

City of Millington
Meeting of the Board of Mayor and Aldermen
7930 Nelson Street
Millington, TN 38053
June 18, 2012, 6 p.m.
Agenda

1. Prayer
2. Pledge Of Allegiance
3. Roll Call
4. Ordinance 2012-13 - Approving And Designating City Officials Authorized To Sign Checks And Approve Electronic Disbursements
Third Reading

Documents: [13 - DESIGNATE OFFICIALS TO SIGN CHECKS 6-12-12BBL.PDF](#)
5. Public Hearing - Ordinance 2012-16
To amend rent/user fees for Millington Civic Center, Baker Community Center and City Pavilions and to establish fees for reservations at USA Stadium Complex

Documents: [16 - ARP FEES REVISION CLEAN 5-18-12.PDF](#)
6. Ordinance 2012-16 - Third Reading
7. Public Hearing - Ordinance 2012-17 - Adopting The Fiscal Year 2013 Operating Capital Improvement And Debt Service Budgets And To Establish Budget Related Procedures And Controls
To review the three budget ordinances go to WWW.MILLINGTON.TN.GOV and click on FY13 Proposed City Budget and Tax Rate (Do Not Miss section), Click on "Read on", Click on " additional info". Click on each ordinance to review. When you are ready to go to the next one, be sure to click back arrow.
8. Ordinance 2012-17 - Third Reading
9. Public Hearing - Ordinance 2012-18 - Levying And Assessing A Tax Rate For Ad Valorem Taxes Upon Real Property And Personal Property For The Tax Year 2012
10. Ordinance 2012-18 - Third Reading
11. Public Hearing - Ordinance 2012-19 - Approving The Position Control Budget And The Compensation Policy For Fiscal Year 2012-2013
12. Ordinance 2012-19 - Third Reading
13. Resolution To Refund Overpayment Of Impact Fees To Bob Turner
14. Approval Of Mid-Size SUV For Stormwater Dept. From FY13 Budget
15. Adjourn

The City of Millington is in compliance with the Americans with Disabilities Act. Should you need accommodation for the above meeting, please call City Hall at 901.872.2211 at least 48 hours in advance of the meeting.

ORDINANCE 2012 - 13

ORDINANCE APPROVING AND DESIGNATING CITY OFFICIALS AUTHORIZED TO SIGN CHECKS AND APPROVE ELECTRONIC DISBURSEMENTS

WHEREAS, the Board of Mayor and Aldermen desires to designate the City officials authorized to sign checks and approve electronic disbursements as provided in Section 9.13 of the City Charter; and

WHEREAS, Section 9.13 of the City Charter requires that all checks be signed by two City officials, and that all electronic disbursements of any form be authorized in writing by two City officials;

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the Mayor, the City Finance Director and the City Clerk be, and they hereby are, approved and designated as the City officials authorized to sign checks and approve electronic disbursements in accordance with Section 9.13 of the City Charter.

BE IT FURTHER ORDAINED that the City Manager is also approved and designated as a City official authorized to sign checks and approve electronic disbursements, effective as of the date that is thirty days after the date on which the City Manager first begins to work for the City.

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

Adopted the ___ day of _____, 2012.

Linda L. Carter, Mayor

Carolyn K. Conley, City Clerk

First Reading: May 15, 2012
Second Reading: May 21, 2012
Third Reading:

ORDINANCE 2012 - 16

ORDINANCE REPEALING 2010-14 AND ADOPTING ORDINANCE 2012-16 TO AMEND RENT/USER FEES FOR MILLINGTON CIVIC CENTER, BAKER COMMUNITY CENTER, AND CITY PAVILIONS AND TO ESTABLISH FEES FOR RESERVATIONS AT USA STADIUM COMPLEX

WHEREAS, Section 2.02 (a)(25) of the Charter of the City of Millington grants power to the Board of Mayor and Aldermen to provide for the operation and maintenance of public buildings, including education and recreation facilities of the City; and

WHEREAS, the City is the owner and operator of pavilions located in certain parks within the City and the Millington Farmers' Market, and of the Millington Civic Center and Baker Community Center (together hereafter called the "Centers") and the USA Stadium Complex and desires to make the pavilions and the Centers available to the public for uses other than by City government; and

