

Board of Mayor and Aldermen

Meeting Agenda

Town Hall
334 Atoka-Munford Avenue
Tuesday, February 08, 2022
7:00 p.m.

Invocation & Pledge of Allegiance

I. Call to Order & Roll Call

II. Minutes

- a. Regular Board Meeting – January 11, 2022 Exhibit A

III. Reports

- a. Financial Report ♦ Exhibit B
 - 1. Sales Tax Report

IV. Old Business

- 1. Waste Pro Update
- 2. Ordinance – Final Consideration – Beer Regulations Exhibit C

V. New Business

- a. Ordinances & Resolutions
 - 1. Resolution – Approval of Fire Prevention and Education Grant Submittal Exhibit D
- b. Miscellaneous Items
 - 1. Electronic Meetings Exhibit E
 - 2. FY 2023 Budget Process Memorandum Exhibit F
 - 3. Report on Debt Obligation Exhibit G
 - 4. Updated Organizational Chart Exhibit H

VI. Departmental Reports

- a. Code Enforcement
- b. Fire Department Chief Posey
- c. Parks Department Director Isbell
- d. Police Department Chief Rudolph
- e. Public Works Department Director Patrick

VII. Miscellaneous Items from the Mayor, Board of Aldermen, Town Administrator

VIII. Citizen Concerns

IX. Adjourn



Office of the Town Administrator

MEMORANDUM

To: Honorable Mayor Daryl Walker & Board of Aldermen
From: Marc Woerner, Town Administrator
Re: Agenda items for February 8, 2022

- 1. Exhibit A – Board Meeting Minutes** - The minutes from the Board's regular monthly meeting in January are included for review and approval.
- 2. Exhibit B – Financial Reports** – The monthly report detailing fiscal year financial performance through the month of December is included in the packet for your review. The new Sales Tax report is included for your review and provides an accurate outlook on funds that were actually receipted by the town. The funds reflect two months prior sales tax spent. For example, September 2019, the town receipted \$91,816 from the State. The State received those funds in July and the State web portal shows those funds would have been for August 2019. Essentially, the report runs two months behind when the funds are received by the State.
- 3. Exhibit C – Ordinance – Final Consideration – Amending Title 8, Chapter 2 – Beer Regulations** – Town staff has reviewed the Beer Regulations ordinance and has recommended revisions. The Public Safety Committee, consisting of Alderman Feldmayer and Alderwoman Renfrow and town staff reviewed the proposed changes. Committee members were in agreement of the proposed changes. The Board approved the ordinance on the first reading at the January meeting. Staff recommends adopting the proposed ordinance on final consideration.
- 4. Exhibit D – Resolution – Approval of Fire Prevention and Public Education Grant** – The grant application is for AFG Fire Prevention and Education funds for the purpose of fire prevention and public education to the Atoka Fire Department that will benefit the residents of the Town of Atoka. The grant has a 5% match requirement. Staff recommends that adopting the resolution.
- 5. Exhibit E – Electronic Meetings** – A very rough initial draft of a resolution is included for your review.

6. **Exhibit F – FY 2023 Budget Process Memorandum** - The memorandum is an outline and tentative schedule for the FY 2023 budget creation process. This is information and does not require any action by the Board.
7. **Exhibit G – Report on Debt Obligation** – Tennessee Municipal Bond Fund (TMBF) has funded the debt for the fire apparatus in the amount of \$660,000K on January 28, 2022. This is a matter of information for the Board's review. No action necessary on this item.
8. **Exhibit H – Updated Organizational Chart** – Some time has passed since the organizational chart has been updated. By adopting the updated chart, the proposed changes will help to improve workflow and provide for efficient citizen services. The chart also allows the town to prepare for the future. Revenues are trending in the town's favor so any additions to staff in the current FY will be covered. Staff recommends adopting the updated organizational chart.
9. **Department Reports** – Monthly reports from the Departments have been included in the Board packet for your review.

If you have questions on any of these items prior to the Board meeting, please do not hesitate to call me.



