



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

TUESDAY, APRIL 9, 2019 - BARTLETT CITY HALL - 7:00 PM

INVOCATION

Opening Prayer by Steve Brannon, Faith Baptist Church

FUTURE MEETINGS

Parks and Recreation Advisory Board, April 11 at 7 p.m.

Historic Preservation Commission, April 15 at 7 p.m.

Bartlett Arts Council, April 16 at 6 p.m.

BPACC Advisory Board, April 16 at 6 p.m.

Design Review Commission, April 16 at 6:30 p.m.

RECOGNITIONS

Official Business of the Day

MINUTES ACCEPTANCE

Minutes of the March 26, 2019 Board of Mayor and Aldermen Regular Meeting

PUBLIC HEARING

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

- I. Ordinance 19-01, an ordinance amending Title 8, Chapters 1, 2 and 3, Sections 8-101(1)(a), 8-202, 8-305 and 8-310 of the Codified Ordinances.

UNFINISHED BUSINESS

- I **Third Reading of Ordinance 19-01, an ordinance amending Title 8, Chapters 1, 2 and 3, Sections 8-101(1)(a), 8-202, 8-305 and 8-310 of the Codified Ordinances. (Ed McKenney, City Attorney)**

CONSENT AGENDA

No Consent Items.

NEW BUSINESS

- 1 Resolution 11-19, a resolution to amend the Fiscal Year 2019 General Fund Budget to appropriate \$54,600 for education incentive pay for fire department personnel. (Dick Phebus, Director of Finance)**
- 2 Resolution 12-19, a resolution to request unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act. (Dick Phebus, Director of Finance)**
- 3 Resolution 13-19, a resolution to amend the Fiscal Year 2019 Bartlett City Schools Education Capital Project Fund and General Purpose School Fund. (Dick Phebus, Director of Finance)**

OPEN DISCUSSION**ADJOURNMENT**



BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

TUESDAY, MARCH 26, 2019 - BARTLETT CITY HALL - 7:00 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 Steve Brannon, Faith Baptist Church

FUTURE MEETINGS

Board of Education, March 28 at 7 p.m.

Family Assistance Commission, April 1 at 6 p.m.

Beer Board, April 2 at 6 p.m.

Planning Commission, April 1 at 7 p.m.

Bartlett Station Commission, April 3 at 7:30 a.m.

City Beautiful Commission, April 4 at 6:30 p.m.

RECOGNITIONS

Healthier Bartlett awarded Move More Initiative of the Year and Social Media awards

Sharon Fryman, representing Healthier Bartlett, presented the city with the two statewide awards the organization won at the Healthier Tennessee Communities 2019 Awards Gala. Healthier Bartlett won Outstanding Social Media Presence and the Move More Initiative.

2018 Employees of the Year

Personnel Director Ted Archdeacon presented awards to the 2018 Employees of the Year.

Police Department: Sharon Farley, Skilled Records Clerk

Fire Department: Dustin Habben, Firefighter

Public Works Department: Jessica Vaughn, Administrative Secretary

Parks and Recreation Department Jimbo Draffin, Maintenance Manager

All other Departments: Trey Arthur, Code Enforcement, Inspector

This category includes Administration, Finance, Personnel, Engineering, Planning, Code Enforcement and BPACC.

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

MINUTES ACCEPTANCE

Minutes of the March 12, 2019 Board of Mayor and Aldermen Regular Meeting

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

UNFINISHED BUSINESS

- I **Second Reading of Ordinance 19-01, an ordinance amending Title 8, Chapters 1, 2 and 3, Sections 8-101(1)(a), 8-202, 8-305 and 8-310 of the Codified Ordinances. (Ed McKenney, City Attorney)**

RESULT:	APPROVED ON SECOND READING [UNANIMOUS] Next: 4/9/2019 7:00 PM
MOVER:	Jack Young, Vice Mayor
SECONDER:	W.C. Pleasant, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

CONSENT AGENDA

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

- I **Special event permit for Bartlett United Methodist Church 5K Run. (Jim Brown, Director of Code Enforcement)**
The event will be held on Saturday, April 20 from 8 a.m. to 1 p.m. at Bartlett United Methodist Church.
- 2 **Special seasonal event permit for Bartlett Station Farmers Market. (Jim Brown, Director of Code Enforcement)**
The event will be held on Saturdays May 18 through September 21 from 8 a.m. to 12 p.m. at W.J. Freeman Park.
- 3 **Bid for three 2019 Dodge Durango SUVs. (Glen Williamson, Chief of Police)**
Recommend accepting the lowest bid from TTC Chrysler Dodge Jeep Ram at \$28,329.36 each for three 2019 Dodge Durango SUVs for a total cost of \$84,988.08. Funds are available in Account 311.48311.785.20319.

