



TOWN OF ASHLAND CITY

Regularly Scheduled Workshop Meeting

November 01, 2022 6:00 PM

Agenda

Mayor: JT Smith

Vice Mayor: Gerald Greer

Council Members: Tim Adkins, Chris Kerrigan, Michael Smith, Kevin Thompson, Tony Young

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) October 4, 2022 Workshop Meeting Minutes

UNFINISHED BUSINESS

2. Full Time Mayor Discussion
- [3.](#) Noise Ordinance Discussion
4. Parking in Town Discussion
- [5.](#) Resolution: Establishing a Memorial Dedications Policy
- [6.](#) Ordinance: General Sessions Term Date
- [7.](#) Ordinance: Modify Title 7, Chapter 6 Fireworks

NEW BUSINESS

- [8.](#) Ashland City Liquor and Wine Package Liquor Application
9. Josh Wright Presentation
- [10.](#) Sign Ordinance Discussion
- [11.](#) Lindy Murff Exercise Contract
- [12.](#) Barbara Batson Exercise Contract
- [13.](#) Independent Contractor Agreement
- [14.](#) Resolution: Updating the Purchasing Policy
- [15.](#) Resolution: Violent Crime Funding

SURPLUS PROPERTY NOMINATIONS

EXPENDITURE REQUESTS

- [16.](#) Upgraded Vehicle for Parks

OTHER

ADJOURNMENT

Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 615-792-6455, M-F 8:00 AM – 4:00 PM. The town will make reasonable accommodations for those persons.



TOWN OF ASHLAND CITY

Regularly Scheduled Workshop Meeting

October 04, 2022 6:00 PM

Minutes

CALL TO ORDER

Mayor Smith called the meeting to order at 6:00 p.m.

ROLL CALL

PRESENT

Mayor JT Smith

Vice Mayor Gerald Greer

Councilman Tim Adkins

Councilman Chris Kerrigan

Councilman Michael Smith

Councilman Kevin Thompson

Councilman Tony Young

APPROVAL OF AGENDA

A motion was made by Councilman Kerrigan, Seconded by Vice Mayor Greer, to approve the agenda. All approved by voice vote.

APPROVAL OF MINUTES

1. September 06, 2022 Workshop Meeting Minutes

A motion was made by Councilman Smith, Seconded by Councilman Kerrigan, to approve the September 6, 2022 Workshop Meeting Minutes. All approved by voice vote.

UNFINISHED BUSINESS

2. General Sessions Term Discussion

Ms. Noe stated that as of October 1st, everything new moved to the County and everything pending stayed with the city. She stated that this is to determine when we can totally get rid of everything. Ms. Noe stated that realistically, anything prior to September 30th would have a first appearance in January, trial in March or April, and should be resolved by the end of the fiscal year June of 2024. She stated that Chief Ray and Deputy Chief Matlock are good with this date. Mr. Ray Crouch stated that it makes perfect sense for a dead date of June, 30, 2024. Ms. Noe stated there would be an Ordinance for two (2) readings.

3. Planning and Future Growth Application Review

Councilman Greer asked if all the applicants qualified. Mr. Nicholson stated there were two (2) that were not voters in Ashland City. Councilman Greer asked if Mr. Nicholson could have a mission statement for the board ready by next week. Mr. Nicholson stated that he would work on that. Councilman Kerrigan stated he felt it best that all twelve (12) applicants were interviewed and Councilman Greer agreed.

4. Industrial Sewer Contract Discussion

Ms. Bowman stated that this is the contract the board turned down last month and the percentage they wanted was not clear. Mr. Biggers suggested we keep it the same at ten percent (10%). Mr. Jim Dillingham, the Chairman of the Wastewater Authority, stated that they currently pay Ashland City to bill for sewer and the current rate is ten percent (10%) and has been that way since 1999. He stated that they received a letter that it was going up to twenty-five percent (25%) and they did not understand why, but if you are good with ten percent (10%) so are we. Councilman Kerrigan stated that things go up and there has not been an increase in a long time, but if we can operate at the old amount then we will stay. Councilman Thompson stated that gas was five dollars per gallon. Mr. Dillingham stated that they do not inflict that to the town and all the town does is collect on fourteen (14) accounts for them. Ms. Bowman

stated that we do not have a good current contract with them. Mr. Dillingham stated that they will be doing that next week.

5. Skyview Drive Discussion

Mr. Nicholson stated that last month they discussed speed bumps on Skyview Drive and Chief Walker brought up the City of Brentwood where a speed bump damaged their firetruck. Chief Walker stated that we don't have them anywhere else in the city. Mr. Biggers suggested to monitor first and see what happens. Councilman Kerrigan stated that the residents are complaining about speeding, but its the current residents and not because of through traffic.

6. Memorial Dedications Discussion

Mr. Clark stated that he had discussed memorial trees and benches in the parks and on the trails with the board. He stated that he was wanting clarification on pricing. Mr. Clark asked if it would be set, case by case, or any at all. Councilman Kerrigan stated we should mirror Clarksville. Councilman Thompson asked if Mr. Clark would be controlling it and Mr. Clark stated yes.

7. Ordinance: Modify Title 7, Chapter 6 Fireworks

Chief Walker stated that based on the discussion at the last meeting, they do not want to get rid of it so he will do whatever. He stated that he would like to add an option to postpone if there is a dry spell. Ms. Noe asked the board for direction on changes. Councilman Kerrigan asked if there were dates when the tents could set up. Chief Walker stated it is not regulated. Ms. Noe stated she would add a contingency plan and regulations on tent set up.

NEW BUSINESS

8. Cheatham County Library Update

Ms. Bowman stated that we donate \$12,500 annually to the library and they are here to explain how that is used. Ms. May Lingner thanked the town for their support. She stated the library's service area population is around 26,000 and 18,000 hold a library card. Ms. Lingner stated that during the pandemic they changed how things were done and implemented a lot of new services like curbside. She stated that when they receive our funds, it is split between books and materials and electronic resources. Ms. Lingner stated that she really appreciates our support and there are some awesome things coming soon like a cold lab and a makers space so keep a lookout.

9. West Elm St Reimbursement Discussion

Councilman Smith stated that there were errors made when permits were issued and he felt the council needed to review it. He stated that the property owner is out quite a bit and wants to consider reimbursing them. Councilman Thompson stated that the homeowner wants a covered patio instead of a deck. Councilman Kerrigan asked if the deck was still up. Mr. Nicholson stated that today was the last day to remove it and tomorrow the property owner will be cited to court. He stated that there was an error issuing the permit, but there was also some conflicting receipts submitted for what was spent and that needs to be reviewed if you decide to reimburse. Ms. Noe stated that the council does not have the right to overturn the decision of the board of zoning and appeals and the only thing they could do as a council is take the BZA to court. She stated that the BZA determined that the property owner did not meet the criteria and did not grant the variance. Ms. Noe stated that she still does not meet the criteria for the variance she is asking for now. She stated that she also got a second opinion from MTAS and they stated the City does not have to reimburse this. Councilman Kerrigan stated that a permit is not a binding contract and if we reimburse for this we set a precedence for the future if mistakes are made again. Councilman Thompson stated that a mistake was still made and not the owner wants a covered patio. Councilman Kerrigan stated that Ms. Noe just said we could not do that. Councilman Thompson stated that it is up to the board to decide.

10. Noise Ordinance Discussion

Mr. Nicholson stated that this was adopted in 1973 and is outdated. He stated that we need to go through and revise it.

11. Parking in Town Discussion

Councilman Thompson stated that parking in the downtown district is a disaster and it was a disaster at Music on Main this past weekend. He stated that if we are ever going to bring people

to our town, we need more parking. Mr. Thompson recommended the City purchase the three (3) empty lots next to Cody's Diner and making it parking. Councilman Adkins asked if they knew the price for the lots. Ms. Noe stated that at one time they were asking over one million.

12. Hiring of Farrar and Bates

Ms. Noe stated that just as she predicted the Hidden Lakes Trial is being appealed and our insurance covers \$100,000 in legal fees. She stated that we have already gone through that and if they are going to continue representing us, they are going to need to be compensated. Ms. Noe stated that it is the boards decision, but she thinks it would be smart to have their help. Councilman Greer asked what happens if we lose. Ms. Noe stated that we would start issuing building permits out there.

13. US Geological Joint Funding Agreement

Chief Walker stated that this is a contract for the river gauge. He stated it has been done for several years, he believes since 2011. Chief Walker stated we pay \$3500.00, and the County pays \$3500.00.

SURPLUS PROPERTY NOMINATIONS

14. Weapons from PD

Chief Ray stated that these weapons were donated by Walmart, and they want to donate them to the Chief's Association for scholarship funds.

EXPENDITURE REQUESTS

None.

OTHER

Councilman Adkins asked if the sound system could be reinstalled and the council use it again so that the audience could hear. Mr. Nicholson stated that a new system has been purchased and will be installed.

ADJOURNMENT

A motion was made by Vice Mayor Greer, Seconded by Councilman Kerrigan, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 7:04 p.m.

MAYOR JT SMITH

CITY ALICIA MARTIN, CMFO

CHAPTER 2

OFFENSES AGAINST THE PEACE AND QUIET

SECTION

11-201. Disturbing the peace.

11-202. Anti-noise regulations.

11-201. Disturbing the peace. No person shall disturb, tend to disturb, or aid in disturbing the peace of others by violent, tumultuous, offensive, or obstreperous conduct, and no person shall knowingly permit such conduct upon any premises owned or possessed by him or under his control. (1973 Code, § 10-202)

11-202. Anti-noise regulations. Subject to the provisions of this section the creating of any unreasonably loud, disturbing, and unnecessary noise is prohibited. Noise of such character, intensity, or duration as to be detrimental to the life or health of any individual, or in disturbance of the public peace and welfare is prohibited.

(1) Miscellaneous prohibited noises enumerated. The following acts, among others, are declared to be loud, disturbing, and unnecessary noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(a) Blowing horns. The sounding of any horn or signal device on any automobile, motorcycle, bus, truck, or other vehicle while not in motion except as a danger signal if another vehicle is approaching, apparently out of control, or if in motion, only as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any unreasonably loud or harsh sound; and the sounding of such device for an unnecessary and unreasonable period of time.

(b) Radios, phonographs, etc. The playing of any radio, phonograph, or any musical instrument or sound device, including but not limited to loudspeakers or other devices for reproduction or amplification of sound, either independently of or in connection with motion pictures, radio, or television, in such a manner or with such volume, particularly during the hours between 11:00 P.M. and 7:00 A.M., as to annoy or disturb the quiet, comfort, or repose of persons in any office or hospital, or in any dwelling, hotel, or other type of residence, or of any person in the vicinity.