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Exhibit A

TOWN OF ATOKA
334 Atoka-Munford Avenue
Atoka, Tennessee 38004
Phone: (901) 837-5300
www.TownofAtoka.com

**Town of Atoka Board of Mayor and Aldermen
Regular Monthly Meeting
January 11, 2021, 7:00 p.m.**

The Invocation was led by Mayor Daryl Walker. All present joined in the pledge to the flag.

The meeting was called to order by Mayor Walker at 7:00 p.m.

The Town of Atoka Board of Mayor and Aldermen met with the following:

Present: Mayor Daryl Walker, Aldermen Barry Akin, Danny Feldmayer, John Harber, Cody Pace and Alderwoman Renfrow

Also present: Town Recorder Debbie Pickard, Town Administrator Marc Woerner, Town Attorney Kasey Culbreath via phone, Police Chief Anthony Rudolph, Fire Chief Henry Posey, Park Director Dorothy Isbell, and attached list.

Absent: Alderman Brett Giannini who is away on military service, and Public Works Director Dalton Patrick.

Regular Monthly Meeting December 14, 2021 – Exhibit A – Alderman Harber made a motion to accept the minutes as presented. Alderman Feldmayer seconded the motion. All in favor. Motion carried.

Beer Board Meeting December 14, 2021 – Exhibit B – Alderman Harber made a motion to accept the minutes as presented. Alderman Feldmayer seconded the motion. All in favor. Motion carried.

Financial Report: Exhibit C – Administrator Woerner reviewed the financial report as presented. Alderman Feldmayer made a motion to accept the report as presented. Alderwoman Renfrow seconded the motion. All in favor. Motion carried.

Old Business:

Ordinances and Resolutions:

- 1. Ordinance 22-01-01 – Final Consideration – Amending Title - 15 Motor Vehicles, Traffic and Parking – Exhibit D** – The Board had no objection to reading the ordinance by title only. The Recorder read the ordinance by title only. Alderman Akin made a motion to approve the ordinance on final consideration. Alderwoman Renfrow seconded the motion. Roll Call. Feldmayer-yes, Harber-yes, Pace-yes, Renfrow-yes, Akin-yes, and Giannini-absent. Motion carried.
- 2. Ordinance 22-01-02 – Final Consideration – Amending Title 16 - Streets and Sidewalks – Exhibit E** – The Board had no objection to reading the ordinance by title only. The Recorder read the ordinance by title only. Alderman Akin made a motion to approve the ordinance on final consideration. Alderman Feldmayer seconded the motion. Roll Call. Harber-yes, Pace-yes, Renfrow-yes, Akin-yes, Feldmayer-yes, and Giannini-absent. Motion carried.
- 3. Ordinance 22-01-03 – Final Consideration – Adopting Electronic Participation for Elected Officials – Exhibit F** – The Board had no objection to reading the ordinance by title only. The Recorder read the ordinance by title only. Alderman Feldmayer made a motion to approve the ordinance on final consideration. Alderwoman Renfrow seconded the motion. Roll Call. Pace-yes, Renfrow-yes, Akin-yes, Feldmayer-yes, Harber-yes, and Giannini-absent. Motion carried.

New Business:

Appointments:

- 1. Board of Zoning Appeals** – Mayor Walker advised the Board that Bob Hatton had resigned his position on the BZA. Mayor Walker selected Keith Moore for the appointment to replace him. Alderman Feldmayer made a motion to accept Keith Moore for the BZA. Alderman Pace seconded the motion. All in favor. Motion carried.

Ordinances and Resolutions:

