



TOWN OF ASHLAND CITY

Regularly Scheduled Workshop Meeting

May 04, 2021 6:00 PM

Agenda

Mayor: Steve Allen

Vice Mayor: Daniel Anderson

Council Members: Tim Adkins, Gerald Greer, Roger Jackson, Chris Kerrigan, JT Smith

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) April 6, 2021 Workshop Meeting Minutes

REPORTS

2. Fire, Codes and IT Report
3. Police Department
4. Court Department
5. Senior Center
6. Parks Department
7. Public Utilities/Works
8. Financial Director
9. City Recorder

OLD BUSINESS

- [10.](#) Patchwork Festival Discussion
- [11.](#) Ordinance: Update Title 8 Chapter 1: Alcoholic Beverages
- [12.](#) Ordinance: Budget Amendment

NEW BUSINESS

- [13.](#) TCRS Rate Letter
- [14.](#) Filming Release Agreement: Weird Candy Creative Group Inc.
- [15.](#) Memorandum of Understanding: U.S. Army Garrison, Fort Campbell, Kentucky
16. Ordinance: Amend Title 18, Chapter 1 Section 18-107(1) Water and Sewer Rates
17. Ordinance: Adopting the Annual Budget and Tax Rate for the Fiscal Year 2021-2022
- [18.](#) Landscape Ordinance

SURPLUS PROPERTY NOMINATIONS

- [19.](#) Police Department: Ballistic Vest
- [20.](#) Police Department: 2008 Ford Crown Vic

EXPENDITURE REQUESTS

- [21.](#) Bank Rate Quotes

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
April 06, 2021 6:00 PM
Minutes

CALL TO ORDER

Mayor Allen called the meeting to order at 6:01 p.m.

ROLL CALL

PRESENT

Mayor Steve Allen
Vice Mayor Daniel Anderson
Councilman Tim Adkins
Councilman Gerald Greer
Councilman Roger Jackson
Councilman Chris Kerrigan
Councilman JT Smith

APPROVAL OF AGENDA

A motion was made by Vice Mayor Anderson, seconded by Councilman Smith, to approve the agenda. All approved by voice vote.

APPROVAL OF MINUTES

1. March 2, 2021 Workshop Meeting Minutes

A motion was made by Councilman Adkins, seconded by Councilman Kerrigan, to approve the March 2, 2021 Workshop Meeting Minutes. All approved by voice vote.

REPORTS

2. Fire, Codes and IT Report

Chief Chuck Walker stated he has several things on the agenda between flooding and a brush fire on the game reserve. Codes is staying busy and he doesn't have an IT report, but he will get it by next week. Councilman Jackson questioned if the IT person is doing a good job. Chief responded he has had his hands full and there has been a lot going on there, but he is doing a good job for us.

3. Police Department

Chief Kenny Ray stated they have been busy and had nearly a thousand (1,000) calls last month. Further, the drug arrests are up one hundred and ten percent (110%) since last year.

4. Court Department

Ms. Anita Justice-Kokoski stated she doesn't have anything to report. Councilman Adkins questioned when court is resuming. Ms. Justice-Kokoski responded it started last week at Sycamore Square Conference room, but we can't take payments there because of the firewalls and it not being a city building. Vice Mayor Anderson questioned using this building. Ms. Womack responded it is being used during the day.

5. Senior Center

Ms. Melissa Womack stated everything is going well. They had two vaccine clinics last month and there are two scheduled this month for the second shots. Attendance is inching back up a little at a time. Councilman Jackson questioned what the building is used for now. Ms. Womack responded the looming class, lunch and learns, several vendors have sponsored several things for us too. She further stated they sign up for programs as they are only allowed to have forty (40) people sign up. They also have exercise classes. Councilman Jackson stated if the county would let them use the county building for this sort of thing for the time being that would be beneficial. Vice Mayor Anderson questioned the number of days a month they have court.

Justice responded it is every Thursday right now, but will go back to once a month in November. Ms. Womack stated a lot of the programs have to be locked up due to confidentiality in the files. Further, they utilize the building for different times. Ms. Womack stated we discussed this in the department head meeting and if they wanted to use this building for court they would need to close the center on that day. Ms. Womack stated Thursday is one of the days that funding is based on the exercise classes and they cannot reschedule to another day. Councilman Adkins questioned when programming will be added. Ms. Womack stated all classes are back in session already. Ms. Womack stated there were days they had one person but now there are about fifty to fifty-five a day. Ms. Womack stated they are allowing twenty-four (24) in an exercise class. Vice Mayor questioned the number of sessions on a Thursday. Ms. Womack responded there are two (2) on Thursdays. Councilman Greer questioned what happens on Friday. Ms. Womack stated there are different classes and the exercise leader has another job and works on Fridays. Mayor Allen stated he sees both sides and there is no contract between us and the county concerns him. Ms. Womack stated she offered the space, but they would have to be closed on that day. Mayor Allen stated he like this option and we need to start setting a goal as to how we can change it as a year and a half is too far. Councilman Adkins questioned if anything has come of the Meals of Wheels discussion. Mayor Allen stated he has been in contact with several others and will continue discussions.

6. Parks Department

Mr. Scott Sampson stated the only damage that occurred because of the flooding was at the tennis courts concession building and the water got to some of the paper supplies. He informed council gutters are going to be installed at Fire Station II. playground soon. Further, the lights were delivered last week we just need an electrician to hook them up. He stated the Parks Advisory Board is planning an Earth Day event, with Friends of the Trail and Cheatham County Animal Control. Further, they are planning on planting flowers and a tree. The Board has also planned a Movie in the Park for April 24 and are planning to show Soul. He reported the Triathlon is scheduled for August 29. Chris Kerrigan questioned purchasing the equipment so that we won't have to pay for it each time. Mr. Sampson stated it would cost four thousand dollars (\$4,000) and he ordered it last week.

7. Public Utilities/Works

Mayor stated Clint was in Gainesboro today for a Sewer Treatment Plant meeting. Further, weed control is crazy since the warm weather and rain.

8. Financial Director

Ms. Gayle Bowman was not present.

9. City Recorder

Ms. Kellie Reed stated just so everyone is aware of the payment issues when court is in session, it ties up about four (4) people. There are two (2) on location and two (2) that are taking payments over the phone for credit cards. Receipts are handwritten and then are brought back to the office and keyed in. The officers are doing a great job of making the ladies working court feel secure by walking us to our vehicles and someone is stationed with us during court. The biggest issue is we are in the lobby and the credit card number is being called aloud which makes the credit card holder uncomfortable. She further stated there have been a lot of open record requests lately and that has been taking up quite a bit of time.

OLD BUSINESS

10. Arbor Loop Adjustment

Ms. Reed stated this is the adjustment we discussed at the Budget Committee Meeting and will need to have an official vote next week for the adjustment.

11. Ordinance: Update Title 8 Chapter 1: Alcoholic Beverages

Ms. Reed stated this was deferred from last month and Ms. Noe is currently working on this and should have it ready by the end of the week.

NEW BUSINESS

12. Patchwork Festival Discussion

Mr. Scott Sampson stated Ms. Della Smith is proposing this festival and he and Mayor Allen met with her a month ago to further discuss the festival. She will be present next week to go over the festival.

13. Court Discussion

Vice Mayor Anderson stated he would rather Ms. Gayle Bowman be here for this discussion. Ms. Justice-Kokoski stated that she felt the same. She further handed out a spreadsheet to council she provided last year. Further, the finding in the audit finding she told the auditors the figure would not be accurate because it will need to be done by hand and they are taking payments constantly. The computer will not give a report that gives the account report. She further stated they will need to upgrade to INCODE 10 in order to be able to take online payments and as far as she remembers that is the only thing that was discussed. Ms. Justice-Kokoski stated she thinks we need general sessions court because it brings in a lot of money, but it is up Council. Councilman Kerrigan stated that was his understanding as well. Ms. Reed stated that she believes what Ms. Gayle was saying is that the report can't be printed and be accurate because of the system. Further, the auditor wrote this as a finding rather than allowing time for getting accurate numbers. Vice Mayor Anderson stated that is not the way he took it, but if it is making that much money he thinks we should keep it.

14. Tyler Inventory Control Quote

Ms. Reed stated part of the issue with the audit was issues with inventory and assets as well as the depreciation of such. She further stated this quote is for approval of software to track assets and inventory via a scan system.

15. Lindy Murff Renewal Agreement

Ms. Womack stated this is Ms. Lindy's contract for holding classes and it is the same as it was last year.

16. Contract for Summerfest Band

Mr. Scott Sampson stated this is a band called Buller and Ms. Noe is reviewing. Vice Mayor Anderson stated this is for one thousand one hundred dollars (\$1,100). Mr. Sampson stated this is an 80's rock band.

17. Fire Department Pitney Bowes Agreement

Chief Walker stated this is for a stamp machine since we left City Hall we are requesting one.

18. Contract for Craig Campbell/Summerfest Performer

Mr. Sampson stated this is the second contract for a singer/songwriter of country music. Further he has around one thousand (1,000) followers on Facebook and is a big name.

19. Comcast Agreement: Fire Department

Chief Walker stated for twelve (12) years they had it for free and now that they have digital fiber down Highway 12 they are looking for cable at Fire Station II.

20. Resolution: Initial Resolution authorizing Interim Sewer Treatment Plant Financing

Ms. Reed stated this is the Initial Resolution authorizing interim financing and after passage it will be published in the paper. Further, this agreement must be passed first and cannot be passed in connection with the next agreement.

21. Resolution: Authorizing loan and loan agreement for Sewer Treatment Plant Interim Financing

Ms. Reed stated this authorizes the loan agreement for the interim financing.

22. Resolution: Assistance to Firefighters Grants - Fire Department

Chief Walker stated there is a couple of grants on the agenda and he would just like to go through the grants they are applying for half a million dollars (\$500,000) for a two-ton type engine and is a five percent (5%) grant. If awarded you can choose if you want to accept this or turn it down.

23. Resolution: SAFER Grants - Fire Department

Chief Walker stated there are two SAFER grants: one for hiring in the amount of four hundred eighty six thousand (\$486,000) and one for recruitment and retention in the amount of five hundred and thirty thousand (\$530,000) and the city's portion will be one hundred and thirty two thousand (\$132,000).

24. Ordinance: Budget Amendment

Ms. Reed stated this is the final budget amendment for the fiscal year. Further, this will be for staffing for the fire during COVID, the fire truck payments that were left out of the budget mistakenly, and also the traffic signal may need to be added to this depending on the timeline for that.

SURPLUS PROPERTY NOMINATIONS

25. Body Armor: 30 Bullet Proof Vests

Chief Ray stated they are expired bullet proof vests and we will be placing these on gov deals to see what we get out of them.

26. Surplus: Forklift

Vice Mayor Anderson stated the one Clint has on here is the old yellow forklift that came with the building and is really old.

EXPENDITURE REQUESTS

27. Metal Pole Barn Structure Bid

Chief Walker stated we are opening bids for that on Friday and we will have bids for you next Tuesday.

28. Request to Bid: Traffic Signal for Hampton Inn Development

Ms. Reed stated essentially the City would bid it out and this would be to add a traffic light on the one side for the new traffic light at Hampton Inn. Further, Mr. Patel will reimburse the City the cost of the traffic light. Councilman Adkins questioned if they have an update of when they might be opening. Mr. Patel stated they are projected to open in July.

