



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

**TUESDAY, FEBRUARY 14, 2017 - BARTLETT STATION MUNICIPAL CENTER,
COMM ROOM A - 7:00 PM**

CALL TO ORDER

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 Derek Williams, Bartlett Woods Church of Christ

FUTURE MEETINGS

Bartlett Board of Education Work Session, February 16 at 7 p.m.

Historic Preservation Commission, February 20 at 7 p.m.

BPACC Advisory Board, February 21 at 6 p.m.

Bartlett Arts Council, February 21 at 6:30 p.m.

Design Review Commission, February 21 at 6:30 p.m.

Bartlett Board of Education, February 23 at 7 p.m.

RECOGNITIONS

Proclamation in honor of Engineers Week

Mayor McDonald proclaimed Engineers Week to be February 19-25, 2017.

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

MINUTES ACCEPTANCE

Minutes of the January 24, 2017 Board of Mayor and Aldermen Regular Meeting

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

CONSENT AGENDA

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

- 1 Special event permit for Bartlett High School 5K Run. (Jim Brown, Director of Code Enforcement)**
The event will be held on Saturday, March 4 from 8:30 a.m. to 12 p.m. at Bartlett High School.
- 2 Bid for one rubber-tired wheel loader. (Bill Yearwood, Director of Public Works)**
Recommend accepting the lowest, qualified bid from Power Equipment at a cost of \$154,772.00. Funds are available in Account 122.48122.939.
- 3 Bid for one four-wheel drive tractor with twin flail mowers. (Bill Yearwood, Director of Public Works)**
Recommend accepting the lowest bid from Cumberland Tractor & Equipment at a cost of \$81,754.00. Funds are available in Account 3110.48311.785.30717.
- 4 Shelby County Wellhead Protection annual maintenance fee. (Rick McClanahan, Director of Engineering)**
Recommend authorization to pay the Shelby County Health Department \$11,894.30. This fee is based on the number of water meters in the city (21,626) multiplied by \$0.55. The City of Bartlett pays an annual fee to Shelby County to implement a comprehensive aquifer protection program. Funds are available in Account 510.51200.644.
- 5 Treasurer's Report for December 2016. (Dick Phebus, Director of Finance)**

Budgeted Expenditures	\$72,630,170
Year-to-date Expenditures	\$44,415,340
Budgeted Revenues	\$72,630,170
Year-to-date Revenues	\$35,902,304
- 6 Planning Commission Report for February 2017. (Terry Emerick, Director of Planning and Economic Development)**

Item 1 - Master plan for Windsor Park, Section B was approved with conditions.
Item 2 - Site plan for West Tennessee Wetlands Mitigation Bank was approved with conditions.

Item 3 - Election of officers.

NEW BUSINESS**I Appeal of the Design Review Commission's decision regarding the proposed revised site plan for Walmart Neighborhood Market, 6520 Memphis Arlington Road. (Terry Emerick, Director of Planning and Economic Development)**

Mr. Emerick explained that in October the City gave Wal-Mart Neighborhood Market a stop work order for painting their building without prior approval. Most of the paint colors were various shades of gray, which were similar to the original color palette and were able to be approved administratively. The green color painted behind the large wall sign had to be approved by the Design Review Commission because it was distinctly different from the rest of the palette. The green in question is a Sherwin-Williams color named Outrageous Green (SW-6922). The Commission denied use of Outrageous Green behind the Walmart Neighborhood Market sign because it appears to create a large sign, which would substantially exceed the square footage of signage allowed by ordinance.

Jim Gallagher, architect with Pb2 Architectures and Engineering, argued that there is nothing in the City's ordinances that addresses a specific color. He said the denial was a subjective decision of a few members of the Commission. The Commission voted seven to zero with one abstention in favor of denying the use of Outrageous Green behind the Wal-Mart Neighborhood Market's wall-mounted sign.

Alderman Elliott, the Board's liaison to the Design Review Commission, said that the Commission recommended Wal-Mart trim the low-growing trees fronting the store's property to allow drivers to see the sign better and help the health and growth of the trees.

She explained that the Commission believed that this color green was not in keeping with the neighborhood setting of this store. She noted that when this store was first constructed, the city and Wal-Mart spent hours making the appearance palatable to area residents. Now the company is trying to step outside of those bounds. She noted that this store is not hurting for business, nor suffering from a lack of signage. She said she considers the green color part of the sign because it attracts more attention to the sign. She referenced the City's definition of a sign found within Sign Ordinance 14-401(47). Alderman Elliott added that the Design Review Commission compromised with the Super Wal-Mart located on Highway 64 on their recent color changes due to the building's setback and commercial location.

Mayor McDonald asked Planning if Alderman Elliott's interpretation of the City's sign ordinance matched the staff's. Mr. Emerick stated that the building has several architectural components, all painted in muted colors. He said the bright green background doesn't look like part of the architecture, but part of the sign.

Alderman Simmons asked if the sign is the same size. Mr. Emerick responded that the text is the same size, but due to the addition of a bright background color, the sign exceeds the ordinance-allowed square footage.

Mayor McDonald asked City Attorney Ed McKenney if the background is a legal part of the sign. Mr. McKenney stated that the Commission's interpretation is in line with the City's ordinance.

Alderman Pleasant noted that the City revised the full Sign Ordinance a few years ago, and the Board should uphold the revised ordinances.

Alderman Simmons said the City does not have a paint code. Mayor McDonald pointed out that the Design Review Commission is an aesthetics board.

Alderman Simmons said he lives in the neighborhood with the Wal-Mart Neighborhood Market is, and his neighbors like the store. He said he doesn't like the Board dictating what businesses can do when it comes to bright colors. Alderman Elliott said she is trying to take care of the surrounding neighborhoods, of which she is also a part.

Alderman Parsons asked Mr. Gallagher if Wal-Mart picked those colors for their Markets nationwide. Mr. Gallagher replied that many, many stores have been repainted these colors. He said the Outrageous Green goes on every store unless there's a municipal prohibition.

Alderman Elliott pointed out that logos are legal property. She said paint colors have nothing to do with legal, registered trademarks.

Mayor McDonald clarified that Planning staff and the City attorney stated that the Outrageous Green painted background would be in violation of the sign ordinance.

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

2 Resolution 02-17, a resolution to amend the Fiscal Year 2017 General Purpose School Fund. (Dick Phebus, Director of Finance)

Mr. Phebus explained that this Bartlett City Schools budget amendment is due to the schools receiving outside donations.

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

3 Resolution 03-17, a resolution to approve an agreement between the State of Tennessee Department of Transportation and the City of Bartlett for the design and construction of Fletcher Creek Greenway Phase II. (Rick McClanahan, Director of Engineering)

Mr. McClanahan explained that this resolution is necessary to enter into an agreement with the Tennessee Department of Transportation. This second phase of the Fletcher Creek Greenway project will tie the existing two phases together.

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

4 Resolution 04-17, a resolution to approve Amendment 13 to the retirement system of the City of Bartlett Defined Benefit Plan. (Ted Archdeacon, Director of Personnel)

Mr. Archdeacon explained that this resolution amends the City's Defined Benefit Plan to include some required language from the IRS.

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

5 Resolution 05-17, a Resolution to amend the Fiscal Year 2017 General Fund Budget to appropriate \$67,800 for peace officer supplement pay for police department certified personnel. (Dick Phebus, Director of Finance)

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

6 Resolution 06-17, a resolution to amend the FY17 General Fund and Capital Improvement Program Budgets to provide additional funding for a radio communication system. (Dick Phebus, Director of Finance)

Mr. Phebus explained that this amendment will provide critical spares for the City to have on hand if a repair is needed. Having these parts will reduce interruptions to the City's radio system.

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

7 First Reading of Ordinance 17-01, an ordinance to amend the Title 13, Chapter 1, Section 13-111(1) of the Codified Ordinances of the City of Bartlett, Tennessee to modify the time frame for appealing code violations. (Jim Brown, Director of Code Enforcement)

Mr. Brown explained that the City's current ordinance requires 20-days notice before Code officials can act on a violation. This ordinance amendment will reduce that time to ten days.

Alderman Parsons asked if we've had several instances where 20 days was too long. Mr. Brown stated that neighbors often call to see why the violation has not been questioned during that nearly three-week period.

RESULT: APPROVED ON FIRST READING [UNANIMOUS] Next: 2/28/2017 7:00 PM
MOVER: Jack Young, Vice Mayor
SECONDER: Emily Elliott, Alderman
AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

8 First Reading of Ordinance 17-02, an ordinance to amend the Title 13, Chapter 1, Section 13-107(3) of the Codified Ordinances of the City of Bartlett, Tennessee to modify the method of notification. (Jim Brown, Director of Code Enforcement)

Mr. Brown explained that the current ordinance states that Code officials must wait for the certified mail receipt prior to posting the violation notice on the property. This amendment clarifies how notice is given. The City will post notice on the property and send a letter, at which time the 10-day clock starts.

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next: 2/28/2017 7:00 PM
MOVER:	Jack Young, Vice Mayor	
SECONDER:	Paula Sedgwick, Alderman	
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick	

OPEN DISCUSSION

Alderman Parsons thanked the City departments for street striping and stop sign installation near Shadowlawn Road.

Alderman Elliott stated that the Design Review Commission's decisions are not hers alone. She said the Commission is a nine-member board composed of engineers, architects, and citizens.

Alderman Simmons invited the public to the Northeast Republicans Club Monday, February 20. MLGW President Jerry Collins will be the guest speaker.

Mr. McClanahan announced that the CSX Railroad will be improving the St. Elmo crossing beginning February 15. The road will be closed for three days, and detour plans are ready. He also announced that the Railroad will be replacing crossties and will close Brunswick and Old Brownsville Roads during that work. No dates for this project have been set.

ADJOURNMENT

Meeting adjourned at 7:42 PM



City of Bartlett

A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING MINUTES

**TUESDAY, JANUARY 24, 2017 - BARTLETT STATION MUNICIPAL CENTER,
COMM ROOM A - 7:00 PM**

CALL TO ORDER

Mayor A. Keith McDonald: Absent, 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 Vice Mayor Jack Young

FUTURE MEETINGS

Bartlett Board of Education, January 26 at 7 p.m.

Bartlett Station Commission, February 1 at 7:30 a.m.

City Beautiful Commission, February 2 at 7 p.m.

Family Assistance Commission, February 6 at 6 p.m.

Planning Commission, February 6 at 7 p.m.

Beer Board, February 7 at 6 p.m.

Parks and Recreation Advisory Board, February 9 at 7 p.m.

Bartlett Historical Society, February 13 at 7 p.m.

RECOGNITIONS

Firefighter Badge Presentation

Mitch Serat was promoted to Fire Lieutenant, and Greg Clutch was promoted to Paramedic Lieutenant.

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

Minutes Acceptance: Minutes of Jan 24, 2017 7:00 PM (MINUTES ACCEPTANCE)

MINUTES ACCEPTANCE**Minutes of the January 10, 2017 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

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

- 1 Special event permit for Valentine's Day 5K and 10K Runs. (Jim Brown, Director of Code Enforcement)**
The event will be held on Saturday, February 11 from 9 a.m. to 12 p.m. at Bartlett Baptist Church.
- 2 Design proposal for modification of the Oak Road detention basin. (Rick McClanahan, Director of Engineering)**
Recommend accepting the proposed engineering design for Oak Road detention basin from Buchart Horn at a cost of \$11,800. Funds are available in Account 311.48311.772.63616.
- 3 Site plan contract for Tabor Orthopedic North. (Rick McClanahan, Director of Engineering)**
The developer, Bartlett M.O.B. Partners, LLC. will pay \$30,035.05 in City fees. The Bond is set at \$225,240.00.