2. **Ordinance – First Consideration – Amending Title 8, Chapter 2 – Beer Regulation – Exhibit G** – The Board had no objection to reading the ordinance by title only. The recorder read the ordinance by title only. Alderman Feldmayer made a motion to approve the ordinance amending section 8-207-10 from ten (10) signatures to three (3) signatures. Alderman Harber seconded the motion. Roll Call. Renfrow-yes, Akin-yes, Feldmayer-yes, Harber-yes, Pace-yes, and Giannini-absent. All approved. Motion carried.
3. **Resolution – 22-01-01 – Amending Resolution 12-03-01 Donation Policy– Exhibit H-** Administrator Woerner reviewed the resolution as presented. Alderman Pace made a motion to approve the resolution. Alderwoman Renfrow seconded the motion. All approved. Motion carried.
4. **Resolution – 22-01-02 – Approving Debt Issuance for Fire Apparatus Purchase – Exhibit I-** Administrator Woerner reviewed the resolution as presented. Alderman Feldmayer made a motion to approve the resolution. Alderwoman Renfrow seconded the motion. All approved. Motion carried.
5. **Resolution – 22-01-03 – Approving a Fire Staffing (SAFER) Grant Submittal– Exhibit J-** Administrator Woerner reviewed the resolution as presented. Alderman Feldmayer made a motion to approve the resolution as presented. Alderman Akin seconded the motion. All approved. Motion carried.

Miscellaneous Items:

1. **Approval of Parks and Recreation 2022 Spring Events – Exhibit K**– Director Isbell reviewed the events as presented. Alderman Feldmayer made a motion to approve the events. Alderman Pace seconded the motion. All in favor. Motion carried.
2. **Job Description – Planner Engineer – Exhibit L** – Administrator Woerner reviewed the job description as presented. Alderman Feldmayer made a motion to approve the position for a planner engineer. Alderwoman Renfrow seconded the motion. All in favor. Motion carried.
3. **Donation Request – Fire Department – Exhibit M-** Administrator Woerner reviewed the donation request as presented. Alderman Akin made a motion to approve the request. Alderwoman Renfrow seconded the motion. All in favor. Motion carried.
4. **Broadcasting of Electronic Public Meetings** – Mayor Walker advised the Board that he would like to set a policy regarding the broadcasting of electronic public meetings. He presented 3 options. The first option is no electronic broadcast of public meetings. The second option is a “live stream” broadcast and store the full recordings of the meetings on the YouTube channel. The third option is “Live Stream Only”, there is no option to review the meeting later. After discussion Alderman Harber made a motion to consider a fourth option to bring back a resolution to use Zoom or an equivalent software service to record the meeting to provide an opportunity for citizen’s concerns to be heard virtually and have the ability for the recording to be uploaded to YouTube or a similar service for citizen’s that missed the live meeting to review the recording later. Alderman Pace seconded the motion. All in favor. Motion carried.
5. Mayor Walker advised the Board that Codes Director Rex Wallace has resigned effective January 06, 2022. Mayor Walker asked for a motion to accept his resignation. Alderman Akin made a motion to accept the resignation. Alderwoman Renfrow seconded the motion. All approved. Motion carried.
6. Administrator Woerner advised the Board that they will need to designate a building official until the code director position can be filled. Mayor Walker appointed Administrator Woerner to act as the interim building official. Alderwoman Renfrow made a motion to approve the appointment of Administrator Woerner. Alderman Akin seconded the motion. All in favor. Motion carried.
7. Administrator Woerner advised the Board that additional monitors will be installed so that each elected official and planning commissioner will be able to view items on the monitor individually.

Departmental Reports:

1. **Code Enforcement:** Director Wallace was absent. The Board reviewed the report as presented.
2. **Fire Department:** Chief Posey reviewed the report as presented. Chief Posey advised the Board of the following: The Santa’s Ride event was a huge success. New Year’s Eve the fire department made two occupancy inspections. One was at the Cigar Lounge, at which there were no violations found. The second

one was at The Chill Lounge, but they were closed for business. The fire department provided automatic aid to the fire that destroyed the River of Life Church last Thursday night.

3. **Parks Department:** Director Isbell reviewed the report as presented. Director Isbell advised the Board staff is doing winter cleanup at all of the parks.
4. **Police Department:** Chief Rudolph reviewed the report as presented. Chief Rudolph advised the Board of the following: Chief Rudolph reviewed a notable arrest. In Service training is ongoing.
5. **Public Works Department:** Director Patrick was absent. The Board reviewed the report as presented.