OTHER

Caldwell Park Property - Mayor stated there is a petition going around not wanting the city to sale it. Mayor stated Andy Hobbs has expressed interest to purchase it and build a home. Chief Walker stated he doesn't believe it would be eligible to be rezoned. Councilman Adkins questioned how we can track the use of this park. Councilman Greer questioned what can be done with that property. Several people commented it could be a residential home. Mayor stated if Council does want to sell it, they need to come up with a price to put on it.

Josh Wright talked to the Parks Advisory Board about a master plan for the county property. Councilman Adkins questioned if they asked about Caldwell Park. Mr. Sampson stated they want to see the money used toward the master plan for the park.

Ms. Womack stated on Arbor Day they are going to plant a tree for in memory of everyone that was lost during COVID. Further, the garden club is sponsoring a blue star marker for the Veterans Memorial Park. Further, they are going to get help from the club for landscaping at the park. On May 15 they will be doing a dedication of park and on July 17 they will unveil new marker.

ADJOURNMENT

A motion was made by Councilman Smith, seconded by Vice Mayor Anderson, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 7:11 p.m.

MAYOR STEVE ALLEN

CITY RECORDER KELLIE REED, CMFO, CMC

SEPTEMBER 10-12 (TENTATIVE)

PATCHWORK FESTIVAL

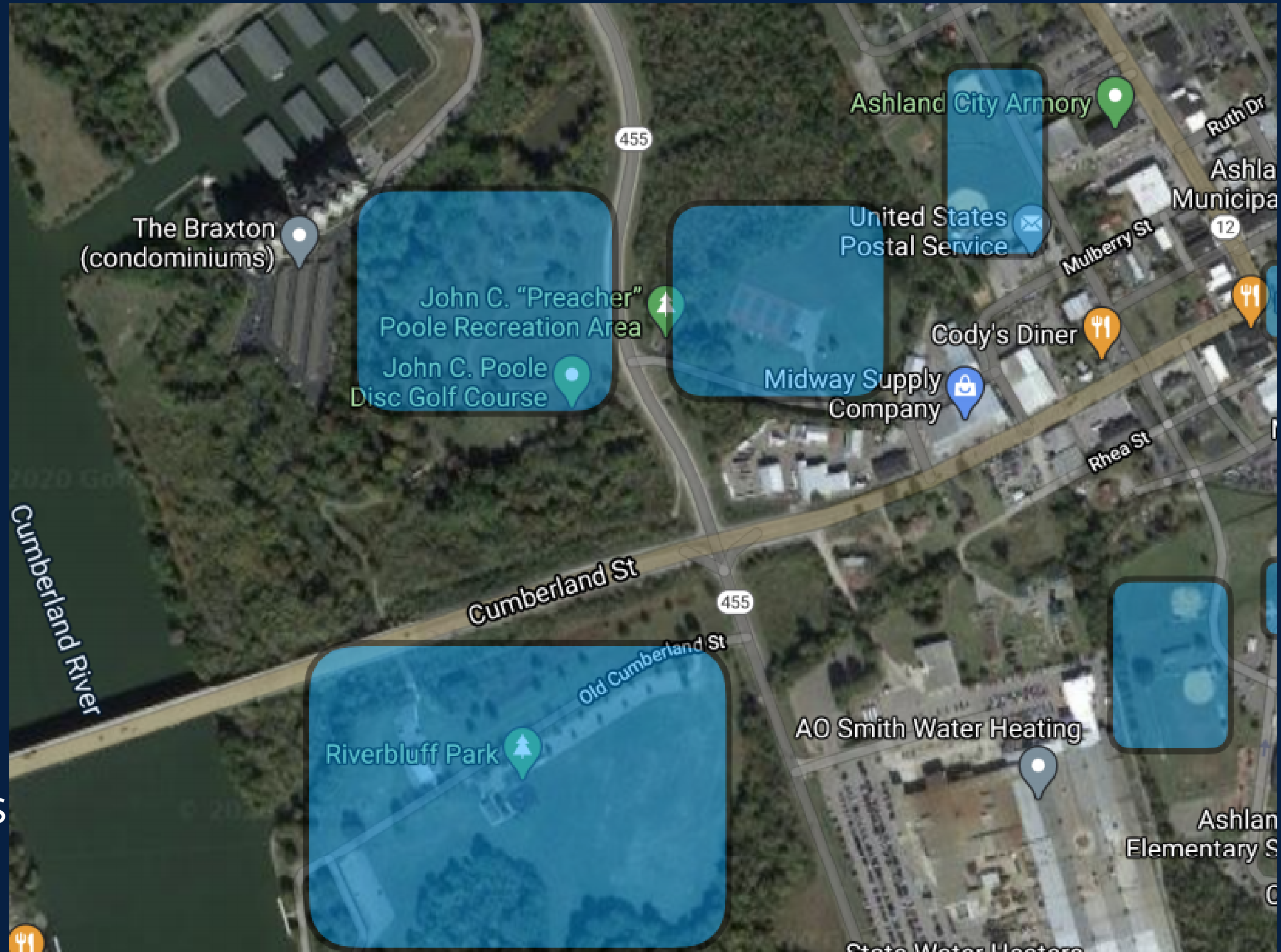
SOUTHERN MUSIC AND ARTS CELEBRATION

-VENUE-

- Main stage:
Riverbluff Park
- Camping/Secondary Stage:
John C. Poole Rec Area

Other Potential Venues:

- Fairgrounds, Local Farm in Bells Bend, Bells Bend Farmhouse



-MOCK LINEUP-

Level of artists are subject to capacity level/ size of audience - this should serve as a guide for style and influence of artists to be hosted

**LEON BRIDGES | JASON ISBELL & THE 400 UNIT | KEB MO' |
RHIANNON GIDDENS | STURGILL SIMPSON | BLIND BOY
PAXTON | COLONY HOUSE | HOGSLOP STRING BAND |
AMYTHYST KIAH | DIRTY DOZEN BRASS BAND | GIL GANN |
MERCURY | FISK JUBILEE SINGERS | MOLLY PARDEN**

-SCHEDULE-

FRIDAY - bonfire & acoustic sets from 6-10pm at campsites

SATURDAY - music 12pm-10pm (roughly 7 acts)

SUNDAY - gospel choir in the a.m., continue from 12 pm-7pm
(roughly 4 acts)

ENTERTAINMENT

{SMALL STAGE}

- **Storytelling**

Through the Southern Order of Storytellers; folklorists continuing the art of American storytelling in an intimate setting

- **Intimate Acoustic Sets**

Local and up-and-coming artists performing acoustically in the camping area to cultivate a sense of closeness

- **Songwriting Workshop**

Opportunity to hear more from artists in a Q+A setting that allows for interaction

- **Jam Circles**

Similar to the Full Moon Pickin' Parties, bringing your own instrument is encouraged and space is allowed for groups of enthusiasts to make music together

-ACCOMODATION-

- Camping at John C. Poole Recreation Area (or local farm or campground in area with shuttles)
- Tiny Houses for VIP ticketholders
- Hampton Inn (if completed by September 2021)

-TINY HOUSES-

Timbercraft Tiny Homes



New Frontier Design



-TICKETS-

Ticket prices will be subject to capacity of events, but will be generally divided into several different tiers. Ticket tiers at present are subject to change throughout the planning process.

- Single Day General Admission
- Weekend Pass, no camping
- Weekend Pass, camping included
- VIP Pass, tiny house included as well as backstage access

-ART MARKET-

Local vendors showcasing Southern arts - glassblowing, painting, pottery, folk art, etc.

The Old School pottery



-FOOD VENDORS-

Inclusion of black-owned businesses and food trucks

- Will have a designated food vendor area by main stage- the Food Truck Roundup
- For campers, vendors serving breakfast food will be available in the camp area

-BARS & BEVERAGES-

- Little Marrowbone Brewing Company
- Bars will serve from local wineries, breweries, and distilleries
- Serve up southern inspired classics- gin and sweet tea, bushwhackers, etc.

-COMMUNITY INVOLVEMENT-

- Reach out to black leadership organizations for involvement in planning
- Involve a local non-profit to donate a portion of the proceeds

-WORKSHOPS-

No. 9 workshops- potential for doing workshop on food preservation, organic gardening, etc.

Songwriting workshops

Demonstrations from Southern artists

-ASHLAND CITY BENEFITS-

- Exposure for Ashland City
- Only music festival in Cheatham County (?)
- Sales tax revenue
- Launch of Arts Council
- Growth of Ashland City presence in tourism
- Promotion & support of local artisans and vendors

-FUNDING-

- Tickets- the majority of revenue will come from ticket sales
- Vendor fees- vendors will pay a fee for booth space
- Corporate Sponsorship- startup costs and additional revenue from advertisement for corporate sponsors
- **Once capacity is established, a business plan can be worked up for budgeting purposes and funds can be raised**

ALCOHOLIC BEVERAGES¹

CHAPTER

1. INTOXICATING LIQUORS.
2. BEER.
3. WINE IN A RETAIL FOOD STORE.

CHAPTER 1

INTOXICATING LIQUORS SECTION

- 8-101. Sale, etc., of intoxicating liquor regulated.
- 8-102. Definitions.
- 8-103. State laws to be complied with.
- 8-104. Restrictions on operators of retail liquor stores.
- 8-105. Application for certificate of good moral character and city license.
- 8-106. Certificate of good moral character-expiration and renewal.
- 8-107. Certificate of good moral character-issuance.
- 8-108. Only one establishment to be operated by retailer.
- 8-109. Restriction to location.
- 8-110. Minimum distance requirement.
- 8-111. Display of license.
- 8-112. New license after revocation.
- 8-113. Limitations of number of retailers.
- 8-114. Radios, amusement devices and seating facilities--prohibited in retail establishments.
- 8-115. Regulations of sale.
- 8-116. Inspection fee.
- 8-117. Violations.

8-101. Sale, etc., of intoxicating ~~liquor~~liquor regulated. It shall be unlawful to purchase or to engage in the business of selling, storing, transporting, or distributing alcoholic beverages within the corporate limits of the Town of Ashland City, except as provided by Tennessee Code Annotated, § 57-3-101, et. seq. and by the rules and regulations promulgated hereunder, and as provided in this chapter.

¹ State law reference
Tennessee Code Annotated, Title 57

Nothing in this chapter regulates the transportation, storage, sale, distribution, possession or receipt of or tax upon any beverage of alcoholic content of five percent (5%) by weight or less, and no ordinance related thereto is modified by this chapter. This chapter does not apply to beer as defined pursuant to Tennessee Code Annotated 57-5-101 (b).

8-102. Definitions. Whenever used herein, unless the context requires otherwise:

(1) "Alcoholic beverage" or "beverage" means and includes alcohol, spirits, liquor, wine, and every other liquid containing alcohol or spirits, and capable of being consumed by a human being, other than patented medicine and beer as defined pursuant to Tennessee Code Annotated 57-5-101 (b).

(2) "License" means the license issued herein and "licensee" means any person to whom such license has been issued by the State of Tennessee Alcoholic Beverage Commission.

(3) "Retail sale" means a sale of alcoholic beverage to a consumer.

(4) "Retailer" means any person who sells at retail any beverage for the sale of which a license is required under the provision herein.

~~(5) "Manufacturer" means and includes a distiller, vintner and rectifier.~~

(6) "Wholesale" or "sale at wholesale" means a sale to any person for purposes of resale.

(7) "Wholesaler" means any person who sells at wholesale any beverage for the sale of which a license is required under the provision of Tennessee Code Annotated, §§ 57-3-101 through 57-3-110.