(c) Yelling, shouting, hooting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 P.M. and 7:00 A.M. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of any persons in any hospital,

dwelling, hotel, or other type of residence, or of any persons in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity.

(d) Pets. The keeping of any animal, bird, or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

(e) Use of vehicle. The use of any automobile, motorcycle, truck, or vehicle so out of repair, so loaded, or in such manner as to cause loud and unnecessary grating, grinding, rattling, or other noise.

(f) Blowing whistles. The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon request of proper municipal authorities.

(g) Exhaust discharge. To discharge into the open air the exhaust of any steam engine, stationary internal combustion engine, motor vehicle, or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Building operations. The erection (including excavation), demolition, alteration, or repair of any building in any residential area or section or the construction or repair of streets and highways in any residential area or section, other than between the hours of 7:00 A.M. and 6:00 P.M. on week days, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector granted for a period while the emergency continues not to exceed thirty (30) days. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration, or repair of any building or the excavation of streets and highways between the hours of 6:00 P.M. and 7:00 A.M. and if he shall further determine that loss or inconvenience would result to any party in interest through delay, he may grant permission for such work to be done between the hours of 6:00 P.M. and 7:00 A.M. upon application being made at the time the permit for the work is awarded or during the process of the work.

(i) Noises near schools, hospitals, churches, etc. The creation of any excessive noise on any street adjacent to any hospital or adjacent to any school, institution of learning, church, or court while the same is in session.

(j) Loading and unloading operations. The creation of any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates, and other containers.

(k) Noises to attract attention. The use of any drum, loudspeaker, or other instrument or device emitting noise for the purpose

of attracting attention to any performance, show, or sale or display of merchandise.

(1) Loudspeakers or amplifiers on vehicles. The use of mechanical loudspeakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(2) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) Municipal vehicles. Any vehicle of the town while engaged upon necessary public business.

(b) Repair of streets, etc. Excavations or repairs of bridges, streets, or highways at night, by or on behalf of the town, the county, or the state, when the public welfare and convenience renders it impracticable to perform such work during the day.

(c) Noncommercial and nonprofit use of loudspeakers or amplifiers. The reasonable use of amplifiers or loudspeakers in the course of public addresses which are noncommercial in character and in the course of advertising functions sponsored by nonprofit organizations. However, no such use shall be made until a permit therefor is secured from the city clerk. Hours for the use of an amplifier or public address system will be designated in the permit so issued and the use of such systems shall be restricted to the hours so designated in the permit. (1973 Code, § 10-234)

ORDINANCE #449

An ordinance to amend Title 11, Chapter 2, 11-202, section (h).

WHEREAS, the Mayor and City Council after review of older ordinances that have been in effect in the City have determined that some Ordinances need to be updated to be current with times and common practices.

WHEREAS after careful consideration, the Mayor and City Council have considered and determined that due to public health and safety it is permissible to allow building operations to occur in the mornings and late afternoons as well as weekends due to weather conditions during the summer and during the winter months. The board has further determined that it is common practice for building operations to occur on the weekends. As such, building operations outside the hours of 7:00 am to 6:00 pm and on the weekends are not offenses against the peace and quiet of the citizens of the Town of Ashland City but are necessary for current building operations.

NOW THEREFORE, be it resolved by the Mayor and City Council that Title 11, Chapter 2, 11-202, section (h) should be deleted in its entirety and replaced as set out below:

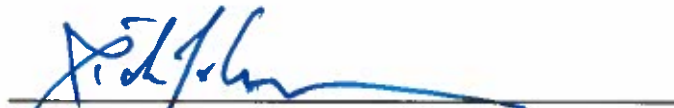
The erection (including excavation) demolition, alteration, or repair of any building in a residential area or section or the construction or repair of streets and highways in any residential area or section, shall be between the hours of 6:00 am and 8:00 pm on seven days a week. However, the building inspector may allow for a variance in times upon application of the builder or homeowner for good cause shown.

This ordinance shall take effect 20 days after its final passage the public welfare requiring it.

1st reading 8-9-16

Public hearing 9-13-16

2nd reading 9-13-16


Rick Johnson, Mayor


Kellie Reed, Lead Accounting Clerk I.

RESOLUTION NO. 2022-

A RESOLUTION OF THE TOWN OF ASHLAND CITY, TENNESSEE, TO ESTABLISH A MEMORIAL DEDICATIONS POLICY

WHEREAS, the Mayor and City Council wish to establish a Memorial Dedications Policy to implement standards and guidelines for the City’s park and trails memorial dedications and sponsorships; and

WHEREAS, the policy shall effectively help maintain and regulate memorial dedications.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE, that the Memorial Dedications Policy, attached hereto, is hereby approved, and shall become effective immediately following passage of this resolution.

Approved this _____ day of _____, 2022.

Voting in Favor _____

Voting Against _____

Attest:

Mayor JT Smith

City Recorder Alicia Martin, CMFO



Town of Ashland City

Memorial Bench and Tree Dedication Policy

The Town of Ashland City supports the needs and principles of allowing memorials in parks and green space areas, but it is also mindful that these facilities have many uses and are enjoyed by a wide range of people. Therefore, the City desires to manage and regulate memorials for the mutual benefit of all.

Applications for memorial bench or tree dedications may be picked up at the City Hall or downloaded by going to www.ashlandcitytn.gov/memoriatedications

Memorial Benches

- The cost for a memorial bench sponsorship is **\$500.00 (five hundred dollars)** made payable to the Town of Ashland City. This cost is for a 10-year sponsorship of a currently existing bench. This includes the procurement and installation of the plaque/plate, and one replacement within that time period, if necessary.
- The cost for the purchase and installation of a memorial bench that is not currently in place is **\$2,000 (two thousand dollars)**. This cost includes the concrete bench footing or concrete pad, procurement and installation of the bench and plaque/plate, 10-year sponsorship of the donated bench and plaque/plate and replacement of the plaque/plate within that time if necessary. *New bench installation is at the Town of Ashland City's discretion.*
- Donors of NEW benches will receive a letter confirming the donation of the bench to the City.
- Once the 10-year sponsorship period has lapsed, the sponsor will be contacted, and the memorial plate will be made available for pick-up. It is the responsibility of the donor, or their designated representative to make arrangements to retrieve the removed plaque/plate, the City will not mail. Plaques/plates must be picked up within 60 days of removal.
- The bench style and location of new benches must conform to the ADA (American Disabilities Act) resting bench program and the City's policy.

- Memorial benches will be positioned to maximize benefit to an area. The City will attempt to accommodate the wishes of an applicant at all times.
- The number of memorials will be limited based on the City policy, must not interfere with normal park use or maintenance operations and shall not detract from the prime recreational purpose of an area.
- The City accepts no liability for damages to any memorials from vandals or third parties.
- The City reserves the right to remove any memorials that have been damaged, and is, in the view of city staff, beyond repair.

Tree Dedications

- The Town of Ashland City Tree Dedication program allows members of the public to purchase trees for dedication purposes. Trees that are dedicated through this program are placed on City property, in City parks or along park trails.
- The cost of a tree purchased through the dedication program is **\$300 (Three Hundred Dollars)**. This cost is for the purchase and installation of the tree.
- No plaques/plates, rocks or other engraved recognition items are allowed on or around the donated tree that falls outside the City's Memorial/Dedication Policy.
- The tree type, species and location will be subject to the recommendations of City staff.
- Donated trees will be located to maximize benefit to an area and minimize the impact on normal park use and maintenance operations. The City will attempt to accommodate the wishes of an applicant at all times.
- The number of tree dedications within the city may, at any time, be limited or temporarily placed on-hold based on available maintenance resources such as staff, contract services, water restrictions, or other factors.

For both the Memorial Bench and Tree Dedications the donor will receive confirmation from the City once the installation has been complete. It is the intention that the memorial policy covers the broad sense of memorials but is not meant to be exhaustive. Memorial proposals outside the scope of this policy will not be considered.

Memorial Bench/Tree Dedication Application

Please fill out this application and include your check, money order, cashier's check, or credit card information made payable to the Town of Ashland City. If desired, donations can also be mailed to the address below along with the completed application form.

Name _____

Address _____

City _____ State _____ Zip _____

Home phone _____ Mobile phone _____




Email address _____ Fax # _____

1. Requested Location: _____

2. Requested Installation Date: _____

3. Memorial Bench Inscription Request (75 characters or less, including spaces):

4. Payment Type: Check Money Order Cashier's Check Credit Card

CREDIT CARD PAYMENT (check one)		
 <input type="checkbox"/>	 <input type="checkbox"/>	 <input type="checkbox"/>
Card Holder Name: _____		
Card Number: _____		
Exp. Date: _____		
Signature: _____		

Please mail with enclosed payment to:

Town of Ashland City
PO Box 36
Ashland City, TN 37015

ORDINANCE # __599__

An Ordinance modifying Title 3, Section 1 for the Town of Ashland City, Tennessee.

WHEREAS, the Town of Ashland City in Ordinance 596 determined that it was in the best interest of the Town to abolish General Sessions jurisdiction and set forth that all new cases cited after October 1, 2022 would be cited to Cheatham County General Sessions.

WHEREAS, the Town further determined that all cases cited prior to October 1, 2022 would appear in front of the municipal Judge and that the Judge would continue with General Sessions jurisdiction until all of cases were adjudicated and the term of the probation had expired.

WHEREAS, the Town has determined after reviewing all active cases through the end of September 30, 2022 that the Court should be able to complete General Sessions jurisdiction on or before June 30, 2024 which will be at the end of the fiscal year.

NOW THEREFORE, BE IT ORDAINED, by the Council of the Town of Ashland City, Tennessee that Title 3, Chapter 1 shall be amended as follows by replacing 3-101 Section 2 and 3 in the entirety as follows:

CITY JUDGE

3-101

- (2) Qualifications and term. Anyone serving as city judge shall be a licensed attorney in the State of Tennessee and a resident of the State of Tennessee for two (2) years. The Judge shall be twenty-five (25) years of age or older. However, up until June 30, 2024, the Judge shall also be a resident of Ashland City, TN.