Citizen Concerns:

1. Persia Phelps of 20 Nugget Lane expressed concerns regarding the town administrator's accountability to citizens, missed trash collections, and employee morale.
2. Brett Pickard of 165 Adkison expressed concerns regarding the traffic flow at Meade Lake and Atoka Idaville and asked to have someone direct traffic between 5pm and 6pm. Mr. Pickard expressed concerns regarding the side door entrance of the building being locked. Mr. Pickard expressed concerns regarding the beer ordinance.

Alderman Feldmayer motioned to adjourn the meeting. Alderman Harber seconded the motion. The meeting ended at 8:43 pm.

W. Daryl Walker, Mayor

Deborah Pickard, Recorder

SUMMARY OF FINANCIAL CONDITION VS. BUDGET

For the Seven Months Ending January 31, 2022

<u>General Fund</u>		7 months	% of Budget	
Revenues:		Actual	Budget	Total Budget
Property Tax		1,909,113	83.2%	2,295,420
Sales Tax		1,960,448	63.6%	3,084,681
Grants		1,393,729	246.0%	566,652
Other Revenues	660,000 is loan proceeds	1,316,770	110.5%	1,191,322
Total		6,580,060		7,138,075
Expenditures:				
Legislature & Judicial		32,852	49.9%	65,800
Finance & Administration		271,071	49.7%	544,890
Police		1,225,722	54.9%	2,234,518
Fire	(fire truck 963,000)	1,828,184	102.8%	1,778,528
Planning & Inspection		149,804	35.1%	426,370
Streets		2,240,736	182.1%	1,230,754
Parks & Recreation		486,174	73.9%	658,215
Total		6,234,543		6,939,075
Excess Revenue Over Expenditures		345,517		199,000
Cash on Hand at End of Period (1)		4,220,051		

<u>State Street Aid Fund</u>				
Revenue		212,480	63.2%	336,360
Expenditures		260,533	77.5%	336,360
Excess Revenue Over Expenses		-48,053	0	
Cash on Hand at Beginning of Year		203,178		
Cash on Hand at End of Period		155,125		

<u>Drug Fund</u>				
Revenue		11,274	36.4%	31,000
Expenditures		22,700	73.2%	31,000
Excess Revenue Over Expenses		-11,426	0	0
Cash on Hand at Beginning of Year		44,454		
Cash on Hand at End of Period		33,028		

(1) Does not include Fire Dept and Park AC of:

357,896

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Exhibit B

<u>Solid Waste Collections</u>				
Revenue		388,379	64.7%	600,000
Expenditures		370,358	51.4%	720,000
Excess Revenue Over Expenses		18,021	0	-120,000
Cash on Hand at Beginning of Year		116,211		120,000
*Cash on Hand at End of Period		255,610		0

SUMMARY OF FINANCIAL CONDITION WATER FUND

For the Seven Months Ended January 31, 2022

Cash on Hand at Beginning of Year	\$ 523,465
Cash on Hand at End of Period	\$ 884,372
Total Bonds/Notes outstanding 01/31/22	\$ 908,951

Net Income(Regulatory Basis) vs. Prior Year				
	Actual			Prior Year
	1/31/2022	% of Budget	Total Budget	1/31/2021
Revenues	\$ 669,337	38.62%	\$ 1,733,002	\$ 1,516,930
Expenses				
(353) Water Purchases	\$ 301,828	68.60%	\$ 440,000	\$ 308,657
				\$ 73,253
(100's) Payroll and Benefits	\$ 189,065	69.29%	\$ 272,874	\$ 372,191
(260) Repair Maintenance Services	\$ 27,792	38.60%	\$ 72,000	\$ 300,561
(241) Utility (Electric) Operations	\$ 3,171	35.61%	\$ 8,905	\$ 64,183
(211,290,292,310) Prof Service / Office Supplies	\$ 16,987	77.00%	\$ 22,061	\$ 45,478
* Other Operating Expenses	\$ 119,155	16.65%	\$ 715,623	\$ 119,319
(540) Depreciation	\$ 117,345	58.33%	\$ 201,163	\$ 277,083
Total	\$ 775,343	44.75%	\$ 1,732,626	\$ 1,560,725
Net Income (loss)	\$ (106,006)		\$ 376	\$ (43,795)