NEW BUSINESS**No New Business****OPEN DISCUSSION**

Rick McClanahan, Director of Engineering, announced that the City would be testing fire hydrants for water flow throughout the city. The tests are for the fire insurance ratings.

Alderman Parsons asked BPACC Director Michael Bollinger to talk about the upcoming shows.

Mr. Bollinger announced Melinda Doolittle, who competed on American Idol, will perform January 28. BPACC will host a dinner stage show with Bryan Less of the Little Memphis band. Then Friday, February 17 Loren and Mark will perform classical guitar duos. BPACC is currently in rehearsal for TheatreKids in Willie Wonka the Musical.

ADJOURNMENT

Meeting adjourned at 7:11 PM

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

A. Keith McDonald
Mayor

Minutes Acceptance: Minutes of Jan 24, 2017 7:00 PM (MINUTES ACCEPTANCE)

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

ADOPTED**AGENDA ITEM**

Meeting: 02/14/17 07:00 PM
Department: Code Enforcement
Category: Special event permit
Prepared By: Valerie Brantley
Department Head: Jim Brown

Special event permit for Bartlett High School 5K Run.

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



**APPLICATION FOR SPECIAL EVENT
OFFICE OF
BARTLETT CODE ENFORCEMENT
6382 STAGE ROAD
BARTLETT TN 38134
901-385-6425**

Bartlett, H.S.
5688 Woodlawn St
Address 38134
Zip Code

March 4, 2017
Dates of the Event Hours of the Event

Fundraiser - 5k run
Type of Event (Fund Raiser, Seasonal, Tent Sale, Sidewalk Sale, Public Attraction)

Bartlett High School
Property Owner

D. Myers
Special Event Permit Applicant 5688 Woodlawn, 38134
Address of Applicant

901-373-2620
Phone Number Fax Number

Check all items that apply:

For information call (901) 385-6425.

☒ State of TN Business License, Shelby County Business License, Bartlett Business License (For Type 2 Events)

☒ Letter of Permission

☒ Insurance

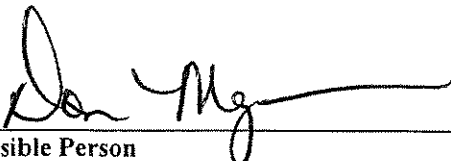
☐ Tents (Fire Retardant letter included)

☒ Special Event Checklist

☒ Map

☐ Sign or Banner

\$60.00 Special Event Fee
\$4.00 Permit Issuing Fee
Ø Total


Responsible Person

1-19-17
Date

****Notify building department 10 days prior to Special Event to be held unless it is a Public Attraction which requires approval from the Board of Mayor & Aldermen.****

APPROVAL

This application is not a permit and grants no rights or privileges.

Special Event Checklist

Event: Panther Prowl 5K Run/Walk
 Location: 5688 Woodlawn
 Dates: March 4, 2017 Starting @ 8:30am til 12:00pm
 Type of special event: (Check one.)

- | | |
|---|---|
| <p>☐ <i>Type 1: Noncommercial Events.</i> Fund-raising or non-commercial events held outside an enclosed permanent structure, including parades, advertised demonstrations, or events, including structures used in conjunction with the event.</p> <p>☐ <i>Type 2: Special Seasonal Events.</i> Farmers' market, Christmas tree sales, fruit, flower or vegetable sales, or sale of other seasonal products, when sold other than on the site where grown, constructed or assembled.</p> | <p>☐ <i>Type 3: Commercial Events.</i> Significant commercial events such as tent sales, sidewalk sales, trade shows, merchandise sales, product demonstrations or transient merchants.</p> <p>☒ <i>Type 4: Public Attractions.</i> Significant outdoor public events intended primarily for entertainment or amusement, such as carnivals, concerts, or festivals, including fireworks displays. Requires approval by the Board of Mayor and Aldermen.</p> |
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Exempt events: (If any of these apply, the special event is exempt from the permit requirement.)

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| <p>☒ <i>Public property.</i> Any special event wholly on public streets and right-of-ways or other property of the City, excluding public parks, which special event is allowed specifically or generally by action of the Board of Mayor and Aldermen.</p> <p>☐ <i>Public parks.</i> Any special event held within a public park. (Although exempt from this Section, these types of special events shall be governed by other provisions of the Codified Ordinances regulating conduct in City parks and recreation areas.)</p> <p>☐ <i>City sponsorship.</i> Any special event sponsored or co-sponsored by the City. Such event shall, however, be in compliance with the performance standards in Section 27.F.</p> <p>☐ <i>Special use permit or site plan.</i> Any business already operating under a special use permit or site plan that authorizes the display and sale of outdoor goods or authorizes the operation of any special event as defined herein.</p> <p>☐ <i>Yard sales.</i> Yard sales regulated under Article VI, Section 1 of the Zoning Ordinance.</p> | <p>☐ <i>Auctions/estate sales.</i> Auctions/estate sale for individual property that is not considered a special event and is conducted by duly licensed auctioneers.</p> <p>☐ <i>Business deliveries.</i> Newspaper delivery or bona fide merchants who deliver goods in the regular course of business.</p> <p>☐ <i>Certain solicitations.</i> Solicitors for charitable, non-profit or religious organizations who go from dwelling to dwelling, business to business, street to street, taking or attempting to take orders for goods, wares and merchandise are exempt from these provisions, provided these organizations meet the Internal Revenue Service Criteria to qualify as a charitable, non-profit or religious organization.</p> <p>☐ <i>First Amendment activity.</i> The dispensing of religious pamphlets or other literature which is protected by the United States Constitution under Freedom of Speech, Religion or Press.</p> <p>☐ <i>Political campaigning.</i> Campaigning for public office.</p> |
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Performance standards:

	Sub- mitted ✓ or X	OK	N/A		Comments
1	✓			<i>Location.</i> Special events that do not require the use of public right-of-way shall be conducted on private property in a commercial or industrial zoning district, except that non-profit organizations may conduct special events on any property where the owner has granted permission.	
2	✓			For all special events that require the use of public right-of-way, the permit granted shall clearly specify the streets to be used for the event and the time that the streets will be closed, if applicable.	
3			✓	Type 3 outdoor sales must be conducted by an existing permanent business adjacent to and on the property of the location of the permanent business. The outdoor sales are to be conducted as an adjunct to the existing permanent business.	
4		✓		<i>Land-use compatibility.</i> The special event shall be compatible with the purpose and intent of this Section and with adjacent land uses.	
5		✓		The special event shall not impair the normal, safe and effective operation of a permanent use on the same site.	
6		✓		The special event shall not endanger or be detrimental to the public health, safety or welfare or injurious to property or improvements in the immediate vicinity of the special event, given the nature of the activity, its location on the site and its relationship to parking and access points.	
7		✓		<i>Compliance with other regulations.</i> All structures shall meet all applicable provisions of the Building Code.	
8		✓		Any temporary structure shall be promptly removed upon the cessation of the event. Within forty-eight (48) hours of cessation of the event, the site shall be returned to its previous condition, including the removal of all litter, signage, attention-attracting devices or other evidence of the special event. If the site is not returned to its previous condition, the City may restore the site at the event coordinator's expense.	

	Sub- mitted ✓ or X	OK	N/A		Comments										
9	✓			<i>Hours of operation and duration.</i> The duration and hours of operation of a special event shall be consistent with the surrounding land uses. The total duration of a special event shall not exceed the duration set forth in Table VI.27-1; however, the duration of the special event may be modified by conditions attached to the issuance of the special event permit, as set forth in Section 27.F. Table V.27-1: Special Event Maximum Duration <table><tr><th>Type of Special Event</th><th>Duration</th></tr><tr><td>Type 1: Noncommercial</td><td>30 days</td></tr><tr><td>Type 2: Special Seasonal</td><td>90 days</td></tr><tr><td>Type 3: Commercial</td><td>14 days</td></tr><tr><td>Type 4: Public Attractions</td><td>14 days</td></tr></table>	Type of Special Event	Duration	Type 1: Noncommercial	30 days	Type 2: Special Seasonal	90 days	Type 3: Commercial	14 days	Type 4: Public Attractions	14 days	Type 4
Type of Special Event	Duration														
Type 1: Noncommercial	30 days														
Type 2: Special Seasonal	90 days														
Type 3: Commercial	14 days														
Type 4: Public Attractions	14 days														
10			✓	In addition to the maximum duration as set forth in Table VI.27-1, a shopping center may hold centralized special events, not connected to individual businesses within the shopping center, which do not exceed sixty (60) days in a calendar year. The duration of all special events in a shopping center may be extended on a case by case basis if the special event(s) take place in shopping center parking areas not required for the primary businesses.											
11			✓	<i>Frequency.</i> Except as otherwise provided herein, the maximum frequency of a special event on the same property shall be two (2) times per calendar year, excluding a shopping center. A shopping center shall be allowed to hold four (4) centralized events not connected to any individual business located within the center in addition to those events held by the individual businesses located within the shopping center.											

	Sub- mitted ✓ or X	OK	N/A		Comments
12			✓	Type 3 outdoor sales at a specific location may be permitted only as follows: a. Outdoor sales may be permitted once in each calendar month if the duration is not more than three (3) days. b. Outdoor sales may be permitted once in each calendar quarter if the duration is more than three (3) days but not more than ten (10) days. c. The minimum time between consecutive outdoor sales periods for the same business on the same property shall be fourteen (14) days from the beginning of one period to the beginning of the next period. Permitted durations are not cumulative in any time period, that is, the time periods in both "a" and "b" may not be added together.	
13		✓		<i>Traffic circulation.</i> The special event shall not cause undue traffic congestion or accident potential, given anticipated attendance and the design of adjacent streets, intersections, parking and traffic controls. All sidewalks shall be left open for pedestrian traffic unless special approval is received for blockage. No alleys, driveways, fire lanes or other access points shall be blocked by the special event unless specific approval is granted for the special event.	
14		✓		<i>Street closings.</i> The special event permit recipients shall be responsible for securing, installing and immediate removal upon cessation all barricades and signs when street closings are approved. Large Class III barricades shall be sandbagged to prevent blowing over.	

	Sub- mitted ✓ or X	OK	N/A		Comments
15			✓	<i>Fire safety.</i> The fire department shall be consulted for the following requirements and inspection, as necessary. a. Fire lanes a minimum of 20 feet in width and 12 feet in height or as otherwise approved by the Fire Chief must be provided in order to allow Fire Department access within 150 feet of all structures and on at least two sides of all two-story structures within 500 feet of the location of the special event. b. All fire hydrants in the area of the special event must be left with five (5) feet of clearance on all sides and shall be accessible from the fire lanes that are designated with the event. c. No open fires shall be permitted unless advance approval is obtained from the Fire Department. d. Fire extinguishers shall be available as determined by the Fire Chief. e. Temporary electrical wiring for the special event shall be installed in accordance with the requirements of the National Electrical Code. f. Tents shall comply with the Fire Code and applicable building codes. g. Exit signs and proper exiting aisles shall be provided in temporary special event structures.	
16		✓		<i>Off-street parking.</i> The event shall not create a parking shortage for any other use. All off-street parking surfaces used for the special event shall be concrete or asphalt.	
17		✓		<i>Public conveniences and litter control.</i> Adequate on-site rest room facilities and solid waste containers shall be provided. The applicant shall calculate the demand for such facilities and specify how the need will be addressed.	In School
18		✓		<i>Nuisances.</i> The special event shall not generate excessive noise, dust, smoke, glare, spillover lighting or other forms of environmental or visual pollution.	