WHEREAS, the Board of Mayor and Aldermen has determined that in order to provide for users of the pavilions, including the pavilion at the Millington Farmers' Market and the Centers other than the City to pay a fair portion of the cost of maintaining, operating and staffing the pavilions and the Centers, it is necessary to amend the rental and user fees set out in Ordinance 2010-14 and to establish charges for rent of portions of the USA Stadium Complex; and

WHEREAS, there are programs and activities which the City desires to provide to its citizens, but for which it does not have qualified staff, and for which it contracts with third parties; and there are entities which use the Centers and which make significant contributions to the amenities and/or maintenance and staffing of the Centers, for which fair and reasonable fees may be established by the three-person Appeals Committee described herein; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that Ordinance 2010-14 is repealed in its entirety and this new Ordinance 2012-16 is adopted in its place to establish the rental and user fees and maintenance deposits for the pavilions within City parks and the Millington Farmers' Market and for Millington Civic Center, Baker Community Center, and USA Stadium Complex set out below are adopted, effective as of July 1, 2012.

RENT/USER FEES FOR MILLINGTON CIVIC CENTER, BAKER COMMUNITY CENTER, USA STADIUM COMPLEX, CITY PARK PAVILIONS AND MILLINGTON FARMERS' MARKET PAVILION

Except as otherwise provided below, the following rental rates shall apply to use of the:

1) Millington Civic Center

Rental Time & Rates

	<u>1 Hour</u>	<u>4 Hours</u>	<u>8 Hours</u>
Small Classroom (<350 square feet)	\$24	\$72	\$124
Medium Classroom (350-600 square feet)	\$30	\$90	\$156
Large Classroom (>600 square feet)	\$36	\$108	\$186
Executive Room	\$36	\$108	\$186
Chapel	\$72	\$216	\$432
Banquet Hall	\$72	\$216	\$432
Gymnasium	\$72	\$216	\$432
Auditorium	\$90	\$270	\$468

* Fees above for Civic Center Auditorium do not include use of the sound system. The sound system must be run by a Millington Arts & Recreation employee and will be charged at a rate of \$15.00 per hour, with a maximum charge of \$150.00 per day.

Kitchen Use	When included with a rental	\$ 40.00/flat rate
	As a Stand-Alone Rental	\$ 30.00/hour

Wedding Packages

Package 1 - Rehearsal, Rehearsal Dinner, Ceremony, and Reception	\$1,190
Includes:	
Rooms: Auditorium, Banquet Hall, Kitchen, Buffet Room, Bride's & Groom's Rooms	
Time: 8 hours on the day before and 10 hours on the wedding day	
Services: Tables, Chairs, and their set-up as directed by the customer	
Package 2 - Rehearsal, Ceremony, and Reception	\$1,082
Includes:	
Rooms: Auditorium, Banquet Hall, Kitchen, Buffet Room, Bride's & Groom's Rooms	
Time: 5 hours on the day before and 10 hours on the wedding day	
Services: Tables, Chairs, and their set-up as directed by the customer	
Package 3 - Ceremony and Reception	\$982
Includes:	
Rooms: Auditorium, Banquet Hall, Kitchen, Buffet Room, Bride's & Groom's Rooms	
Time: 8 hours on the wedding day	
Services: Tables, Chairs, and their set-up as directed by the customer	
Package 4 - Rehearsal and Ceremony	\$600
Includes:	
Rooms: Auditorium, Bride's & Groom's Rooms	
Time: 5 hours on the day before and 8 hours on the wedding day	
Package 5 - Ceremony	\$360
Includes:	
Rooms: Auditorium, Bride's & Groom's Rooms	
Time: 8 hours on the wedding day	
Package 6 - Rehearsal, Rehearsal Dinner, Ceremony, and Reception	\$1,070
Includes:	
Rooms: Chapel, Banquet Hall, Kitchen, Buffet Room, Bride's & Groom's Rooms	
Time: 8 hours on the day before and 10 hours on the wedding day	
Services: Tables, Chairs, and their set-up as directed by the customer	
Package 7 - Rehearsal, Ceremony, and Reception	\$962
Includes:	
Rooms: Chapel, Banquet Hall, Kitchen, Buffet Room, Bride's & Groom's Rooms	
Time: 5 hours on the day before and 10 hours on the wedding day	
Services: Tables, Chairs, and their set-up as directed by the customer	
Package 8 - Ceremony and Reception	\$862
Includes:	
Rooms: Chapel, Banquet Hall, Kitchen, Buffet Room, Bride's & Groom's Rooms	
Time: 8 hours on the wedding day	
Services: Tables, Chairs, and their set-up as directed by the customer	
Package 9 - Rehearsal and Ceremony	\$480
Includes:	
Rooms: Chapel, Bride's & Groom's Rooms	
Time: 5 hours on the day before and 8 hours on the wedding day	
Package 10 - Ceremony	\$300
Includes:	
Rooms: Chapel, Bride's & Groom's Rooms	
Time: 8 hours on the wedding day	