4 Credit limit increase on corporate VISA card with First Tennessee Bank. (Dick Phebus, Director of Finance)

Finance department is requesting approval to apply for credit increase on the City of Bartlett corporate VISA card with First Tennessee Bank. The increase is necessary due to increased usage of department VISA cards in recent months.

5 Proposal for employee compensation study. (Dick Phebus, Director of Finance)

Recommend accepting the highest-rated proposal from Burris, Thompson & Associates to provide an employee compensation study for the City of Bartlett.

6 Treasurer's Report for February 2019. (Dick Phebus, Director of Finance)

Budgeted Expenditures	\$84,464,781
Year-to-date Expenditures	\$61,960,779
Budgeted Revenues	\$84,464,781
Year-to-date Revenues	\$58,730,069

NEW BUSINESS

1 Resolution 03-19, a resolution to amend the Fiscal Year 2019 Capital Improvement Program budget to provide funding for city shop survey and design. (Dick Phebus, Director of Finance)

Mr. Phebus explained that this resolution will reallocate \$250,000 from existing City resources to pay for the design of the new City Shop.

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

2 Resolution 09-19, a resolution to amend the Fiscal Year 2019 Bartlett City Schools Education Capital Project Fund and General Purpose School Fund. (Dick Phebus, Director of Finance)

Mr. Phebus explained that the Bartlett City Board of Education increased its budget, which like all such budget amendments, must be approved by the Board.

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

OPEN DISCUSSION

Alderman Elliott announced that the First Responders Monument Committee has ordered the granite obelisk and granite for the monument's benches. She noted that commemorative bricks are for sale for \$100 each.

ADJOURNMENT

Meeting adjourned at 7:20 PM

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

A. Keith McDonald
Mayor

Minutes Acceptance: Minutes of Mar 26, 2019 7:00 PM (MINUTES ACCEPTANCE)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2515)

Meeting: 04/09/19 07:00 PM
Department: Legal
Category: Amendment
Prepared By: Stefanie McGee
Initiator: Ed McKenney
Sponsors:
DOC ID: 2515

Ordinance 19-01, an ordinance amending Title 8, Chapters 1, 2 and 3, Sections 8-101(1)(a), 8-202, 8-305 and 8-310 of the Codified Ordinances.

WHEREAS some of the provisions of Title 8, Chapter 1 (Alcoholic Beverages), Chapter 2 (Intoxicating Liquors), and Chapter 3 (Beer) of the Codified 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, desire to amend said Chapters and Sections.

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

Section 1. That Section 8-101(1) Definitions, subsection (a) be amended to read as follows and that a new subsection (d) be added:

8-101(1). Definition of “alcoholic beverages.” As used in this chapter, unless the context dictates otherwise:

- (a) “Alcoholic beverage,” as set forth in Tennessee Code Annotated Section 57-3-101(a)(1), means and includes alcohol, spirits, liquor, wine, high alcohol content beer, and every liquid containing alcohol, spirits, liquor, wine, or high alcohol content beer and capable of being consumed by a human being, other than patent medicine or beer, as the latter is defined in Tennessee Code Annotated Section 57-5-101(b) and in Section 8-101(b) below. *Notwithstanding any provision to the contrary in this Chapter, “alcoholic beverage” also includes any beverage or food product containing distilled alcohol capable of being consumed by a human being manufactured or made with distilled alcohol irrespective of alcoholic content, including any alcohol-infused beverage or food product and any ice cream or other frozen dessert containing alcohol, spirits, liquor, wine, high alcohol content beer or beer.* (Ord. #77-2, Feb. 1977; modified and amended by Ord. 18-08, Dec. 2018; modified.)