WT/SW combined
previous year column

* Other Operating Expenses include: Uniforms - Vehicle Maintenance - Liability, Property & Work Comp Insurance - Building Utilities & Maintenance

SUMMARY OF FINANCIAL CONDITION SEWER FUND

For the Seven Months Ended January 31, 2022

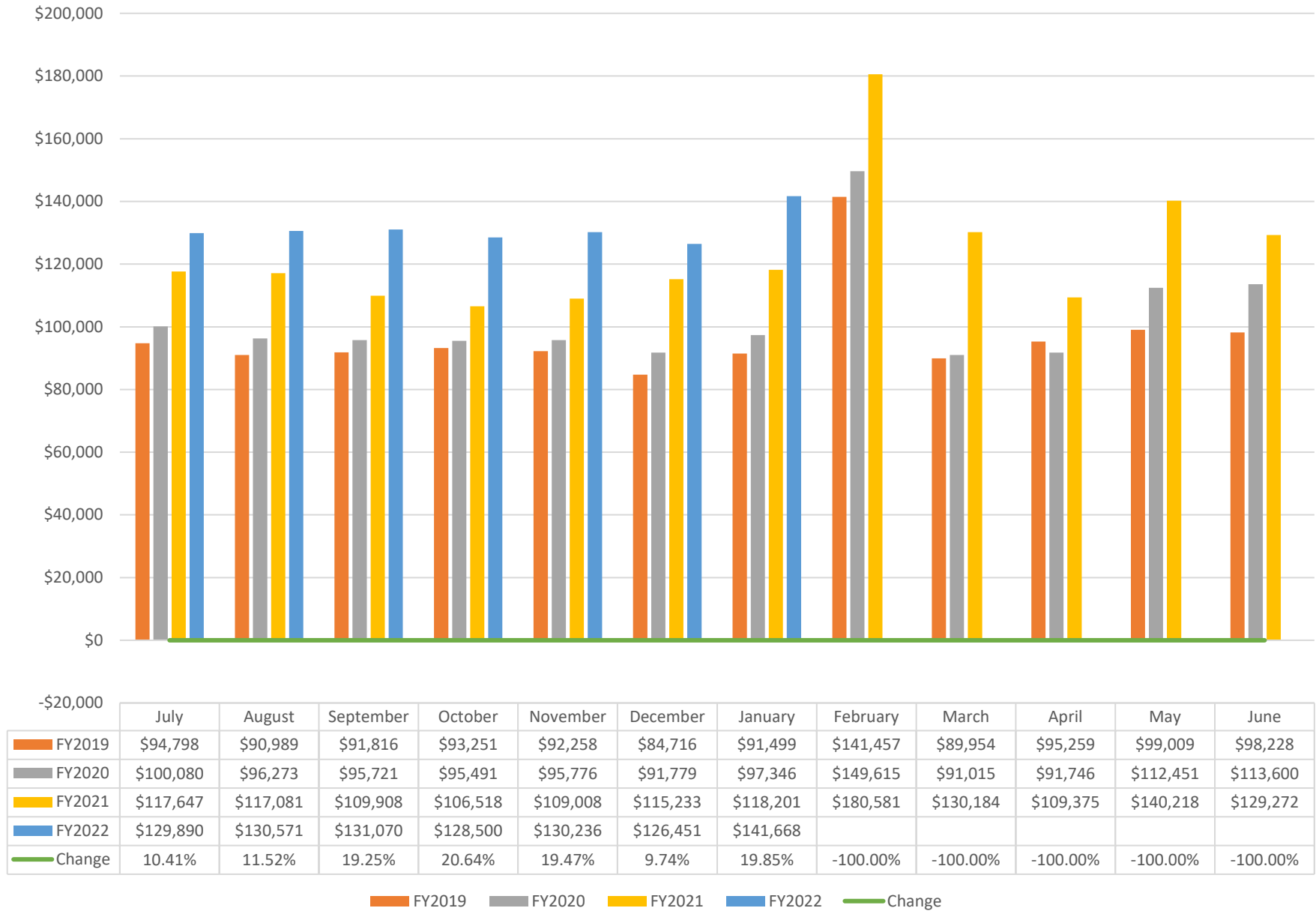
Cash on Hand at Beginning of Year	\$ 2,006,806
Cash on Hand at End of Period	\$ 2,204,010
Total Bonds/Notes outstanding 01/31/22	\$ 1,212,455

