN DISCUSSION**ADJOURNMENT**



BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, OCTOBER 13, 2020 - CONFERENCE CALL - 6:00 PM

ATTENDANCE

Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman Emily Elliott: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Present.

INVOCATION

Opening Prayer by Alderman David Parsons

FUTURE MEETINGS

Board of Zoning Appeals, October 15 at 6:30 p.m.

Bartlett Arts Council, October 20 at 6 p.m.

BPACC Advisory Board, October 20 at 6 p.m.

RECOGNITIONS

*****Official Business of the Day*****

MINUTES ACCEPTANCE

Minutes of the September 22, 2020 Board of Mayor and Aldermen Regular Meeting

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bobby Simmons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

CONSENT AGENDA

Mayor McDonald mentioned that the large cost of the Water Treatment Plant repairs is due to the amount of material involved.

Minutes Acceptance: Minutes of Oct 13, 2020 6:00 PM (MINUTES ACCEPTANCE)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jack Young, Vice Mayor
SECONDER:	Bobby Simmons, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

1 Minimum bond subdivision contract modification for Willow Ridge. (John Horne, Assistant Director of Engineering)

The developer, Blue Sky Communities, Inc., previously received Board of Mayor and Alderman approval on January 28, 2020 for the subdivision contract for Willow Ridge. On July 28, 2020, the Board of Mayor and Alderman gave final approval of Ordinance 20-02 regarding new minimum bond requirements. The developer has delivered written request for the subdivision contract to be modified for the minimum bond meeting all requirements. The one hundred percent original bond contract was set at \$1,252,226.25. City fees of \$310,622.36 have been deposited. The minimum bond would be set at \$487,273.75.

2 Emergency filter repairs for Water Treatment Plant on Germantown Road. (John Horne, Assistant Director of Engineering)

Recommend accepting the lower bid from Ronald Franks Construction of \$199,752.63 plus a contingency amount of \$20,000 for a total of \$219,752.63.

Funds are available in Accounts 312.48312.780.81119.

3 Memphis Light, Gas and Water services for general power, phase three, for the new Fleet Services Building. (Mike Adams, Director of Public Works)

MLGW to perform phase three electrical service for the new Fleet Services Building in the amount of \$83,217.09. Funds are available in Account 311.48311.780.310.

4 Authorization to auction surplus property. (Dick Phebus, Director of Finance)

Seven items have been identified as having a potential auction-value of \$500 or more and will be auctioned on GovDeals.com.

NEW BUSINESS

1 Resolution 29-20, a resolution to donate surplus personal property to the Town of Mason, Tennessee. (Dick Phebus, Director of Finance)

Director of Finance, Dick Phebus, explained that the Police Department had two older vehicles out of service and the Mason Police Department had a need for patrol vehicles.

RESULT: APPROVED [UNANIMOUS]
MOVER: Emily Elliott, Alderman
SECONDER: Bobby Simmons, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

2 Resolution 30-20, a resolution to accept an audio/visual equipment grant from the U.S. Department of Justice FY20 Programs in the amount of \$12,152 and to amend the Fiscal Year 2021 Grant Fund to appropriate the funds. (Dick Phebus, Director of Finance)

Mr. Phebus stated that the Police Department had received a one hundred percent grant from the Department of Justice for audio and visual equipment.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jack Young, Vice Mayor
SECONDER: Emily Elliott, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

3 Resolution 31-20, a resolution to amend the Fiscal Year 2021 Grant Fund Budget to provide for appropriation of CDBG funds and Parks Improvement Fund transfers for Ellendale Restroom Renovation Project. (Dick Phebus, Director of Finance)

Mr. Phebus advised of an appropriation of a \$400,000 grant from CDBG and \$100,000 from the Parks Improvement Fund Renovation Project.

Director of Parks and Recreation, Shan Criswell, stated that these funds will be used to renovate the restroom at Ellendale Park. The project is costly due to the age and size of the restroom.

Alderman Parsons made mention that the restroom will now be ADA compliant.

Ms. Criswell stated that Dixon Brewer, Freeman Smith and Shadowlawn also need to be renovated.

RESULT: APPROVED [UNANIMOUS]
MOVER: David Parsons, Alderman
SECONDER: Paula Sedgwick, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

4 First Reading of Ordinance 20-06, an ordinance amending Title 3, Chapter 3, Section 3-402, Court Costs; Imposition of fines, penalties and costs, of the Code of Ordinances of the City of Bartlett, Tennessee. (Mark Brown, Chief Administrative Officer)

Chief Administrative Officer, Mark Brown, explained that the court fines allowed to be set by the State of Tennessee are listed in the codified ordinances. This ordinance amendment moves the location of the listing of court costs, fines, and penalties to the annually approved budget ordinance.

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 10/27/2020 6:00 PM
MOVER: Jack Young, Vice Mayor
SECONDER: Emily Elliott, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

5 First Reading of Ordinance 20-07, an ordinance amending Ordinance 92-5 and Title 20, Chapter 3, Parkland Dedication and Development Fee Ordinance, Section 20-305, Collection and Disbursement of Payments, of the Code of Ordinances of the City of Bartlett, Tennessee. (Mark Brown, Chief Administrative Officer)

Mr. Brown explained that this ordinance amendment allows for Parkland fees to be used throughout all the City parks, not solely in their district.

Mayor McDonald and Alderman Elliott noted that this allows for the best discretion of funds and flexibility.

Alderman Parsons mentioned that there is a park within two to three miles of each resident.

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 10/27/2020 6:00 PM
MOVER: Jack Young, Vice Mayor
SECONDER: Bobby Simmons, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

OPEN DISCUSSION

No statements or comments were submitted to be read.

Alderman Simmons announced that Early Voting begins on October 14, 2020.

The First Responder Dedication is scheduled for Friday, October 23, at 1 p.m.

ADJOURNMENT

Meeting adjourned at 6:22 PM

W.C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald
Mayor

Minutes Acceptance: Minutes of Oct 13, 2020 6:00 PM (MINUTES ACCEPTANCE)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2855)

Meeting: 10/27/20 06:00 PM
Department: Administration
Category: Amendment
Prepared By: Penny Medlock
Initiator: Mark Brown
Sponsors:
DOC ID: 2855

Ordinance 20-06, an ordinance amending Title 3, Chapter 3, Section 3-402, Court Costs; Imposition of fines, penalties and costs, of the Code of Ordinances of the City of Bartlett, Tennessee.