Package 11 - Reception

\$475

Includes:

- Rooms: Banquet Hall, Kitchen, & Buffet Room
- Time: 4 hours on the day before and 4 hours on the wedding day
(All 8 hours can be used on wedding day, if preferred.)
- Services: Tables, Chairs, and their set-up as directed by the customer

Extended Time Charges. There shall be a charge for any use of the Centers that exceeds the time periods for wedding packages stated above at the extended hourly rate for the areas used. This charge shall also apply if the areas used, including the kitchen, are not left in a clean and orderly manner, free of decorations, flowers and other items used in connection with weddings and related activities.

2) Baker Community Center

Rental Time & Rates

	<u>1 Hour</u>	<u>4 Hours</u>	<u>8 Hours</u>
Small Classroom (<350 square feet)	\$24	\$72	\$124
Medium Classroom (350-600 square feet)	\$30	\$90	\$156
Large Classroom (>600 square feet)	\$36	\$108	\$186
 Auditorium	 \$72	 \$216	 \$432
 Kitchen Use	 When included with a rental		 \$ 40.00/flat rate
	As a Stand-Alone Rental		\$ 30.00/hour

3) USA Stadium Complex

Rental Rates

<u>Hourly Rates</u>	<u>Regular</u>	<u>501(c) tax exempt entity</u>
Lake Area	\$50	\$25
Rodeo Arena & Rodeo Parking	\$100	\$50
Gin Area	\$50	\$25
Area behind Field #2	\$50	\$25
Parking Lot and Adjacent Field	\$50	\$25

- Four-hour minimum rental
- Rental time begins when gates are opened and ends when gates are closed
- Restrooms, electricity, and water usage are included in all rentals
- Parking lot is included for free when any other area of the complex is rented
- An employee who stays on the premises is included when two or more areas are rented
- If one area is rented, renter can add an employee to stay on the premises for \$10/hour
- Discounts for renting multiple areas: 2 areas (20%), 3 areas (25%), 4 areas (30%)

4) Park Pavilions

There shall be a charge of \$25.00 per day or portion of a day for reservation of the use of any pavilion located in a City of Millington park. City parks are open from dawn to dusk. The reservation charge shall be paid at the time the reservation is requested, and no reservation shall be scheduled or confirmed until the fee has been paid.

If your group will be using any equipment such as inflatable equipment, etc. a certificate of liability insurance policy in the amount of one million dollars (\$1,000,000) must be obtained. Before any equipment can be used on the park, you must have proper approval. Insurance certificates must be on file, in our office, before your reservation date.

There shall be a deposit of \$5.00 per key received by a citizen to the Aycock Park and Oak Park Tennis Courts. If a key is not returned within 14 days of the day it was received, the \$5.00 deposit will be forfeited.

5) Farmers' Market Pavilion

Vendor Fees

Regular vendor fees for vendors who do not sell concessions are \$10.00 per day on weekdays and \$12.00 per day on Saturdays. Any vendor who would like to set up for the entire Farmers' Market season may pay a one-time fee of \$225.00 at the beginning of the season.