- (3) Jurisdiction and powers. (a) The city judge may impose fines, costs and forfeitures, and punish by fine for violation of city ordinances. (b) The judge may preserve and enforce order in the court and enforce the collection of all fines, costs and forfeitures imposed. Prior to the passage of this Ordinance, the Judge has had concurrent general sessions jurisdiction with Cheatham County General Sessions court. The Judge shall continue with concurrent General Sessions jurisdiction until June 30, 2024 in order to adjudicate all current matters. However, beginning October 1, 2022, all cases cited by the police department that are not municipal offenses shall be cited to Cheatham County General Sessions.

Date of effect. This ordinance shall take effect 20 days from and after its final passage, the public welfare requiring it.

1st reading _____

2nd reading _____

Mayor

City Recorder

ORDINANCE #598

An Ordinance modifying Title 7, Chapter 6 Fireworks for the Town of Ashland City, Tennessee.

WHEREAS, the Town has determined that for the public safety of its citizens and to protect property that it is in the Town's best interest to modify Title 7, Chapter 6.

NOW THEREFORE, BE IT ORDAINED, by the Council of the Town of Ashland City, Tennessee that Title 7, Chapter 6 shall be amended by adding Section 7-604 as follows:

FIREWORKS

7-604. Discharge of fireworks restricted. The discharge of fireworks shall be allowed within the corporate city limits of the Town of Ashland City and are restricted as follows:

- (1) The discharge of fireworks is restricted except for the following days: June 20th thru July 5th and December 10th thru January 2nd. Fireworks may not be discharged after ____ p.m.
- (2) If there is a drought or any other concern as to the public safety of the citizens, the Mayor along with the Fire Chief may prevent the use of fireworks during the time period set out above. In the event that fireworks are prohibited during this time, the Mayor along with the Fire Chief shall designate another time period whereas fireworks may be discharged.

Date of effect. This ordinance shall take effect from and after it's final passage, the public welfare requiring it.

1st reading _____

2nd reading _____

Mayor

City Recorder

TOWN OF ASHLAND CITY

Application for Limited Certificate of Compliance for State Licensure for Sale of Package Liquor
 \$500.00 Additional \$100.00 fee for each additional background check.

THIS SECTION FOR CITY USE ONLY:

Date Application Filed: <u>10/18/2022</u> Time: <u>3:30pm</u> Receipt No. <u>Pop 165375</u> Amount Paid: <u>\$ 500.00</u> Cash: <input checked="" type="checkbox"/> Check# _____ Application for: <input checked="" type="checkbox"/> Retail sale of packaged alcoholic beverages <input type="checkbox"/> Renewal	City Attorney review completed by: <u>Jennifer Noe</u> on <u>10/20/2022</u> Police Chief review completed by: _____ on: _____ BOARD ACTION: Granted: ___/___/___ Issued: ___/___/___ Denied: ___/___/___ Deferred: ___/___/___ Withdrawn: ___/___/___	Zoning: _____ Map No. _____ Parcel No. _____ Street Address: _____ Property Inspection completed by: _____ on: _____ Location Approved: _____
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ANSWER ALL OF THE FOLLOWING QUESTIONS:

APPLICANT IS SEEKING A PERMIT WHICH WOULD ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR:

OFF-PREMISES PACKAGED LIQUOR SALES ONLY

I hereby make application for a Limited Certificate of Compliance from the Town of Ashland City, Tennessee as provided for in the Tennessee Code Annotated 57-3-208, et seq., and the Town's Retail Alcoholic Beverage Ordinance#340 and the amendments thereto and base my application upon the answers of the following questions:

1. Name of Applicant: AJA, LLC (NATAVARBHAI PATEL, SOLE MEMBER)
2. Birth date of applicant: _____ Age at time of applicant: 60
3. Residential address of applicant: _____
 City: CLARKSVILLE State: TN Zip: 37043
4. How long a resident of Cheatham County: N/A LIVES IN CLARKSVILLE, TN MONTGOMERY Co
5. Does applicant presently hold and elected office or is seeking an elected office in the next election? NO
6. Other states of residency: PRIOR TO TENNESSEE, GEORIGIA
7. Present occupation or business: CLERK AT CONVENIENCE STORE How long? 2YRS
 If employed, name and address of employer: SHIVAA, LLC; 1721 DOTSONVILLE, RD
 Phone: _____ Contact person: _____
8. Name of business for which permit is sought: ASHLAND CITY LIQUOR AND WINE

9. Address of the location of the business for which a permit is sought: _____

10. Name(s) of the owner of the property: _____

Deed Book and Page No. _____ Lease Expiration Date: _____
(Attach a copy of the executed lease or recorded deed of ownership hereto)

11. List persons, firms, corporations, joint stock companies, syndicates, or associations, having at least a five (5%) percent ownership interest in the applicant. Complete in detail. Attach a separate sheet if necessary. If corporation, give address of applicant's principal place of business.

Name of Individual Applicant Partners, or Officers and Directors	Title Percentage	Home address and Telephone Number	Date and Place of Birth	Race and Sex	SSN	U.S. Citizen Y or N
NATAVARBHAI PATEL	100%			A/Male		No

12. Previous Address of Applicant: _____

13. If Applicant is an individual, give name and date and place of birth of spouse: _____

14. If Applicant is a corporation, give name and date and place of birth of any spouse of anyone having a 5% or greater interest in the business corporation or partnership:

Name: N/A _____ Date/Place of Birth: _____

Name: _____ Date/Place of Birth: _____

15. For corporations that are not publicly traded:

Registered Name of Corporation: AJA, LLC

Date and Place of Incorporation: 9-7-22; TENNESSEE

If foreign corporation, give date of certificate of authority: N/A

16. List stockholders having five (5%) percent or more ownership interest in the business: (attach a separate sheet if necessary)

Name of Stockholder	Home Address	Date and	Race	U.S.
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First, Middle, Last	%	and Telephone Number	Place Birth	and Sex	SSN:	Citizen Y or N
NATAVARBHAI PATEL	100%		INDIA	MALE		NO

17. FOR CORPORATION ONLY:

At regular or special meeting held on the 8TH day of SEPTEMBER, 200, by the Applicant, it was resolved that said application be filed with the Town of Ashland City and that Natavarbhai Patel, Owner (name or officer and title) or DANIELLE ELKS, ATTORNEY (name of officer and title) is/are hereby authorized to execute said application and any other papers required by the Board.

18. Designate the person or persons who will be in charge of the operations on the premises including in the absence of the Applicant.

Name of Stockholder First, Middle, Last	Home Address and Telephone Number	Date and Place Birth	Race and Sex	SSN:	U.S. Citizen Y or N
NATAVARBHAI PATEL		India	A/male		no
	Clarksville, TN				
	37043				

19. Conviction Record: Has any person, firm, joint-stock company, syndicate or association having at least a five (5%) percent ownership interest in the Applicant been convicted of any violation of the laws against possession, sale, manufacture, or transportation of alcoholic beverages, or any crime either a felony or misdemeanor?

Yes No

If yes, list below:

Name First Middle Last	Charge(s)	Date of Conviction	Disposition	Location, Court, County and State
n/a				

20. Name and address of representative to receive the annual tax notice and other communications: NATAVARBHAI PATEL; !

21. Is the building to be licenses located within 300 feet of any church, school, public institution or public meeting place? Yes No

22. Has the Applicant ever had a liquor permit revoked, suspended or denied in the State of Tennessee? Yes No

If yes, explain: n/a

23. Does applicant hold a license for Liquor-by-the-Drink with the State of Tennessee? Yes No

24. Are you familiar with the laws of the State of Tennessee governing the retail sale of package liquor? Yes No

25. Does applicant hold a license or permit to sell beer? Yes No

Applicant hereby solemnly swears that each and every statement in the foregoing application is true and correct; that the Town of Ashland City will be notified promptly if there is a change in circumstances that affect the responses provided in this application; that (1) no sale shall be made to anyone under twenty-one (21) years of age; (2) no person, firm, corporation, joint-stock company, syndicate or association having at least a five (5%) percent ownership interest in the Applicant has been convicted of any violation of the laws against possession, sale, manufacture, or transportation of alcoholic beverages or any crime involving moral turpitude within the past ten (10) years; (3) no person employed by the Applicant in such distribution or sale has been convicted of any violation of the laws against possession, sale, manufacture, or transportation of any alcoholic beverages or any crime involving moral turpitude within the past ten (10) years; and (4) the Applicant is not a specially designated national and has legal status to hold a permit of any other U.S. Citizen might possess.

If any statement herein is false, the Application shall become void in its entirety and a new

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application will not be accepted for a minimum of 90 days .

Attached to this application form is the following required documentation:

- Copy of application to the Tennessee Alcoholic Beverage Commission
- Copy of valid Tennessee Driver's License or other photo identification
- Copy of utility bills for the past 50 months to prove residency or statement from utility provider.
- Actual newspaper ad and certification of publication
- Copy of lease, Bill of Sale or deed on property to be used for retail sales
- List of personal referenced (non-related)-form provided

Sworn to and subscribed before me this the 14 day of October, 2022



Signature of Applicant:

Sophocles
Sarah Sophocles
NOTARY PUBLIC

My Commission Expires: 9/18/24

Note: State law allows up to 60 days to process this application.

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TOWN OF ASHLAND CITY, TENNESSEE

PERSONAL REFERENCES

For Submittal with Application for Limited Certificate of Compliance for State Licensure for Sale of Package Liquor

List three personal references that are not related to you or to each other.

1. Name: April presson

Address: _____ City: ashland city Zip: 37015

Phone Numbers: _____

How long have you known this person? 3 years

Relationship: friend

2. Name: bobbie pace

Address: _____ City: clarksvilke Zip: 37043

Phone Numbers: _____

How long have you known this person? 2 years

Relationship: friend

Name: Vicente mondragon

Address: _____ City: ashland city Zip: 37015

Phone Numbers _____

How long have you known this person? 2 years

Relationship: co worker

Town of Ashland City, Tennessee
Public Safety Department

APPLICANT BACKGROUND CHECK

For Application for Limited Letter of Compliance for License to Sell Retail/Alcohol

CITY USE ONLY

Address of Location of Proposed Store: 503 N. MAIN STREET; ASHLAND CITY, TN 37043

Use a separate form for each applicant.

Applicant's Full Name: NATAVARBHAI PATEL

Current Address: _____

Social Security Number: _____

1. Convicted of felony, misdemeanor or any offense of the alcohol laws of the State or the U.S. in the past 10 years: _____ Yes _____ No

2. Has been engaged in business with anyone who was in violation of the laws mentioned above:

_____ Yes _____ No

If "yes" under questions 1 or 2, explain offense: _____

Any other information that was revealed in background check that is relative: _____

I have conducted a background search for all applicants for the above described retail liquor establishment.