WHEREAS, the City's court costs are currently contained within Title 3, Chapter 3, Section 3-402 of the Codified Ordinances of the City of Bartlett; and

WHEREAS, the City's court costs are maintained and amended by the Board of Mayor and Aldermen during the annual budget ordinances; and

WHEREAS, annual budget ordinances are not included in codification; therefore, the court costs cannot be updated within the codified volumes, these specified fees should be removed from codification and be located and maintained solely within the City's annual fiscal year budget-adoption ordinance;

WHEREAS, the Board of Mayor and Aldermen for the City of Bartlett, Tennessee wishes to amend Title 3, Chapter 3, Section 3-402, Court Costs; Imposition of fines, penalties and costs, of the Code of Ordinances of the City of Bartlett, to reflect such costs as determined by the Board of Mayor and Aldermen each year in the annual budget ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE that Title 3, Chapter 4, Section 3-402, Court costs; imposition of fines, penalties and costs shall be amended as follows:

Section 1. Section 3-402. Court costs; imposition of fines, penalties and costs. The City of Bartlett court costs for violations of city ordinances will be such amount as is set each year by the Board of Mayor and Aldermen in the annual budget ordinance and the maximum permissible fee under state law for state statutory violations, together with the appropriate state litigation tax and the appropriate city litigation tax. One dollar (\$1.00) of the court costs shall be forwarded by the court clerk to the state treasurer to be used by the administrative office of the courts for training and continuing education courses for municipal court judges and municipal court clerks. All fines, penalties and costs shall be imposed and recorded by the municipal judge or the municipal court clerk on the municipal court docket. In all cases where a defendant pleads guilty or is tried and found guilty by the court, the municipal judge shall tax the bill of costs the amount set in the annual budget ordinance, the amount determined by the Board of Mayor and Aldermen to be reasonably necessary for operating costs of the municipal court. Said court costs may be waived at the discretion of the municipal judge. (as added

by Ord. #08-01, Feb. 2008; modified).

Section 2. SEVERABILITY - Should any provision or part of this Ordinance be rendered void or unenforceable by any court of law, statute or other authority, the rest and remainder of this Ordinance shall remain in full force and effect.

Section 3. EFFECTIVE DATE - BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

First Reading: October 13, 2020

Second Reading: October 27, 2020

Third Reading: November 10, 2020

W.C. Pleasant, Register to the
Board of Mayor and Alderman

A. Keith McDonald
Mayor

Attest: _____
Penny Medlock, City Clerk

HISTORY:

10/13/20 Board of Mayor and Aldermen **APPROVED ON FIRST READING**
Next: 10/27/20

Chief Administrative Officer, Mark Brown, explained that the court fines allowed to be set by the State of Tennessee are listed in the codified ordinances. This ordinance amendment moves the location of the listing of court costs, fines, and penalties to the annually approved budget ordinance.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2856)

Meeting: 10/27/20 06:00 PM
Department: Administration
Category: Amendment
Prepared By: Penny Medlock
Initiator: Mark Brown
Sponsors:
DOC ID: 2856

Ordinance 20-07, an ordinance amending Ordinance 92-5 and Title 20, Chapter 3, Parkland Dedication and Development Fee Ordinance, Section 20-305, Collection and Disbursement of Payments, of the Code of Ordinances of the City of Bartlett, Tennessee.

WHEREAS some of the provisions of Ordinance No. 92-5 and Title 20, Chapter 3, Parkland Dedication and Development Fee Ordinance, Section 20-305, Collection and Disbursement of Payments, of the Code of Ordinances of the City of Bartlett, are obsolete or otherwise inadequate; and

WHEREAS the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, wishes to amend Ordinance No. 92-5 and Title 20, Chapter 3, Parkland Dedication and Development Fee Ordinance, Section 20-305, Collection and Disbursement of Payments, of the Code of Ordinances of the City of Bartlett, to allow parkland development fees to be expended for the purpose of improving city parks in all park districts in the City of Bartlett.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE, THAT:

Section 1. That Section D, Collection And Disbursement of Payments, of Ordinance No. 92-5, and Title 20, Chapter 3, Section 20-305, Collection and disbursement of payments, of the Codified Ordinances of the City of Bartlett, shall be amended to read as follows:

Any payments under this ordinance shall be made immediately upon execution of the subdivision contract and prior to commencement of construction and shall be deposited in a special account segregated from the general funds of the city. Funds distributed from these payments shall be expended for the purpose of improving city parks in all park districts in the City of Bartlett.

Section 2. Severability

Should any provision of this Ordinance be rendered unconstitutional or null and void by a Court of Law, legislative act or otherwise, all other provisions of this Ordinance shall remain in full force and effect.

Section 3. Effective Date. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

First Reading:	October 13, 2020
Second Reading:	October 27, 2020
Third Reading:	November 10, 2020

W. C. Pleasant Register to the Board
of Mayor and Aldermen

A. Keith McDonald
Mayor

ATTEST: _____
Penny Medlock
City Clerk

HISTORY:

10/13/20 Board of Mayor and Aldermen **APPROVED ON FIRST READING**
Next: 10/27/20

Mr. Brown explained that this ordinance amendment allows for Parkland fees to be used throughout all the City parks, not solely in their district.

Mayor McDonald and Alderman Elliott noted that this allows for the best discretion of funds and flexibility.

Alderman Parsons mentioned that there is a park within two to three miles of each resident.

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

Meeting: 10/27/20 06:00 PM

Department: Parks and Recreation

Category: Proposal

Prepared By: Debbie Christopher

Department Head: Shan Criswell

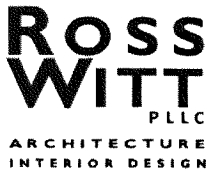
AGENDA ITEM

**Proposal for design and construction administration services
for the Ellendale ADA Restroom Renovation Project.**

We recommend the proposal from Ross Witt PLLC Architecture Interior Design be approved for a total cost of \$39,480.00.

Funds are available in Account 126.48126.922.

Thank you for your consideration.



September 14, 2020

Mrs. Shan Criswell, Director
 Bartlett Parks and Recreation
 5868 Stage Road
 Bartlett, TN 38134

RE: **Ellendale Park Restrooms –**
ADA Upgrades and Exterior Improvements/Addition and Site Improvements
 RWAID No 20-131

Dear Mrs. Criswell,

Thank you for the opportunity to provide our Fee Proposal for Architectural and Engineering Services for the above referenced project.