	Sub- mitted ✓ or X	OK	N/A		Comments
19		✓		<i>Area of parking lot dedicated to outdoor special events.</i> a. No more than ten (10) percent of the parking stalls required for the structure associated with the parking lot in which the special event occurs shall be permitted to be used for a special event. Regardless of how many stalls are occupied by the special event, no special event that occurs in the parking lot for a permanent structure may cause a parking shortage for primary and accessory uses associated with that structure. b. No spikes, nails, anchors or other devices shall be driven into any public street, sidewalk or parking lot surface or into any existing concrete or asphalt. Such devices may be used on private parking lots provided any damage resulting therefrom shall be fixed upon cessation of the event and removal of the devices.	
20		✓		<i>City services.</i> If the applicant requests the City to provide services or equipment, including but not limited to traffic control or security personnel, or if the City otherwise determines that services or equipment are required to protect the public health, safety, or general welfare, the applicant shall be required to reimburse the City for the cost of the services. The City may require the applicant to submit a security deposit, in an amount determined by the Chief Administrative Officer and in the form approved by the City Attorney, prior to the event to ensure that the applicant complies with this provision.	
21	✓			<i>Insurance coverage.</i> Special event permit recipients must show proof of liability insurance at time of application. If the special event will take place on public property, said certificate of insurance shall name the City as an additional insured party in an amount determined by the Chief Administrative Officer based on the nature of the special event.	

Conditions

Conditions deemed necessary to ensure compatibility with adjacent land-uses and to minimize potential adverse impacts on nearby uses:

	Required ✓ or X	N/A		Comments
22		✓	Limitations on signs.	
23	✓		Temporary arrangements for parking and traffic circulation.	
24	✓		Requirements for screening/buffering and guarantees for site restoration and cleanup following the special event.	
25		✓	Modifications or restrictions on the hours of operation, duration of the event, size of the event or other operational characteristics.	
26		✓	The posting of security in an amount required by the Permitting Official to help ensure that the operation of the event and the subsequent restoration of the site are conducted according to required special event standards and conditions of approval.	
27		✓	The provision of traffic control or security personnel to ensure the public safety and convenience.	
28	✓		Execution of a "Special event agreement" in a form acceptable to the City Attorney to ensure the indemnification of the City and that public property will be protected and/or restored to its condition prior to the special event.	

Special event permit application, content and submission requirements

A complete application shall be submitted to the Permitting Official at least ten (10) days prior to the requested start date of any special event.

The application shall set forth and contain the following information:

	Sub- mitted ✓ or X	OK	N/A		Comments
29	✓			Name and address of the applicant.	
30	✓			Names and address of the owner of the premises on which the proposed event is to be held.	
31			✓	Written approval from the property owner agreeing to the proposed event, if the applicant is not the same as the property owner.	
32		✓		Description of the site on which the proposed event is to be held.	Bartlett H.S.
33	✓			Date of the proposed event.	
34	✓			A narrative written description of the proposed event, the hours of operation, anticipated attendance, and any buildings/ structures, signs or attention-attracting devices proposed to be used in conjunction with the event, as well as a statement that the standards set forth in this Section have been satisfied. The narrative written description shall also state what public streets, if any, are requested to be used for the special event.	See Flyer
35	✓			A site plan in the form and the level of detail as required by the Permitting Official, showing the location of all existing or proposed uses, structures, parking areas, outdoor display areas, signs, streets, and property lines.	
36		✓		Location and number of proposed temporary public toilets.	In H.S.
37		✓		Proposed temporary potable water supplies, which shall be subject to approval by the Director of Code Enforcement, pursuant to applicable authority of the City.	
38		✓		Any other information deemed necessary by the Permitting Official to ensure compliance with the standards set forth in this Section.	

Special event permit - authorization by Permitting Official

Type 1, 2 and 3 special events (as defined in part B) may be issued a special event permit by the Permitting Official on the form provided by the City when all of the following conditions have been satisfied and continue to be met throughout the special event:

	OK ✓ or X	N/A		Comments
39	✓		A complete application is made on the form provided by the City and a fee paid in accordance with City ordinances.	
40	✓		The application has been reviewed and approved in writing by the Code Enforcement, Fire, Police, and Public Works Departments for traffic control and other safety concerns.	
41		✓	An electrical plan, if required for the special event, is approved by the Director of Code Enforcement.	
42	✓		The Permitting Official determines the following: a. The special event will comply with the special event performance standards...;	
43	✓		b. The special event will not endanger the public health, safety, or general welfare given the nature of the activity, its location on the site, and its relationship to parking and access points;	
44	✓		c. The special event will not impair the usefulness, enjoyment or value of adjacent property due to the generation of excessive noise, smoke, odor, glare, litter, or visual pollution;	
45	✓		d. The special event shall comply with all applicable state and federal health, safety, environmental and other applicable requirements.	

PANTHER PROWL 5K RUN/WALK

Saturday, March 4, 2017 at 8:30 am

Bartlett High School
5688 Woodlawn St
Bartlett, TN 38134

RACE INFORMATION: This is a fun, family atmosphere race that raises money for the track team at Bartlett High School.

Entry fees:

January 11, 2017 – March 3, 2017

Bartlett City School employees/students: \$12.00

All others: \$15.00

MARCH 4(day of race): \$20.00

Your entry fee includes a race tee shirt, tee shirts are not guaranteed for the day of race.

Awards: Top male and top female in these 3 categories:

Overall
Masters(40 and up)
Grandmasters(50 and up)
Senior grandmasters(60 and up)

Age group awards will go to top 3 male and female in the following age groups:
Under 10, 10-14, 15-19, 20-24, 25-29, 30-34, 35-39, 40-44, 45-49, 50-55, 55-59,
60-64, 65-69, 70-74, 75 and up

COURSE DESCRIPTION:

The course begins on Woodlawn in the front of the school, heading east to turn left on Sycamore View, Left on Yale Road, Left Brownsville Rd, Left on Blackwell, entering the BHS campus, finishing on the track.

CERTIFICATE OF INSURANCE

PRODUCER FOUR-WAY INSURANCE, LLC 7909 US HWY 70 BARTLETT TN 38133	DATE: 8/31/2016 THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW.
INSURED BARTLETT CITY BOARD OF EDUCAT 5650 WOODLAWN STREET BARTLETT TN 38134	COMPANIES AFFORDING COVERAGE COMPANY LETTER A TML RISK MANAGEMENT POOL COMPANY LETTER B COMPANY LETTER C

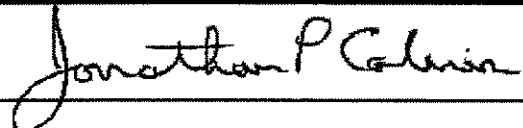
COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO	TYPE OF INSURANCE	Add'l Insd	POLICY #	POLICY PERIOD	LIMITS	
A	GENERAL LIABILITY		TML-0651-17	7/1/2016 - 7/1/2017	TORT	
	☒ Commercial General Liability				PER PERSON/BODILY INJURY/PERSONAL INJURY	\$300,000
	☒ Claims Made				PER OCCUR/BODILY INJURY/PERSONAL INJURY	\$700,000
	☒ Personal Injury Liability				PER OCCURENCE/PROPERTY DAMAGE	\$100,000
	☒ Claims Made				NON TORT	
	☒ Law Enforcement Liability				PER OCCURENCE/EACH OTHER LOSS	\$1,000,000
	☒ Claims Made					
A	ERRORS or OMISSIONS LIAB		TML-0651-17	7/1/2016 - 7/1/2017	PER OCCURENCE	\$1,000,000
	☒ Claims Made					
	AUTOMOBILE LIABILITY				TORT	
	☐ Owned Autos				PER PERSON/BODILY INJURY	
	☐ Hired Autos				PER OCCURENCE/BODILY INJURY	
	☐ Non-owned Autos				PER OCCURENCE/PROPERTY DAMAGE	
	☐ Physical Damage				NON TORT	
					PER OCCURENCE/EACH OTHER LOSS	
	WORKERS COMPENSATION				WC STATUTORY COVERAGE	
	EMPLOYERS LIABILITY				EMPLOYERS LIAB-EACH ACCIDENT	
					EMPLOYERS LIAB-DISEASE-POLICY LIMIT	
					EMPLOYERS LIAB-DISEASE-EACH PERSON	
	PROPERTY & CRIME				BUILDINGS/PERS PROPERTY	
	PROPERTY-PART I				EDP EQUIPMENT	
	Causes of Loss				MOBILE EQUIPMENT	
	☐ Special				EQUIPMENT BREAKDOWN	
	☐ Flood				AUTOMATIC COVERAGES	
	☐ Earthquake					
	CRIME-PART II				EMPLOYEE DISHONESTY	
	☐ Blanket Crime				FORGERY OR ALTERATION	
					THEFT, DISAPPEARANCE OR DESTRUCTION	
					COMPUTER FRAUD	

LOCATION OF PREMISES/DESCRIPTION OF PROPERTY, OPERATIONS, VEHICLES OR SPECIAL ITEMS.

As respects 5K run on March 4, 2017 on and around BHS campus.

CERTIFICATE HOLDER	CANCELLATION
City of Bartlett	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
	AUTHORIZED REPRESENTATIVE 

POOL

TML Risk Management Pool - 5100 Maryland Way Brentwood TN 37027 - 615-371-0049

Valerie Brantley

From: Donald Myers <dmyers@bartlettschools.org>
Sent: Monday, January 30, 2017 10:37 AM
To: Valerie Brantley
Subject: FW: Panther Prowl 5k

This is the email from Inspector Cox of Bartlett PD in regards to the Panther Prowl 5k scheduled for March 4

Don Myers
 Head Boys Track and Field Coach
 Bartlett High School
 TSSAA State Track Meet Director

From: Jeff Cox <jcox@bartlettspolice.org>
Date: Thursday, January 19, 2017 at 6:34 PM
To: Donald Myers <dmyers@bartlettschools.org>
Subject: RE: Panther Prowl 5k

Thanks we will be there.

Sent via the Samsung Galaxy Note® 4, an AT&T 4G LTE smartphone

----- Original message -----

From: Donald Myers <dmyers@bartlettschools.org>
Date: 1/19/17 4:22 PM (GMT-06:00)
To: Jeff Cox <jcox@bartlettspolice.org>
Subject: Panther Prowl 5k

Inspector Cox

On Monday, January 9, I spoke with you about the Panther Prowl 5k that will be put on by the Bartlett High School Track and Field Teams. Our race will take place on March 4, 2017 at 8:30 am. I have attached a copy of our race flyer for you and a link to the course at the bottom of this email. I have spoken with our BCS school attorney about our certificate of insurance and she is in the process of completing this item for me. We will have our athletes along the street instructing/encouraging the runners during the race. I anticipate that we will be completely off the course by 9:30 with runners and 9:45 with any major cleanup that might take place. Also, I have begun the process with permit with code enforcement. We really appreciate all of the help that you and your fellow officers give us. If there is anything more as far as information for this event, please let me know.