(8) "Words" importing the masculine gender shall include the feminine and the neutral, and the singular shall include the plural.

(9) "Person" means a private individual, partnership, joint venture, corporation, or any other business entity or association.

(10) "Premises" means the property owned, leased or controlled by the licensee and so connected with the liquor business in which the licensee is engaged as to form a component or integral part of it, including, but not limited to, the building and parking areas surrounding it.

(11) "Curb service" means all sales transacted outside of the building where the business is carried on. The intent of this provision being to insure that the sale and purchase of alcoholic beverages is transacted in a face-to-face meeting between the salesperson and the customer, with the customer outside of a motor vehicle and under such circumstances that the salesperson has a reasonable opportunity to determine if the customer is then in an intoxicated condition or is a minor. (12) "Wine" means the product of the normal alcoholic fermentation of the juice of fresh, sound, ripe grapes, with the usual cellar treatment and necessary additions to correct including champagne, sparkling, and fortified

wine of an alcoholic content not to exceed twenty-one percent (21%) by volume. No other product shall be called "wine" unless designated by appropriate prefixes descriptive of the fruit or other product from which the same was predominantly produced, or an artificial or imitation wine.

(13) "Federal license" shall not mean tax receipt or permit. (as added by Ord. #340, April 2008)

(14) Distiller means any person who owns, occupies, carries on, works, conducts or operates any distillery either personally or by agent.

(15) Distillery means and includes any place or premises wherein any liquors are manufactured for sale.

(16) Manufacture means and includes a brewer of high content beer, distiller, vitner and rectified.

(17) Rectifier includes any person who rectifies, purifies or refines distilled spirits or wines by any process other than as provided for on distillery premises.

(18) Vitner means any person who owns, occupies, works or operates any winery.

(19) Alcoholic Beverage Commission hereinafter referred to as "ABC" is the state commission that regulates liquor and wine as set out pursuant to Tennessee Code Annotated 57-3-101 et.seq.

8-103. State laws to be complied with. No person, firm, corporation, association or partnership shall engage in the wholesale or retail liquor business unless all the necessary state licenses and permits have been obtained. The person, firm, or corporation must have a license with the Alcoholic Beverage Commission. This includes all wineries and distilleries. (as added by Ord. #340, April 2008)

8-104. Restrictions on operators of retail liquor stores. ~~(1) Government employees prohibited from obtaining permit. No person, member of a firm, corporation, or partnership shall operate a retail store for the sale of alcoholic beverages herein defined if he is a holder of a public office, either appointed or elective, or who is a public employee either national, state, city or county except uncompensated appointed members of boards of commissioners who have no duties covering the regulation of permit holders under this chapter. It shall be unlawful for any such person to have any interest in such retail business directly or indirectly, either proprietary or by means of any loan, mortgage, or lien, or to participate in the profits of any such business.~~

(2) Residence requirements. No person, member or firm, corporation, partnership or association shall own or operate a retail store for the sale of alcoholic beverages as herein defined if he/she shall not have been a resident of Cheatham County as concurrent with state law prior to making application for a license. This requirement as to residence in the case of a corporation, firm, associations, or a partnership shall apply to all of its officers, stockholders, and partners. Do we want to keep this? If yes, how long do they have to be a resident?

~~(3) Age limit. No retailer engaged in any activity covered by this chapter shall be a person under the age of eighteen (18) years. No employee engaged in any activity covered by this chapter shall be a person under the age of eighteen (18) years, and it shall be unlawful for any retailer or employee to permit any such person under the age of eighteen (18) in his place of business to engage in the sale of alcoholic beverages.~~

(4)(1) Criminal record. No retailer shall have been convicted of a felony or of any law regulating intoxicating liquors or controlled substances within a ten (10) year period.

(5)(2) Employees. No retailer shall employ in the sale, storage, or distribution of alcoholic beverage any person who, within ten (10) years prior to the date of his employment, shall have been convicted of a felony or of any law regulating intoxicating liquors or controlled substances, and in case an employee should be so convicted after becoming employed he shall immediately be discharged.

8-4

~~(3)6~~ Transfer or sale of license prohibited. The holder of a license may not sell, assign, or transfer such license to any other person, and the license shall be good and valid only for the calendar year in which the same was issued and at the location specified in the license.

(7) Undisclosed interest prohibited. It shall be unlawful for any person to have ownership in or to be a partner in or a stockholder, director, or officer, or to participate directly or indirectly in the profits of any business for which a license is granted hereunder, unless his interest in the business and the nature, extent and character thereof shall appear on the application, ~~or if the interest is acquired after the issuance of the license unless it shall have been fully disclosed in writing by supplement to the application filed with the commissioner of finance and revenue and approved in writing by him before such interest is acquired. Where such interest is owned by any person on or before the application for a license, the burden shall be upon such person to see that this section is fully complied with, whether he, himself, signs or prepares the application, or whether the same is prepared by another; or if such interest is acquired after the issuance of the license, the burden of the required disclosure of the proposed acquisition of the interest shall be upon both the seller and purchaser. (as added by Ord. #340, April 2008, and amended by Ord. #427, March 2015)~~

8-105. Application for certificate of good moral character, ~~and city license~~. Before any character certificate ~~or city license~~ is issued ~~or a renewal of said certificate as required by Tennessee Code Annotated, § 57-3-213, the following must be accomplished. In regards to a retailers license~~

(1) An application in writing shall be filed with the city recorder on a form to be provided by the city, giving the following information:

- (a) Name, age and address of the applicant.
- (b) Number of years of residence in Cheatham County.
- (c) Occupation or business and length of time engaged in such occupation or business.

(d) Whether or not the applicant has been convicted of a violation of any state or federal law or of the violation of this code or any city ordinance, and the details of any such conviction.

(e) If employed, the name and address of employer.

(f) If in business, the kind of business and location thereof.

(g) The location of the proposed store for the sale of alcoholic beverages.

(h) The name and address of the owner of the store.

(i) A copy of corporate paperwork as filed with the Tennessee Secretary of State, copy of any partnership agreement, or any other material to show ownership of a partnership or corporation as may be determined by the council.

Change 11, April 12, 2016

8-5

(j) A copy of any and all paperwork submitted to the alcoholic beverage commission including but not limited to the application filed with the ABC.

(k) If the applicant is a partnership, the name, age and address of each partner, and his occupation, business or employer. If the applicant is a corporation, the name, age and address of the stockholders and their degrees of ownership of stock in the corporation.

(l) The information in the application shall be verified by the oath of the applicant. If the applicant is a partnership or a corporation, the application shall be verified by the oath of each partner or by the president of the corporation.

~~(m) The applicant shall place a notice in a local newspaper of general circulation concerning the applicant's intent to seek a license from the alcoholic beverage commission. The notice shall contain such information as is prescribed in section (16) of chapter 0100-3-09 of the Local Option Liquor Rules and Regulations and shall appear for at least three (3) consecutive issues immediately preceding the date that the applicant applies to the city for a certificate of compliance. The application shall be accompanied by a copy of the public notice and the sworn statement of the applicant that the notice was published in accordance with this section and the rules of the commission.~~

(n) The city shall, after examination and with approval within sixty (60) days, issue a certificate of compliance that is to be attached to the application provided to the state for state licensing. The city shall require a copy of all applications and information sent to the state.

(2) Each application shall be accompanied by a non-refundable investigation fee of five hundred (\$500.00) dollars. Are we still good with the fee? Have seen up to \$1,000.00 There is also an additional fee of one hundred dollars (\$100.00) for each additional criminal background checkup in partnerships and corporations for anyone owning a ~~ten~~ five percent (105%) or greater interest. Each applicant understands that a full background checkup will be done on not only the applicant but if a partnership, then the partner, and if a corporation then on anyone owing an interest of ~~ten~~ five percent (105%) or more. By applying for a certificate, the applicant and anyone that is required to have a background

check hereby releases the Town of Ashland City from any and all liability that may be associated with the performance of the background check.

(3) The applicant for a certificate of good moral character shall agree in writing to comply with the state and federal laws and ordinances of the city and rules and regulations of the alcoholic beverage commission of the state for sale of alcoholic beverages.

~~(4) An applicant for a certificate of good moral character will be required to appear in person before the board of mayor and aldermen for such reasonable examination as may be desired by the board. (as added by Ord. #340, April 2008)~~

(4) The applicant location for the liquor store shall be reviewed to determine that the location is properly zoned for a liquor store.

(5) The certificate of good moral character shall become void in the event that the license is not approved by the ABC and shall be subject to another application process in the event the applicant applies for another license.

Change 11, April 12, 2016

8-6

~~8-106. Certificate of good moral character expiration and renewal. Certificate of good moral character issues under this chapter shall expire after two (2) years or any time there is a change in ownership of the license's establishment or any time a license issued by the alcohol beverage commission is revoked, canceled, or otherwise terminated other than by expiration. There shall be a one hundred dollar (\$100.00) renewal fee per person to defray the cost of a new background check. (as added by Ord. #340, April 2008, and replaced by Ord. #380, Feb. 2011)~~

8-107. Certificate of good moral character-issuance. A certificate of compliance shall be authenticated as any other resolution of the city council if the city council, while in session, shall find that the applicant fulfills all the following requirements:

(1) The applicant or applicants who are to be in actual charge of the business are of good moral character and are personally known to a majority of the city council, or it is found that the applicant's general character is good.

(2) If a corporation, partnership, association or firm, the executive officers or those in control and each owner, partner, or stockholder are of good moral character and personally known to a majority of the city council.

(3) The applicant has not violated any of the provisions of this chapter or the laws of the State of Tennessee and of the United States which regulate the control of intoxicating liquors, within ten (10) years prior to the date of this application.

(4) The applicant has not been convicted of a felony within (10) ten years prior to the date of application.

(5) In the opinion of the city council the applicant is not likely to violate the law regarding sales of alcoholic beverages.

(6) The applicant or applicants meets all the other requirements of this chapter. (as added by Ord. #340, April 2008) and as set out in Tennessee Code Annotated 57-3-202

~~8-108. Only one establishment to be operated by retailer. No retailer shall operate, directly or indirectly, more than one (1) place of business for the sale of alcoholic beverages. The word "indirectly," as used in this section, shall include and mean any kind of interest in another place of business by way of stock, ownership, loan, partner's interest or otherwise. (as added by Ord. #340, April 2008)~~

8-109. Restriction to location. (1) Adequate off-street on-site parking space shall be available to any proposed retail liquor store as well as distillery or winery and be in conformance with the zoning ordinances of the Town of Ashland City. ~~No liquor store shall be located on any property unless such property is in a commercial district. To assure that these requirements are satisfied, no original license shall be issued until the planning and zoning board has reviewed and recommends the site plan submitted by the applicant to the city council. Any retail, wholesale, distillery, or winery must meet all zoning requirements and building codes.~~

Change 11, April 12, 2016

8-7

(2) No retail store shall be located except on the ground floor and it shall have one (1) main entrance opening on a public street, and such place of business shall have no other entrance for use by the public except as hereafter provided. When a retail store is located on the corner of two (2) public streets, such retail store may maintain a door opening on each of the public streets. Said building shall be of a permanent type of construction and no store shall be located in a mobile home or other moveable type of building. Said store shall be of a minimum size of one thousand (1,000) square feet.