Per your request, we are providing our best estimate of a preliminary budget for the **Ellendale Park Restrooms (as referenced above)** with our understanding of the Scope of the Construction Project to include the following:

- Completely demolish and remove the entire existing restroom/concession building and foundation at Ellendale Park and dispose of all materials properly off site. Cap utility lines at building for use with new building.
- Construct a completely new restroom facility (no concessions) to match the latest size and design of the recently completed restrooms at Bartlett Municipal Park.
- Construct concrete ADA parking and grade and repave the pathway from the parking to the new restrooms.

To provide a budget for the above Scope, we have reviewed the various bids received for the last two projects for ADA restrooms – namely Deermont and Municipal Park. Based on these bids and utilizing averaging, inflation, and professional judgment, we believe that the best guess of a preliminary budget for Ellendale is as follows:

1. Demolish and remove the entire existing restroom/concession building	\$ 75,000.00
2. Construct a completely new restroom facility	\$250,000.00
3. Construct concrete ADA parking	\$ 85,000.00
Subtotal	\$410,000.00
Estimate Contingency at 10%	\$ 41,000.00
Construction Budget	\$451,000.00

We propose to provide the following services for the design:

- Topographic survey and site civil grading engineering of area surrounding the existing restrooms as needed to complete ADA design for accessible parking and sidewalk paths from parking to the building (Allen and Hoshall consulting for survey and civil engineering).
- Architectural, Structural, and Mechanical and Electrical Engineering (HNA Engineering) design thru signed/sealed drawings and specifications as needed for permitting and for Bidding to contractors.
- Bidding of project to general contractors in a publicly advertised bidding process.
- Overall project management of design team.

Design Fees for the above Scope are proposed as follows:

1	Survey (Allen and Hoshall)	\$ 1,650.00
2	Asbestos Consulting (ACI)	\$ 755.00
3	Civil Engineering (Allen and Hoshall)	\$ 4,600.00
4	Mechanical and Electrical Engineering (HNA Engineering)	\$ 4,150.00
5	Architectural Design, Structural, and Overall Project Management (Ross Witt)	\$20,650.00

Total Fees thru Bidding **\$31,805.00**

Construction Administration Fees by Ross Witt and team should the project bid successfully,
and a general contractor be approved for a construction contract: **\$ 7,675.00**

If additional services beyond the above Scope are requested by the City, then we will negotiate an agreeable fee based on the following hourly rates for this project:

Benjamin Witt or Debbie Ross	\$230/hour
Architectural Leadership	\$185/hour
Drafting and Technical Support	\$115/hour

Also, we have not included time for DRC or Planning Commission meetings and submissions as we understand from you that these will not be required.

The project invoicing will be monthly on approximately the 15th of each month, with invoicing from Ross Witt being transmitted via email. Payment is requested with 21 days of the date of invoice but only as the City process permits.

Should you have any questions please do not hesitate to contact me.

Thanks again and we look forward to our work together with Bartlett Parks and Recreation.

Sincerely,

Ross Witt Architecture, PLLC



Benjamin Witt, AIA, NCARB, LEED-AP

Principal Architect

Approved by: _____
Signature and title date

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

SCHEDULED**AGENDA ITEM**

Meeting: 10/27/20 06:00 PM

Department: Finance

Category: Report

Prepared By: Eric Phan

Department Head: Dick Phebus

Treasurer's Report for September 2020.



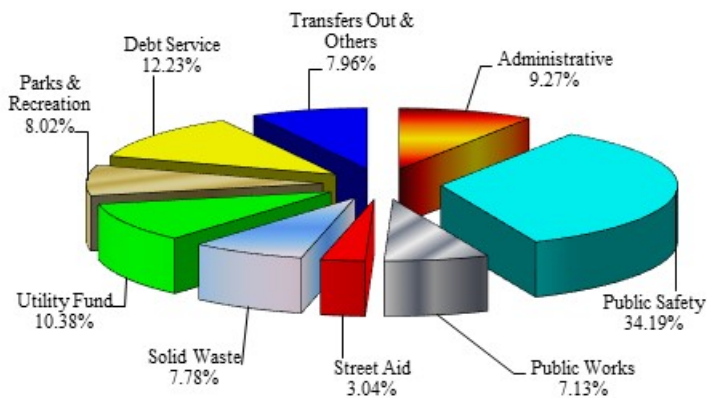
City of Bartlett

FINANCIAL REPORT

September 30, 2020

Total Expenditures, FY 2021 Budget: \$85,955,789

WHERE THE \$ GOES (Does not include School)

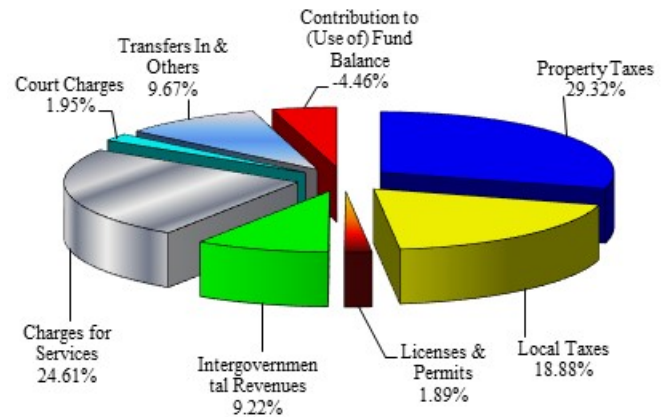


BUDGET HIGHLIGHTS

- June 30, 2020 year-to-date actual is unaudited.
- Information in this report is preliminary Fiscal Year 2020 year-end.
- Property tax bills will be mailed in November and are due February 28.
- Delinquent 2019 property taxes were submitted to the Trustee for collection.