Don Myers
 Head Boys Track and Field Coach
 Bartlett High School
 TSSAA State Track Meet Director

Course description: <https://goo.gl/maps/fH5QzZsLUB92>

Attachment: BARTLETT HIGH SCHOOL-5K RUN-2017 (2004 : Bartlett High School 5K Run)

We will actually finish the race on the track of the school—participants will take the second turn into the school after they turn right from Sycamore View onto Woodlawn.

Also, let me know what size shirts to get for all of you at Bartlett Police Department that help with our race.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

AGENDA ITEM

Meeting: 02/14/17 07:00 PM

Department: Public Works

Category: Bid

Prepared By: Judy Willis

Department Head: Bill Yearwood

Bid for one rubber-tired wheel loader.

On December 27, 2016, an ad was placed in *The Memphis Daily News*. On January 12, 2017 the City of Bartlett received seven bids, which were opened at City Hall.

Bids were received from the following companies:

Border Equipment	\$192,855.00
Briggs Equipment	\$146,995.00 (Did not meet specs)
Century Equipment	\$161,731.00
Cheap Tractors/Keough	\$179,900.00
H & E Equipment	\$154,937.00
Power Equipment	\$154,772.00
Thompson/Cat	\$159,928.50

We recommend the bid be awarded to Power Equipment for a total price of \$154,772.00.

Funds are available in Account 122.48122.939.

Thank you for your consideration.

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**

MOVER: Jack Young, Vice Mayor

SECONDER: Emily Elliott, Alderman

AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

AGENDA ITEM

Meeting: 02/14/17 07:00 PM

Department: Public Works

Category: Bid

Prepared By: Judy Willis

Department Head: Bill Yearwood

Bid for one four-wheel drive tractor with twin flail mowers.

On December 20, 2016 an ad was placed in *The Memphis Daily News*. On January 12, 2017 the City of Bartlett received three bids, which were opened at City Hall.

Bids were received from the following companies:

Barton Equipment	\$58,550.00 (partial bid)
Cumberland Tractor & Equipment	\$81,754.00
Dickson County Equipment	\$82,700.00

We recommend the bid be awarded to Cumberland Tractor & Equipment for a total price of \$81,754.00.

Funds are available in Account 311.48311.785.30717.

Thank you for your consideration.

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**

MOVER: Jack Young, Vice Mayor

SECONDER: Emily Elliott, Alderman

AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

ADOPTED**AGENDA ITEM**

Meeting: 02/14/17 07:00 PM

Department: Engineering

Category: Contract

Prepared By: Dena Hathaway

Department Head: Rick McClanahan

Shelby County Wellhead Protection annual maintenance fee.

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**

MOVER: Jack Young, Vice Mayor

SECONDER: Emily Elliott, Alderman

AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick



MARK H. LUTTRELL, JR.
MAYOR

SHELBY COUNTY HEALTH DEPARTMENT

ALISA R. HAUSHALTER, DNP, RN
DIRECTOR

HELEN MORROW, MD, MPA
HEALTH OFFICER



Public Health
Prevent. Promote. Protect.

January 11, 2017

City of Bartlett
The Honorable Keith McDonald, Mayor
3583 Altruria Road
Bartlett, Tennessee 38134

Dear Mayor McDonald:

Enclosed you will find an invoice for the estimated amount that the City of Bartlett should be assessed for FY 2017 under Contract Number G-1350.

As you know, these funds are being used to implement a comprehensive aquifer protection program within the County and your Municipality. The amount shown on the invoice is based on current knowledge of the number of meters located within your City during FY 2016 for which a fee was paid. At that time, 21,414 meters were accounted for at a fee of .55 cents per meter. Please pay the appropriate amount based on an updated number of meter connections for the City of Collierville.

If you have any questions or require additional information, please contact me at (901) 222-9599.

Sincerely,

Greg Parker, Supervisor
Water Quality Branch
GP: AT

Enclosures

Mission

To promote, protect and improve the health and environment of all Shelby County residents.

814 Jefferson Avenue ♦ Memphis, TN 38105 ♦ 901 222-9000 ♦ www.shelbytnhealth.com

Attachment: SKMBT_28317020311280.pdf (2006 : Water Meter Invoice from Shelby Co Health Dept)

SHELBY COUNTY HEALTH DEPARTMENT
Pollution Control Section
Water Quality Branch
814 Jefferson Avenue, Room 438-N
Memphis, Tennessee 38105
(901) 222-9599 Office
(901) 222-9561 Facsimile

December 31, 2016

City of Bartlett
The Honorable Keith McDonald, Mayor
3583 Altruria Road
Bartlett, Tennessee 38134

Funding/2017 Wellhead Protection Program
Contract # 9955

CR: 010-400403-4252

Estimated amount due: \$11,777.70

For: City of Bartlett

Funding for the Shelby County Health Department, Pollution Control, Ground Water Quality Control Program, assessed at a charge of .55 cents per meter for a total of 21,414 Meters for FY 2015.

Adjustment for FY 2016 Meter Connection/Actual number of meters 21,626
x .55 cents ±.

To insure proper credit of your payment, please remit one copy of the enclosed invoice with your payment to the attention of Greg Parker/Water Quality Branch.

Total Amount due \$ 11,894.30

**Board of Mayor and Aldermen**

6400 Stage Road
Bartlett, TN 38134

ADOPTED**AGENDA ITEM**

Meeting: 02/14/17 07:00 PM

Department: Finance

Category: Report

Prepared By: Eric Phan

Department Head: Dick Phebus

Treasurer's Report for December 2016.**RESULT: APPROVED BY CONSENT VOTE [UNANIMOUS]****MOVER:** Jack Young, Vice Mayor**SECONDER:** Emily Elliott, Alderman**AYES:** Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick

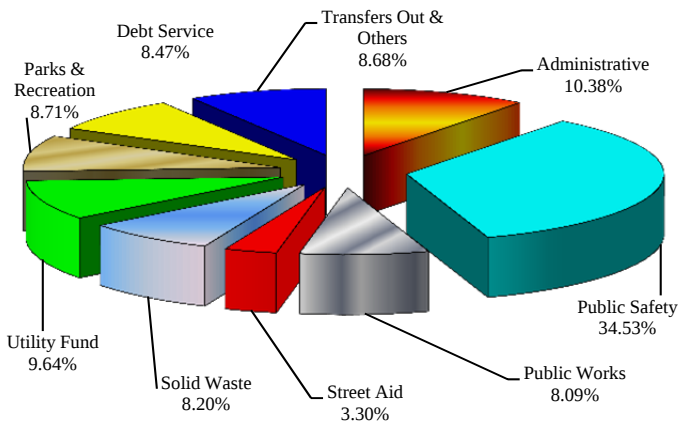


City of Bartlett

FINANCIAL REPORT

December 31, 2016

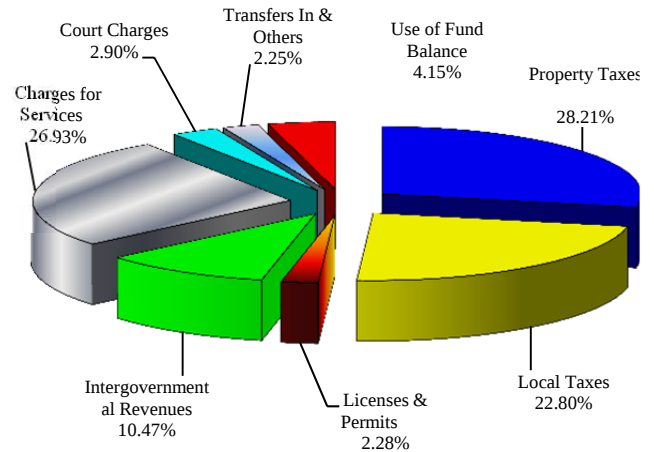
Total Expenditures, FY 2017 Budget: \$72,630,170



BUDGET HIGHLIGHTS

- June 30, 2016 year-to-date actual is audited.
- Property taxes are due February 28 and delinquent March 1.
- Delinquent 2015 property taxes were submitted to the Trustee for collection.

Total Revenues, FY 2017 Budget: \$72,630,170



FY 2017 YEAR-TO-DATE For The Period Ending December 31, 2016

	Adopted Budget	Year-to-Date Actual
General Fund Expenditures		
Administrative	\$ 7,139,615	\$ 3,157,255
Public Safety	24,640,729	12,509,606
Public Works	5,760,665	2,830,172
Parks and Recreation	5,634,400	2,696,907
Performing Arts	601,966	302,773
Transfers & Other Gen. Fund Items	3,855,646	3,818,169
Subtotal	\$ 47,633,021	\$ 25,314,882
General Fund Revenues		
Property Taxes	\$ 20,492,302	\$ 11,865,783
Local Taxes	13,222,946	4,263,275
Building and Development Fees	1,657,700	784,236
Intergovernmental	6,027,000	1,780,921
Charges for Services	3,985,384	1,701,757
Court Charges	180,000	795,366
Other Revenue	437,689	193,415
Subtotal	\$ 47,633,021	\$ 21,384,754
Special Rev. Funds - Expenditures	\$ 9,855,446	\$ 8,690,544
Special Rev. Funds - Revenues	\$ 9,855,446	\$ 8,026,839
Utility Expenses	\$ 10,606,000	\$ 6,633,724
Utility Revenues	\$ 10,606,000	\$ 4,484,706
Debt Service Expenditures	\$ 4,535,703	\$ 3,776,190
Debt Service Revenues	\$ 4,535,703	\$ 2,006,005
Total Expenditures	\$ 72,630,170	\$ 44,415,340
Total Revenues	\$ 72,630,170	\$ 35,902,304

Note: FY 2017 Adopted Budget includes use of fund balance in the Special Revenue Funds, Utility Fund and Debt Service Fund.