MARC COULON, Police Chief
Town of Ashland City, Tennessee

Date

Resources used for background search: _____ TBI _____ ACCity _____ Cheatham County _____ NCIC

_____ Other

WAIVER FOR BACKGROUND CHECK

I by signing this document have applied for a package liquor store/beer permit and as such understand that part of the requirement for a package liquor store/beer permit is that the applicant can not have a criminal record of a felony, a crime involving moral turpitude, or a violation of any laws dealing with the possession, sale, manufacture, or transportation of beer or any other alcoholic beverage within the last ten years. This applies to anyone with an interest in the business of five percent (5%) or more. By signing this document, I hereby consent to myself as well as the other individuals listed that have a five percent (5%) or more interest in the business to have a background check run by the local police department including a criminal check. I fully release the Town of Ashland City from any and all liability from conducting the search and understand and release them from the reliability of the information that they receive in that they are relying on third parties for the supply of the information. I hereby consent to the Town of Ashland City to conduct a background check.

10/14/2022
Date

NATAVAR BHAT PATEL
Applicant

Social Security Number

DOB

List of other individuals who own at least a five percent (5%) or more in the business:

Owner's Name

DOB

Social Security Number

Owner's Name

DOB

Social Security Number



STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION



Davy Crockett Tower
500 James Robertson Parkway, 3rd Floor
Nashville, TN 37243
615-741-1602

www.tn.gov/abc

One Commerce Square
40 South Main Street
4th Floor, Suite 415
Memphis TN 38103
901-543-7284

4420 Whittle Springs Road
Knoxville, TN 37917
865-594-6342

540 McCallie Avenue, Suite 341
Chattanooga, TN 37402-2055
423-634-6434

Business Check, Money Order or Cashiers Check ONLY

APPLICATION FEE
NON-REFUNDABLE

**APPLICATION FOR PERMIT TO SELL
ALCOHOLIC BEVERAGES**

ALL signature spaces MUST
be signed and notarized.

RETAIL PACKAGE STORE

Date: 10-4-2022, 20

Name of Corp./LLC/LP, SP, etc.: AJA, LLC

hereby make application for a permit to sell alcoholic beverages at the following location.

Doing Business As: ASHLAND CITY LIQUOR AND WINE

Business Address: 503 N. MAIN STREET; Business Tel () Fax: ()

City: ASHLAND CITY State TN Zip Code: 37043 County: CHEATHAM

Mailing Address (if different from Business Address) SAME AS ABOVE
Street Address City State Zip

Email Address: HARALLCTN@GMAIL.COM Web-Site Address: _____

1. Have you and all partners (if any) been legal residents of the State of Tennessee for at least the preceding two years?
YES
2. Are you and all partners (if any) United States Citizens? NO All applicants must complete Form AB-0116 – Declaration of Citizenship.
3. Do you hold a public office (either appointive or elective), or are you a public employee (either National, State, City or County)? NO
4. Have you, partners, or any other person having any kind of interest in your business ever been convicted of any criminal offense under the laws of the State of Tennessee or of any other State or of the United States? If yes, please specify
NO
5. Have you, partners, or any other person having any kind of interest in this business ever been convicted of any offense under the laws of the State of Tennessee, or of any other State or of the United States prohibiting, or regulating the sale, possession, transportation, storing, manufacturing or otherwise handling intoxicating liquors within ten (10) years preceding the date of this application? NO If yes, please explain on an additional sheet of paper and attach.
6. Have you or your partners (if any) ever been cited to appear before the Commissioner of Revenue or the Tennessee Alcoholic Beverage Commission and charged with a violation of the law or rules and regulations made pursuant to law?
NO

7. In whose name is the Alcohol Dealer Registration (TTB F 5630.5d) as a retail liquor dealer issued at this location?
AJA, LLC
8. Give the names and addresses of persons related to you by blood, marriage, or otherwise who own, operate, or have any interest either in a licensed Retail Store, Wholesale Distributor, Distillery, Supplier or Liquor-By-The-Drink establishment? CHANDRAKANTBHAI PATEL, _____
DISCOUNT LIQUOR, CLARKSVILLE JDY'S
9. Give the names and addresses of all persons other than those shown on this application who have any kind of interest, financial, stock ownership, loans, gifts, or securing loans, or otherwise, made for carrying on said business: _____
none
10. Give the names and addresses of all persons other than those shown on the application who share in the profits from this business and state their interest: _____
None
11. Give the name and address of the owner of the premises on which the business is to be located and the amount of the rental, if any. Also submit a copy of any lease agreement which has or may be entered into for this business. _____

12. Do you sub-lease or allow anyone to occupy any of the space covered in this lease? No
If so, state the name of the person and the type of business being operated. _____
n/a
13. Who will be in active control in the management of this business? _____
NATAVARBHAI PATEL
14. Give the name and address of any other business in which you or your partners, if any, are actively engaged.
NONE
15. Do you employ some person not otherwise connected with your store to keep your books? NO
If the answer is yes, give name and address of person. _____
N/A
16. Do you agree to accept full responsibility for the action of any member of the partnership or any person employed by you in the conduct of your business? Yes
17. If this is an application for a renewal license, state whether you received any additional or new financial assistance, loans, or otherwise, during the previous year? No
18. If the answer to question 17 is "yes", state all facts and details in connection with said financial assistance, loans, etc.
n/a
19. If you are indebted to the State of Tennessee for any tax, state the tax and amount. _____
N/A
20. Furnish Tennessee Sales Tax Registration Number PENDING
21. Give name and address of any relative employed by the Tennessee Alcoholic Beverage Commission _____
None


All data, written statements, affidavits, evidence or other documents submitted in support hereof, or upon bearing hereon, shall be deemed to be a part of this application.

The applicant or applicants agrees that the place for which application is made will be operated in conformity with Chapter 257, Public Acts of 1963, and in conformity with all applicable rules and regulations made pursuant to law, which are now, or may hereafter be, in force.


WARNING: "YOUR STATEMENT IS MADE UNDER OATH OR AFFIRMATION. PROVIDING OR INCOMPLETE INFORMATION ARE GROUNDS FOR REJECTION OF APPLICATION OR SUSPENSION OR REVOCATION OF PERMIT IF ISSUED. FALSE STATEMENTS OR INCOMPLETE INFORMATION ARE ALSO SUBJECT TO THE PENALTIES OF PERJURY UNDER TENNESSEE LAW"

* "THE ACCEPTANCE OF FEES DOES NOT GUARANTEE THE ISSUANCE OF A LICENSE OR PERMIT" *

Application authorized by NATAVARBHAI PATEL;
Print Name, Owner of Establishment


SIGNATURE, Owner of Establishment

NATAVAR BHAI PATEL
Print Name, Applicant


Signature of Applicant

Subscribed and sworn to before me this 14 day of October 20 22

My Commission Expires 9/18/24
Notary Seal 
Notary Public



The State of Tennessee and the Tennessee Alcoholic Beverage Commission are Equal Opportunity Employers. Discrimination, in any of its practices, which is based on age, race, sex, color, religion, national origin, disabling condition or any other non-merit factor is prohibited. Thus, the Tennessee Alcoholic Beverage Commission is an equal opportunity, equal access, affirmative action public entity.

FOR ADDITIONAL INFORMATION:

Contact the agency ADA Coordinator for this state agency: Assistant Director at 615-741-1602 or the Tennessee Office of Americans with Disabilities, Department of Personnel. Alternate formats of this notice are available on request.

Town of Ashland City, Tennessee

GENERAL PROCEDURES FOR PACKAGE LIQUOR LOCATIONS*

Note: This location application process could take up to 4 (four) weeks to complete. If the application is made by a corporation, or partnership, this process will have to be applied to every member of the corporation or partner with an interest of 5% or more.

***Recommended: CONSULT WITH APPLICABLE STATE AUTHORITIES AND ADVICE OF LEGAL COUNSEL TO CLARIFY QUESTIONS REGARDING THE APPLICATION PROCESS WITH THE STATE AND LOCAL GOVERNMENT.**

- 1. Obtain application for Certificate of Compliance from City Hall.**
- 2. Applicant must run notice in The Ashland City Times for three consecutive editions prior to turning in the application.**
- 3. Inspection of premises no more than 7 days prior to application date by the Town=s Building Official to receive a Use and Occupancy certificate to be submitted with application to the Town.**
- 4. Submit completed application to City Hall with the following documentation attached and the \$500.00 Investigation Fee, payable in cash or money order (payable to The Town of Ashland City):**
 - a. Copy of application to the Tennessee Alcoholic Beverage Commission**
 - b. Proof of five years residency in Cheatham County:**

Copies of electric bills or water bills for past five years including the most recent bill or appropriate statement from Utility provider that applicant has been a customer for 5 years.
 - c. Copy of applicant's valid Tennessee Driver's License with photo or another valid photo I.D.**
 - d. Copy of Vehicle registration**
 - e. Copy of lease, bill of sale or deed on property to be used for retail sales location.**
 - f. Actual newspaper ad and certification of publication from the editor**
 - g. Personal referenced list (form provided)**

NOTICE: Failure to produce any of the required documentation listed above, or failure to complete the application form may result in voiding the application process. New application may be made after 90 days.

- 5. Upon receipt of application at City Hall, the Chief of the Police will run a background**

check including financial records. A period of 7 (seven) days may be required to complete this process. If the application's made by a partnership or corporation, every member with an interest of 5% or more will be required to have a background check. There will be a fee of \$100.00.

6. A final review by the City Recorder to verify that all information has been obtained will be performed which may take up to two business days to complete.

7. Completed application will be submitted to the City Council for selection as per Ordinance and applicant shall appear before the City Council for an interview. Scheduling for the interview will be determined by the order that completed applications were submitted to the Town. Applications will be dated and time stamped upon receipt at City Hall.

8. The Mayor will issue a letter of Compliance to the applicant when all approvals have been received and verified.



Bill Lee
Governor

TENNESSEE BUREAU OF INVESTIGATION

ATTN: TORIS

901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4057
Facsimile (615) 744-4289



David B. Rausch
Director

10/20/2022

NATAVARBHAI B PATEL
511 CEDAR VALLEY DR
CLARKSVILLE TN 37043

Tennessee Criminal History Records Request

NO TENNESSEE CRIMINAL HISTORY RECORD HAS BEEN FOUND FOR THE PERSON LISTED BELOW.

NOTE: All aliases submitted have been searched.