Total Revenues, FY 2021 Budget: \$85,955,789

WHERE THE \$ COMES FROM (Does not include School)



FY 2021 YEAR-TO-DATE For The Period Ending September 30, 2020

	Adopted Budget	Year-to-Date Actual
General Fund Expenditures		
Administrative	\$ 7,319,463	\$ 1,558,528
Public Safety	28,675,627	7,131,489
Public Works	6,004,981	1,418,909
Parks and Recreation	6,289,003	1,408,229
Performing Arts	601,966	78,091
Transfers & Other Gen. Fund Items	6,084,019	1,737,826
Subtotal	\$ 54,975,059	\$ 13,333,071
General Fund Revenues		
Property Taxes	\$ 25,205,000	\$ 84,821
Local Taxes	12,948,653	1,265,044
Building and Development Fees	1,626,500	316,125
Intergovernmental	5,763,000	443,196
Charges for Services	3,413,000	515,214
Court Charges	1,410,000	350,429
Other Revenue	4,608,906	4,537,836
Subtotal	\$ 54,975,059	\$ 7,512,664
Special Rev. Funds - Expenditures	\$ 11,549,138	\$ 1,467,960
Special Rev. Funds - Revenues	\$ 11,549,138	\$ 1,594,445
Utility Expenses	\$ 9,712,500	\$ 2,345,044
Utility Revenues	\$ 9,712,500	\$ 2,496,530
Debt Service Expenditures	\$ 9,288,449	\$ 6,474,362
Debt Service Revenues	\$ 9,288,449	\$ 1,616,981
Total Expenditures	\$ 85,525,146	\$ 23,620,437
Total Revenues	\$ 85,525,146	\$ 13,220,620

Note: FY 2021 Adopted Budget includes use of fund balance in the General Fund, the Special Revenue Funds, the Utility and the Debt Service Fund.

Attachment: Sep20FinRpt (2862 : Treasurer's Report for September 2020.)



City of Bartlett -- Financial Summary
For The Period Ending For The Period Ending September 30, 2020

	FY 2020 Unaudited Actual	FY 2021 Adopted Budget	Increase/ Decrease in \$	Year-to-Date Actual FY 2020	Year-to-Date Actual FY 2021	Increase/ Decrease in \$	Percent of FY 2020 Actual	Percent of FY 2021 Budget	Increase/ Decrease in %
General Fund Expenditures									
Administrative	\$ 7,751,319	\$ 7,319,463	\$ (431,856)	\$ 1,743,114	\$ 1,558,528	\$ (184,587)	22.49%	21.29%	-1.20%
Public Safety	27,760,465	28,675,627	915,162	7,158,156	7,131,489	(26,667)	25.79%	24.87%	-0.92%
Public Works	6,458,857	6,004,981	(453,876)	1,678,756	1,418,909	(259,847)	25.99%	23.63%	-2.36%
Parks and Recreation	5,240,721	6,120,690	879,969	1,541,781	1,408,229	(133,552)	29.42%	23.01%	-6.41%
Performing Arts	595,582	770,279	174,697	201,265	78,091	(123,174)	33.79%	10.14%	-23.66%
Transfers & Other Gen. Fund Items	5,513,783	6,084,019	570,236	1,737,826	1,737,826	0	31.52%	28.56%	-2.95%
Total General Fund Expenditures	\$ 53,320,726	\$ 54,975,059	\$ 1,654,333	\$ 14,060,898	\$ 13,333,071	\$ (727,826)	26.37%	24.25%	-2.12%
General Fund Revenues									
Property Taxes	\$ 26,104,843	\$ 25,205,000	\$ (899,843)	\$ 58,890	\$ 84,821	\$ 25,931	0.23%	0.34%	0.11%
Local Taxes	13,754,798	12,948,653	(806,145)	1,208,921	1,265,044	56,123	8.79%	9.77%	0.98%
Building and Development Fees	1,543,949	1,626,500	82,551	308,808	316,125	7,316	20.00%	19.44%	-0.57%
Intergovernmental	6,462,189	5,763,000	(699,189)	409,965	443,196	33,231	6.34%	7.69%	1.35%
Charges for Services	3,529,930	3,413,000	(116,930)	1,060,271	515,214	(545,057)	30.04%	15.10%	-14.94%
Court Charges	1,209,473	1,410,000	200,527	376,880	350,429	(26,452)	31.16%	24.85%	-6.31%
Other Revenue	480,352	4,608,906	4,128,554	105,244	4,537,836	4,432,592	21.91%	98.46%	76.55%
Total General Fund Revenues	\$ 53,085,534	\$ 54,975,059	\$ 1,889,525	\$ 3,528,980	\$ 7,512,664	\$ 3,983,684	6.65%	13.67%	7.02%
Special Revenue Funds									
Street Aid Fund	\$ 2,482,694	\$ 2,610,000	\$ 127,306	\$ 533,999	\$ 480,309	\$ (53,690)	21.51%	18.40%	-3.11%
Solid Waste Fund	6,857,392	7,282,780	425,388	1,237,521	1,363,204	125,684	18.05%	18.72%	0.67%
General Improvement Fund	803,953	820,500	16,547	336,446	190,935	(145,511)	41.85%	23.27%	-18.58%
Drug Enforcement Fund	123,191	306,200	183,009	6,390	55,921	49,531	5.19%	18.26%	13.08%
DEA Enforcement Fund	141,454	378,700	237,246	104,487	358	(104,128)	73.87%	0.09%	-73.77%
Drainage Control Fund	106,946	120,558	13,612	27,099	28,801	1,703	25.34%	23.89%	-1.45%
Park Improvement Fund	22,700	0	(22,700)	0	0	0	0.00%	#DIV/0!	#DIV/0!
E-Citation Fund	9,608	30,400	20,792	0	284	284	0.00%	0.93%	0.93%
Grant Funds	1,387,330	0	(1,387,330)	(10,949)	(651,852)	(640,904)	-0.79%	0.00%	0.79%
Special Revenue Funds - Expenditures	\$ 11,935,268	\$ 11,549,138	\$ (386,130)	\$ 2,234,991	\$ 1,467,960	\$ (767,031)	18.73%	12.71%	-6.02%
Special Revenue Funds - Revenues	\$ 11,998,984	\$ 11,549,138	\$ (449,846)	\$ 2,192,855	\$ 1,594,445	\$ (598,410)	18.28%	13.81%	-4.47%
Utility Fund									
Total Utility Operations	\$ 6,835,371	\$ 8,921,824	\$ 2,086,453	\$ 2,122,909	\$ 1,626,066	\$ (496,842)	31.06%	18.23%	-12.83%
Total Utility Debt Expenses	1,160,668	1,221,319	60,652	714,318	718,978	4,660	61.54%	58.87%	-2.67%
Total Utility Expenses	\$ 7,996,038	\$ 10,143,143	\$ 2,147,105	\$ 2,837,226	\$ 2,345,044	\$ (492,182)	35.48%	23.12%	-12.36%
Total Utility Revenues	\$ 9,693,500	\$ 10,143,143	\$ 449,643	\$ 2,412,489	\$ 2,496,530	\$ 84,040	24.89%	24.61%	-0.27%
Debt Service Fund									
Total Debt Service Expenditures	\$ 8,609,215	\$ 9,288,449	\$ 679,234	\$ 5,965,290	\$ 6,474,362	\$ 509,072	69.29%	69.70%	0.41%
Total Debt Service Revenues	\$ 8,138,085	\$ 9,288,449	\$ 1,150,364	\$ 1,554,518	\$ 1,616,981	\$ 62,464	19.10%	17.41%	-1.69%
Total Expenditures	\$ 81,861,248	\$ 85,955,789	\$ 4,094,541	\$ 25,098,405	\$ 23,620,437	\$ (1,477,968)	30.66%	27.48%	-3.18%
Total Revenues	\$ 82,916,103	\$ 85,955,789	\$ 3,039,686	\$ 9,688,841	\$ 13,220,620	\$ 3,531,779	11.69%	15.38%	3.70%