Attachment: Dec16FinRpt (2013 : Treasurer's Report for December 2016)



City of Bartlett -- Financial Summary For The Period Ending December 31, 2016



	FY 2016 Actual	FY 2017 Adopted Budget	Increase/ Decrease in \$	Year-to-Date Actual FY 2016	Year-to-Date Actual FY 2017	Increase/ Decrease in \$	Percent of FY 2016 Actual	Percent of FY 2017 Budget	Increase/ Decrease in %
General Fund Expenditures									
Administrative	\$ 6,495,877	\$ 7,139,615	\$ 643,738	\$ 3,096,858	\$ 3,157,255	\$ 60,397	47.67%	44.22%	-3.45%
Public Safety	23,004,852	24,640,729	1,635,877	11,965,943	12,509,606	543,663	52.01%	50.77%	-1.25%
Public Works	5,393,002	5,760,665	367,663	2,689,977	2,830,172	140,195	49.88%	49.13%	-0.75%
Parks and Recreation	5,247,535	5,599,118	351,583	2,711,235	2,696,907	(14,329)	51.67%	48.17%	-3.50%
Performing Arts	561,925	637,248	75,323	280,380	302,773	22,393	49.90%	47.51%	-2.38%
Transfers & Other Gen. Fund Items	5,409,674	3,855,646	(1,554,028)	3,991,790	3,818,169	(173,621)	73.79%	99.03%	25.24%
Total General Fund Expenditures	\$ 46,112,864	\$ 47,633,021	\$ 1,520,157	\$ 24,736,183	\$ 25,314,882	\$ 578,698	53.64%	53.15%	-0.50%
General Fund Revenues									
Property Taxes	\$ 20,086,325	\$ 20,492,302	\$ 405,977	\$ 11,960,248	\$ 11,865,783	\$ (94,465)	59.54%	57.90%	-1.64%
Local Taxes	12,924,927	13,222,946	298,019	4,195,512	4,263,275	67,763	32.46%	32.24%	-0.22%
Building and Development Fees	1,681,585	1,657,700	(23,885)	661,584	784,236	122,652	39.34%	47.31%	7.97%
Intergovernmental	5,862,933	6,027,000	164,068	1,724,869	1,780,921	56,053	29.42%	29.55%	0.13%
Charges for Services	3,854,134	3,985,384	131,250	1,658,437	1,701,757	43,319	43.03%	42.70%	-0.33%
Court Charges	1,452,213	1,810,000	357,787	654,264	795,366	141,102	45.05%	43.94%	-1.11%
Other Revenue	453,379	437,689	(15,690)	236,064	193,415	(42,649)	52.07%	44.19%	-7.88%
Total General Fund Revenues	\$ 46,315,496	\$ 47,633,021	\$ 1,317,525	\$ 21,090,978	\$ 21,384,754	\$ 293,775	45.54%	44.89%	-0.64%
Special Revenue Funds									
Street Aid Fund	\$ 2,208,900	\$ 2,395,000	\$ 186,100	\$ 1,258,794	\$ 1,322,973	\$ 64,179	56.99%	55.24%	-1.75%
Solid Waste Fund	6,214,573	6,157,049	(57,524)	3,281,726	2,715,825	(565,902)	52.81%	44.11%	-8.70%
General Improvement Fund	662,366	662,500	134	451,306	455,389	4,083	68.14%	68.74%	0.60%
Drug Enforcement Fund	268,214	334,400	66,186	128,440	99,253	(29,187)	47.89%	29.68%	-18.21%
DEA Enforcement Fund	213,598	100,500	(113,098)	95,830	0	(95,830)	44.86%	0.00%	-44.86%
Drainage Control Fund	95,245	115,711	20,466	48,163	49,349	1,186	50.57%	42.65%	-7.92%
Park Improvement Fund	0	90,286	90,286	0	0	0	0.00%	0.00%	0.00%
Grant Funds	3,382,687	0	(3,382,687)	890,356	4,047,755	3,157,399	26.32%	0.00%	-26.32%
Special Revenue Funds - Expenditures	\$ 13,045,583	\$ 9,855,446	\$ (3,190,137)	\$ 6,154,615	\$ 8,690,544	\$ 2,535,928	47.18%	88.18%	41.00%
Special Revenue Funds - Revenues	\$ 12,093,363	\$ 9,855,446	\$ (2,237,917)	\$ 5,008,910	\$ 8,026,839	\$ 3,017,929	41.42%	81.45%	40.03%
Utility Fund									
Total Utility Operations	\$ 6,355,674	\$ 8,989,401	\$ 2,633,727	\$ 3,150,353	\$ 5,228,242	\$ 2,077,888	49.57%	58.16%	8.59%
Total Utility Debt Expenses	1,675,471	1,616,599	(58,872)	1,478,062	1,405,483	(72,580)	88.22%	86.94%	-1.28%
Total Utility Expenses	\$ 8,031,145	\$ 10,606,000	\$ 2,574,855	\$ 4,628,416	\$ 6,633,724	\$ 2,005,309	57.63%	62.55%	4.92%
Total Utility Revenues	\$ 8,789,603	\$ 10,606,000	\$ 1,816,397	\$ 4,348,331	\$ 4,484,706	\$ 136,375	49.47%	42.28%	-7.19%
Debt Service Fund									
Total Debt Service Expenditures	\$ 4,202,697	\$ 4,535,703	\$ 333,006	\$ 3,518,206	\$ 3,776,190	\$ 257,984	83.71%	83.25%	-0.46%
Total Debt Service Revenues	\$ 4,104,772	\$ 4,535,703	\$ 430,931	\$ 1,727,342	\$ 2,006,005	\$ 278,664	42.08%	44.23%	2.15%
Total Expenditures	\$ 71,392,289	\$ 72,630,170	\$ 1,237,881	\$ 39,037,420	\$ 44,415,340	\$ 5,377,920	54.68%	61.15%	6.47%
Total Revenues	\$ 71,303,234	\$ 72,630,170	\$ 1,326,936	\$ 32,175,561	\$ 35,902,304	\$ 3,726,743	45.12%	49.43%	4.31%



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

AGENDA ITEM

Meeting: 02/14/17 07:00 PM

Department: Planning and Economic Development

Category: Report

Prepared By: Sam Harris

Department Head: Terry Emerick

Planning Commission Report for February 2017.

NEW BUSINESS

Subdivisions

Master Plan

I. Windsor Park Subdivision, Section B, NE corner of New Brunswick and Ellis Rd (Forrest Owens, ETI Corp)

INTRODUCTION: Mr. Forrest Owens with ETI Corp. is requesting Planning Commission approval of a Master Plan for Windsor Park Subdivision Section B. The subject property is located to the southeast of the existing Windsor Park Subdivision Section A and northeast of the intersection of Ellis Road at New Brunswick Road. The subject property is within the "RS-12" Single Family Residential Zoning District.

BACKGROUND: The applicant seeks to replicate the standards and form of Windsor Park Subdivision Section A. Windsor Park Subdivision Section A was originally approved by Shelby County in 2005 with "RS-10" residential zoning (minimum 10,000 square foot lots). The City of Bartlett annexed the subdivision in 2007, and rezoned it as "RS-12" residential zoning (minimum 12,000 square foot lots). The City's "RS-10" residential zoning district has a minimum front yard setback requirement of thirty (30)-feet. The City's "RS-12" residential zoning district has a minimum front yard setback requirement of thirty-five (35)-feet. The recorded plat notes that, "all lots within the subdivision have a 30-foot front yard setback as measured perpendicular to the right-of-way (40-feet from the curb)." The City follows the thirty (30)-foot front yard setback as noted on the recorded plat for Windsor Park Subdivision Section A. *The applicant will need to obtain a variance from the Board of Zoning Appeals for the 30-foot front yard setback to apply to Windsor Park Subdivision Section B.*

DISCUSSION: The specific request by the applicant is to subdivide 10.72-acres of land into a 28-lot standard residential subdivision. The lot sizes will range from 12,017-square feet to 24,742-square feet, and the lot widths will be 90-feet minimum at the front elevation building line. All lots will have access from the proposed Welford Drive and Banyan Cove road extensions, which are currently stubbed to the north of the subject property in Windsor Park Subdivision Section A. Detention for the subject property will be handled by the existing detention basin of Windsor Park Subdivision Section A.

Approved with Conditions of Staff.

Site Plan

2. West Tennessee Wetlands Mitigation Bank, SW & SE corners of intersection of

Austin Peay Hwy & Loosahatchie River (Christopher Grow, EnSafe, Inc.)

INTRODUCTION: Mr. Christopher Grow with Ensafe, Inc. is requesting Planning Commission approval of a site plan for the West Tennessee Wetlands Mitigation Bank. The subject property is located at the southeast and southwest corners of Austin Peay Highway and the Loosahatchie River within the Floodway and Agricultural zoning districts.

DISCUSSION: The specific request by the applicant is for the approval of a site plan for the restoration, enhancement and preservation of the wetland habitat. The total site area is approximately 251-acres, which is split almost in half by Austin Peay Highway. The 130.9-acre portion of land/wetlands on the southeast side Austin Peay Highway will be a site of preservation, while 120.4 -acres of land/wetlands on the southwest side of Austin Peay Highway will be the site of restoration, enhancement and an electrical road/right-of-way for MLG&W access.

The proposed site work on the southwest portion of the land/wetland will include: 12-foot by 975-foot access road for MLG&W at an elevation of 237 feet, two ditch plugs at an elevation of 235.5 feet, two breach locations on Old Covington Pike that will be 1-acre or less, and a 12 inch to 18 inch berm at a 2 to 1 slope at an elevation of 235.5 feet. Additionally, 48,000 trees will be planted within the overall project area.

The purpose of the mitigation land bank project is create a wetland habitat by allowing developers to build within other wetland areas with a requirement to purchase land from the mitigation land bank for restoration of wetlands within said land bank area.

Approved with Conditions of Staff.

3. Election of Officers

Chairman - Jay Caughman and Vice Chairman - Joe Walker re-elected.

RESULT: **APPROVED BY CONSENT VOTE [UNANIMOUS]**

MOVER: Jack Young, Vice Mayor

SECONDER: Emily Elliott, Alderman

AYES: Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

DEFEATED

AGENDA ITEM

Meeting: 02/14/17 07:00 PM
Department: Planning and Economic Development
Category: Proposal
Prepared By: Sam Harris
Department Head: Terry Emerick

Appeal of the Design Review Commission's decision regarding the proposed revised site plan for Walmart Neighborhood Market, 6520 Memphis Arlington Road.

Mr. Jim Gallagher of Pb2 Architecture and Engineering requests an appeal to the Design Review Commission's decision on the proposed revised site plan for Walmart Neighborhood Market located at 6520 Stage Road. This decision was made at the Design Review Commission meeting on Tuesday, January 17, 2017.

 ----The large amount of bright green paint (SW-6922, Outrageous Green) behind the Walmart Neighborhood Market sign appears to create a large sign on the building. This would substantially exceed the square footage of signage allowed.

Neighborhood Walmart, 6520 Memphis-Arlington Road (Jim Gallagher, Pb2 Architecture and Engineering)

INTRODUCTION: Ms. Kim Taylor explained that Mr. Jim Gallagher, Pb2 Architecture and Engineering, representing the Walmart Neighborhood Market is requesting Design Review Commission (DRC) approval of revised site plan for the Walmart Neighborhood Market. The subject property is located at 6520 Memphis-Arlington Road within the "SC-1" Planned Unit Commercial zoning district.

BACKGROUND: In October 2016, the Walmart Neighborhood Market contractor received a stop-work order notice for painting a portion of the building's exterior in Outrageous Green (SW-6922), and four shades of Gray (SW-7004 Snowbound, SW-7015 Repose Gray, SW-7017 Dorian Gray, SW-7019 Gauntlet Gray) without DRC approval. The applicant later made application to the DRC for the new paint colors and was in agreement with staff to remove the "Outrageous Green" from the building's exterior. The remaining combination of gray colors was approved by way of the administrative application process.

DISCUSSION: The specific request by the applicant is to change the paint color of the center front elevation building from Gauntlet Gray (SW-7019) to Outrageous Green (SW-6922).

Recommendation: Denial (see comments).

Planning Comments:

- I. The large amount of bright green paint behind the Walmart Neighborhood Market sign appears to create a large sign on the building.