NATAVARBHAI B PATEL

Please be aware that, unless a fingerprint comparison is performed, it is impossible for the Tennessee Bureau of Investigation to be sure the record belongs to the individual you requested . A fingerprint comparison will only be performed in the event of a written appeal of criminal history results. The information you receive will be based on only those arrests which occurred within the state of Tennessee.

The Tennessee Bureau of Investigation found no Tennessee criminal history based on the information provided. No criminal record check was conducted for other states or for the Federal Bureau of Investigation.

Tennessee Open Records Information Services
Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216



INTERNATIONALLY ACCREDITED SINCE 1994

Receipt #R00165375

No-Reply <No-Reply@ashlandcitytn.gov>

Fri 10/21/2022 2:33 PM

To: Alicia Martin <ayoung@ashlandcitytn.gov>

The Town of Ashland City would like to thank you for your payment!

Town of Ashland City Water & Sewer
PO Box 36
Ashland City, TN 37015
(615)792-4211

DATE : 10/21/2022 2:31 PM

OPER : TC

TKBY : TRACIE CHESTER

TERM : 1

REC# : R00165375

LICENSES - 32000 LICENSES AND PERMITS

CK PATEL-ASHLAND CITY LIQUOR AND WINE 500.00

Paid By:CK PATEL-ASHLAND CITY LIQUOR AND WINE
5-110 GEN CASH 500.00



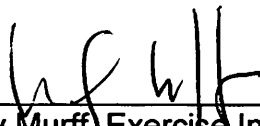


**Lindy Murff
Exercise Instructor
1265 Wiley Pardue Road
Ashland City, TN 37015
615-792-4423 or 615-418-7076**

Town of Ashland City
Senior Center
233 TN Waltz Parkway, Suite 103
P.O. Box 36
Ashland City, Tennessee 37015

Contract for Services

This document shall serve as a contract between Lindy Murff, Exercise Instructor, and the Town of Ashland City, Owner, for instruction of exercise classes held at the Senior Center at Ashland City. Instructor shall maintain qualification and certification as a fitness instructor, as well as maintain CPR and AED certification. Instructor will teach assigned exercise classes at current rate of pay \$38.00 per class. Term of this initial contract shall be July 1, 2022 – June 30, 2023.



Lindy Murff, Exercise Instructor

JT Smith, Mayor

**Barbara Batson
Exercise Instructor
388 Brock Road
Charlotte, Tennessee 37036
615-789-6608 or 615-594-3278**

Town of Ashland City
Senior Center
233 TN Waltz Parkway, Suite 103
P.O. Box 36
Ashland City, Tennessee 37015

Contract for Services

This document shall serve as a contract between Barbara Batson, Exercise Instructor, and the Town of Ashland City, Owner, for instruction of exercise classes held at the Senior Center at Ashland City. Instructor shall maintain qualification and certification as a fitness instructor, as well as maintain CPR and AED certification. Instructor will teach assigned exercise classes at current rate of pay \$33.00 per class. Term of this initial contract shall be July 1, 2022 – June 30, 2023.



Barbara Batson, Exercise Instructor

JT Smith, Mayor

INDEPENDENT CONTRACTOR AGREEMENT

I. THE PARTIES. This Independent Contractor Agreement ("Agreement") made this ____ day of _____, 20__ is by and between:

Contractor: _____ Nick Hunter _____ with a mailing address of _____ Ashland City, TN 37015 ("Contractor"), and

Client: The Town of Ashland City with a mailing address of 233 Tennessee Waltz Pkwy Suite 103 Ashland City, TN 37015 ("Client").

In consideration of the mutual terms, conditions, and covenants hereinafter set forth, Contractor and Client agree as follows:

II. SERVICES. The Contractor shall provide the following services to the Client:

Traffic School Instructor

III. TERM. The services shall begin on this ____ day of _____, 20__ and end: (check one)

- When the services are complete.
- On the date of _____.
- Other When another officer is certified

IV. TERMINATION. Either the Client or the Contractor:

- Cannot terminate this Agreement unless either party breaks its terms.
- Can terminate this Agreement, without cause, by giving the other Party 45 days' notice and providing their obligations up until termination.

V. COMPENSATION. In exchange for the services provided by the Contractor, the Client agrees to pay the following: (check one)

- \$ 250.00 / Bi-Weekly.
- \$ _____ for the services.
- Commission in the amount of: _____.
- Other: _____

VI. OTHER EXPENSES. The Contractor agrees that no other expenses will be paid for on behalf of the Client including, but not limited to, travel or meal reimbursement.

- VII. INDEMNIFICATION.** The Contractor shall indemnify and hold the Client harmless from any loss or liability as allowed by law from performing the Services under this Agreement.
- VIII. OTHER BUSINESS ACTIVITY.** The Contractor may engage in other business activities provided, however, that Contractor shall not during the term of this Agreement solicit the Client's employees, clients, accounts, or other related business endeavors of the Client.
- IX. ASSIGNMENT.** Neither the Client nor the Contractor may assign this Agreement without the express written consent of the other party.
- X. RELATIONSHIP DEFINED.** Nothing in this Agreement shall indicate the Contractor is a partner, agent, or employee of the Client. The Client employs the Contractor as an independent contractor, and the Contractor hereby accepts.
- XI. OTHER AGREEMENTS.** It is agreed between the parties that there are no other agreements or understandings between them relating to the subject matter of this Agreement. This Agreement supersedes all prior agreements, oral or written, between the parties and is intended as a complete and exclusive statement of the agreement between the parties. No change or modification of this Agreement shall be valid unless the same be in writing and signed by the parties.
- XII. LEGAL NOTICE.** All notices or required or permitted to be given hereunder shall be in writing and may be delivered personally or by Certified Mail – Return Receipt Requested, postage prepaid, addressed those mentioned in Section I.
- XIII. GOVERNING LAW.** This Agreement shall be construed in accordance with and governed by the laws under the state of Tennessee.

IN WITNESS WHEREOF, the Parties have indicated their acceptance of the terms of this Agreement by their signatures below on the dates indicated.

Contractor's Signature: _____ Date: _____
 Print Name: _____

Client's Signature: _____ Date: _____
 Print Name: _____

RESOLUTION# 2022-

**A RESOLUTION BY THE MAYOR AND COUNCIL OF THE
TOWN OF ASHLAND CITY UPDATING SECTION 3 OF THE
PURCHASING POLICES AND PROCEDURES**

WHEREAS, Section 31 of the City Charter of the Town of Ashland City, states the Mayor and City Council shall set purchasing procedures which shall be in compliance with Tennessee purchasing laws.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE, that the following be declared the official purchasing procedures for the Town of Ashland City.

The Town of Ashland City's purchasing policy is based on The Municipal Purchasing Law of 1983 and amended with The Town of Ashland City's policies to suit the city's purchasing needs.

DEPARTMENT MAKING PURCHASE RESPONSIBILITIES: The procurement process is a combined effort between the using department or agency and accounts payable.

The responsibilities of the using department and/or agencies include:

- Allow ample lead-time for the Purchasing Department to process bid/proposal requests, issuance of purchase orders, execution of contract documents and any other task performed by the Purchasing Department.
- Plan purchases in advance to eliminate avoidable urgent or emergency situations.
- Ensure funds have been allocated and approved by the City Council.
- Advise in writing, of issues or dissatisfaction as soon as they arise with any vendor's performance related to terms, conditions, specifications and performance of their contracts or purchase orders.
- Inform accounts payable of purchases when state, federal or grant funds will be used.
- Ensure that the purchasing policy is followed by all personnel prior to any purchase.
- Entering requisitions for all purchases while ensuring that all proper backup is attached during requisition entry.
- Ensure that proper internal controls are in place for all purchasing transactions.

Section 1. Purchasing Agent. Except as otherwise provided in this policy, all orders for supplies, materials, equipment, and services shall be assigned a PO (Purchase Order) number by the purchasing agent. The purchasing agent will verify that all requirements for purchase have been completed. Once such requirements have been verified, the purchase may be approved and acquired by the purchasing agent or his/her designee. **The purchasing agent is not held**

accountable for purchases made without following the proper steps in this purchasing manual. The department head will be held accountable for this action, and he/she will be responsible for documenting by email or signed invoice that they are aware the purchase was not made in compliance with this policy prior to the purchasing agent paying the invoice.

Section 2. Requirements for Purchase. As stated in Section 1, the purchasing agent will verify the requirements for the purchase have been completed. Those requirements are as follows:

- a.) No invoice for supplies, materials, or equipment shall be accepted for payment until such supplies, materials, etc., have been received and inspected by the department head or authorized town employee to verify the products are in acceptable condition.
- b.) After the inspection of delivered items, the department head or the authorized town employee must obtain the proof of delivery, bills of lading, delivery tickets, and other papers related to the purchase, including all warranty cards, and submit those papers with the invoice for payment. If no proof of delivery can be obtained, the employee must turn in a Missing Proof of Delivery Affidavit and submit with payment.
- c.) Standardizing supplies and materials that can be bought in large quantities can save a great deal of money. Thus, department heads should adopt as standards the minimum number of quantities, sizes, and varieties of commodities consistent with successful operation. Where practical, materials and supplies should be bought based on requirements for a six-month period.
- d.) The Town is exempt from the payment of excise taxes imposed by the federal government, and suppliers should be requested to deduct the amount of such taxes from their bids, quotations, and invoices. If the purchasing agent sees taxes charged to the invoice, he or she may request the town employee which made the purchase to contact the vendor and request a credit for the tax amount charged.

Section 3. Purchase Orders (PO) Requirements: A purchase requisition lets the accounts payable/finance department know, in detail, what the using department needs. A PO, as defined in this resolution, shall be completed by the purchasing agent per the following criteria:

- a) If the purchase is appropriated through the annual budget and more than \$500.
- b) If the item is a capital good.

- c) If the vendor requests a purchase order or if the department head feels it is necessary.

How to Prepare a Requisition to a Purchase Order:

A requisition must be completed before a purchase is made, except when stated otherwise!

A properly processed purchase requisition must contain the following information:

- Date issued — The date the requisition is prepared.
- Date wanted — State a definite delivery date. "AT ONCE, ASAP, and RUSH" are vague instructions and don't give the purchasing department sufficient information. Prepare far enough in advance to avoid emergencies.
- Department — The complete name of using department
- Department head — Signature of the department head
- To be delivered to — Be specific. If vague or indefinite, confusion may result in costly delays.
- Item number — Numerical order of items listed.
- Quantity — The number required.
- Unit — Dozen, lineal feet, gallons, etc.
- Description — Give a clear description of the items, including size, color, type, etc. If the purchase is of a technical nature, specifications should be attached to the requisition. If the item cannot be described without a great amount of detail, a brief description should be given, followed by a trade name and model number of an acceptable item "or approved equal." Requisitions must not give specifications that will favor one supplier to the exclusion of any others.