Concession vendor fees are \$50.00 per day for either weekdays or Saturdays.

Rental Fees

There shall be a charge of \$25.00 per hour for the rental of the pavilion at the Millington Farmers' Market, with a minimum four-hour rental. The Farmers' Market pavilion is open from dawn to dusk. The reservation charge shall be paid at the time the reservation is requested, and no reservation shall be scheduled or confirmed until the fee has been paid.

The following provisions shall apply for all uses of all city facilities, unless otherwise noted:

Payments

1. The rates set out above are for each hour or portion of an hour and except as otherwise expressly set out herein, shall apply for rent of the Centers, other than for wedding packages, Monday through Thursday from 8:00 a.m. to 10:00 p.m. and Friday from 8:00 a.m. to 5:00 p.m. Except as otherwise set out herein, rent at the extended hourly rate will be charged for use of the Centers on Friday after 5:00 p.m. and for all uses on Saturday and Sunday. If a Friday use is scheduled to begin before 5:00 p.m. and end after 5:00 p.m., the regular hourly rate shall apply for such use until 5:00 p.m., and the extended hourly rate shall apply after 5:00 p.m. If a Friday use that is scheduled to end at or before 5:00 p.m. does not end by 5:00 p.m., the extended hourly rate shall apply after 5:00 p.m.

The extended hourly rate shall be the hourly rate charged for the area used plus an additional 10% of the amount charged. Notwithstanding any other provisions of this Ordinance, there will be a four hour minimum charge for all uses of the Centers on Saturday and Sunday, with a minimum rent of \$100.00 for any use of the Centers on Sunday.

2. No reservation shall be scheduled and confirmed **until a 20% non-refundable down payment is received**. This down payment shall be applied to the total balance due for the facility rental. It is separate from and in addition to the maintenance deposit.
3. Final payment must be received no less than seven business days prior to the scheduled event; provided, however, that if any use extends beyond the scheduled time for which payment has been made, the charge for such extra time will be 1.5 times the applicable rental rate. This extra rent may be deducted from the maintenance deposit (to the extent not needed to pay maintenance costs) or paid separately.
4. The person or entity using any part of the facilities shall be responsible for any damage to the facilities or city property and for any excessive cleanup costs. In addition to the rental fee, a **\$100.00 maintenance deposit** shall be required for each use of the Centers and USA Stadium Complex.

Maintenance deposits must be paid not later than the time final rental payment is due. The maintenance deposit (except such amounts as must be retained for repair of damage or excessive cleanup costs) will be available for pickup on the first business day after the event, provided that if any event (including events to which Wedding Packages apply) should last longer than the time agreed upon prior to the event or if additional charges should apply, as described in this Ordinance, the City shall have the right to retain so much of the maintenance deposit as is necessary to cover the extended charges. In such case, the City shall give the facility user a written description of any extended charges for which it retains all or a portion of the maintenance deposit. It is the responsibility of the renter to pick up the deposit. No maintenance deposit refund will be mailed. If there is damage to the facility or City property within the facility, or if excessive cleanup is

necessary, the renter shall forfeit all or a portion of the deposit as determined by the Director of the Arts and Recreation Department.