Planning Conditions:

2. Any changes to the previously approved signage will require a sign application to the DRC, prior to any changes being made.
3. Any future changes to the exterior of the building will require a site plan application to the DRC, prior to any changes being made.
4. It is recommended that the owner/applicant attend the meeting in order to make decisions relative to any changes that may be suggested by the DRC.

Mr. Steve Franklin, 2809 Ajax Avenue, Rogers, Arkansas was present to represent this application.

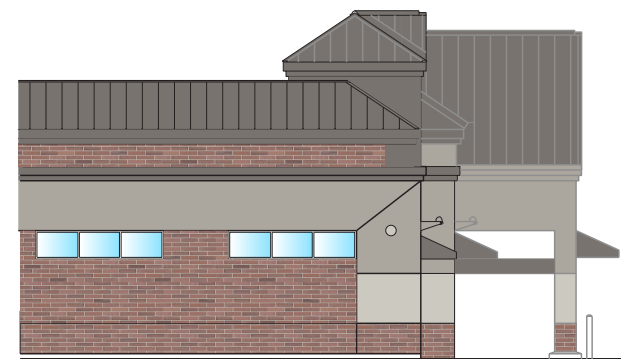
Motion was made by Mike Terry to deny request for the outrageous green paint change to the building area under and around the signage at the Walmart Neighborhood Market, 6520 Memphis Arlington Road. Chris Triplett seconded the motion. Roll Call Vote: Seven yes, one abstain. Motion was carried.

Ms. Taylor told the applicant that he has five (5) days to present a letter request to appeal the decision of the Design Review Commission. Mr. Franklin presented a letter.

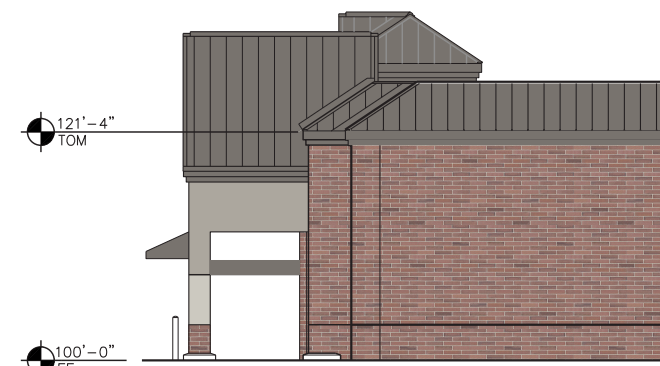
RESULT:	DENIED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick



Front Elevation



Partial Left Elevation

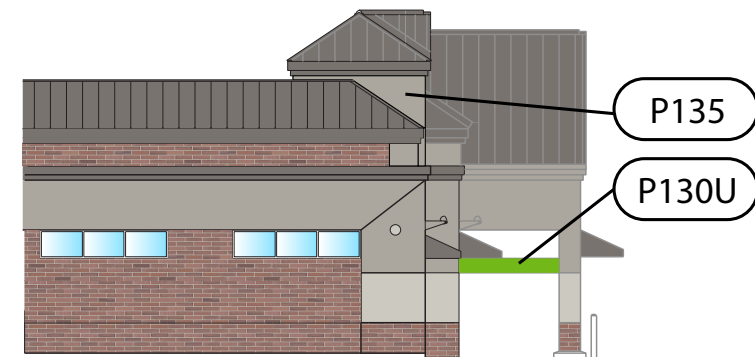


Partial Right Elevation

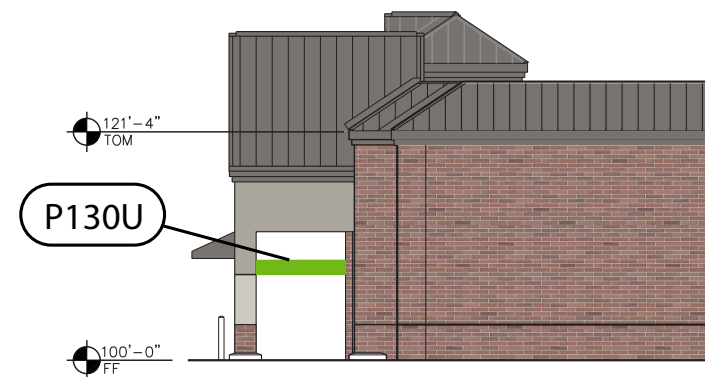
Existing



Front Elevation



Partial Left Elevation



Partial Right Elevation

P135 - SW7017 Dorian Gray
P130U - SW6922 Outrageous Green
Total 130U Area: 383 SF

Proposed



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

RESOLUTION (ID # 2000)

Meeting: 02/14/17 07:00 PM

Department: Finance

Category: Amendment

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2000

Resolution 02-17, a resolution to amend the Fiscal Year 2017 General Purpose School Fund.

WHEREAS, the Bartlett City 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 a budget amendment to its FY2017 General Purpose School Fund budget at its regular meeting on January 26, 2017 which is labeled "Bartlett City Schools Resolution 4-10" and made a part of this resolution by reference;

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen that the January 26, 2017, amendment to the FY2017 General Purpose School Fund Budget of the Bartlett City Board of Education is approved as detailed in "Bartlett City Schools Resolution 4-10".

Adopted this day of February 14, 2017

W.C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: _____
Stefanie McGee, City Clerk

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



RESOLUTION 4-10

A RESOLUTION TO AMEND THE 2016-2017 FISCAL YEAR ANNUAL GENERAL PURPOSE FUND BUDGET 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 General Purpose Fund Budget change the total amount of the budget, as recognized by an increase in General Fund Budget Revenues and Expenditures.

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

Section 1. That the annual General Purpose Fund Budget for the 2016-2017 school year for the Bartlett City Schools as presented in official budget documents is hereby amended by reference in the following amounts:

2016-17 GENERAL PURPOSE FUND BUDGET REVENUES **\$74,829,349**

Revenues are amended in the following categories:

141-44570-00000-000-0000-0000 Misc. Revenue Contributions & Gifts is amended from \$0 to \$54,166.33 **\$54,166.33**

Amended General Purpose Fund Budget Revenues: **\$74,883,515.33**

2015-16 EDUCATION GENERAL PURPOSE FUND BUDGET EXPENDITURES **\$74,829,349**

Expenditures are amended in the following categories:

141-72320-34400-210-1000-0000 Director of Schools – Payments to Schools – Other is amended from \$0 to \$54,166.33 **\$54,166.33**

Amended General Purpose Fund Budget Expenditures: **\$74,883,515.33**

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 January 26, 2017 from and after its adoption by the Bartlett City Board of Education.

Adopted this _____ day of January, 2017.

Jeff Norris, Chairman
Bartlett City Board of Education

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

APPROVED AS TO FORM:
Kari Shoopman, General Counsel



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

RESOLUTION (ID # 2014)

Meeting: 02/14/17 07:00 PM

Department: Engineering

Category: Agreement

Prepared By: Stefanie McGee

Initiator: Rick McClanahan

Sponsors:

DOC ID: 2014

Resolution 03-17, a resolution to approve an agreement between the State of Tennessee Department of Transportation and the City of Bartlett for the design and construction of Fletcher Creek Greenway Phase II.

WHEREAS, the City of Bartlett has received notice from the Tennessee Department of Transportation of intent to enter into an agreement between the Department and the City for the purpose of design and construction of a multi-modal greenway known as Fletcher Creek Greenway, Phase II; and

WHEREAS, the City of Bartlett desires to complete the Fletcher Creek Greenway project and therefore agrees to enter into said agreement; and

WHEREAS, the estimated total project cost is \$1,085,000 with the City of Bartlett's 20 percent local match estimated to be \$217,000;

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen that the City of Bartlett agrees to enter into this agreement with the Tennessee Department of Transportation and requests the Mayor to take necessary steps to secure this funding.

Adopted this day of February 14, 2017

W.C. Pleasant, Register to the

A. Keith McDonald, Mayor

Board of Mayor and Aldermen

Attest: _____
Stefanie McGee, City Clerk

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

EXHIBIT "A"

AGREEMENT #: 170007

PROJECT IDENTIFICATION #: 125410.00

FEDERAL PROJECT #: STP-M-9419(9)

STATE PROJECT #: 79LPLM-F0-533

79LPLM-F1-534

79LPLM-F2-535

79LPLM-F3-536

PROJECT DESCRIPTION: Fletcher Creek Greenway – Phase 2: Design and construction of a multi-modal greenway from a vehicular trailhead at the intersection of Yale Road and Brother Boulevard to an existing greenway facility south of Drew Valley. Project also includes a pedestrian bridge, ADA upgrades, landscaping and pedestrian amenities. The purpose of the project is not location dependent. The purpose of the project shall be accomplished in accordance with the project application, budget, and/or scope of work on which approval of the project was based and AASHTO standards. The application, budget, and /or scope of work may be amended from time to time and when amended will serve as the revised project standard.

CHANGE IN COST: Cost hereunder is controlled by the Surface Transportation Program funding available to or allocable to the Agency.

TYPE OF WORK: Pedestrians and Bicycles Facilities

PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE-NEPA	M-STP	80	0	20	\$45,000.00
PE-DESIGN	M-STP	80	0	20	\$65,000.00
RIGHT-OF-WAY	M-STP	80	0	20	\$5,000.00
CONSTRUCTION	M-STP	80	0	20	\$765,300.00
CEI	M-STP	80	0	20	\$178,000.00
TDOT ES	M-STP	80	0	20	\$26,700.00

INELIGIBLE COST: One hundred percent (100%) of the actual cost will be paid from Agency funds following expenditure of the most recently approved TIP cost or if the use of said federal funds is ruled ineligible at any time by the Federal Highway Administration.

TDOT ENGINEERING SERVICES (TDOT ES): In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT's expenses associated with the project during construction are covered. The anticipated TDOT expenses include but are not necessarily limited to Construction Inspection and Material and Testing Expenses (Quality Assurance Testing).

LEGISLATIVE AUTHORITY: STP: 23 U.S.C.A, Section 133, Surface Transportation Program funds allocated or subject to allocation to the Agency.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

RESOLUTION (ID # 2015)

Meeting: 02/14/17 07:00 PM

Department: Personnel

Category: Amendment

Prepared By: Stefanie McGee

Initiator: Ted Archdeacon

Sponsors:

DOC ID: 2015

Resolution 04-17, a resolution to approve Amendment 13 to the retirement system of the City of Bartlett Defined Benefit Plan.

WHEREAS, the City of Bartlett (the “City”) has established the Retirement System of the City of Bartlett Defined Benefit Plan (the “Plan”) effective July 1, 1989; and

WHEREAS, the Plan was amended and restated November 10, 1998, retroactive to July 1, 1998; and

WHEREAS, Section 19.02 of the Plan permits the City to make other amendments to the Plan at any time and from time to time:

WHEREAS, the City has made amendments to the Plan from time to time; and

WHEREAS, the Board of Mayor and Aldermen has approved the amendment of the Plan as set forth herein,

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Board of Mayor and Aldermen of the City that the Plan is amended in the following respects.

The first paragraph of Article III, Section 3.05, LIMITATION ON ANNUAL BENEFIT, shall be amended to read as follows:

A Participant’s Annual Benefit payable at any time within a Limitation Year shall not exceed the maximum permissible benefit under Code Section 415, even if the benefit formula under the Plan would produce a greater Annual Benefit.