Attachment: Sep20FinRprt (2862 : Treasurer's Report for September 2020.)

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

REVIEWED**AGENDA ITEM**

Meeting: 10/27/20 06:00 PM

Department: Board of Mayor and Aldermen

Category: Appointment

Prepared By: Penny Medlock

Department Head: A. Keith McDonald

Appoint Phillip R. Walker as Assistant City Prosecutor effective November 1, 2020.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2860)

Meeting: 10/27/20 06:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2860 A

Resolution 32-20, an initial resolution authorizing the incurrence of indebtedness by the City of Bartlett, Tennessee, of not to exceed \$8,000,000, by the execution with the Public Building Authority of the City of Clarksville, Tennessee, of a loan agreement to provide funding for certain public works projects, and to fund the incidental and necessary expenses related thereto.

WHEREAS, it is necessary and in the public interest of the City of Bartlett, Tennessee (the "City"), to incur indebtedness (the "Indebtedness"), through the execution with The Public Building Authority of the City of Clarksville, Tennessee (the "Authority"), of a loan agreement (a "Loan Agreement"), for the purpose of financing public works projects, as hereinafter more fully described.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, as follows:

Section 1. For the purpose of financing a portion of the construction costs, including furniture and equipment, for the new Bartlett Municipal High School, the acquisition of all property real and personal appurtenant thereto and connected with such work, to pay all legal, fiscal, administrative, architectural, and engineering costs incident thereto, and to pay costs incident to incurring the Indebtedness (collectively, the "Project"), the City is hereby authorized to incur Indebtedness in the amount of not to exceed Eight Million Dollars (\$8,000,000), for the financing of the Project through the execution of a Loan Agreement with the Authority. The rate of interest payable pursuant to the provisions of a Loan Agreement shall be a fixed rate which rate shall not exceed the maximum rate of interest permitted under the laws of the State of Tennessee.

Section 2. The indebtedness evidenced by the Loan Agreement shall be payable from funds of the City legally available therefore and to the extent necessary from ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the City, without limitation as to time, rate, and amount and for the punctual payment of said principal of, premium, if any, and interest on, the Loan Agreement, the full faith and credit of the City will be irrevocably pledged.

Section 3. The Loan Agreement shall be executed pursuant to the provisions of Title 9, Chapter 21, Tennessee Code Annotated, as amended (the "Act"), and Title 12, Chapter 10, Tennessee Code Annotated, as amended.

Section 4. After the adoption of this Resolution, the City Clerk is directed to cause

this Resolution, with the notice prescribed by the Act, to be published in full once in a newspaper published and having general circulation in the City.

Section 5. This Resolution shall take effect from and after its adoption, the welfare of the City requiring it.

Adopted and approved this 27th day of October, 2020.

W.C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Attest:

Penny Medlock, City Clerk

NOTICE

The foregoing Resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition, signed by at least ten percent (10%) of the registered voters of the City of Bartlett, Tennessee, shall have been filed with the City Clerk of the City of Bartlett, Tennessee, protesting the incurrence of the Indebtedness by the execution of the Loan Agreement, such Loan Agreement will be executed, as proposed.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2861)

Meeting: 10/27/20 06:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2861

Resolution 33-20, a resolution authorizing a loan pursuant to a loan agreement between the City of Bartlett, Tennessee, and the Public Building Authority of the City of Clarksville, Tennessee, in the principal amount of not to exceed \$8,000,000; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such Public Building Authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; consenting to the assignment of the City's obligation under such loan agreement; and, certain other matters.

WHEREAS, the Board of Mayor and Aldermen (the "Board"), of City of Bartlett, Tennessee (the "City"), has determined that it is necessary to finance the costs of certain "public works projects", as defined in Title 9, Chapter 21, Tennessee Code Annotated, as from time to time amended and supplemented, consisting of financing a portion of the construction costs, including furniture and equipment for the new Bartlett Municipal High School, the acquisition of all other property real and personal appurtenant thereto and connected with such work, to pay all legal, fiscal, administrative, and engineering costs incident thereto, and to pay costs incident to the issuance of the Bond and the loan of the proceeds thereof to the City (collectively, the "Project"), by obtaining a loan from The Public Building Authority of the City of Clarksville, Tennessee (the "Authority");

WHEREAS, it has been determined by the Board of the City to be in the best interests of the City to finance the Project through The Tennessee Municipal Bond Fund fixed rate loan program;

WHEREAS, the Authority has been established pursuant to the provisions of Title 12, Chapter 10, Tennessee Code Annotated, as amended (the "Act"), and is authorized pursuant to the provisions of the Act to issue its bonds from time to time, in one more series, and to loan the proceeds thereof to the City for the above described purposes;

WHEREAS, in order to effectuate the program, the Issuer has authorized and approved by its Resolution, adopted March 5, 2020, the issuance of its Local Government Loan Program Bonds, in an aggregate principal amount not to exceed \$300,000,000;

WHEREAS, the Authority will issue its Local Government Loan Program Bond, Series 2020 (City of Bartlett School Loan) (the "Bond"), in the principal amount of not to exceed Eight Million Dollars (\$8,000,000), and loan the proceeds thereof to the City pursuant to the provisions of a Loan Agreement, by and among the City, the Authority, and the Purchaser, as hereinafter defined, to be dated the date of issuance and delivery (the "Loan Agreement");

WHEREAS, the Board of the City has on the date hereof adopted an Initial Resolution

authorizing the borrowing of funds and the incurring of indebtedness for the purpose of financing the Project in the amount of not to exceed \$8,000,000, and the City Clerk has been instructed to publish such Initial Resolution together with the Notice required by Section 9-21-206 of Tennessee Code Annotated, as amended, in a local newspaper in the Municipality;

WHEREAS, the indebtedness evidenced by the Loan Agreement shall be payable from any and all funds of the City legally available therefor, including, but not necessarily limited to, ad valorem taxes to be levied for such purpose on all taxable property within the corporate limits of the City, without limitation as to time, rate, and amount and for the punctual payment of said principal of, premium, if any, and interest on, the Loan Agreement, the full faith and credit of the City will be irrevocably pledged; and,

WHEREAS, the Bond is to be secured by and contain such terms and provisions as set forth in a Bond Purchase Agreement, entered into between the Authority and the purchaser of the Bond (the "Purchaser").