Net Income(Regulatory Basis) vs. Prior Year				
	Actual			Prior Year
	1/31/2022	% of Budget	Total Budget	1/31/2021
Revenues	\$ 770,716	35.73%	\$ 2,156,835	\$ 1,516,930
Expenses				
				\$ 308,657
(243) Sewer Treatment Fees	\$ 90,785	60.52%	\$ 150,000	\$ 73,253
(100's) Payroll and Benefits	\$ 185,128	65.88%	\$ 280,988	\$ 372,191
(260,269) Sewer Maintenance	\$ 175,833	61.05%	\$ 288,000	\$ 300,561
(241) Utility (Electric) Operation	\$ 54,231	60.36%	\$ 89,850	\$ 64,183
(211,290,292,310) Prof Services / Office Supplies	\$ 18,670	61.14%	\$ 30,535	\$ 45,478
* Other Operating Expenses	\$ 164,775	20.23%	\$ 814,342	\$ 119,319
(540) Depreciation	\$ 159,711	58.33%	\$ 273,790	\$ 277,083
Total	\$ 849,133	44.05%	\$ 1,927,505	\$ 1,560,725
Net Income (loss)	\$ (78,417)		\$ 229,330	\$ (43,795)

WT/SW combined
previous year column

Total - All Funds: \$ 9,046,149

* Other Operating Expenses include: Uniforms - Vehicle Maintenance - Liability, Property & Work Comp Insurance - Building Utilities & Mainenance

Exhibit B**General Sales Tax Revenue**

AN ORDINANCE TO AMEND TITLE 8, CHAPTER 2 OF THE ATOKA MUNICIPAL CODE RELATED TO BEER.

WHEREAS, The Town of Atoka established a Beer Board through Ordinance 89-11A and

WHEREAS, Town of Atoka's Public Safety Committee and town staff held a work session to review and revise the Beer Ordinance,

WHEREAS, The Board of Mayor and Alderman desires to amend The Atoka Tennessee Municipal Code of Ordinances to reflect the changes made at the Public Safety Work Session.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, THAT:

SECTION 1. Title 8 Chapter 2 of the Atoka Municipal Code is amended to read as follows.

CHAPTER 2 BEER¹ SECTION

- 8-201. Beer board established.
- 8-202. Meetings of the beer board.
- 8-203. Record of beer board proceedings to be kept.
- 8-204. Requirements for beer board quorum and action.
- 8-205. Powers and duties of the beer board.
- 8-206. "Beer" defined.
- 8-207. Permit required for engaging in beer business.
- 8-208. Classes of permits.
- 8-209. Sale of beer permitted only in specified zones.
- 8-210. Publication notice.
- 8-211. Interference with public health, safety, and morals prohibited.
- 8-212. Issuance of permits.
- 8-213. Regulations of the Beer Board
- 8-214. Restriction on hours for the sale of beer.
- 8-215. Hearings.
- 8-216. Privilege tax.
- 8-217. Civil penalty in lieu of suspension.
- 8-218 Employment of Minors

8-201. Beer board established. There is hereby established a beer board to be composed of the board of mayor and aldermen and has the exclusive power and authority to issue, suspend, revoke, and impose civil penalties on beer licenses and recommend approval for "on" premise and "off" premise beer sales located within the Town limits, subject to review by the courts. The mayor shall be the chairman of the beer board. (Ord. No. 89-11A, sec. 2-201)

8-202. Meetings of the beer board. All meetings of the beer board shall be open to the public. The board shall hold regular meetings in the town hall at such times as it shall prescribe. When there is business to come before the beer board, a special meeting may be called by the chairman provided he gives a reasonable notice thereof to each member. The board may adjourn a meeting at any time to another time and place. (Ord. No. 89-11A, sec. 2-202)