Article III, Section 3.05(A) shall be amended by the addition of the following language:

Effective for limitation years beginning on or after July 1, 2007, the maximum dollar limitation on benefits set forth above shall be adjusted if a Participant’s benefit commences before age 62 or after age 65, to the extent permitted or required by Code Section 415(b), Treasury Regulations or other guidance issued by the Treasury Department. The benefit payable to a Participant or Beneficiary shall also be adjusted if the benefit is paid in any form other than a single life annuity or a qualified joint and survivor annuity. All such adjustments shall be made in accordance with Code Section 415(b)(2). For purposes of making any adjustment pursuant to Code Section 415(b)(2), the determination of actuarial equivalence shall be based on the mortality table prescribed by the Secretary of the Treasury pursuant to Code Section 417(e)(3)(B) (whether under Revenue Ruling 2001-62 or otherwise under

Treasury Regulation 1.417(e)-1(d)(2)), even though Code Section 417 does not generally apply to the Plan. Any legally required change in the prescribed mortality table shall be effective as of the latest date permitted by the legislation or other Treasury Department guidance, except to the extent the Plan may be amended otherwise.

Article III, Section 3.05(C) shall be amended by addition of the following language:

If the annuity starting date for the Participant's benefit is after age 65 and occurs in a limitation year beginning on or after July 1, 2007, and the Plan does not have an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement, the defined benefit dollar limitation at the Participant's annuity starting date is the annual amount of a benefit payable in the form of a straight life annuity commencing at the Participant's annuity starting date that is the actuarial equivalent of the defined benefit dollar limitation (adjusted for years of participation less than 10, if required), with actuarial equivalence computed using a 5% interest rate assumption and the applicable mortality table for that annuity starting date as defined in the Plan (and expressing the Participant's age based on completed calendar months as of the annuity starting date).

If the annuity starting date for the Participant's benefit is after age 65 and occurs in a limitation year beginning on or after July 1, 2007, and the plan has an immediately commencing straight life annuity payable at both age 65 and the age of benefit commencement, the defined benefit dollar limitation at the Participant's annuity starting date is the lesser of the limitation determined under the prior sentence and the defined benefit dollar limitation (adjusted for years of participation less than ten (10), if required) multiplied by the ratio of the annual amount of the adjusted immediately commencing straight life annuity under the Plan at the Participant's annuity starting date to the annual amount of the adjusted immediately commencing straight life annuity under the Plan at age 65, both determined in accordance with applicable Treasury Department guidance. For this purpose, the adjusted immediately commencing straight life annuity under the Plan at the Participant's annuity starting date is the annual amount of such annuity payable to the Participant, computed disregarding the Participant's accruals after age 65 but including actuarial adjustments even if those actuarial adjustments are used to offset accruals; and the adjusted immediately commencing straight life annuity under the Plan at age 65 is the annual amount of such annuity that would be payable under the Plan to a hypothetical Participant who is age 65 and has the same accrued benefit as the Participant.

For limitation years beginning before July 1, 2007, the actuarially equivalent straight life annuity is equal to the annual amount of the straight life annuity commencing at the same annuity starting date that has the same actuarial

present value as the Participant's form of benefit computed using whichever of the following produces the greater annual amount: (I) the interest rate and mortality table (or other tabular factor) specified in the Plan for adjusting benefits in the same form; and (II) 5% interest rate assumption and the applicable mortality table defined in the Plan for that annuity starting date.

For limitation years beginning on or after July 1, 2007, the actuarially equivalent straight life annuity is equal to the greater of (I) the annual amount of the straight life annuity (if any) payable to the Participant under the Plan commencing at the same annuity starting date as the Participant's form of benefit; and (II) the annual amount of the straight life annuity commencing at the same annuity starting date that has the same actuarial present value as the Participant's form of benefit, computed using a 5% interest rate assumption and the applicable mortality table defined in the Plan for that annuity starting date.

Notwithstanding anything else in this Section to the contrary, the benefit otherwise accrued or payable to a Participant under this Plan shall be deemed not to exceed the maximum permissible benefit under Code Section 415 if:

(i) the retirement benefits payable for a limitation year under any form of benefit with respect to such Participant under this Plan and under all other defined benefit plans (without regard to whether a plan has been terminated) ever maintained by the Employer do not exceed \$10,000 multiplied by a fraction - (I) the numerator of which is the Participant's number of years (or part thereof, but not less than one year) of service (not to exceed ten (10)) with the Employer, and (H) the denominator of which is ten (10); and

(i) the Employer (or a predecessor employer as determined under Code section 415 for this purpose) has not at any time maintained a defined contribution plan in which the Participant participated. For this purpose, mandatory Employee contributions under a defined benefit plan, individual medical accounts under Code Section 401(h), and accounts for post-retirement medical benefits established under Code Section 419A(d)(1) are not considered a separate defined contribution plan.

Article III, Section 3.06(A)(2), COMPENSATION DEFINITIONS, shall be amended to read as follows:

(2) Compensation. Compensation shall have the same meaning as provided under the general definition of Compensation in Article I-COMPENSATION DEFINITIONS, modified as follows:

(a) Compensation for purposes of the limitations under Section 415 of

the Code shall include Elective Contributions as defined herein, and includes any amount contributed or deferred by the Employer at the Employee's election and not includible in the Employee's gross income under Code Section 457. In addition, Compensation shall be increased by any amounts excluded from a Participant's gross income under Code Section 132(f).

- (b) (i) Section 415 Compensation Paid After Severance from Employment. Effective January 1, 2008, Code § 415 Compensation shall be adjusted, as set forth herein, for the following types of compensation paid after a Participant's severance from employment with the Division. However, such amounts described in subsections (i) and (ii) below may only be included in Code § 415 Compensation to the extent such amounts are paid by the later of two and one-half (2 ½) months after severance from employment or by the end of the limitation year that includes the date of such severance from employment. Any other payment of Compensation paid after severance of employment that is not described in the following types of Compensation is not considered Code § 415 Compensation within the meaning of Code § 415(c)(3), even if payment is made within the time period specified above.

- (a) Regular Pay. Code § 415 Compensation shall include regular pay after severance of employment if:

(1) The payment is regular Compensation for services during the Participant's regular working hours, or compensation for services outside the Participant's regular working hours (such as overtime or shift differential), commissions, bonuses or other similar payments; and

(2) The payment would have been paid to the Participant prior to a severance from employment if the Participant had continued in employment with the Division.

- (b) Leave Cashouts and Deferred Compensation. Leave cashouts shall be included in Code § 415 Compensation if those amounts would have been included in the definition of Section 415 Compensation if they were paid prior to the Participant's severance from employment, and the amounts are payment from unused accrued bona fide sick, vacation or other leave, but only if

the Participant would have been able to use the leave if employment had continued. In addition, deferred compensation shall be included in Section 415 Compensation if the compensation would have been included in the definition of Code § 415 Compensation if it had been paid prior to the Participant's severance from employment, and the compensation is received pursuant to a nonqualified unfunded deferred compensation plan, but only if the payment would have been paid at the same time if the Participant had continued in employment with the Division and only to the extent that the payment is includible in the Participant's gross income.

(c) Salary Continuation Payments for Military Service Participants. Code Section 415 Compensation does not include payments to an individual who does not currently perform services for the Division by reason of qualified military service (as that term is used in Code § 414(u)(1)) to the extent those payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the Division rather than entering qualified military service.

(d) Salary Continuation Payments for Disabled Participants. Code § 415 Compensation does not include Compensation paid to a Participant who is permanently and totally disabled (as defined in Code § 22(e)(3)).

(ii) Administrative Delay ("The First Few Weeks") Rule. Effective January 1, 2008, Code § 415 Compensation for a limitation year shall not include amounts earned but not paid during the limitation year solely because of the timing of pay periods and pay dates.

Article I, the definition of "Employee," shall be amended by the addition of the following sentence:

The term Employee shall also include "Leased Employees."

Article I shall be amended by the addition of the following definition of Leased Employee:

"Leased Employee" shall mean any person (other than an employee of the recipient) who pursuant to an agreement between the recipient and any other

person ("leasing organization") has performed services for the recipient (or for the recipient and related persons determined in accordance with Code Sec. 414(n)(6)) on a substantially full time basis for a period of at least one year, and such services are performed under primary direction or control by the recipient. Contributions or benefits provided a Leased Employee by the leasing organization which are attributable to services performed for the recipient employer shall be treated as provided by the recipient employer. A Leased Employee shall not be considered an Employee (unless otherwise specifically covered by the Plan) of the recipient if: (i) such employee is covered by a money purchase pension plan providing: (1) a nonintegrated employer contribution rate of at least 10 percent of compensation, as defined in Code Sec. 415(c)(3) , but including amounts contributed pursuant to a salary reduction agreement which are excludible from the Employee's gross income under Code Sec. 125 , Code Sec. 132(f) , Code Sec. 401(k), Code Sec. 402(h) or Code Sec. 403(b) , (2) immediate participation, and (3) full and immediate vesting; and (ii) Leased Employees do not constitute more than 20 percent of the recipient's non-highly compensated workforce.

Article XVII shall be amended by adding a new Section 18.10 as follows:

18.10 NON-SPOUSE BENEFICIARY ROLLOVER RIGHT. For distributions after December 31, 2009, a non-spouse Beneficiary who is a "designated beneficiary" under Code Section 401(a)(9)(E) and the Regulations thereunder, by a direct trustee-to-trustee transfer ("direct rollover"), may roll over all or any portion of his or her distribution to an Individual Retirement Account (IRA) the Beneficiary establishes for purposes of receiving the distribution. In order to be able to roll over the distribution, the distribution otherwise must satisfy the definition of an "eligible rollover distribution" under Code Section 401(a)(31).

(A) Certain requirements not applicable. If a non-spouse Beneficiary receives a distribution from the Plan, the distribution is not eligible for a 60-day (non-direct) rollover.

(B) Trust beneficiary. If the Participant's named Beneficiary is a trust, the Plan may make a direct rollover to an IRA on behalf of the trust, provided the trust satisfies the requirements to be a designated beneficiary within the meaning of Code Section 401(a)(9)(E).

(C) Required minimum distributions not eligible for rollover. A non-spouse Beneficiary may not roll over an amount that is a required minimum distribution, as determined under applicable Regulations and other Internal Revenue Service guidance. If the Participant dies before his or her required beginning date and the non-spouse Beneficiary rolls over to an IRA the maximum amount eligible for rollover, the Beneficiary may elect to use either the 5-year rule or the life expectancy rule, pursuant to

Regulations Section 1.401(a)(9)-3, A-4(c), in determining the required minimum distributions from the IRA that receives the non-spouse Beneficiary's distribution.

Article III, Section 3.08 shall be amended by the addition of the following subsections:

(A) Death benefits. In the case of a death occurring on or after January 1, 2007, if a Participant dies while performing qualified military service (as defined in Code Section 414(u)), the Participant's Beneficiary is entitled to any additional benefits (other than benefit accruals relating to the period of qualified military service) provided under the Plan as if the Participant had resumed employment and then terminated employment on account of death. Moreover, the Plan will credit the Participant's qualified military service as service for vesting purposes, as though the Participant had resumed employment under USERRA immediately prior to the Participant's death.