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, as follows:

Section I. Approval of the Loan. (a) For the purpose of providing funds to finance the Project and to pay costs incident to the issuance and sale of the Bond and the loan of the proceeds thereof to the City, the loan to the City from the Authority is hereby authorized in the principal amount of not to exceed \$8,000,000 and the City is hereby authorized to borrow such funds from the Authority (the "Loan").

(b) The Bond to be issued by the Authority shall bear interest at a fixed rate to be determined at the time of the issuance of the Bond, as provided in the Loan Agreement. The Mayor and City Clerk are authorized to enter into the Loan Agreement, such Loan Agreement to bear interest at a fixed rate, as the Mayor and City Clerk shall determine is in the best interest of the City. The City shall make payments of interest and principal in the amounts and on the dates set forth in the Loan Agreement from the sources and funds described herein and in the Loan Agreement. The final rate of interest payable on the Loan Agreement shall not exceed the maximum rate of interest permitted by applicable law. The Loan Agreement shall be for a term of twenty years. The final principal and interest payment dates, final interest rate payable, amortization of principal amounts of the loan evidenced by the Loan Agreement, and prepayment provisions of such Loan Agreement, may be established by the Mayor and the Purchaser, at the time of the sale of the Bond and the execution and delivery of the Loan Agreement, as shall be determined to be in the best interests of the City, in accordance with the terms of this Resolution and the Loan Agreement. If the City enters into the Loan Agreement with the Authority to finance the Project, the rate of interest payable on the loan includes an annual administration fee equal to fifteen basis points (0.15%), payable to TMBF, as the program administrator, by the Purchaser, to be paid from each periodic payment of interest on the Loan Agreement, based on the outstanding principal amount of the loan.

(c) **The Board of the City understands and is aware that the Purchaser has the option to put the Bond for purchase to the Authority during the term of the Loan (the "Put Option"), at certain intervals upon not less than one hundred eighty days' written notice to the Authority, the Tennessee Municipal Bond Fund, as administrator, and the City.**

The Board is aware of the risks and benefits associated with the Loan and the Put Option. The Board finds that the repayment structure of the Loan (including the Put Option) is in the public interest of the City.

The Board further agrees that it is willing to pay additional issuance costs associated with the refunding of the Loan and related Bond in the event the Put Option is exercised by the Purchaser. In the event that the Put Option is exercised by the Purchaser, and the City is unable to pay the Loan amount in full on such date and no subsequent holder can be determined, the Board commits to refund the Loan in the following manner:

(x) the Board shall submit a plan of refunding to the Comptroller or Comptroller's designee;

(y) the final maturity of the refunding debt obligation will not extend beyond the final maturity of the original Loan; and,

(z) the debt service structure of the refunding debt obligation will be substantially similar to or more declining than the debt structure of the original Loan.

The Board has not retained an independent municipal advisor in connection with the Loan. The Board understands and acknowledges that the Purchaser does not owe a fiduciary duty to the City and that the Purchaser is acting for its own business and commercial interests. The Board has consulted with such advisors and experts as it deems appropriate before the consideration and adoption of this Resolution.

Section 2. Approval of Loan Agreement. The form, terms, and provisions of the Loan Agreement are in the best interest of the City and are hereby approved and the Board hereby authorizes the Mayor and the City Clerk of the City to execute and deliver such Loan Agreement, such Loan Agreement to be in substantially the form of the Loan Agreement presented to this meeting, the execution of such Loan Agreement by the Mayor and the City Clerk to evidence their approval of any and all changes to such Loan Agreement, and any related documents necessary to the consummation of the transactions contemplated by the Loan Agreement. The City further agrees to comply with, and to enable the Authority to comply with, all covenants and requirements contained in the Bond Purchase Agreement and that certain Tax Exemption Certificate to be executed by the Authority at the time of the issuance of the Bond.

Section 3. Fulfillment of Obligations. The Board of the City is authorized and directed to fulfill all obligations of the City under the terms of the Loan Agreement.

Section 4. Tax Levy. There shall be levied and collected in the same manner as other ad valorem taxes of the City on all taxable property within the corporate limits of the City without limitation as to time, rate, or amount, to the extent necessary in the event funds of the City legally available to pay the indebtedness evidenced by the Loan Agreement are insufficient, a tax sufficient to pay when due the amounts payable under the Loan Agreement, as and when they become due, and to pay any expenses of maintaining and operating the Project required to be paid by the City under the

terms and provisions of the Loan Agreement. For the prompt payment of the Loan Agreement, both principal and interest, as the same shall become due, the full faith and credit of the City are irrevocably pledged.

Section 5. Approval of Bond and Bond Purchase Agreement. For the purpose of providing funds to make the loan to the City evidenced by the Loan Agreement, as provided herein and in the Loan Agreement, and to pay legal, fiscal, and administrative costs incident thereto, including costs incident to the issuance and sale of the Bond related to the Loan Agreement, the issuance and sale of the Bond by the Authority in connection with the Loan Agreement is hereby approved. The City further approves the execution and delivery of the Bond Purchase Agreement by the Authority in connection with the issuance of the Bond.

Section 6. Disposition of Proceeds. The proceeds from the sale of the Bond shall be paid to the official of the City designated by law as the custodian of the funds, upon submission of a requisition for such funds by the City to the Purchaser, in accordance with the terms of the Loan Agreement. Such proceeds shall be disbursed solely to finance the costs of the Project and to pay costs of issuance incurred in connection with the issuance of the Bond and the loan of the proceeds thereof to the City. Any monies remaining in the Project Fund after completion of the Project shall be used to pay debt service on the Bond.