NOTE: Incomplete information in this area will result in the requisition being returned to the using department for clarification.

- Account to be charged — Complete budgetary code.
- Unit price — Price for each individual item.
- Amount — A total of quantity times unit price.
- ***The requisitioner shall not split orders to avoid any provision of the city code or charter, this manual, or any policy established by the city, nor shall requisitions be submitted for the sole purpose of using up budgetary balances.***

If a PO is required, the purchasing agent will convert the requisition only after being completed by the requestor and approved by the department head or his/her designee. The purchasing agent shall forward a copy of each PO to the requestor or department representative and place a copy of the PO in the purchasing file. If the finance officer says there is not enough in the budget account, it will be referred to the purchasing agent, who will notify the department head in the absence of the Finance Director.

Material Ordering Report

The material receiving report form is designed to inform that an item(s) of a particular order has been received.

- **When Prepared:**

This form is completed immediately upon receipt of materials, supplies, or services.

- **Who Prepares:**

The person receiving the merchandise.

- **How to Prepare:**

A proper material receiving report must contain the following information:

- ❖ Purchase order number — The number from the purchase order on which the items were ordered. If not purchased from a purchase order, the following still applies.
- ❖ From — Name of vendor
- ❖ Material received by — Person receiving the item
- ❖ Date received — Date the goods are received
- ❖ Quantity — Number of items received
- ❖ Description — Brief statement describing item(s)
- ❖ Price — Unit price from the purchase order
- ❖ Per — Unit measure (foot, lb., etc.)
- ❖ Amount — Amount equal to quantity times unit cost
- ❖ Freight charge — Amount (if any) charged for delivery

When any item(s) is not in satisfactory condition, a statement about the condition of the item(s) must be made in the description column. There is no need to write anything in this column if the item is undamaged.

Section 4. Purchases Costing Less Than \$3,000: The department head, after appropriation through the budget, is expected to obtain the best price and service available for purchases estimated from \$0.01 to three thousand dollars (\$3,000.00) and is exempt from the quote and bid requirements. These purchases follow all rules preceding section 4. All contracts or agreements must be presented to council and signed by the appropriate parties before the purchase is made.

Section 5. Purchases and Contracts Costing \$3,000.01 to \$9,999.99

- a) All purchase of supplies, equipment, services, and contracts estimated to be more than three thousand and one cent (\$3,000.01) but less than nine thousand, nine hundred, ninety-nine dollars and ninety-nine cents (9,999.99), shall be unadvertised, but require a minimum of three written quotes and should include an explanation if not awarded to the lowest responsive quote. All contracts or agreements must be presented to council and signed by the appropriate parties before the purchase is made.

- b) A written record of quotes shall be established and available for public inspection showing that required quotes were obtained by one of the following methods:
- ❖ Handwritten quotes from the vendors themselves
 - ❖ Email quotes from the vendors themselves
 - ❖ Quotes taken directly from the vendor's website
 - ❖ Fax

These documents must state:

- ❖ The vendor's/contractor's/company's name, address, phone number,
- ❖ The person's name and title or position giving the quote,
- ❖ The price, including delivery, and
- ❖ A complete description of the product or service provided. On-line quotations may be used provided the above information is included.

These quotes shall be kept on file with the purchase order.

No purchase shall be made without the required quotes and if a purchase happens to be made without the quotes, the department head will be asked to have a written reason why the purchase was made without the required quotes.

- c) The purchaser shall obtain a copy of the vendor's liability and workers compensation insurance policies showing coverage amounts for contracts involving construction or other service where the public or contractor's employees could be adversely impacted by the provision of the service. A copy of the policy shall be kept on file by the purchasing agent. The purchasing agent shall also verify budget account balances prior to issuing approval to purchase.
- d) The purchaser shall make all efforts to obtain the vendor's W9.

Section 6. Purchases and Contracts Costing \$10,000.00 to \$14,999.99

All purchases made between ten thousand dollars (\$10,000.00) and fourteen thousand nine hundred ninety-nine dollars and ninety-nine cents (\$14,999.99) shall follow all the purchase requirements preceding and including section 5 with the addition of getting permission of the purchase from City Council. All contracts must be presented to council and signed by the appropriate parties before the purchase is made.

Section 7. Purchasing and Contracts Costing over \$15,000.00 – Competitive Bidding

All purchases of supplies, equipment, services, and contracts estimated to be more than fifteen thousand dollars (\$15,000), shall follow the procurement rules for competitive bidding as follows:

- a) The expenditure request shall be taken to the City Council for review and approval to start the bidding process. The expenditure request will be presented by the mayor, department head, purchasing agent, city recorder, or the finance director at the next regularly scheduled or special called meeting of City Council.

- b) The City Council shall have the authority to approve or disapprove the expenditure request to comply with the annual budget, or for any reason it deems it is in the public interest. The reason for denial shall be stated and recorded in the meeting minutes. Upon denial, the City Council shall supply direction as to how to handle the situation that prompted the expenditure request. (See section 8 of this resolution for Rejection of Bids)
- c) If approved, the department head shall deliver to the city recorder or purchasing agent a written requisition for the items to be purchased. Such request shall include a description of the items, specifications for the items, an estimated cost of the items, recommended sources and shall include the budget line-item code to which the purchase is to be charged.
- d) All requisitions approved by the City Council shall be signed by the mayor and department head.
- e) The department head or employee making the purchase shall follow procedures set forth in the sealed bid requirements in section 8 of this resolution.

Section 8. Contracts over \$15,000.00 – Sealed Bids Once City Council has approved the expenditure request over fifteen thousand dollars (\$15,000.00) the following procedures must be done to obtain the bid(s)

All purchases and contracts to be more than fifteen thousand dollars (\$15,000), require sealed bids to be submitted to Town of Ashland City: City Hall, Attention: City Recorder prior to a specified bid due date and time. The bids from responsive bidders shall be publicly opened by the City Recorder and read aloud. The City Recorder will prepare a summary of the bids and provide the bids and summary for presentation to City Council. All such bids shall be submitted for award at the next regularly scheduled City Council meeting or special-called meeting together with the recommendation from the department head or purchasing agent as to the best selection for contract performance.

The following polices shall apply to sealed bids:

- a) Plans, specifications, and estimates for any public works project exceeding \$25,000 must be prepared by a registered architect or engineer as required by TCA 62-2-107.
- b) Notice inviting bids shall be published in the council approved newspaper, as required by law, at least ten days (10) preceding the last day to receive bids. The newspaper notice shall contain a general description of the good(s) or services to be

procured, and the date, time, and place for opening bids. This shall be submitted by the City Recorder

- c) In addition to publication in the required newspaper, the City Recorder may take other actions deemed appropriate to notify all prospective bidders of the invitation to bid, including, but not limited to, advertisement on community bulletin boards, the Town's website, in professional journals and electronic media.
- d) The City Recorder shall keep a record of all open orders and bids submitted in competition for all PO's as required by the ordinance for bidding, including a list of the bidders, the amount bid by each, the method of solicitation and bidding, and Title VI compliance. All records shall be open to public inspection and maintained in the recorder's office. At a minimum, the bid file shall contain the following information on qualifying orders:
 - ❖ Request to start bid procedures – the requisition if applicable.
 - ❖ A copy of the bid advertisement if applicable.
 - ❖ A copy of the bid item specification if applicable.
 - ❖ A list of bidders including Title VI bidders and their responses.
 - ❖ A copy of the PO.
 - ❖ A copy of the invoice.
 - ❖ A copy of the signed and dated receiver.
 - ❖ Statement if lowest bidder is not awarded.
- e) No bids received after the time and date advertised will be accepted. All late bids will be returned unopened to the vendor explaining the policy. This includes bids that are postmarked after specified time.
- f) No telephone bids will be accepted.
- g) The purchasing department or council may request a sample product as part of the bid. If this is stated on the bid proposal form, the vendor is required to comply with this request.
- h) Mistakes in bids detected prior to bid opening may be corrected by the bidder withdrawing the original bid and submitting a revised bid prior to the bid opening date and time.
- i) City Recorder may require the bidders submit a bid bond or other acceptable guarantee equal to five (5) percent of the bid to ensure that the lowest responsible bidder selected by the board enters a contract.

- j) Should it be found, after bids have opened, that a product has been offered with an alternative specification and that this product would be better for the city to use, all bids for that item may be rejected and specification redrawn to allow all bidders an equal opportunity to submit bids on the alternate item.

Section 9. Considerations in Determining Bid Awards. The following criteria shall be considered in determining bid awards:

- The ability of the bidder to perform the contract or provide the material or service required.
- Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
- The character, integrity, reputation, judgment, experience, and efficiency of the bidder.
- The previous and existing compliance by the bidder with laws and ordinances relating to the contract or service.
- The quality of performance of previous contracts or services, including the quality of such contracts or services in other municipalities, or performed for private sector contractors.
- Compliance with all specifications in the solicitation for bids.
- The ability to obtain and maintain any requisite bid bonds or performance bonds.
- Total cost of the bid, including life expectancy of the commodity, maintenance costs, and performance.
- When a bid results in a tie, one in which two or more vendors bid identical items at the same unit cost, the winning bidder amount tie bids may be determined by one of the following:
 - ❖ Discount allowed
 - ❖ Delivery schedule
 - ❖ Previous vendor performance
 - ❖ Vendor location
 - ❖ Trade-in value offered
- When the lowest bid is not awarded, a full and complete statement of the reason shall be prepared by purchasing agent, department head, City Recorder or City Council and kept on file with the documents related to the bidding.

Section 10. Exemption from Competitive Procurement Process.

The following purchases, leases and lease purchases shall be exempt from the foregoing competitive procurement process. The Purchasing Agent, or his/her authorized designee, prior to purchase, shall approve all such purchases to be awarded pursuant to any of the exceptions in this subsection, except as may otherwise be provided herein pertaining to emergency purchases.