(B) Differential wage payments. For years beginning after December 31, 2008: (i) an individual receiving a differential wage payment, as defined by Code Section 3401(h)(2), is treated as an Employee of the Employer making the payment; (ii) the differential wage payment is treated as compensation for purposes of Code Section 415(c)(3) and Regulations Section 415(c)-2 (e.g., for purposes of Code Section 415, top-heavy provisions of Code Section 416, determination of highly compensated employees under Code Section 414(q), and applying the 5% gateway requirement under the Code Section 401(a)(4) Regulations); and (iii) the Plan is not treated as failing to meet the requirements of any provision described in Code Section 414(u)(1)(C) (or corresponding plan provisions) by reason of any benefit which is based on the differential wage payment. Subsection (iii) above applies only if all Employees of the Employer performing service in the uniformed services described in Code Section 3401(h)(2)(A) are entitled to receive differential wage payments (as defined in Code Section 3401(h)(2)) on reasonably equivalent terms and, if eligible to participate in a retirement plan maintained by the Employer, to make contributions based on the payments on reasonably equivalent terms (taking into account Code Sections 410(b)(3), (4), and (5)).

This Amendment shall be effective from and after the date of its adoption as set forth below, retroactive to such date or dates as specified by the Internal Revenue Service.

Except as expressly provided otherwise in this Amendment, the terms of the Plan in effect prior to the adoption of this Amendment shall remain unchanged.

ADOPTED THIS 14th DAY OF February 2017.

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

A. Keith McDonald, Mayor

Stefanie McGee, City Clerk

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



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

RESOLUTION (ID # 2011)

Meeting: 02/14/17 07:00 PM

Department: Finance

Category: Budget

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2011

Resolution 05-17, a Resolution to amend the Fiscal Year 2017 General Fund Budget to appropriate \$67,800 for peace officer supplement pay for police department certified personnel.

WHEREAS, the State of Tennessee Peace Officer Standard and Training Commission has approved the 2016 Peace Officer Supplement Pay for eligible Bartlett Police Department personnel in the amount of \$67,800 and the funds have been received by the City; and

WHEREAS, in order to distribute the funds to the eligible police personnel it is necessary to amend the Fiscal Year 2017 Operating Budget for the Police Department to appropriate the revenues and expenditures; and

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen that the Fiscal Year 2017 General Fund budget is amended to appropriate \$67,800 in revenues and expenditures for the 2016 Peace Officer Supplement Pay for police personnel.

Adopted this day of February 14, 2017

W.C. Pleasant, Register to the

Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Attest: _____
Stefanie McGee, City Clerk

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



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

ADOPTED

RESOLUTION (ID # 2010)

Meeting: 02/14/17 07:00 PM

Department: Finance

Category: Budget

Prepared By: Dick Phebus

Initiator: Dick Phebus

Sponsors:

DOC ID: 2010

Resolution 06-17, a resolution to amend the FY17 General Fund and Capital Improvement Program Budgets to provide additional funding for a radio communication system.

WHEREAS, the Bartlett Board of Mayor and Aldermen did adopt a Capital Improvements Program budget for Fiscal Year 2016 on June 6, 2015 which included appropriations for a two-way public radio system; and

WHEREAS, the new two-way public radio system installation is complete and the system is now operational; and

WHEREAS, after discussions with AMK Services regarding warranty services and replacement parts, the Board of Mayor and Aldermen have determined that the purchase of certain spare parts to ensure uninterrupted radio communications for the new system is necessary;

NOW THEREFORE BE IT RESOLVED By the Board of Mayor and Aldermen that the FY 2017 General Fund Budget is amended to appropriate \$111,590 in operating transfers to the Capital Improvement Fund and the Capital Improvements Program budget is amended to appropriate an additional \$111,590 for the two-way public radio system as follows:

<u>Fund Acct Number</u>	<u>Expenditures</u>	<u>Revenues</u>
110.46000.999	\$111,590	
110.30000.36990		\$111,590
311.48311.785.10516	\$111,590	
311.48311.391630.10516		\$111,590

Adopted this day of February 14, 2017

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

A. Keith McDonald, Mayor

Attest: _____
Stefanie McGee, City Clerk

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



4885 N. State Road 9
Anderson, IN 46012
(765) 642-2995
(765) 642-4875 (f)

QUOTE

Quote #: 3294

TO City of Bartlett
Tennessee Finance Department
6400 Stage Road
Bartlett, TN 38134

Sales Rep

Tracy Stamper
(740) 975-1896

QUOTE DATE	VALID THRU	FOR	PAGE
12/15/2016	1/13/2017	Spares	1

ITEM NO	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED
Site Equipment				
MASC-NPS9T	1	Power Supply,120VAC,60Hz,12/24VDC	825.00	825.00
VSCR12	1	Router,2921,AC,Security,w/Ether Switch	10230.00	10,230.00
SC-MD7A	1	Network Sentry,IP Simulcast	15000.00	15,000.00
SV-AW5L	1	Power Amplifier,Linear,700 MHz	7056.00	7,056.00
SV-PM1C	1	Processor,Baseband Module,MASTR V	2500.00	2,500.00
MASV-700M1	1	Station,MASTR V,P25T,700MHz	12899.25	12,899.25
MANG-NAA3E	1	Module, DVU, UAC, Interoperability Gateway	8625.00	8,625.00
20473	1	Flange Arrestor, N/F	62.00	62.00
22451	1	GPS & Tower Top Protector	115.00	115.00

9500 MPR Equipment

3EM20277AA	1	Optics SFP GigE 850 NM Multimode 550 Meter	225.00	225.00
1AB383760001	1	Optical SFP (Finisar, 850 MM) for use in ODU - MPT-HC	71.00	71.00
3DB22000DA	1	MPT-HC-HQAM 11GHz low	5425.00	5,425.00
3DB22001DA	1	MPT-HC-HQAM 11GHz high	5425.00	5,425.00
3CC50030AA	1	Lightning Arrestor	115.00	115.00

SAR-8 Equipment

3HE06792EA	1	SAR-8 Shelf v2 Fan Module with Extended Temperature Range (-48VDC)	378.00	378.00
3HE02774AB	1	SAR Control and Switch Module Version 2	2205.00	2,205.00
3HE02776AB	1	7705 SAR-8 8 Port GE/FE Ethernet Card V2	3302.00	3,302.00
3HE02782AA	1	Packet Microwave Card has two 10/100/1000 RJ45 ports and six GigE SFP ports	3906.00	3,906.00

Notes: A 3.5% processing fee may be applied to any order paid with a credit card. AMK Services is responsible for the parts, design, installation and testing of equipment. Prevailing wage requirements are not assumed and may cause additional fees if not specified. Warranties will be in accordance with the equipment or parts manufacturer. Any changes or additions to the design will be in accordance with the customer and at the customer's cost. Any modifications to this system outside of AMK recommendations will null and void all warranties

Attachment: ITEM NO.pdf (2010 : Res 06-17, Amend FY17 fiscal year budget for radio system)



4885 N. State Road 9
Anderson, IN 46012
(765) 642-2995
(765) 642-4875 (f)

QUOTE

Quote #: 3294

TO City of Bartlett
Tennessee Finance Department
6400 Stage Road
Bartlett, TN 38134

Sales Rep
Tracy Stamper (740) 975-1896

QUOTE DATE	VALID THRU	FOR	PAGE
12/15/2016	1/13/2017	Spares	2

Logging Recorder

HS-2020/SP-T620	1	"Hindsight-G2" Dell T620 Spare Pkg w/HS-G2 SW	19428.00	19,428.00
LD2409EH	1	24 Port Analog Recording Card (Spare, no channel license included)	7929.00	7,929.00

UPS

9PX8K	1	Eaton 9PX8KSP - UPS (rack-mountable / external) - AC 120/208V - 7200 Watt - 8000 VA 9 Ah - Ethernet 10/100, RS-232, USB - 3 output connector(s) - 6U - 19"	5868.00	5,868.00
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TOTAL AMOUNT 111,589.25

AMK Services, LLC

Notes: A 3.5% processing fee may be applied to any order paid with a credit card. AMK Services is responsible for the parts, design, installation and testing of equipment. Prevailing wage requirements are not assumed and may cause additional fees if not specified. Warranties will be in accordance with the equipment or parts manufacturer. Any changes or additions to the design will be in accordance with the customer and at the customer's cost. Any modifications to this system outside of AMK recommendations will null and void all warranties

Attachment: ITEM NO.pdf (2010 : Res 06-17, Amend FY17 fiscal year budget for radio system)



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2001)

Meeting: 02/14/17 07:00 PM
Department: Code Enforcement
Category: Amendment
Prepared By: Stefanie McGee
Initiator: Jim Brown
Sponsors:
DOC ID: 2001

Ordinance 17-01, an ordinance to amend the Title 13, Chapter 1, Section 13-111(1) of the Codified Ordinances of the City of Bartlett, Tennessee to modify the time frame for appealing code violations.

WHEREAS, the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, desire to amend Title 13 (Property Maintenance Regulations), Chapter 1, Section 13-111 Means of appeal to modify the time frame for appealing property code violations.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, that Section 13-111(1) of said Title and Chapter is amended as follows:

Section 1. 13-111. Means of appeal. (1) Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the code appeals board, provided that a written application for appeal is filed within ~~twenty~~ *ten (10)* days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

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 March 14, 2017, the public welfare requiring it.

FIRST READING: February 14, 2017

SECOND READING: February 28, 2017

THIRD READING: March 14, 2017

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

A. Keith McDonald
Mayor

ATTEST: _____
Stefanie McGee
City Clerk

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next:
	2/28/2017 7:00 PM	
MOVER:	Jack Young, Vice Mayor	
SECONDER:	Emily Elliott, Alderman	
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick	



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 2005)

Meeting: 02/14/17 07:00 PM
Department: Code Enforcement
Category: Amendment
Prepared By: Stefanie McGee
Initiator: Jim Brown
Sponsors:
DOC ID: 2005

Ordinance 17-02, an ordinance to amend the Title 13, Chapter 1, Section 13-107(3) of the Codified Ordinances of the City of Bartlett, Tennessee to modify the method of notification.

WHEREAS, the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, desire to amend Title 13 (Property Maintenance Regulations), Chapter 1, Section 13-107 Notices and Orders to modify the method of notification in subsection (3) Method of Service.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Bartlett, Tennessee, that Section 13-107(3) of said Title and Chapter is amended as follows:

Section 1. 13-107 Notices and Orders.

(3) Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

- (a) Delivered personally;
- (b) Sent by certified or first-class mail addressed to the last known address. *Proof of the mailing of such first-class letter shall be a complete compliance with this section;*
- ~~(c) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.~~
In addition to the foregoing, the notice of violation shall be posted on the property where the violation exists by taping or affixing on or near the front door of the dwelling, or, in the case of a vacant lot, by placing a sign containing the notice on the property.

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 March 14, 2017, the public welfare requiring it.

FIRST READING: February 14, 2017

SECOND READING: February 28, 2017

THIRD READING: March 14, 2017

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

A. Keith McDonald
Mayor

ATTEST: _____
Stefanie McGee
City Clerk

RESULT:	APPROVED ON FIRST READING [UNANIMOUS]	Next:
	2/28/2017 7:00 PM	
MOVER:	Jack Young, Vice Mayor	
SECONDER:	Paula Sedgwick, Alderman	
AYES:	Pleasant, Elliott, Parsons, Simmons, Young, Sedgwick	