(3) To the fullest extent, consistent with the nature of the establishment, full, free and unobstructed vision shall be afforded from the street and public highway to the interior of the place of sale of alcoholic beverages there sold. ~~All retail sales shall be confined to the premises of the structure and no curb service should be permitted nor shall there be permitted drive in windows. (as added by Ord. #340, April 2008)~~

8-110. Minimum distance requirement. No liquor store shall be located within three hundred foot (300') distance of separation from a church, school, other public institution, or public meeting place. The distance of separation shall be determined by the length of a straight line drawn between the front door of the building of the church, school or public institution or a public entrance of the building and the front door of the building for which the license is sought. (as added by Ord. #340, April 2008)
Are we still good with this? Public institution or public meeting place?

8-111. Display of license. Persons granted a license to carry on the business or undertaking contemplated herein shall, before being qualified to do business, display and post, and keep displayed and posted, in the most conspicuous place in their premises, such license. (as added by Ord. #340, April 2008)

~~8-112. New license after revocation. Where a license is revoked, no new license shall be issued to permit the sale of alcoholic beverages to the same licensee until after the expiration of one(1) year from the date said revocation becomes final and effective. (as added by Ord. #340, April 2008)~~

8-113. Limitation on number of retailers. No more than three (3) retail licenses for the sale of intoxicating liquors shall be issued under this chapter. (as added by Ord. #340, April 2008) Are we still good with this?

~~8-114. Radios, amusement devises and seating facilities prohibited in retail establishments. No radios, pinball machines, slot machines or other devices which tend to cause persons to congregate in such place shall be~~

Change 11, April 12, 2016

8-8

~~permitted in any retail establishment. No seating facilities shall be provided for persons other than employees. (as added by Ord. #340, April 2008)~~

8-115. Regulations of sale.

(1) Hours of sales ~~shall be in compliance with the ABC regulations. on weekdays. Retail dealers in alcoholic beverages shall not engage in the sale of such beverages except between the hours of 8:00 A.M. and 11:00 P.M. on weekdays and Saturdays.~~

~~(2) Transfers of ownership or possession of any alcoholic beverage by a retailer in any manner other than by retail sale is hereby prohibited.~~

~~(3) Sales on Sundays prohibited. No retailer shall sell any alcoholic beverages between 11:00 P.M. on Saturdays and 8:00 A.M. on the following Monday of each week.~~

(4) Sales to minors prohibited. No retailer shall sell any alcoholic beverages to any person under twenty-one (21) years of age, and it shall be unlawful for such minor to purchase any alcoholic beverages. Also, it shall be unlawful for any person to present false evidence that he has attained the age of twenty-one

(21). Any violations discovered by the City will be reported to the ABC.

~~(5) Sales on certain holidays prohibited as set by the ABC. No retailer shall sell any alcoholic beverages on the following holidays: Christmas, New Years, Thanksgiving, Labor Day and Fourth of July.~~

~~(6) Keeping an unsealed bottle or container prohibited. No retailer of alcoholic beverages shall keep or permit to be kept upon his premises any alcoholic beverages in any unsealed bottles or other unsealed containers.~~

~~(7) Sales to person intoxicated prohibited. No retailer shall sell any alcoholic beverages to any person who is intoxicated nor shall any retailer sell any alcoholic beverages to any person accompanied by a person who is intoxicated.~~

~~(8) Sales on credit prohibited. No holder of permit for the sale of alcoholic beverages for retail shall sell, deliver, or cause, permit, or procure to be sold or delivered any alcoholic beverages on credit.~~

~~(9) Unstamped merchandise prohibited. No retailer shall own, store or possess upon the premises any unstamped merchandise required by laws of the State of Tennessee to have affixed thereto revenue stamps of the state.~~

~~(10) Political advertising prohibited. No political advertising of or for any candidate or party by poster, handout, matches, or other similar election campaign material shall be placed or dispensed on the premises of a retail liquor store.~~

~~(11) Consumption on the premises prohibited. No alcoholic beverages shall be sold for consumption or consumed on the premises of the seller. (as added by Ord. #340, April 2008)~~

8-116. Inspection fee. The following shall apply regarding inspection fees:

Change 11, April 12, 2016

8-9

(1) There is hereby imposed an inspection fee on all gross purchases of alcoholic beverages made by licensees under this chapter. Said fee to be at the maximum amount as provided for in Tennessee Code Annotated 57-3-501. ~~to be in the amount of five percent (5%). This is currently 8 percent if population under 60,000 for the county as a whole.~~

(2) The inspection fee shall be collected by the wholesaler from the retailer at the time of sale or at the time the retailer makes payment for the delivery of the alcoholic beverages.

(3) Every such wholesaler shall hold the fees imposed under the authority of this section until paid to the Town of Ashland City as hereinafter provided.

(4) Each wholesaler making sales to retailers located within the corporate limits of the Town of Ashland City shall furnish the City of Ashland City a report monthly, which report shall contain the following:

(a) The name and address of the retailer;

(b) The wholesaler price of the alcoholic beverages sold to such retailer;

(c) The amount of tax due under this section; and

(d) Such other information as may be required by the Mayor and City Council of the Town of Ashland City. The monthly report shall be furnished to the city recorder of the town not later than the twentieth (20th) of the month following which the sales were made; and the inspection fees collected by the wholesaler from the retailers located within the Town of Ashland City shall be paid to the Town of Ashland City. The wholesaler shall be entitled to reimbursement for this collection service a sum equal to five percent (5%) of the total amount of inspection fees collected and remitted, such reimbursement to be deducted and shown on the monthly report to the Town of Ashland City.

(5) Each wholesaler who fails to collect and/or remit in a timely manner the inspection fee imposed hereunder shall be liable in addition to the tax for a penalty of ten percent (10%) of the fee due the Town of Ashland City which shall be payable to the Town of Ashland City.

(6) The Town of Ashland City shall have the authority to audit the records of all wholesalers subject to the provision of this section in order to determine the accuracy of said monthly report. (as added by Ord. #340, April 2008, and replaced by Ord. #425, Feb. 2015)

8-117. Violations. Any violation of this chapter shall constitute a civil offense and shall, upon conviction be punishable by a penalty under the general penalty provisions of this code. Upon conviction of any person under this chapter, it shall be mandatory for the city judge to immediately certify the conviction, whether on appeal or not, to the Tennessee Alcoholic Beverage Commission. (as added by Ord. #340, April 2008)

CHAPTER 2
BEER SECTION

8-201. Interpretation and enforcement.

8-202. Definitions. 8-203. Hours of sale.

8-204. Taxes to be collected. 8-205. Establishment: membership.

8-206. Meetings. 8-207. Record of proceedings.

8-208. Requirements for quorum, action.

8-209. Powers and duties.

8-210. Permit required for engaging in beer business.

8-211. Restrictive nature.

8-212. Conditions of permits.

8-213. Interference with public health, safety, morals.

8-214. Persons convicted of certain crimes deemed ineligible.

8-215. Prohibited conduct or activities by permit holders, agents, servants or employees.

8-216. Revocation and suspension proceedings.

8-217. Civil penalties.

8-218. Fees.

8-201. Interpretation and enforcement. This chapter and the provisions herein shall be interpreted and enforced in conjunction with the laws of the State of Tennessee in regard to beer and other beverages of less than five percent (5%) alcoholic content. In the event of conflicts or inconsistencies, the laws of the State of Tennessee shall control. (Ord. #101, Dec. 1993)

8-202. Definitions. (1) "Beer" as used in this chapter shall mean and include all beers, ales and other malt liquors having an alcoholic content of not more than five percent (5%) by weight, and excluding "wine," as defined in T.C.A. § 57-3-101(a)(20).

(2) "Moral turpitude" as used in this chapter shall mean premeditated murder, all sex related crimes, the illegal sale of Schedule I and II controlled substances as designated under T.C.A. §§ 39-17-405 through 39-17-408, and embezzlement. (Ord. #101, Dec. 1993)

8-203. Hours of sale. No beer shall be sold between 3:00 A.M. and 6:00 A.M. Monday through Saturday, or on Sunday from 3:00 A.M. until 12:00 noon. (Ord. #101, Dec. 1993, as amended by Ord. #252, May 2002, as amended by Ord. #298, Jan. 2005)

8-204. Taxes to be collected. The city's clerk is hereby directed to take appropriate action to ensure payment to the city of the wholesale beer tax levied by the Wholesale Beer Tax Act, as set out in T.C.A. § 57-6-101 et seq. The city's clerk is further directed to take appropriate action to ensure payment to the city of the privilege tax imposed on the business of selling, distributing, storing or manufacturing beer under T.C.A. § 57-5-104(b). (Ord. #101, Dec. 1993)

8-205. Establishment: membership. There is hereby established a beer board to be composed of all the members of the city council. The board shall elect a chairman of the beer board. All members of the beer board shall serve without additional compensation. (Ord. #101, Dec. 1993)

8-206. Meetings. All meetings of the beer board shall be open to the public. When there is business to come before the beer board, a meeting may be called by the chairman, the city manager or clerk, provided that a reasonable notice thereof is given to each member. The board may adjourn a meeting at any time to another time and place. (Ord. #101, Dec. 1993)

8-207. Record of proceedings. The clerk shall make a record of the proceedings of all meetings of the beer board. The record shall be a public record and shall contain at least the following: the date of each meeting; the names of the board members present and absent; the names of the members introducing and seconding motions and resolutions, etc., before the board; a copy of each such motion or resolution presented; the vote of each member thereon; and the provisions of each beer permit issued by the board. (Ord. #101, Dec. 1993)

8-208. Requirements for quorum, action. The attendance of at least a majority of the members of the beer board shall be required to constitute a quorum for the purpose of transacting business. Matters before the board shall be decided only by a majority of the total membership of the beer board. Any member present but not voting shall be deemed to have cast a "nay" vote. Applicants or permit holders adversely affected by a vote of the beer board at a meeting in which the total membership is not present may request a rehearing before the full board. (Ord. #101, Dec. 1993)

8-209. Powers and duties. The beer board shall have the power and it is hereby directed to regulate the selling, storing for sale, distributing for sale, and manufacturing of beer within the city in accordance with the provisions of this chapter. (Ord. #101, Dec. 1993)

8-210. Permit required for engaging in beer business. (1) It shall be unlawful for any person to sell, store for sale, distribute for sale or manufacture beer without first making application to and obtaining a permit from the beer

board. The application shall be made on such form as the board shall prescribe and/or furnish. Each applicant must be a person of good moral character and he must certify that he has read and is familiar with the provisions of this chapter.

(2) Permits shall be issued to the owner of the business, whether a person, firm, corporation, joint-stock company, syndicate or association.

(3) The periodic renewal of beer permits shall not be required. However, a permit shall be valid:

(a) only for the owner to whom the permit is issued and cannot be transferred to another owner. If the owner is a corporation, a change in ownership shall occur when control of at least fifty percent (50%) of the stock of the corporation is transferred to a new owner;

(b) only for a single location, and cannot be transferred to another location; and

(c) only for a business operating under the name identified in the permit application.

(4) A beer permit shall not be valid if beer is not sold, distributed or manufactured by the permit holder during any continuous six-month period after issuance of the permit.

(5) A permit holder must return a permit to the city within fifteen (15) days of termination of the business, change in ownership, relocation of the business or change in name of the business; provided, however, that notwithstanding the failure to return a beer permit, a permit shall expire on termination of the business, change in ownership, relocation of the business or change in name of the business. (Ord. #101, Dec. 1993)

8-211. Restrictive nature. All beer permits shall be restrictive as to the type of beer business authorized under them. Separate permits shall be required for selling at retail, storing, distributing and manufacturing. It shall be unlawful for any beer permit holder to engage in any type or phase of the beer business not expressly authorized by his permit. It shall likewise be unlawful for him not to comply with any and all express restrictions or conditions which may be written into his permit by the beer board.