- **Sole Source Purchases:** Sole source of supply, or proprietary products, as determined after a thorough search for suppliers for the goods or services by the director or department head, under the direction and in consultation with the Purchasing Agent
- **Emergency Purchases:** Emergency purchases with the subsequent approval by one of the following: (1) City Recorder (3) Finance Director, or (3) the mayor. All such emergency purchases shall be reported in writing.
- **Purchases from Government Instrumentalities:** Purchases from instrumentalities created by two (2) or more cooperating governments.
- **Purchases from Nonprofit Corporations:** Purchases from nonprofit corporations whose purpose, or one of whose purposes, of which is to provide goods or services specifically to municipalities.
- **Purchases from Governmental Agencies:** Purchases, leases, and lease-purchases from any federal, state, or local governmental unit or agency.
- **Purchases from Other Governmental Units:** Purchases through other units of governments as authorized by the Municipal Purchasing Law of 1983 as amended.
- **Tennessee State Industries:** Purchases from Tennessee State Industries shall be exempt.
- **Professional Services:** Purchases and contracts for legal services, fiscal agents, financial advisor services, accounting services, training services, architects, engineers, surveyors, property appraisers, construction contract management services, property and liability insurance advisor services, medical or health insurance advisor services, or retirement/pension, or other employee benefit advisor services, information management services, and similar services by licensed or professional persons or groups of high ethical standards shall be made pursuant to the provisions of state law of general application, to include Tennessee Code Annotated (T.C.A.) § 12-3-1209 and T.C.A. § 12-4-107, as may be amended. Professional service contracts shall be awarded based on recognized competence and integrity; the City may interview eligible vendors to determine the capabilities of such vendors. The City will enter a negotiated contract with the professional service provider.
- **Repairs:** For repair services or parts for damaged, inoperable, or less than fully operable equipment, three (3) or more written quotes (estimates) shall be required. If the actual cost of the repairs exceeds the lowest quote (estimate) due to unanticipated repairs that could not have been reasonably foreseen, the additional cost above the quote (estimate) shall be approved on an emergency purchase basis.
- **Fuels:** The purchase of fuels, fuel products, or perishable commodities.
- **Used equipment:** Purchases of used or secondhand articles shall be in accordance with state law of general application to include T.C.A. § 12-3-1202 as may be amended.
- **Change orders:** Change orders to existing construction or improvement contracts within established budgetary limits.

Section 11. Rejection of Bids. The City Council shall have the authority to reject all bids or parts of bids when the public interest will be served thereby. City Council shall reject all bids or parts of bids where the supplier has been specifically excluded from bidding work by unanimous vote. The Town shall not accept a bid from a vendor or contractor who is in default on a contract or on the payment of taxes, licenses, fees, or other monies of whatever nature that may be due the Town by said vendor or contractor. City Council has the right to deny any bid where family or friends of town employees will directly be involved in the project or the project will benefit the town employee's family member, unless the vendor is a sole source provider, meaning the work is not able to be done by any other company.

Section 12. Making Emergency Purchases.

- **Purpose:**

Emergency purchases are a way to respond to an unforeseen circumstance; not the failure to recognize the need for a product or service during budgeting. Emergency purchases are to be made by departments only when normal functions and operations of the department would be hampered by submitting a requisition in the regular manner, or when property, equipment, or life(s) are endangered through unexpected circumstances and materials, services, etc., and are needed immediately.

- **Who Makes Emergency Purchases:**

Emergency purchases, either verbal or written, may be made directly by the using department without competitive bids, provided sufficient funds are available and necessary approvals have been secured.

- **How to Make Emergency Purchases:**

After determining a true emergency exists, the following procedure should be followed:

- ❖ Notify the Finance Director and or the mayor of the need and nature of the emergency. They will give verbal approval and the department making the emergency purchase (using department) shall complete a handwritten emergency purchase form.
- ❖ Using department must make sound judgment about price when making emergency purchases of materials and supplies and for labor or equipment. Orders should be placed with who have a good track record with the department.
- ❖ Suppliers shall furnish sales tickets, delivery slips, invoices, etc., for the supplies or services rendered. Terms of the transactions, indicating price and other data, shall be shown.
- ❖ As soon as the purchase is complete, on the same or following business day, the using department must:
 - Give the accounts payable department a complete requisition with a description of the emergency showing approval by the department head and mayor.
 - Give the accounts payable department all paperwork pertaining to the emergency purchase that the supplier has furnished.

- **Emergency Purchases General Information:**

Emergency purchases are costly and should be kept to a minimum. Avoiding emergency orders will save the city money.

Section 13. Suspension and Debarment of Vendors. The Finance Director may suspend or debar a vendor for cause, the right of a vendor to be included on a vendor list, and any bid/proposal response from that vendor rejected.

Suspension - A vendor may be suspended for a period not to exceed two (2) years as determined by the Finance Director based upon, but not limited to, the following:

- Default or failure to fully comply with the conditions, specifications, drawings, or terms of a quote, bid, proposal or contract with the City;
- Vendor commits any fraud or misrepresentation in connection with a quote, bid, proposal or contract;
- Vendor is charged by a court of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract (of any kind) or in the performance of such contract or subcontract;
- Vendor is charged by a court with any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a city contractor;
 - ❖ If charges are dismissed or the vendor is found not guilty, the suspension shall be lifted automatically upon written notification and proof of the final court disposition provided by the vendor;
- Vendor becomes insolvent, has proceedings in bankruptcy instituted against, compounds its debts, or assigns over its estate or effects for payment thereof, or has a receiver or trustee appointed over its property;
- Vendor violates the ethical standards set forth in local, state or federal law;
- Vendor is found to have colluded in order to receive business from the City;
- Default on the payment of taxes, licenses or other monies lawfully due to the City;
- Or any other cause the Finance Director determines to be so serious and compelling as to materially and adversely affect the capability of the vendor to function as a city contractor.

Debarment - A vendor may be permanently debarred for the following:

- Default or failure to fully comply with the conditions, specifications, drawings, or terms of a quote, bid, proposal or contract with the City on more than one occasion.
- Conviction by a court of law for the commission of those offenses in connection with the vendor's enterprise as stated in sections 3 and 4 of the Suspension section above. If the conviction or judgment is reversed through the appellate process, the debarment shall be

removed immediately upon written notification and proof of the final court disposition provided by the vendor.

Section 14. Petty Cash. To buy items that cost less than \$50.00 from businesses that don't issue invoices or charge accounts, a petty cash fund must be set up by the finance director. The department head is solely responsible for any withdrawals from this account. All receipts or requests for monies from this fund must contain the departmental code and be signed by the department head and receipt given to accounting payable.
This fund should be used only if other purchasing methods are not applicable.
The finance officer may establish more detailed procedures for the use of the petty cash fund.

Section 15. Items Covered by Warranty or Guarantee. The city buys many items that have a warranty or guarantee for a certain length of time, such as tires, batteries, water heaters, roofs, and equipment. Before these items are repaired or replaced, the warranty should be used. The purchasing department shall maintain an active current file with complete information on such warranties or guarantees. All copies of warranties must be remitted to accounts payable department with the invoice indicating date of receipt.

Section 16. Signatures Required. Contracts, applications for title, tax exemption certificates, agreements, and contracts shall not be signed by any city employee other than City Recorder and Mayor. No contract shall be executed or signed before taking the contract before council for approval. Contracts and Agreements must be signed by Mayor after council approval.

Section 17. Sale of Surplus Property. When a department head determines there is surplus equipment or material in the department, he or she shall notify the City Recorder in writing. A listing of surplus equipment that includes purchase date, amount, and current condition should be provided to the governing body for approval of disposal. Items with an estimated value of less than \$300 should be disposed in cooperation with the department head. Items with an estimated value of more than \$300 should be sold at public auction or advertised for bidding after approval from the governing body. Such equipment or materials will be sold to the highest bidder. With approval of the governing body, surplus equipment or material may also be transferred from one department to another. The transferring department must be sure the finance officer is informed of the transfer or sale.

Section 18. City Credit Card Policy. A credit card policy was passed in August 2021. All employees with a city credit card are required to read the resolution and sign the policy stating they acknowledge and will comply.

Section 19. General Purchasing Information.

- **Federal Excise Tax**

The city is exempt from the payment of excise taxes imposed by the federal government, and suppliers should be requested to deduct the amount of such taxes from their bids, quotations, and invoices.

- **Purchasing Enough Supplies**

It is in the best interest of the department to order supplies in “bulk” to cover at least 6 months of operation and all purchasing requirements still apply.

- **Standardization Requirements**

Standardizing supplies and materials that can be bought in large quantities can save a great deal of money. Thus, department heads should adopt as standards the minimum number of quantities, sizes, and varieties of commodities consistent with successful operation. Where practical, materials and supplies should be bought based on requirements for a six-month period.

- **Inspection of Deliveries**

No invoices for supplies, materials, or equipment shall be accepted for payment until such supplies, materials, etc., have been received and inspected by the department head.

- **Correspondence with Suppliers**

Copies of any correspondence with suppliers concerning prices, adjustments, or defective merchandise shall be forwarded to the accounting department. All invoices, bills of lading, delivery tickets, and other papers relating to purchases shall be sent to the accounting department.

- **Claims**

The department doing the purchase shall prosecute all claims for shortages, breakages, or other complaints against either shipper or carrier in connection with shipments.

- **Public Inspection of Records**

City Hall shall keep a complete record of all quotations, bids, and purchase orders. Such records shall be open to public inspection.

- **Designee**

When a position such as purchasing agent, finance director, or department head is mentioned, their assistants or designees are acceptable substitutes if they have written permission to do so.

Section 20. Conflict of Interest

- Grant contracts will reference all requirements applicable to that grant project.
- No employee, officer, agent, any member of an employee's immediate family or his or her partner shall have any financial interest or a tangible personal benefit in the profit of any contract, service or other work performed for the City. He/she shall not personally profit directly or indirectly from any contract, purchase, sale or service between the City

and any person or company. A conflict of interest would also arise when the parties indicated herein are employed or about to be employed by a person or company wishing to do business with the City. Any member listed in this section violating provisions of this rule shall be subject to appropriate disciplinary action including termination.

- "Direct Interest," means any contract with the employee himself or with any business in which the employee is the sole proprietor, a partner, or the person having an ownership interest in the business.
- "Indirect Interest" means any contract in which the employee has no direct interest however a spouse, partner or relative has an interest in the contract. A conflict of interest exists if the spouse, partner or relative commingle their assets.
- No employee, officer or agent of the Town of Ashland City may participate in the selection, award or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest.

Section 21. Vehicle Insurance Claims When a city vehicle has been involved in a wreck and will need repair, it is the responsibility of the department head to contact the City Recorder with all information in a timely manner so a claim can be submitted. When making payments to vendors for these repairs, it is required to complete the Vehicle Insurance Claim form and submit it with payment to accounts payable.