Section 7. Consent to Assignment. The City hereby consents to the assignment of all of the Authority's right, title, and interest in and to the Loan Agreement as security for the Bond to which such Loan Agreement relates, except for certain reserved rights of the Authority, to the Purchaser.

Section 8. Arbitrage Certification. *The City recognizes that the Purchaser of the Bond will have accepted it on, and paid therefor a price, that reflects the understanding that interest thereon is excludable from gross income for purposes of federal income taxation under laws in force on the date of delivery of the Bond. In this connection, the City agrees that it shall take no action which may cause the interest on the Bond to be included in gross income for federal income taxation. It is the reasonable expectation of the Board of the City that the proceeds of the Bond will not be used in a manner which will cause the Bond to be an "arbitrage bond" within the meaning of Section 148 of the Code, and to this end the proceeds of the Bond and other related funds established for the purposes herein set out shall be used and spent expeditiously for the purposes described herein. The Board further covenants and represents that in the event it shall be required by Section 148(f) of the Code to pay any investment proceeds of the Bond to the United States government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Bond from becoming taxable. The Mayor and City Clerk, or either of them, are authorized and directed to make such certifications in this regard in connection with the sale of the Bond as either or both shall deem appropriate, and such certifications shall constitute a representation and certification of the City.*

Section 9. Miscellaneous Acts. The Mayor, the City Clerk, the Finance Director, the City Attorney, and all other appropriate officials of the City are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, and deliver all such documents, instruments, and certifications, in connection with the execution of the Loan Agreement and the issuance of the Bond by the Authority, in addition to those acts, things, documents, instruments, and

certifications hereinbefore authorized and approved, as may in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution or any of the documents herein authorized and approved.

Section 10. Captions. The captions or headings in this Resolution are for convenience only and shall in no way define, limit, or describe the scope or intent of any provision hereof.

Section 11. Severability. Should any provision or provisions of this Resolution be declared invalid or unenforceable in any respect by final decree of any court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, ordinance, or provisions shall not affect the remaining provisions of such Resolution.

Section 12. Repeal of Conflicting Resolutions. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 13. Effective Date. This Resolution shall take effect upon its adoption, the welfare of the City requiring it.

Adopted and approved this 27th day of October, 2020.

W.C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Attest:

Penny Medlock, City Clerk

STATE OF TENNESSEE)
CITY OF SHELBY)

I, Penny Medlock, hereby certify that I am the duly qualified and acting City Clerk of the City of Bartlett, Tennessee (the "City"), and, as such official, I further certify as follows: (1) that attached hereto is a copy of a resolution excerpted from the minutes of the meeting of the Board of Mayor and Aldermen (the "Board"), of said City held on October 27, 2020; (2) that I have compared said copy with the original minute record of said meeting in my official custody; (3) that said copy is a true, correct, and complete transcript from said original record insofar as said original record relates to, among other matters, the incurring of indebtedness in an amount of not to exceed \$8,000,000 by said City; (4) that the actions by said Board including the aforementioned, at said meeting were promptly and duly recorded by me in a book kept for such purpose; and, (5) that a quorum of the members of said Board was present and acting throughout said meeting.

WITNESS my official signature and the seal of said City this 27th day of October, 2020.

City Clerk

(SEAL)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2864)

Meeting: 10/27/20 06:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2864

Resolution 35-20, a resolution to accept a Bulletproof Vest Partnership Grant from the U.S. Department of Justice FY20 Programs in the amount of \$12,000.00 and to amend the Fiscal Year 2021 Grant Fund to appropriate the funds.

WHEREAS, the City of Bartlett police department did apply for and receive a FY20 Bulletproof Vest Partnership (BVP) Grant from the U.S. Department of Justice in the amount of \$12,000.00 which will fund 50% of the cost to purchase bulletproof vests for the police department; and

WHEREAS, the terms of the grant require a 50% match by the recipient; and

WHEREAS, the City of Bartlett has funds available in the fiscal year 2021 police department budget to fund the 50% local match; and

WHEREAS, it is necessary to accept the BVP grant of \$12,000.00 and amend the fiscal year 2021 Grant Fund operating budget to appropriate the \$12,000.00 grant funds for the police department.

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen, that the U.S. Department of Justice Bulletproof Vest Partnership Grants be accepted in the amount of \$12,000.00 and that the fiscal year 2021 Grant Fund operating budget be amended to appropriate funds for the purchase of the vests in the amount of \$12,000.00.

Adopted this day of October 27, 2020

W.C. (Bubba) Pleasant, Register to the

Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Attest: _____
Penny Medlock, City Clerk



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2866)

Meeting: 10/27/20 06:00 PM
Department: Administration
Category: Amendment
Prepared By: Penny Medlock
Initiator: Mark Brown
Sponsors:
DOC ID: 2866

Ordinance 20-08, an ordinance amending Title 20, Chapter 1, Section 20-101, Air Pollution Control Code, of the Code of Ordinances of the City of Bartlett, Tennessee.

WHEREAS, the operation of a local air pollution control program by the Shelby County Health Department, which was established in the Shelby County Air Code ("County Air Code"), adopted on June 30, 1969 by the then Shelby County Quarterly Court, as amended, and as adopted by the Board of Mayor and Aldermen of the City of Bartlett on April 22, 2003, has served to protect the air quality in the City of Bartlett and efficiently meet the needs of those regulated by air pollution control laws to the present; and

WHEREAS, in order to maintain the Certificate of Exemption from State of Tennessee ("State") supervision granted by the Tennessee Air Pollution Control Board, it is necessary to adopt regulations no less stringent than State standards; and

WHEREAS, Tennessee Code Annotated, Section 68-201-115(a) provides that any municipality or county may adopt an Ordinance or Resolution which incorporates by reference any federal or state regulations when such regulations are properly identified as to date and source, and when at least three (3) copies of such regulations are filed in the office of the county clerk for public use, inspection and examination for a period of thirty (30) days before adoption of the Ordinance or Resolution incorporating regulations by reference; and

WHEREAS, Shelby County Health Department has caused to be published on October 24, 2018, in a newspaper having general circulation in Shelby County, Tennessee, notice of the availability for public use, inspection, and examination at the office of the Shelby County Clerk three (3) copies of the State regulations to be incorporated by reference and has filed three (3) copies of such State regulations in the office of the Shelby County Clerk more than thirty (30) days before the adoption of this Ordinance which incorporates such regulations by reference; and