(1) "On-premise" permit. A permit may be issued to a business engaged in the sale of beer where the beer is to be consumed by the purchaser or his/her guests upon the premises of the seller. No on-premises type permits will be issued authorizing the storage, sale, or manufacturing of beer unless the permittee meets the following qualifications defining a restaurant, special permit, golf course, or hotel:

(a) Restaurant. A restaurant shall mean any public place kept, used, maintained, advertised and held out to the public as a place where meals are served and where meals are actually and regularly served, without sleeping accommodations, each place being provided with adequate and sanitary kitchen and dining room equipment and seating

capacity of at least sixteen (16) people at tables, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. At least one (1) meal per day shall be served at least five (5) days a week, with the exception of holidays, vacations, and periods of redecorating, and the serving of such meals shall be the principal business conducted; to qualify as a "restaurant" hereunder, receipts from the sale of food shall be at least 60% of the total gross receipts in any consecutive month period for the business establishment.

(b) Hotel. "Hotel" means every building or other structure kept, used, maintained, advertised and held out to the public to be a place where food is actually served and consumed and sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent, or residential, in which fifty (50) or more rooms are used for the sleeping accommodations of such guests and having one (1) or more public dining rooms, with adequate and sanitary kitchen and a seating capacity of at least seventy-five (75) at tables, where meals are regularly served to such guests, such sleeping accommodations and dining rooms being conducted in the same building or in separate buildings or structures used in connection therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out herein for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operations of a restaurant on their premises and the holder of such franchise shall be included in the definition of hotel herein. To qualify as a "hotel" hereunder, receipts from the sales of alcoholic beverages shall not exceed 40% of the total gross receipts in any consecutive two-month period for the business establishment.

Hotel also means and includes all entities previously described wherein sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent, or residential, in which thirty (30) or more suites are used for sleeping accommodations of such guests and having eating facilities in each room for four (4) or more persons with an adequate and sanitary central kitchen from which meals are regularly prepared and served to guests in such suites. For the purpose of this section a suite is defined as a guest facility within a hotel where living, sleeping, and dining are regularly provided for such guests within the individual units provided for guests. Provided, however, that no such hotel or suite as defined in this subdivision shall be authorized to charge for, inhibit or otherwise interfere in any way with the rights of its guests or tenants to carry into rooms or suites rented by them their own bottles, packages or other containers of alcoholic beverages or to use or serve them to themselves, their own visitors or guests within the individual units rented or leased by them.

(c) Special occasion permit. "Special occasion permit" means a permit, which the board may issue to a bona fide charitable, nonprofit or political organization. Such a permit may be issued for no more than one time per month by the permittee, with each use being limited in duration to a maximum of seventy-two (72) consecutive hours, subject to the limitations on hours of sale by this chapter. Written notice of the time and place of each intended use shall be given the director of codes or the mayor's designated representative at least five (5) business days before the event.

(d) Golf course. A recreational facility developed for the primary sport of golf, not to be less than nine (9) holes, managed and regularly maintained by the operator of the facility. To qualify as a "golf course" hereunder, receipts from the sales of alcoholic beverages shall not exceed 40% of the total gross receipts in any consecutive two-month period for the business establishment.

(2) "Off-premise" permit. An off-premise permit may be issued to a business engaged in the sale of beer for consumption and not resale of beer for consumption and not resale where the beer sold is not to be consumed by the purchaser upon or near the premises of such seller. (Ord. #101, Dec. 1993, as amended by Ord. #252, May 2002)

8-212. Conditions of permits. Every permit issued by the beer board shall be issued subject to the following conditions:

(1) The premises for which such permit is issued are declared to be a public place for the purpose of inspection by the city's codes inspection officers and police officers or by any other duly authorized law enforcement officer.

(2) The permit holder shall keep invoices and all other memoranda relating in any way to the storing, sale, distribution or manufacture of beer, and shall permit the city's finance director or his designees to inspect, at any time during business hours, all such articles, containers, packages, invoices, books, papers and memoranda as may be deemed necessary in the opinion of the finance director or his designees in determining whether or not all local taxes have been paid or in determining the amount of such taxes that may be due.

(3) The permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law.

(4) The name of the manager responsible for the sale, distribution or manufacture of beer from the location for which the permit is granted shall be provided to the city. In the event of a change in management, the name of any subsequent manager shall be provided to the city within seven (7) days following such change. (Ord. #101, Dec. 1993) 8-213. Interference with public health, safety, morals. No permit authorizing the sale of beer will be issued when such business would cause

congestion of traffic or would interfere with schools, churches or other places of public gathering or would otherwise interfere with the public health, safety or morals. In no event will a permit be issued authorizing the storage, sale or manufacture of beer at places within one hundred (100) feet of any school, church or other such place of public gathering, as measured in a straight line from the nearest public entrance of such school, church or other such place to the nearest public entrance of the business in which beer is to be sold, stored or manufactured. No permit shall be suspended, revoked or denied on the basis of proximity to a school, church or other place of public gathering if a valid permit had been issued to any business on that same location as of January 1, 1993, provided that the sale, distribution or manufacture of beer at such location is not discontinued for any continuous six-month period. (Ord. #101, Dec. 1993, as amended by Ord. #261, Oct. 2002)

8-214. Persons convicted of certain crimes deemed ineligible. In order to receive a beer permit, an applicant must establish that he has not been convicted of any violation of the laws against the possession, sale, manufacture or transportation of beer or other alcoholic beverages or any crime involving moral turpitude or any felony within the past ten (10) years, and that no person to be employed by the applicant in the sale or distribution of beer has been so convicted. If the applicant is not an individual, it must establish that no person, firm, joint-stock company, syndicate or association having a least a five percent (5%) ownership interest in the applicant has been convicted of any violation of the laws against the possession, sale, manufacture or transportation of beer or other alcoholic beverages or any crime involving moral turpitude or any felony within the past ten (10) years. (Ord. #101, Dec. 1993)

8-215. Prohibited conduct or activities by permit holders, agents, servants or employees. The beer board shall have the power and authority to revoke or suspend any permits issued by it for any violation of any provisions of state law regulating the sale, storage, and transportation of alcoholic beverages or for any violation of any provisions of this code or any other ordinance of the Town of Ashland City or when the permittee:

- (1) Operates a disorderly place.
- (2) Permits boisterous or disorderly conduct on the premises.
- (3) Has been convicted by final judgment of a court of competent jurisdiction of a crime involving moral turpitude or any felony.
- (4) Permits minors to loiter about the premises, the burden of ascertaining the age of minor customers being upon the owner or operator of the place of business.
- (5) Has made a false statement or misrepresentation of a material fact in any application or notice to the board.
- (6) Sells or allows to be sold on the premises of the permittee any beer to any minor, provided that the board's power and authority to suspend or

Change 8, January 9, 2007

8-16 revoke permits on the grounds on sales to minors shall be limited by the provisions of T.C.A. § 57-5-109(b).

(7) Sells or allows to be sold on the premises of the permittee beer to any person using food stamps issued pursuant to state or federal law for the purchase of such beer.

(8) Brings, causes, or allows to be brought onto the premises of any permittee any prohibited drugs under the provisions and within the meaning of the Tennessee Code Annotated.

(9) Employs any person in the sale or distribution of beer who has been convicted of any violation of the laws against the possession, sale, manufacturing, or transportation of beer or other alcoholic beverages, or any crime involving moral turpitude within the past ten (10) years.

(10) Makes or allows any sale to any intoxicated person, or to any insane or otherwise mentally incapacitated person.

(11) Allows any intoxicated person to loiter on or about the premises.

(12) Fails to provide and maintain sanitary toilet facilities or fails to comply with any state, county or local health laws and regulations. (Ord. #101, Dec. 1993, modified, as amended by Ord. #140, § 1, Nov. 1995)

8-216. Revocation and suspension proceedings. No beer permit shall be revoked or suspended until a public hearing is held by the board after reasonable notice to the permit holder, except that if a permit holder fails to pay the annual privilege tax established under T.C.A. § 57-5-104(b) or fails to provide the information required under T.C.A. § 57-5-104(c), then the permit shall be considered void in accordance with said statutes. Revocation or suspension proceedings may be initiated by the city manager or the police chief or by any member of the beer board. (Ord. #101, Dec. 1993)

8-217. Civil penalties. The beer board may, at the time it imposes a revocation or suspension, offer a permit holder the alternative of paying a civil penalty not to exceed \$1,500 for each offense of making or permitting to be made any sales to minors or a civil penalty not to exceed \$1,000 for any other offense. If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be imposed. If the civil penalty is paid within that time, the revocation or suspension shall be deemed withdrawn. The holder's payment of a civil penalty shall not affect his ability to seek review of the civil penalty pursuant to state law. (Ord. #101, Dec. 1993)

8-218. Fees. All applications for the issuance of permits from the beer board shall be accompanied by an application fee of \$250 or such other amount as may be established by state law for use in off-setting and defraying the expenses of investigating the applicant and processing the application. No

Change 8, January 9, 2007

8-17

portion of such fee shall be refunded to the applicant notwithstanding whether an application is approved or denied. (Ord. #101, Dec. 1993)

ORDINANCE #

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL TO ACCEPT A
BUDGET AMENDMENT FOR THE 20/21 FISCAL YEAR**

WHEREAS, the Mayor and Council appropriate \$86,000 in the General Fund; \$45,000 in the Fire Department Salaries and Benefits line items for staffing during COVID, which has been reimbursed by the CARES Act Grant, and \$41,000 for the fire truck payments for the USDA loan.

NOW THEREFORE, BE IT ORDAINED, by the Council of the Town of Ashland City, Tennessee that this ordinance shall become effective 20 days after final passage the public welfare requiring.

Section 1. A budget amendment consisting of the available funds and appropriations be adopted for the General Fund:

<i>General Fund</i>	<u>Beginning Departmental Budget</u>	<u>Ending Departmental Budget</u>
Fire Department	\$7,761,915.00	\$7,847,915.00

1st reading 4-13-2021

Public Hearing _____

2nd reading _____

Attest:

Mayor Steve Allen

City Recorder Kellie Reed CMFO, CMC



**Employer Contribution Rate Certification
Tennessee Consolidated Retirement System (TCRS)
Actuarial Valuation at June 30, 2020**



Acknowledgement of employer rate effective July 1, 2021 through June 30, 2022

Department Code: 0080800
Department Name: ASHLAND CITY

- I hereby acknowledge and agree that I have reviewed the background information on rates provided to me and also located on the Treasury Website at: <https://publicreports.treasury.tn.gov>. I further acknowledge the upward trends concerning future employer contribution rates.

Please select one of the options below

- The Minimum Employer rate: 5.40%
- Optional: We choose to pay a higher contribution of: _____

Employer Signature _____ Title _____

Date _____ Phone _____ Email _____

The first department code listed on the Employer Actuarially Determined Contribution (ADC) Rate sheet is your master code. The master code is responsible for determining the rate and submitting the completed employer contribution rate certification to TCRS. The rate selected will be applicable for **all** department codes listed on the Employer Actuarially Determined Contribution (ADC) Rate sheet. It is the master code's responsibility to notify these departments of the new rates.