Section 2. That Section 8-202 Definitions, shall be amended to read as follows:

8-202. Definitions. “Alcoholic beverage” or “beverage,” as used in this chapter, means and includes alcohol, spirits, liquor, wine, high alcohol content beer, and every liquid containing alcohol, spirits, liquor, wine, or high alcohol content beer and capable of being consumed by a human being, other than patent medicine and beer, as the latter is defined in Tennessee Code Annotated Section 57-5-101(b) and

Section 8-101(b) above. *Notwithstanding any provision to the contrary in this Chapter, "alcoholic beverage" also includes any beverage or food product containing distilled alcohol capable of being consumed by a human being manufactured or made with distilled alcohol irrespective of alcoholic content, including any alcohol-infused beverage or food product and any ice cream or other frozen dessert containing alcohol, spirits, liquor, wine, high alcohol content beer or beer.* (Ord. #77-2, Feb. 1977; modified and amended by Ord. 18-08, Dec. 2018; modified.)

Section 3. That Section 8-305, Powers and duties of the beer board, shall be modified to read as follows:

Section 8-305 The beer board shall have the power and it is hereby directed to regulate the selling, storing for sale, distribution for sale, and manufacturing of beer *and any alcohol-containing beverage or food product or alcohol-infused beverage or food product not regulated by the Tennessee Alcoholic Beverage Commission* within the City of Bartlett in accordance with the provisions of this chapter, and it shall have the power to promulgate reasonable rules and regulations for the conduct of its business and the enforcement of this chapter. (Ord. #74-5, March 1974, modified)

Section 4. That Section 8-310(2) Prohibited conduct or activities by beer permit holders, shall be modified as follows and to add two new sections:

Section 8-310(8) Sell beer *or any alcohol-infused beverage or food product, ice cream or other frozen dessert containing alcohol, spirits, liquor, wine, high alcohol content beer or beer* through any drive-through or delivery window or by curbside service or to deliver beer *or any alcohol-infused beverage or food product, ice cream or other frozen dessert containing alcohol, spirits, liquor, wine, high alcohol content beer or beer* to the consumer. (Ord. #13-04, May 2013, modified)

Section 8-310(9) *Serve, sell, or allow the consumption on his premises of any alcohol-infused beverage or food product, ice cream or other frozen dessert containing alcohol, spirits, liquor, wine, high alcohol content beer or beer unless the following statements are prominently displayed on the printed menu (or, if no printed menus are used, on the menu board or sign setting forth the bill of fare) immediately adjacent to the listing of the item or items of alcohol-infused beverage or food product, ice cream or other frozen desserts containing alcohol, spirits, liquor, wine, high alcohol content beer or beer: (1). The sale of alcohol-infused beverage or food products, ice cream or other frozen desserts under the age of twenty-one is prohibited. (2) (Insert the name of the alcohol-infused beverage or food product, ice cream or frozen dessert) contain alcohol. (3) Notice: (Insert the name of the alcohol-infused beverage or food product, ice cream or frozen dessert) contains alcohol used as a flavoring and, as with any product that contains alcohol: (a) women should not consume alcohol during pregnancy because of the risk of birth defects; and (b) consumption of alcohol impairs your ability to drive a car or operate machinery, and may cause health problems.*

Section 8-310(1) *Serve, sell or allow the consumption on his premises of any alcohol-infused beverage or food product, ice cream or other frozen desserts containing alcohol, spirits, liquor, wine,*

high alcohol content beer or beer by a person under the age of twenty-one.

Section 5. 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 6. 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: March 12, 2019
 Second Reading: March 26, 2019
 Third Reading: April 9, 2019

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

 A. Keith McDonald
 Mayor

ATTEST: _____
 Stefanie McGee
 City Clerk

HISTORY:

03/12/19 Board of Mayor and Aldermen **APPROVED ON FIRST READING**
 Next: 03/26/19

City Attorney Ed McKenney explained that he is proposing the amendments because an existing ice cream/candy business would like to begin selling alcohol-infused ice cream flavors. Since the alcohol amount will be so small, it does not fall under the Tennessee Alcoholic Beverage Commission's jurisdiction.

Proposed changes include the adding alcohol-infused items to the definition of alcoholic beverages, and granting jurisdiction over any civil violations to the Beer Board.

Mr. McKenney noted that if the City doesn't approve these amendments, there would be no way to regulate the sale of such items.