Discounts

5. Any qualified non-profit organization or any community organization that wishes to use a meeting room at Baker Community Center between 7:00 a.m. and 4:00 p.m. on Monday through Friday will be allowed to do so at no charge, provided there is space available and that the proposed user submits all required paperwork to the Millington Arts & Recreation Department prior to the proposed use. The right to such use may be reserved for a period not to exceed one year, but may thereafter be renewed for additional periods of one year each, subject to the provisions of this Ordinance.
6. Any user of the Centers who rents the same area for the same purpose more than one day within a calendar month or for several consecutive days shall be entitled to a 20% discount from the regular rent payment that would be applicable to a single use, provided that the multiple or consecutive days are scheduled at the same time the first use is scheduled. Any user of the Centers who rents more than one room for simultaneous use shall be entitled to a 20% discount of the amount that would be due if each room was rented separately for 2 rooms, 25% for 3 rooms, and 30% for 4 or more rooms.
7. Each school located within the City of Millington is allowed one free event per school year of up to 4 hours on any day of operation. Each school located within the 38053 zip code but not within the city limits is allowed one event per year of up to 4 hours for \$15 per hour. In each case, the headmaster or principal of the school must designate that the event will be their free or discounted event for the school year. All other uses by schools within the city limits or 38053 zip codes will be charged at a rate of 50% of the rates listed in this ordinance, so as to cover the personnel, supplies, materials, equipment, and maintenance of the facilities. Any applicable discounts will be applied to the 50% off rate.
8. Except as otherwise provided in this Ordinance or agreed by the Appeals Committee in accordance with this Ordinance, (a) qualified non-profit organizations that are based in Millington or that hold substantially all their meetings and activities in Millington shall be allowed up to 4 hours per month use Baker Center without charge on Monday through Friday from 8 a.m. to 9 p.m.; and (b) qualified non-profit organizations that are not based in Millington but are based within the 38053 zip code shall be charged \$15.00 per hour for the first four hours each month and shall be charged the regular hourly rate thereafter, with applicable discounts, for use during such days and hours. If a qualified non-profit organization based in Millington does not use Baker Center on a regular basis, it will be allowed to use one of the facilities up to 8 hours per year on any single day other than Sunday at no charge, provided the space is available. If a qualified non-profit organization not based in Millington but located within the 38053 zip code does not use Baker Center on a regular basis, that organization will be allowed to use one of the Baker Center for up to 8 hours per year on any single day other than Sunday at a charge of \$15.00 per hour, provided the space is available.

A “qualified non-profit organization” is an organization which is exempt from federal income taxes under Section 501(c) of the Internal Revenue Code. Evidence of federal tax exempt status must be submitted to the City before or at the time any qualified non-profit organization either requests to pay rent applicable to qualified non-profit organizations under this Ordinance or seeks an adjustment of rent by the Appeals Committee.

9. For programs and activities which the City doesn't have qualified staff to provide, the City shall have the right to contract with third parties to provide such programs and activities. In each such case, the City shall receive a payment of 20% of the revenue received by the third party contractor for such programs and activities, except as expressly set out herein.

Appeals

10. There shall be an Appeals Committee, appointed by the Mayor with approval of the

Board of Aldermen, which shall hear and decide requests by non-profit organizations qualified under Section 501(c)of the Internal Revenue Code and community organizations for adjustment of the rent that would otherwise be applicable under this Ordinance. The decision of the Appeals Committee shall be final in each case. Upon the establishment or modification of rent by the Appeals Committee, the proposed user of the Centers and the City shall execute a contract setting out the terms of such use and rent.

11. Any qualified non-profit or any community organization that requests to be charged rates other than the rates set out in this Ordinance must submit its proposal to the Appeals Committee within sufficient time prior to the first date of use to allow the Appeals Committee to review the information submitted and set the applicable rent.

Additional Rules

12. There will be NO SMOKING in the Centers or pavilions. Smoking will be permitted only in outside designated areas.
13. Teenage parties, including birthday parties, shall be limited to 50 guests (plus a sufficient number of adult chaperones) and must be over by 9:00 p.m. Music must not be audible in the nearest street. There must be at least one security guard for up to 25 guests and 2 security guards for 26-50 guests. The Millington Arts and Recreation Department shall have the right to end a party if these conditions are not met or if there is a condition or activities deemed unsafe for minors, and in the event of termination of any teenage party for such reasons, there shall be no refund of the user fee.

Rent and Regulations Agreement

14. All persons or groups who desire to use the Millington Civic Center, Baker Community Center, USA Stadium Complex or any park or Farmers' Market pavilion must have an authorized adult representative sign a Facilities Use Agreement at the time a reservation for such use is made. A Rules and Regulation Agreement must be signed by the user's authorized representative. These Agreements must be signed prior to use of the facilities.

BE IT FURTHER ORDAINED that this Ordinance shall take effect on July 1st, 2012, the public welfare requiring it.

Linda L. Carter, Mayor

Carolyn Conley, City Clerk

First reading _____
Second reading _____
Third reading _____

Adopted the __ day of June, 2012.