Please return the completed rate certification no later than May 31, 2021 via one of the following methods:

By email: TCRS.EmployerReporting@tn.gov
By mail: TCRS Employer Reporting
502 Deaderick Street, 15th Fl.
Nashville, TN 37243

**Tennessee Consolidated Retirement System
Employer Actuarially Determined Contribution (ADC) Rate**

Department Code(s): 808.00
ASHLAND CITY

Applicable period for this employer rate	July 1, 2020 through June 30, 2021
Actuarial valuation date	June 30, 2019
Actuarial experience study date	June 30, 2016
Investment rate of return assumption	7.25%

Key Elements of the Pension Plan (Employer Elections)

Base plan formula	1.5% formula times years of service
Employee contribution rate	5% of salary
Vesting period	5 years
Retiree COLAs	Provided, CPI based, capped at 3%

Employer ADC Rate

<i>Rate Components:</i>	
Normal cost	2.81 %
Unfunded accrued liability amortization	2.37 %
Administrative cost	<u>0.22 %</u>
Total employer ADC rate	5.40 %

Actuarial Present Value of Benefits (PVB) Summary

Actuarial value of assets	\$ 7,261,593
Expected employee contributions	1,410,755
Expected employer normal cost	710,832
Unfunded accrued liability	<u>274,044</u>
Total PVB	\$ 9,657,224

Employees Covered by Benefit Terms

Inactive employees or beneficiaries currently receiving benefits	27
<i>Annualized Retirement Benefit: \$214,340</i>	
Inactive employees entitled to but not yet receiving benefits	47
Active employees	<u>63</u>
<i>Annualized Salary: \$2,982,940</i>	
Total	137

Amortization of Unfunded Accrued Liability

Actuarial Valuation Date	Unfunded Accrued Liability (Negative Unfunded Accrued Liability)	Annual Amortization Amount	Amortization Period at June 30, 2019 (in years)
June 30, 2013	\$ 0	\$ 0	0.00
June 30, 2015*	(292,587)	(29,359)	16.00
June 30, 2016	331,956	74,628	5.11
June 30, 2017	393,625	37,147	18.00
June 30, 2018	30,802	2,832	18.98
June 30, 2019	<u>(189,752)</u>	<u>(17,026)</u>	20.00
Total	\$ 274,044	\$ 68,222	

*Beginning June 30, 2015, valuations are performed annually.

EXHIBIT F
LOCATION RELEASE

For good and valuable consideration, the receipt of which from **Weird Candy Creative Group, Inc.** ("Company") is acknowledged, the undersigned ("Licensor") hereby expressly grants to Company and to Company's employees, agents, independent producers, contractors and suppliers, permission to enter upon and use _____ the _____ property located _____ at _____ (the "Premises") for the purpose of photographing and recording certain scenes to be included in photographs, music videos, EPKs, and other audiovisual recording(s) (individually and collectively the "Video") which relate to, or embody the musical performance(s) of, the artist p/k/a **Adam Melchor** commencing on or about 04/15/2021 - 04/15/2021 (subject to change on account of weather conditions or changes in production schedule), and continuing until completion of all scenes and work required.

Company may place all necessary facilities and equipment, including temporary sets, on the Premises, and agrees to remove the same after completion of work and leave the Premises in as good condition as when received, reasonable wear and tear from uses permitted herein excepted. Signs on the Premises may, but need not, be removed or changed, but, if removed or changed, must be replaced.

Company agrees to use reasonable care to prevent damage to the Premises, and will indemnify the Licensor and all other parties lawfully in possession of the Premises, and hold each of them harmless from any and all claims and demands of any person or persons arising out of or based upon personal injuries, death or property damage suffered by such person or persons resulting directly from any act of negligence on Company's part in connection with the work hereunder.

All rights of every kind in and to all still pictures, music videos, videotapes, motion picture film, photographs and sound recordings made hereunder shall be and remain vested in Company and its successors, assigns (including, but not limited to, Warner Records Inc.) and licensees, and neither the Licensor nor any other party now or hereafter having an interest in the Premises shall have any right of action against Company or any other party arising out of any use of said still pictures, music videos, videotapes, motion picture film, photographs and/or sound recordings.

Company is not obligated to actually use the Premises or produce the Video or include material photographed or recorded hereunder in the Video for which it was photographed or recorded. Company may at any time elect not to use the Premises by giving the Licensor written notice of such election, in which case neither party shall have any obligation hereunder.

Licensor warrants that Licensor is the owner or authorized agent of the owner of the Premises and that Licensor has full authority to enter into this agreement and grant the rights herein granted.

This is the entire agreement. No other authorization is necessary to enable Company to use the Premises for the purpose herein contemplated.

The parties agree that this agreement and signature pages may be transmitted between them by fax, electronic mail, or other electronic transmission method, and that signatures created or transmitted by electronic means, including DocuSign (or any other signature complying with the federal ESIGN Act of 2000 or any applicable Uniform Electronic Transactions Act or Electronic Signatures and Records Act), PDF or JPEG, shall constitute original signatures, shall be deemed to have been duly and validly created and delivered, and shall be valid and binding for all purposes.

Name of Licensor: _____
Signature: _____
Title: _____
Address of Licensor: _____

[FOR PRODUCTION CO: REMEMBER TO ATTACH PHOTO]



DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY GARRISON, FORT CAMPBELL
2574, 23RD STREET
FORT CAMPBELL, KENTUCKY 42223-5617

MEMORANDUM OF UNDERSTANDING
BETWEEN
U. S. ARMY GARRISON, FORT CAMPBELL, KENTUCKY
AND
ASHLAND CITY POLICE DEPARTMENT
ASHLAND CITY, TENNESSEE

SUBJECT: Inter-Agency Law Enforcement Support Agreement

1. Reference.

- a. National Response Framework (NRF), Third Second Edition, June 2016.
- b. Homeland Security Presidential Directive 8, (HSPD-8), March 30, 2011

2. Purpose. To establish written policies and procedures for agencies when rendering assistance in law enforcement matters and during emergencies as defined in National Response Framework.

3. Scope. This agreement will apply any time assistance is rendered between departments for cases and during emergencies as defined in National Response Framework as outlined below.

4. Ashland City Police Department agrees: "Subject to the restrictions imposed under Title 18 U.S.C. 1385, the Posse Comitatus Act..."

a. Give prior notification to the Fort Campbell Installation Provost Marshal before arriving on Fort Campbell for official police business by calling the Military Police Desk Sergeant (270-798-0416) or by directly contacting the Section with which business will occur.

b. Provide the Fort Campbell Civil Liaison Office (270-798-4303) with the name of Soldier who is wanted for questioning by the Ashland City Police Department.

c. When responding to or investigating domestic violence, child abuse, sexual assault cases ascertain whether the alleged offender or victim is an active duty Service member. If the alleged offender or victim is affiliated with the Military, immediately call the Fort Campbell Police Desk Sergeant (270-798-7111/12/13 or -0416) whether substantiated or not and request Chain of Command presence at the scene. Provide the Fort Campbell Military Police Desk with a fax copy to (270-798-7398) of all domestic violence/assault/abuse cases even if no arrest is affected so the military Chain of Command and Fort Campbell ACS Family Advocacy/Victim Advocate workers can render Family support.

SUBJECT: Inter-Agency Law Enforcement Support Agreement

d. When the Ashland City Law Enforcement Agency receives a copy of a temporary or permanent civil protection order issued by a court of competent jurisdiction; provide any and all information concerning military members and victims being served Emergency Protective Orders, Condition of Release and/or Domestic Violence Orders of Protection.

e. When the Ashland City Law Enforcement Agency is notified by a military service member; immediate Family Member of a military service member; other law enforcement agency; or a court of competent jurisdiction that said person is a sexual offender requiring admittance to a state Sexual Offender Registry and residing in Ashland City, all identifiable information will be provided to the Civil Liaison Office (270-798-4303).

f. Immediately report any violations of a term or provision of an Emergency Protective Order and/or Domestic Violence Order of Protection to the Fort Campbell Civil Liaison Section or the Military Police Desk concerning any Military members living in the Police Department's jurisdiction.

g. Within a timely manner provide the Fort Campbell Military Police Desk or Civil Liaison Office information on any traffic fatality, felony criminal offense, life, limb, or eyesight incident involving a Soldier for Serious Incident Reporting to the Military Chain of Command, per AR 190-45.

h. Within a timely manner provide the Fort Campbell Military Police Desk information on any citations issued for simple possession to any military service member.

i. Share information on upcoming training events (SRT/SWAT, K-9 events, domestic violence seminars, etc.) and keep an open line of communications between agencies.

j. Upon approval, provide assistance during emergencies in accordance with National Response Framework and Homeland Security Presidential Directive 8.

k. Share pertinent Federal, State or Local criminal intelligence information to assist in solving or preventing crime within their jurisdiction.

5. Fort Campbell Installation Provost Marshal agrees: "Subject to the restrictions imposed under Title 18 U.S.C. 1385, the Posse Comitatus Act..."

a. Assist Ashland City Police Department with service of criminal and civil process in accordance with the provisions of the applicable Army Regulations, AR 27-40, chapter 2, AR 630-10, chapter 7 and AR 190-9, chapter 6.

b. Notify Unit Commanders of Soldiers who are wanted or have been issued traffic citations by Ashland City Police Department. In addition, Civil Liaison will coordinate a time and place where the Soldier may be interviewed or arrested.

SUBJECT: Inter-Agency Law Enforcement Support Agreement

c. Assist Ashland City Police Department with any investigations that involve Soldiers or their Family Members on Fort Campbell and will provide any and all information to assist with the investigation. (Fort Campbell Provost Marshal Operations must approve release of information concerning deployed Soldiers).

d. Assist with locating and serving Soldiers or Family Members on the installation with Emergency Protection Orders and/or Domestic Violence Protection Orders. Military Protection Orders will be placed into the FBI's National Crime Information Center (NCIC), with recommendation to the victim to obtain a civilian Protection Order through the local civilian law enforcement agency.

e. Share information on upcoming training events (SRT/SWAT, K-9 events, domestic violence seminars, etc.) and keep an open line of communications between agencies.

f. Upon approval, provide assistance during emergencies in accordance with National Response Framework and Homeland Security Presidential Directive 8.

.....g. Share criminal intelligence during Fort Campbell IPMO tri-weekly COMPSTAT and semi-annual LE meetings attended by local LE agencies, and provide one Fort Campbell police officer to attend local law enforcement agency COMPSTAT or similar meetings.

h. Coordinate with appropriate civil authorities on problems or adverse conditions deemed unsafe, which may adversely affect the health and well-being of military personnel or their family members. Establishment of off-limits areas is a function of command. It may be used by commanders to help maintain good order and discipline, health, morale, safety, and welfare of Service personnel. Off-limits action is also intended to prevent Service personnel from being exposed to or victimized by crime-conducive conditions. Where sufficient cause exists, commanders retain substantial discretion to declare establishments or areas temporarily off-limits to personnel of their respective commands in emergency situations. Temporary off-limits restrictions issued by commanders in an emergency situation will be acted upon by AFDCBs as a first priority. As a matter of policy, a change in ownership, management, or name of any off-limits establishment does not, in and of itself, revoke the off-limits restriction. Updated off-limits list will be shared with appropriate civilian agencies on a quarterly basis.

6. Personnel: Each Party is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each Party is responsible for supervision and management of its personnel. DODI 4000.19, enclosure 3, figure 2.