WHEREAS, the Bartlett City Clerk has caused to be published, in a newspaper having a general circulation in Shelby County, Tennessee, a copy of this Ordinance at least thirty (30) days before the adoption of this Ordinance; and

WHEREAS, it is the intent of the City of Bartlett to qualify for receipt of federal funds available for air pollution control programs and to that end, this Ordinance shall be construed to give the authority to so qualify and maintain such qualification; and

WHEREAS, maintaining up-to-date technical standards promulgated by the Tennessee Department of Environment and Conservation for the control of air pollution prevents the need for State Control of Shelby County air pollution sources subject to these controls,

specifically certain provisions found in State Rules and Regulations Chapter 1200-03, as effective on December 5, 2018; and

WHEREAS, the Board of Mayor and Aldermen for the City of Bartlett, Tennessee wishes to amend Title 20, Chapter 1, Section 20-101, of the Code of Ordinances of the City of Bartlett, to incorporate therein by reference specific sections of the State Rules and Regulations, as effective on December 5, 2018.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF BARTLETT, TENNESSEE that Title 20, Chapter 1, Section 20-101, Words and phrases substituted in state regulations adopted by reference, shall be amended as follows:

SECTION 1. That Section 20-101, formerly Subsection 05(1), of the Code of Ordinances of the City of Bartlett, Words and phrases substituted in state regulations adopted by reference, be amended to add a new subsection (j) to read as follows:

20-1-101(j). That Rules and Regulations of Tennessee Chapter 1200-03-02 titled Definitions; Chapter 1200-03-03 titled Ambient Air Quality Regulations; Chapter 1200-03-05 titled Visible Emission Regulations; Chapter 1200-03-06 titled Nonprocess Emission Standards; Chapter 1200-03-07 titled Process Emissions Standards; Chapter 1200-03-09 titled Construction and Operating Permits; Chapter 1200-03-10 titled Required Sampling, Recording and Reporting; Chapter 1200-3-11 titled Hazardous Air Contaminants; Chapter 1200-03-12 titled Methods of Sampling and Analysis; Chapter 1200-03-14 titled Control of Sulfur Dioxide Emissions; Chapter 1200-03-15 titled Emergency Episode Plan; Chapter 1200-03-15 titled Emergency Episode Plan; Chapter 1200-03-16 titled New Source Performance Standards; Chapter 1200-03-18 titled Volatile Organic Compounds; Chapter 1200-03-20 titled Limits on Emissions due to Malfunctions, Startups and Shutdowns; Chapter 1200-03-

21 titled General Alternate Emission Standards; Chapter 1200-3-22 titled Lead Emission Standards; Chapter 1200-03-24 titled Good Engineering Practices Stack Height Regulations; Chapter 1200-03-25 titled Standards for Infectious Waste Incinerators; Chapter 1200-03-30 titled Acid Precipitation Standard; Chapter 1200-03-31 titled National Emission Standards for Hazardous Air Pollutants for Source Categories; Chapter 1200-03-32 titled Prevention of Accidental Releases; Chapter 1200-03-34 titled Conformity, are incorporated herein by reference as if set out in their entirety and shall be approved as requirements of this jurisdiction upon adoption by the Board of Mayor and Aldermen. Section nomenclature for these regulations is identified in accordance with the table located in Section 2 of this ordinance. (Ord. #03-06, April 22, 2003).

SECTION 2. That the State Rules and Regulations that had previously been adopted by reference in to the Bartlett Air Pollution Control Code and are referenced in the second column of this table are deleted and substituted instead with the State Rules and Regulations, effective as of December 5, 2018, that are adopted by this Ordinance and described in the fourth column of this table:

Bartlett Air Pollution Control Code Section	Previously adopted State Rules and Regulations to be deleted in Bartlett Air Pollution Control Code		State Rules and Regulations Effective as of December 5, 2018 and substituted in Bartlett Air Pollution Control Code Section

05(102)	I200-3-2	Definitions	I200-03-02
05(103)	I200-3-3	Ambient Air Quality Standards	I200-03-03
	I200-3-5	Visible Emission Regulations	I200-03-05
05(106)	I200-3-6	Non-Process Emission Standards	I200-03-06
05(107)	I200-3-7	Process Emission Standards	I200-03-07
05(109)	I200-3-9	Construction and Operating Permits	I200-03-09
05(110)	I200-3-10	Required Sampling, Recording and Reporting	I200-03-10
05(111)	I200-3-11	Hazardous Air Contaminants	I200-03-11
05(112)	I200-3-12	Methods of Sampling and Analysis	I200-03-12
05(114)	I200-3-14	Control of Sulfur Dioxide Emissions	I200-03-14
05(115)	I200-3-15	Emergency Episode Plan	I200-03-15
05(116)	I200-3-16	New Source Performance Standards	I200-03-16
05(118)	I200-3-18	Volatile Organic Compounds	I200-03-18
Bartlett Air Pollution Control Code Section	Previously adopted State Rules and Regulations to be deleted in Bartlett Air Pollution Control Code		State Rules and Regulations Effective as of December 5, 2018 and substituted in Bartlett Air Pollution Control Code Section
05(120)	I200-3-20	Limits on Emissions Malfunctions, Startups & Shutdowns	I200-03-20
05(121)	I200-3-21	General Alternate Emission Standards	I200-03-21
05(122)	I200-3-22	Lead Emissions Standards	I200-03-22
05(124)	I200-3-24	Good Engineering Practice Stack Height Regulations	I200-03-24
05(125)	I200-3-25	Standards for Infectious Waste Incinerators	I200-03-25
05(130)	I200-3-30	Acid Precipitation Control	I200-03-30
05(131)	I200-3-31	Case by Case Determinations	I200-0 :31

		of Hazardous Air Pollutant Control Requirements	
05(132)	I200-3-32	Prevention of Accidental Releases	I200-03-32
05(134)	I200-3-34	Conformity	I200-03-34

(Ord. #03-06, April 22, 2003).

SECTION 3. Severability

Should any provision of this Ordinance be rendered unconstitutional or null and void by a Court of Law, legislative act or otherwise, all other provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Effective Date. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the public welfare requiring it.

First Reading: October 27, 2020
 Second Reading: November 10 2020
 Third Reading: December 8, 2020

 W. C. Pleasant Register to the Board
 of Mayor and Aldermen

 A. Keith McDonald
 Mayor

ATTEST: _____
 Penny Medlock
 City Clerk