03/26/19 Board of Mayor and Aldermen **APPROVED ON SECOND READING**
 Next: 04/09/19



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2525)

Meeting: 04/09/19 07:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2525

Resolution 11-19, a resolution to amend the Fiscal Year 2019 General Fund Budget to appropriate \$54,600 for education incentive pay for fire department personnel.

WHEREAS, the State of Tennessee Commission on Fire Fighting has approved the 2018 education incentive pay for eligible Fire Department personnel in the amount of \$54,600 and the funds have been received by the City; and

WHEREAS, in order to distribute the funds to the eligible fire personnel it is necessary to amend the Fiscal Year 2019 General Fund operating budget for the fire department to appropriate this supplemental pay to firefighters and EMS personnel;

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen, that the Fiscal Year 2018 General Fund operating budget be amended to appropriate \$54,600 in revenues and expenditures for the 2018 education incentive as follows:

Account #	Expenditures	Revenues
110.42200.33590		\$36,600.00
110.42300.33590		\$18,000.00
110.42200.157	\$36,600.00	
110.42300.157	\$18,000.00	

Adopted this day of April 9, 2019

W.C. Pleasant, Register to the

Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Attest: _____

Stefanie McGee, City Clerk



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2526)

Meeting: 04/09/19 07:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2526

Resolution 12-19, a resolution to request unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act.

Whereas, Tennessee Code Annotated § 66-29-102 and § 66-29-123, as amended by Public Chapter 401, Acts of 1985, provide that a municipality or county in Tennessee may request payment for the unclaimed balance of funds reported and remitted by or on behalf of the local government and its agencies if it exceeds \$100, less a proportionate share of the cost of administering the program; and

Whereas, the City of Bartlett and/or its agencies have remitted unclaimed accounts to the State Treasurer in accordance with the Uniform Disposition of Unclaimed Property Act for the report year ending December 31, 2015; and

Whereas, the City of Bartlett agrees to meet all of the requirements of Tennessee Code Annotated § 66-29-101 et seq. and to accept liability for future claims against accounts represented in funds paid to it and to submit an annual report of claims received on these accounts to the State Treasurer by September 1 each year; and

Whereas, it is agreed that this local government will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative costs or service charge and that the balance of funds will be deposited in this local government's general fund;

THEREFORE, BE IT RESOLVED that the Board of Mayor and Alderman of the City of Bartlett requests the State Treasurer to pay the unclaimed balance of funds remitted for the 2015 Report Year to it in accordance with the provisions of Tennessee Code Annotated § 66-29-121. A list of remittances, made by or on behalf of the local government and its agencies, totaling \$4,241.94 is attached.

Adopted this day of April 9, 2019

W.C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: _____

Stefanie McGee, City Clerk

Unclaimed Property Summary Listing CITY OF BARTLETT 2015 TN

Printed: 04/11/2017 09:35:35 AM

	<u>Prop Type</u>	<u>First Owner (Suffix included)</u>	<u>First Owner Title</u>	<u>\$ Remitted</u>	<u>Shares Remitted</u>	<u>Tangible Box #</u>
1	MS11	AGGREGATE <\$50.00 IN CASH		\$398.93	0.0000	
2	MS16	BUENO, LUIS		\$20.00	0.0000	
3	MS11	CLOSETRAK LLC		\$49.82	0.0000	
4	CK99	GERMANTOWN SWIM TEAM		\$5.50	0.0000	
5	MS11	GIRARD, VINCENT		\$4.11	0.0000	
6	MS08	HARTH, KELSI		\$36.25	0.0000	
7	MS11	HELMS, DAVID R		\$56.70	0.0000	
8	MS16	ICC REGION 8 CHAPTER		\$10.00	0.0000	
9	MS11	MICHAEL, GREGORY		\$136.48	0.0000	
10	MS01	MURPHY, NICHOLAS		\$19.21	0.0000	
11	MS16	NIX, JOSHUA		\$48.00	0.0000	
12	MS11	REED, CANDICE		\$75.00	0.0000	
13	MS11	SFR 2014-TN LLC		\$61.97	0.0000	
14	MS11	VALLNVEST LLV		\$574.47	0.0000	
15	MS08	XO COMMUNICATIONS		\$2,745.50	0.0000	
Totals:				\$4,241.94	0	0 Boxes



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

RESOLUTION (ID # 2528)

Meeting: 04/09/19 07:00 PM

Department: Finance

Category: Presentation

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2528

Resolution 13-19, a resolution to amend the Fiscal Year 2019 Bartlett City Schools Education Capital Project Fund and General Purpose School Fund.