7. Funds and Manpower: This MOU does not document nor provide for the exchange of funds or manpower between the Parties nor does it make any commitment of funds or resources. DODI4000.19, enclosure 3, figure 2.

SUBJECT: Inter-Agency Law Enforcement Support Agreement

8. The Director, Directorate of Emergency Services is the proponent for this MOU. Effective execution of this agreement can only be achieved through continuing communication and dialogue between the parties. It is the intent of this MOU that channels of communication will be used to resolve questions, misunderstandings, or complaints that may arise that are not specifically addressed in the MOU. All questions should be directed to the Installation Provost Marshal, and subsequently to the Office of the Staff Judge Advocate for legal review.

9. Effective date. This agreement will become effective with the last signature and shall remain in effect until modified or terminated upon written notification to all parties concerned. This agreement will be reviewed triennially to determine the need for continuation, modifications, or termination.

Kenneth Ray
CHIEF OF POLICE
Ashland City, Tennessee

Date

KEITH W. SHUMATE
CHIEF OF POLICE
Fort Campbell, Kentucky

Date

JEREMY D. BELL
COL, SF
Commanding

Date

3.140. Landscaping, Screening and Buffering

A. Purpose and Intent

The purpose and intent of this ordinance is to establish a set of landscape requirements and guidelines that will be utilized as a minimum standard required of all developed or disturbed sites within the Town of Ashland City. The requirements and guidelines set forth in this section were developed in order to promote the health, safety and welfare of the general public; to improve the overall appearance of the community; to reduce stormwater run-off, noise, heat and chemical pollution through the preservation and installation of canopy trees; and to reduce the impact of incompatible land-uses through requirements for buffer yards along zoning boundaries which will minimize potential harmful effects of one use on another.

B. Applicability

The provisions of this Section shall apply to developments which require a site plan to be submitted or which require a master development plan to be submitted. The provisions of this Section, which pertain to screening and buffering, shall apply along all zoning district boundaries and along all boundaries separating a conditional use from permitted uses.

C. Landscaping Plan

1. Prior to the issuance of any permits (foundation, grading and/or building) for any site proposing any new or additional development, a landscape plan being part of the site development plan, meeting the requirements of this section, shall be submitted to and approved by the Town of Ashland City Planning Commission. All landscape plans are to be prepared by and sealed by a registered landscape architect licensed in the State of Tennessee. A landscape plan shall also accompany any bulk grading and/or site clearing plan.
2. No landscape plans are to be drawn at a scale greater than 1 inch = 50 feet. All landscape plans shall include the following:
 - Boundary of proposed site;
 - Proposed site improvements;
 - Existing and proposed utility lines and easements;
 - North arrow;
 - Scale and scale bar;
 - Location of all existing trees 8 inch caliper and greater with any forested area containing such trees being separately delineated with the species mixture indicated;
 - Location of all proposed plant material;
 - A landscape schedule (providing the quantity, the botanical and common names, the height, the width and the caliper inches of all proposed plant material at the time of planting);
 - A data table showing the landscape requirements for the site and the landscape provided to meet these requirements;
 - Details and notes explaining the installation and maintenance of proposed and/or

- protected plant material;
- The name, address and phone number of the Landscape Architect approving said plans;
- Proposed means of slope stabilization, if applicable.

D. Bonding

1. All proposed landscaping may be secured by a landscape performance bond to guarantee the quality and longevity of the plant material installed. Bond amounts will be determined by the Town of Ashland City Planning Commission and will vary depending on the quantity of landscape material proposed. The bond will be released upon installation of the required landscaping and inspection and approval by the city. If the required landscaping has not been installed within one (1) year of the approval of the plan, said bond shall be reviewed to determine if the amount is still adequate and if not, may be increased.
2. Prior to the release of the performance bond, a landscape maintenance bond may be posted in order to assure the longevity and livelihood of the plant material. Said bond will be held for a period of one (1) year. At the completion of the year, these bonds will be reviewed to determine whether or not they are to be released, reduced, or held for an additional year. The amount of the bond shall be determined by the Town of Ashland City Planning Commission and will vary depending on the quantity of landscape material installed.

E. Standards

1. All proposed plant material for a given site are to be appropriately specified in order to tolerate the climate conditions of the Middle Tennessee area.
2. All proposed plant material for a given site are to meet the most recent requirements of the “American Standard for Nursery Stock” (ANSI Z60.1) established by the “American National Standards Institute, Inc.”.

F. General Landscape Requirements

The following requirements shall apply to all developments except single family detached housing developments that are not a part of any planned unit development. The Planning Commission may require all required landscaping to be automatically irrigated. Such irrigation system, if required, shall be fully operational prior to the issuance of the final certificate of occupancy.

Required Trees

1. Each newly developed site shall be required to have a minimum Acquired Caliper Inch (A.C.I. or Caliper Inch) of 35 caliper inches of proposed trees per acre.
2. 75% of required trees shall be native to the southeastern United States.
3. 50% of required trees shall be a minimum 2 caliper inches in size.

4. No proposed canopy tree planted at a size less than 2 caliper inches will be accepted as a required tree. No proposed understory/ornamental tree shall be less than 1.5 caliper inches in size.
5. A minimum of 20% and maximum of 50% of required trees shall be understory and/or ornamental trees.
6. Existing trees to be protected and retained shall count 50% of their size towards the 35 inch/acre requirements but not count towards parking area requirements. In the event that the existing tree credit creates a condition where no new tree plantings are required under the formula, a minimum of 18 caliper inches/acre of proposed trees shall be provided.

G. Parking Areas

1. Islands

- a. One landscape island with a minimum size of 9 feet x 18 feet shall be placed at a minimum of every 15 spaces in any proposed row of parking.
- b. A minimum of one 2-inch caliper or larger canopy tree is to be placed in each proposed island. Said canopy trees can be used toward the overall tree requirements but not toward any existing tree replacement.
- c. Said islands are to be free of all asphaltic, construction and/or trash materials. The following note is to be placed on all site plans. "All parking islands are to be inspected and approved by the Town or Ashland City prior to the installation of any plant material or soil."

2. Adjacent Parcels

- a. A minimum open space area of ½ of the required side yard shall be placed between any proposed paved area and the adjacent parcel(s) to the site under development. If the required open space contains any drainage, utility or access easement, an additional 5 feet of open space shall be provided.
- b. The open space area shall be landscaped at the designer's discretion in order to accommodate the general landscape requirements but shall be maintained as permanent open space.
- c. The open space area may be crossed by driveways or sidewalks where an access agreement between the adjacent property owners is in place.

3. Street Fronts

- a. A minimum open space area of 10 feet shall be placed between any proposed paved area and the right-of-way of the public street providing frontage to the site. If the required open space contains any drainage, utility or access easement, an additional 5 feet of open space shall be provided. Said open space area shall be landscaped in accordance with (b) below in addition to any required trees.

- b. One shrub at a size no less than 24 inches high and 24 inches wide is required for every 2 linear feet of parking/driveway area that parallels any street front. Spacing of shrubs to be in keeping with species and design configuration. Said shrubs are to be installed between the street front and the proposed parking areas in a manner that will help screen and/or soften the visual effects of the proposed parking areas from its street front. Any area between the right-of-way and a curb or street pavement shall be included in the landscape plan and provided with appropriate cover. Street trees shall also be included in the street front landscaping. Canopy trees with a minimum caliper inch size of two (2) inches shall be planted on 40-foot centers. When overhead power lines are encountered, understory ornamental trees with a minimum caliper inch size of one and one-half (1.5) inches shall be planted on 30-foot centers.

H. Turf/Ground Cover

1. All areas that have been disturbed by a particular site's development and are not within a planted area shall be seeded and strawed or sodded in order to achieve a well established lawn.
2. All disturbed areas that exceed a 3:1 slope shall receive a Jute Erosion Control Mesh (or equivalent) and be planted with the appropriate turf or ground cover that will provide a fast growth habit and rapid establishment.
3. All disturbed natural areas that exceed a 3:1 slope and are located along a street front are to receive sod.
4. All storm drainage ditch bottoms are to receive sod unless a concrete flume has been proposed.

I. Landscape Requirements for Single Family Developments

Single family subdivision developments (subdivisions with one-family dwelling on a fee simple lot) shall meet the following requirements:

1. Each lot shall include three (3) canopy trees with a minimum size of two (2) caliper inches. One such tree shall be planted as a street tree to be located within five (5) feet of the street right-of-way. Any utility easement shall be taken into account when locating such tree.
2. Foundation planting shall be provided for each house on each lot in a development. Such planting shall include complimentary shrubbery and flowering plants.
3. Every final subdivision plat shall include a drawing of a typical lot compliant with these landscape requirements.

J. Replacement of Existing Trees

The requirements of this section shall be in addition to the General Landscape Requirements as presented in Section F. and, therefore, cannot be applied towards meeting the "General Landscape Requirements".

- 1, All existing trees that are to be removed from a site to be developed (this also includes sites that are to be cleared of their existing trees in order to increase their market value as a future development) shall be replaced at a rate of 50% of their size. When the replacement of existing trees results in an Acquired Caliper Inch calculation in excess of 150 percent of the requirement for the site, the requirement shall be capped at 150 percent of the required 35 caliper inches per acre.

For Example: If a 24 caliper inch existing tree is removed then 12 caliper inches of new trees must be proposed to replace this tree. (Note: this only applies to the removal of trees at a size of 8 caliper inches and up.)

2. Any canopy tree 18 caliper inches or over in size shall be identified as a specimen tree. Extraordinary efforts to protect such trees shall be taken, and any removal of a specimen tree shall be specifically approved as a part of the landscape plan. The replacement of such trees shall be on a one (1) inch to one (1) inch basis.

K. Screening

1. Heating and cooling units on all non single-family residential developments shall be screened from all street fronts and adjacent parcels. Said screen shall be either permanent opaque fencing and/or a thick massing of evergreen plant materials installed at a height and spread no less than 24 inches spaced so that an immediate screen is created at the time of planting.
2. Dumpster and service/loading areas are to be screened from all fronts and adjacent parcels. Said screen is to be either a permanent opaque fencing or a thick massing of evergreen plant materials installed at a minimum height of 3 feet and minimum spread of 4 feet.
3. If a retention/detention pond area is to be enclosed with chain-link fencing, the fencing shall be black or dark green vinyl coated fencing. The pond area shall also be screened with a thick massing of evergreen plant material at a minimum height of 3 feet and a minimum spread of 4 feet from all fronts and adjacent parcels.

L. Sight Distance Requirements for Landscape Materials

At any public or private street intersection and at the access point for private driveways to public or private streets, a clear zone for sight distance shall be maintained. No landscape material that exceeds 18 inches in height at maturity or branches lower than 6 feet shall be planted in any sight distance clear zone.

M. Coordination With Transitional Screening Requirements

1. The requirements for transitional screening and barriers shall be in addition to the requirements for landscaping. All site plans and master PUD plans shall observe all such requirements.
2. No application for a zoning change shall be recommended by the Town of Ashland City Planning Commission unless such application demonstrates that the requirement for a bufferyard can be met.

3. The Town of Ashland City Planning Commission and the Board of Appeals shall not approve any conditional use permit unless such request demonstrates that the requirements for a bufferyard can be met.

N. Waiver

1. In extreme cases certain sites and/or proposed land uses may be in a position of legitimate hardship in meeting the landscaping requirements of this ordinance. Should this occur, the owner/developer may appeal to the Town of Ashland City Planning Commission to request a reduction in the landscape requirements based upon the physical conditions of the site. Self imposed or financial hardships only shall not constitute a basis for approval of the request.