Section 22. Legal Status Provisions

- **Liability for Excess Purchases**

This resolution shall authorize the purchase of materials and supplies and the procurement of contracts for which funds have been appropriated in the annual budget or which have been authorized and lawfully funded by the City Council. The Town shall have no liability for any purchase made in violation of this resolution.

- **Additional Forms and Procedures**

The purchasing agent is hereby authorized and directed to develop such forms and procedures as are necessary to comply with this resolution.

- **Interpretation**

Words herein in the singular number shall include the plural, the present tense shall include the future, and the masculine gender shall include the feminine and neuter.

- **Severability**

Should any section, paragraph, sentence, clause, or phrase of this resolution or its application to any person or circumstance be declared unconstitutional or invalid for any reason or should any portion of this ordinance be pre-empted by State or Federal law or regulation, such decision or legislation shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

- **Repeal**

All previously passed ordinances or resolutions, parts of ordinances or resolutions, which are inconsistent with the provisions of this ordinance or resolution are hereby repealed to the extent of such inconsistency.

- **Effective Date**

This resolution shall be effective immediately after final passage, the public welfare requiring it.

Approved as to Legality and Form: _____
Jennifer Noe, City Attorney

Passed: _____

Mayor JT Smith

City Recorder Alicia Martin, CMFO

I _____, hereby acknowledge receipt of the Town of Ashland City Purchasing Policy. I agree to accept responsibility for adherence to the Purchasing Policy.

Responsibilities include:

- Allow ample lead-time for the Purchasing Department to process bid/proposal requests, issuance of purchase orders, execution of contract documents and any other task performed by the Purchasing Department.
- Plan purchases in advance to eliminate avoidable urgent or emergency situations.
- Ensure funds have been allocated and approved by the City Council.
- Advise in writing, of issues or dissatisfaction as soon as they arise with any vendor's performance related to terms, conditions, specifications and performance of their contracts or purchase orders.
- Inform accounts payable of purchases when state, federal or grant funds will be used.
- Ensure that the purchasing policy is followed by all personnel prior to any purchase.
- Entering requisitions for all purchases while ensuring that all proper backup is attached during requisition entry.
- Ensure that proper internal controls are in place for all purchasing transactions.

The requisitioner shall not split orders to avoid any provision of the city code or charter, this manual, or any policy established by the city, nor shall requisitions be submitted for the sole purpose of using up budgetary balances.

The purchasing agent is not held accountable for purchases made without following the proper steps in this purchasing manual. The department head will be held accountable for this action, and he/she will be responsible for documenting by email or signed invoice that they are aware the purchase was not made in compliance with this policy prior to the purchasing agent paying the invoice.

Purchases made without following the proper steps in this purchasing manual may result in disciplinary action up to and including termination in accordance with Town of Ashland City personnel policy, in addition to any criminal penalties that may apply.

Employee Signature: _____

Department: _____

Finance Director: _____

Date: _____



EXPENDITURE REQUEST

Date of Request: _____ Employee: _____

Department: _____ Department Head Approval: _____

Budget GL: _____

Brief description of need for expenditure request: _____

Quantity	Description	Price	Per	Total Price

Vendor Name: _____

Vendor Address: _____

Council Approval Date: _____



EMERGENCY EXPENDITURE PURCHASE

Date of Request: _____ Employee: _____

Department: _____ Department Head Approval: _____

Budget GL: _____ Mayor Approval: _____

Brief description of why this is an emergency purchase: _____

Quantity	Description	Price	Per	Total Price

Vendor Name: _____

Vendor Address: _____

Council Notification Date: _____



MISSING PROOF OF DELIVERY OR RECEIPT OF PURCHASE (*not invoice*) AFFIDAVIT

When a receipt or proof of delivery is lost or otherwise unavailable and all measures to obtain a copy have been exhausted, this form must be completed.

It should be signed by the employee who made the purchase and/or the employee's supervisor / department head.

Location of expense:

<i>Business Name and address OR Tyler Vendor #</i>	<i>Date of purchase</i>	<i>Amount</i>
----------------------------------------------------	-------------------------	---------------

Expense Line Item Payable:

The receipt was (check applicable):

· Lost · Never Received · Other:

The form of payment I used (check applicable):

· Credit Card · Invoice Pay

**Detailed Reason for Transaction AND description of goods and/or services
(If a meal purchase, please list ALL people present):**

I understand that a Missing Receipt Affidavit should be used on rare occasions and may not be used on a routine basis.

I hereby certify that the original receipt was accidentally destroyed, lost, or unobtainable and that the information above is complete and accurate.

Signature of purchaser:

Supervisor / Department Head:

Date:



Material Ordering Report Town of Ashland City

Date purchased then date received:	
Amount of Purchase: (specify if freight was charged)	
Accounting Expense Code:	
Reason for Purchase/Description, Quantity etc.,	
Purchase Type: (card, invoice, other)	
PO Number	
Please attach receipts or invoices.	

REMINDERS:

- a) **Federal Excise Tax.** The Town is exempt from the payment of excise taxes imposed by the federal government, and suppliers should be requested to deduct the amount of such taxes from their bids, quotations, and invoices.
- b) **Correspondence with Suppliers.** Copies of any correspondence with suppliers concerning prices, adjustments, and defective merchandise shall be forwarded to the purchasing agent. All invoices, bills of lading, delivery tickets, and other papers related to purchases shall be sent to the purchasing agent.
- c) **Purchasing from an Employee.** It shall be the policy of the Town, not to purchase any goods or services from any employee or close relative of any Town employee or Town City Council member without the prior approval of the City Council.
- d) **Purchases Costing Less Than \$3,000.00.** The department head, after appropriation through the budget, is expected to obtain the best prices and services available for purchases estimated to be less than \$3,000.00 (ALL contracts must be approved and signed by Council unless State Contract)
- e) **Purchases and Contracts Costing – \$3,000.01 to \$9,999.99.** All purchases of supplies, equipment, services, and contracts estimated to be more than three thousand (\$3,000) but less than nine thousand nine hundred, ninety-nine dollars and ninety-nine cents (\$9,999.99), shall be unadvertised, but 3 written quotes are required and if not awarded to the lowest responsive bidder, a written explanation should be submitted with the 3 quotes.

Authorized Buyer Signature: _____



MATERIAL RECEIVING REPORT FORM

Purchase Order Number: _____

Department: _____

Quantity	Description	Price	Per	Total Price

Freight Charge: _____

Total Charges: _____

Materials Received:

Employee: _____

Date: _____

RESOLUTION 2022-

A RESOLUTION OF THE TOWN OF ASHLAND CITY, TENNESSEE TO PARTICIPATE IN THE STATE OF TENNESSEE VIOLENT CRIME INTERVENTION FUNDING PROGRAM

WHEREAS, the State of Tennessee Office of Criminal Justice has earmarked funding for Violent Crime Intervention; and

WHEREAS, the Town of Ashland City will receive \$84,179.00; and

WHEREAS, the Town would like to submit an intent to participate with this program; and

WHEREAS, the Mayor and City Council understand that there is no match for this funding;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF ASHLAND CITY, TENNESSEE the following:

SECTION 1: That the Town of Ashland City is hereby authorized to apply for the *Violent Crime Intervention Funding Program* through the State of Tennessee.

SECTION 2: That the Town of Ashland City further authorizes Chief Ray to apply for and manage this grant application.

Approved this ____ day of _____, 2022

Voting in Favor _____

Voting Against _____

Attest:

Mayor Jeffery Smith

City Recorder Alicia Martin, CMFO



EXPENDITURE REQUEST

Date of Request: 10-21-2022 Employee: AC Clark

Department: Parks Department Head Approval: _____

Budget GL: 110-44700-900

Brief description of need for expenditure request: Request to change approved truck from Ranger to Ford F150.

Quantity	Description	Price	Per	Total Price
1	2023 F150 ext. cab 4x4	\$37,643	1	\$37,643

Vendor Name: Ford of Murfreesboro

Vendor Address: 1550 N. W. Broad St. Murfreesboro, TN 37129

Council Approval Date: _____

Ford of Murfreesboro

John Hamby
 1550 NW Broad St.
 Murfreesboro, TN 37129

SALES QUOTATION

STATE CONTRACT- 000075348

TO:

ASHLAND CITY

2023 FORD F150 SUPER CAB 4WD PICKUP
 WHITE 6.5 FT BED

F.O.B.
 TERMS
 DELIVERY
 NUMBER

Thank you for your inquiry dated: *October 25, 2022*
 We are pleased to quote you the following:

ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	DELIVERY DATE
1	1	2023 FORD F150 SUPER CAB 4WD PICKUP	\$36,832.00	TBD
2		5.0 LITER V-8 GAS, 10 SPEED TRANSMISSION		
3		EXTERIOR- WHITE		
4		INTERIOR- DARK SLATE VINYL		
5		OPTIONS LISTED ON WINDOW STICKER	\$3,230.00	
6				
7				
8		101A EQUIPMENT POWER WINDOWS, LOCKS, MIRRORS		
9		REVERSE SENSING, CRUISE, REAR VIEW CAMERA		
10		5.0 LITER W/ TOW PKG. CHROME PKG. ALUMINUM WHEELS		
11		FOG LIGHTS		
12		TOTAL X 1	\$40,062.00	

We will be happy to supply any further information you may need and trust that you call on us to fill your order, which will receive our prompt and careful attention.

John Hamby

 PER

October 25, 2022

 DATE

2023 F-150 4x4 SuperCab 6.5' box 145" WB XL (X1E)

Price Level: 325



Client Proposal

Prepared by:

JOHN HAMBY

Office: cell615-631-6569

Email: jhamby@fordofmurfreesboro.com

Date: 10/25/2022



Ford of Murfreesboro | 1550 N.W. Broad St., Murfreesboro, Tennessee, 371291709

Office: 888-505-4898 | Fax: 61589397



Prepared by: JOHN HAMBY

10/25/2022

Ford of Murfreesboro | 1550 N.W. Broad St. Murfreesboro Tennessee | 371291709

2023 F-150 4x4 SuperCab 6.5' box 145" WB XL (X1E)

Price Level: 325

Warranty

Standard Warranty

Basic Warranty

Basic warranty

36 months/36,000 miles

Powertrain Warranty

Powertrain warranty

60 months/60,000 miles

Corrosion Perforation

Corrosion perforation warranty

60 months/unlimited

Roadside Assistance Warranty

Roadside warranty

60 months/60,000 miles

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See for the most current information.