WHEREAS, the Board of Mayor and Aldermen is required to approve the Bartlett City Board of Education General Purpose School Fund budget and other School Special Revenue Fund budgets, as amended; and

WHEREAS, the Bartlett City Board of Education has approved Budget Amendment 6-8 to its FY2019 Education Capital Projects Fund budget on March 26, 2019; which is labeled Exhibit "A" and made a part of this resolution by reference;

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen that Budget Amendment 6-8 to the FY2019 Education Capital Projects Fund Budget and the FY2019 General Purpose School Fund of the Bartlett City Board of Education are approved.

Adopted this day of April 9, 2019

W.C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: _____
Stefanie McGee, City Clerk



RESOLUTION 6-8

A RESOLUTION TO APPROVE THE PLANNED USE OF GENERAL FUND BALANCE AND TO AMEND THE 2018-2019 FISCAL YEAR EDUCATIONAL CAPITAL PROJECTS FUND OF THE BARTLETT CITY SCHOOLS.

WHEREAS, Tennessee Code Annotated §49-2-203(a)(10)(A)(i) requires the Bartlett City Board of Education to direct the Superintendent and the Chair to prepare a budget on forms furnished by the Commissioner, and when the budget has been approved by the Board, to then submit that budget to the Bartlett Board of Mayor and Aldermen for their approval; and

WHEREAS, these amendments to the Education Capital Projects Fund Budget change the total amount of the budget.

NOW, THEREFORE, BE IT RESOLVED BY THE BARTLETT CITY BOARD OF EDUCATION:

Section 1. That the Education Capital Projects Fund Budget for the 2018-2019 school year for the Bartlett City Schools as presented in official budget documents is hereby amended by reference in the following amounts:

2018-19 GENERAL PURPOSE FUND BUDGET FUND BALANCE	\$24,869,609
General Purpose Fund Balance is amended in the following category:	
141-34555-00000-000-0000-0000 Fund Balance is amended from \$24,869,609 to \$24,399,609	(\$470,000)
Amended General Purpose Fund Balance	\$24,399,609
2018-19 EDUCATION CAPITAL PROJECT FUND BUDGET REVENUES	\$68,879,807
Revenues are amended in the following categories:	
177-44170-00000-000-0000-5048 Transfers In from General Fund – Bartlett Square Renovation is amended from \$130,000 to \$175,000	\$45,000
177-44900-00000-000-0000-5079 Miscellaneous Revenue – Bon Lin MS Gym Floor is amended from \$0 to \$130,000	\$130,000

177-44900-00000-000-0000-5089 Miscellaneous Revenue – Applying MS Gym Floor is amended from \$0 to \$110,000	\$110,000
177-49800-00000-000-0000-5099 Transfers in from General Fund-BHS Stadium Lights from \$0 to \$425,000	\$425,000
Amended 2018-19 Education Capital Project Fund Budget Revenues	\$69,589,807
2018-19 EDUCATION CAPITAL PROJECT FUND BUDGET EXPENDITURES	\$68,879,807
Expenditures are amended in the following categories:	
177-91300-70800-000-0000-5048 Education Capital Projects – Communication Equipment is amended from \$100,000 to \$145,000	\$45,000
177-91300-70700-000-0000-5079 Education Capital Projects – Building Improvements is amended from \$0 to \$130,000	\$130,000
177-91300-70700-000-0000-5089 Education Capital Projects –Building Improvements is amended from \$0 to \$110,000	\$110,000
177-91300-70700-000-0000-5099 Education Capital Projects--Building Improvements from \$0 to \$425,000	\$425,000
Amended 2018-19 Education Capital Project Fund Budget Expenditures	\$69,589,807

Section 2. That the budget documents required by law will be amended and submitted as required for approval to the Bartlett Board of Mayor and Aldermen, and, upon approval, shall be submitted as required to the State of Tennessee.

Section 3. That this resolution shall become effective March 28, 2019 from and after its adoption by the Bartlett City Board of Education.

Adopted this ____ day of March, 2019.

Shirley Jackson, Chairman
Bartlett City Board of Education

Dr. David A. Stephens, Superintendent
Bartlett City Board of Education

APPROVED AS TO FORM:
Kari Shoopman, General Counsel