O. Transitional Screening

1. General Requirements

The following general provisions shall apply to transitional screening:

- a. When a use is established in areas zoned commercial or industrial which abuts at any point upon property zoned residential, the developer of said use shall provide a landscaped buffer strip at the point of abutment. Buffers are required between industrial and commercial districts. The buffer strip shall be no less than fifteen (15) feet in width.
- b. Transitional screening shall be provided within the zoning district and on the lot of the “burdened use or district”, along all points where such use or district is contiguous or across the street from land used by or zoned for the “benefited use or district”.
- c. All plant materials utilized in the transitional screening bufferyards shall meet the size requirements of 3.140.F. A minimum of fifty (50) percent of the materials shall be evergreen.

2. Transitional Screening Requirement

- a. Transitional screening in the form of a bufferyard shall be located along the outer perimeter of a lot or parcel, and shall extend to the lot or parcel boundary line. The required minimum yard may be utilized to provide transitional screening.
- b. Bufferyard shall be defined as a greenbelt planted strip not less than fifteen (15) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees, spaced not more than twenty (20) feet apart and not less than two (2) rows of shrubs or hedges, spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

3. Requirements Within Landscape Bufferyards

Sidewalks or trails may occur within a bufferyard provided the effect of the yard is not compromised. In no event shall the following uses be allowed in the bufferyards: playgrounds or playfields, stables, swimming pools, tennis courts or other recreational facilities; parking areas or other vehicular use areas; dumpsters, equipment storage and other open storage; buildings or overhangs; stormwater retention/detention facilities; and utilities or utility easements.

Bufferyards shall be continuous and unbroken except for driveways or sidewalks required to access parking areas or streets. Driveway/sidewalk penetrations shall cross bufferyards as close to perpendicular as possible and shall not exceed twenty-five (25) percent of the entire bufferyard area, with no single penetration to exceed thirty-five (35) feet in width.

4. Variations

The bufferyards are normally calculated as being parallel to the property line. However, design variations, especially when used to incorporate existing native vegetation into the bufferyard area, shall be considered. The edges of the bufferyard may meander, including permitted walls, provided that: 1) the total area of the bufferyard is equal to or greater than the total area of the required bufferyard; and 2) the bufferyard measures no less than the minimum width required at all points along the perimeter of the property line.

Bufferyard requirements may be waived by the Town of Ashland City Planning Commission with a demonstration of unusual site grade conditions that would clearly negate the effects of the required bufferyard. The applicant shall supply section or profiles (drawn to scale) through the property line along the bufferyard proposed for the waiver. These drawings shall show the existing and proposed grades on both sides of the property line, as well as the principal structures on both properties. The sections or profiles shall show the line of sight for a pedestrian or a motorist, as applicable, from principal entrances, sidewalks or streets and from the highest point of the site to be buffered. Such sections or profiles shall clearly demonstrate that effect of the change in grade would negate the effect of a mature landscaped bufferyard thirty (30) feet in height.

5. Exemptions

No bufferyard shall be required in the following situations:

- a. When a zoning district boundary falls along a public street containing four (4) or more travel lanes; or along an elevated railroad bed, utility line easement fifty (50) or more feet wide, or along a creek or waterway that is fifty (50) or more feet wide.

P. Modifications and Waivers

Transitional screening may be waived or modified by the Town of Ashland City Planning Commission in any of the following circumstances. The Town of Ashland City Planning Commission may attach conditions to any waiver or modification which would assure that the results of the waiver or modification would be in accordance with the purpose and intent of this chapter.

1. Transitional screening may not be required between uses that are to be developed under a common development plan or series of development plans within a PUD District or a common site plan.
2. Where the strict provisions of this section would reduce the usable area of a lot due to lot configuration or size to a point which would preclude a reasonable use of the lot, transitional screening may be waived or modified by the Town of Ashland City Planning Commission where the side of a building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.
3. The transitional screening and width and planting requirements may be reduced as much as two-thirds (2/3) where the developer chooses to construct a seven (7) foot brick or architectural block wall. This wall may be reduced to a height of six (6) feet where the Town of Ashland City Planning Commission deems such a height will satisfy the purposes and intent of this chapter.
4. Transitional screening may be waived or modified where the adjacent property is zoned to allow a use similar to that of the parcel under site plan.
5. Transitional screening and barriers may be waived or modified where the adjoining property is used for any public purpose other than a school or hospital.
6. Transitional screening may be waived or modified where adjacent property is zoned for residential use and is used for any use permitted as a conditional use by the Board of Zoning Appeals except day care centers, educational facilities and special personal and group care facilities.
7. Transitional screening may be waived or modified where the subject property abuts a railroad or limited access highway right-of-way.
8. The Town of Ashland City Planning Commission may waive or modify transitional screening requirements where topography of the lot providing the transitional screening and the lot being protected is such that a transitional screen would not be effective.
9. Transitional screening may be waived or modified for any public use when such use has been specifically designed to minimize adverse impact on adjacent properties.
10. In certain unusual circumstances of topography, or to alleviate certain specific problems, i.e., the blocking of glare, muting of noise, etc., the Town of Ashland City Planning Commission may require the use of an earth berm or specialized fence material in lieu of, or in combination with, transitional screening.

Q. Landscaping Maintenance

The owner, or his agent, shall be responsible for the maintenance, repair and replacement of all landscaping materials and barriers as may be required by the provisions of this section. All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris. Fences and walls shall be maintained in good repair. The

practice of “topping” trees shall not be permitted as a normal practice of maintenance of trees. Topping is defined as the excessive and arbitrary removal of limbs with no regard to the structure of the tree. Excessive removal of limbs is removal of more than 20 – 25 percent of the limbs as stated in the ANSI standards for pruning. Trees severely damaged by storms or other causes may be exempted from this requirement at the determination of the city.

SURPLUS PROPERTY NOMINATION FORM



TOWN OF ASHLAND CITY, TENNESSEE

Department: Ashland City Police Dept

The following items are hereby nominated for designation as surplus city property pursuant to Resolution 2018-05.

Item: Ballistic vest

Description: Ballistic Vest

Serial Number: 2002170727

Age: 6 months Asset Number: _____

Estimated Remaining Useful Life (Years): 5 years

Purchase Price: 950⁰⁰ Current Estimated Value: 950⁰⁰

Reason for making the nomination: Fitted for officer Duncan, officer Duncan accepted a position with Bellmeade P. D., Bellmeade will reimburse city for vest for 950⁰⁰

Signature: Kurley

Date: 4-27-21

SURPLUS PROPERTY NOMINATION FORM

TOWN OF ASHLAND CITY, TENNESSEE



Department: Police Dept.

The following items are hereby nominated for designation as surplus city property pursuant to Resolution 2018-05.

Item: 2008 Ford Crown Victoria

Description: _____

Serial Number: 2FAFP71VX8X152010

Age: 13 yrs. Asset Number: 459

Estimated Remaining Useful Life (Years): 0

Purchase Price: 23,000 Current Estimated Value: 2,300

Reason for making the nomination: Vehicle was transferred to IT dept. They no longer want the vehicle.

Signature: Kerby Date: 4-26-21

FROM: Town of Ashland City
 TO: US Bank
 DATE: 4-5-2021
 Request for quote of current
 interest rate and fees



Please forward us the most current rates and fees your bank has for the following:

	<u>Interest Rate</u>
Checking Account	.005%
Savings Account	.005%
MMA Account	.005%
6-month Certificate of Deposit	n/a
1-year Certificate of Deposit	n/a
2-year Certificate of Deposit	n/a
3-year Certificate of Deposit	n/a

Fees charged for banking services, to include:

	<u>Fees</u>
monthly analysis charges	-0-
any other relevant recurring fees	
Safe Deposit Box	\$50.00
Cashier Checks	\$10.00
Wire Transfers	\$25.00
Other charges:	

Is the bank a member of the Tennessee State Collateral Pool

Yes X

No

Please return to Kellie Reed via email at kreed@ashlandcitytn.gov

FROM: Town of Ashland City
 TO: Pinnacle Financial Partners
 DATE: 4-5-2021
 Request for quote of current
 interest rate and fees



Please forward us the most current rates and fees your bank has for the following:

Interest Rate

Checking Account	Bus	<u>See below</u>
Savings Account	Bus	<u>.02%</u>
MMA Account	Bus	<u>.025% - .10% tiered</u>
6-month Certificate of Deposit		<u>.10% APY</u>
1-year Certificate of Deposit		<u>.15% APY</u>
2-year Certificate of Deposit		<u>.25% APY</u>
3-year Certificate of Deposit		<u>.35% APY</u>

Fees charged for banking services, to include:

Fees

monthly analysis charges	<u>Dependent on services</u>
any other relevant recurring fees	<u>See attached</u>
Safe Deposit Box	<u>Varies dependant on size \$15.00 - \$100.00</u>
Cashier Checks	<u>\$8.00</u>
Wire Transfers	<u>See attached</u>
Other charges:	<u>See attached</u>
	<u>_____</u>
	<u>_____</u>
	<u>_____</u>

Is the bank a member of the Tennessee State Collateral Pool

Yes X No _____

Please return to Kellie Reed via email at kreed@ashlandcitytn.gov

Rates subject to change

Disclosure of Fees and Service Charges

SERVICE DESCRIPTION	FEE
Account Research	\$30.00 per hour
ACH Return	\$15.00 per item
Cashier's Check (client request)	\$8.00 per check
Debit Card Replacement Fee (after two in a 12-month period) Rush Order Fee	\$5.00 per card \$50.00
Check Copy	\$1.50 per copy
Close Account Due to Negative Balance	\$40.00
Collection Items Domestic Item Collection Foreign Item Collection	\$20.00 per item \$35.00 per item
Courier Pick-Up (business clients only)	\$12.00 per item
Deposited Item Returned Unpaid	\$15.00 per item
Dormant Account Fee	\$5.00 per month after 1 year of no activity
Foreign Currency Purchase or Exchange (\$250 minimum)	\$15.00 per transaction
Foreign Draft Purchase	\$25.00 per draft
Levy or Garnishment Processing	\$100.00
MasterCard Cross Border Fee (Fee is originated by MasterCard)	0.90% of the U.S. Dollar value of any transaction conducted at a non-U.S. merchant or location.
MasterCard Currency Conversion Fee (Fee is originated by MasterCard)	0.20% of the U.S. Dollar value of any transaction where a conversion to a non-U.S. Dollar denomination occurs.
Notary Services	No Charge
NSF/Overdraft Paid Item Fee Returned Item Fee	\$38.00 per item \$38.00 per item
Previous Periodic Statement Copy	\$5.00 per copy
Safe Deposit Box Annual Rent Late Fee on Annual Rent Lost Key/Box Drilling	Varies depending on box size. \$5.00 \$150.00
Special Handling Multiple Signature Requirements Special Handling on Paid Items Returned Deposited Item Special Handling	\$25.00 per month, \$0.50 per item \$17.00 per item
Stop Payment	\$38.00 per item
Wire Transfer Domestic – Incoming Domestic – Outgoing Commercial Outgoing Online (business clients only) International – Incoming International – Outgoing	\$15.00 per wire transfer \$25.00 per wire transfer \$15.00 per wire transfer \$15.00 per wire transfer \$50.00 per wire transfer

Effective March 6, 2020