8-203. Record of beer board proceedings to be kept. The recorder 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. No. 89-11A, sec. 2-203 as amended Code 1992)

8-204. Requirements for beer board quorum and 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 by a majority of the members present if a quorum is constituted. (Ord. No. 89-11A, sec. 2-204)

8-205. Powers and duties of the beer board. 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 this town in accordance with the provisions of this chapter. (Ord. No. 89-11A, sec. 2-205)

8-206. "Beer" defined. For purposes of this title, "beer" means beer, ale or other malt beverages, or any other beverages having an alcoholic content of not more than eight percent (8%) by weight, except wine as defined in § 57-3-101; provided, however, that no more than forty-nine percent (49%) of the overall alcoholic content of such beverage may be derived from the addition of flavors and other non-beverage ingredients containing alcohol.

8-207. Permit required for engaging in beer business. 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, and pursuant to T.C.A. 57-5-101(b), and shall be accompanied by a non-refundable application fee of two hundred and fifty dollars (\$250.00). Said fee shall be in the form of a cashier's check payable to the Town of Atoka. Each applicant must be a person of good moral character and certify that they have read and are familiar with the provisions of this chapter. (Ord. No. 89-11A, sec. 2-207, as replaced by Ord. #93-11-01, § 1, Dec. 1993)

8-207(a) Procedure for securing a beer permit.

- (1) Applicant must fill out application as described above and secure a copy of the rules and regulations from the Town Recorder's Office and pay the fee of a non-refundable two hundred and fifty dollars (\$250.00) and a fifty-dollar (\$50.00) beer sign fee. No portion of the fee shall be refunded to the applicant, notwithstanding whether an application is approved or denied.
- (2) Applicant must provide positive form of government identification. The same person making the application must appear before the beer board on the hearing date for the application.
- (3) Submit the original lease, deed, or bill of sale at this location for verification.

- (4) A survey is required for any **NEW** business location applying for a beer license. The survey must show a 500-foot radius measurement beginning each corner of the structure where beer is sold, manufactured, or stored; it must also show a 200-foot radius measured from the each corner point of the structure and it must indicate any church, school (including childcare facilities up to secondary schools), or any residential property zoned “residential”, “N-C” within these measurements as defined in Town Ordinance 14-201. The distances shall be measured in a straight line² from the nearest corner of the school or church and the nearest corner of the structure where the beer is sold, manufactured, or stored.
 - a. Surveys must be within six (6) months of application.
 - b. The location restriction applies only to new beer establishment locations, those with off-premise sales, and those that cease to sell beer for six (6) months or more.
- (5) “Off” premise locations must submit inventory to the Alcohol Commission for review. This information must be included in the applicant’s file.
- (6) “Off” premise locations found to be within the restricted measurements will be required to provide the inventory receipts of food sales, not including beer sales. The food sales must consist of at least 40% of the gross sales within six (6) months after opening.
- (7) Contact the Code Enforcement Office for building inspections and use and occupancy (U & O) permit.
- (8) File application for food permits with the Tipton County Health Department
- (9) Contact the Atoka Fire Department for inspection of location.
- (10) Applicant must secure the signatures of three (3) reputable citizens who live in, or have a business located in the areas where the business is to be located, stating the residence or place of business of each person. These signatures certify the length of time they have been acquainted with the applicant, and that they have good reason to believe that all of the statements contained in the petition are true and that they join in the prayer of the petition for the granting of the license prayed for.
- (11) Secure a telephone for business location.
- (12) Place a conspicuous sign at the location, visible from the street at least fifteen (15) days prior to the scheduled hearing date notifying the general public and community residents that application has been made to the Beer Board to sell beer at that location and the hearing date has been established to consider any support or opposition to said application. The cost of the sign to be posted is \$50.00.
- (13) No license can be issued in violation of any provisions of State law or of the zoning ordinances of the Town.
- (14) The applicant will conduct the business in person, for himself. If acting as agent, partner or otherwise, the applicant shall state the person, firm, corporation, syndicate, association of

joint stock company for whom applicant intends to act and provide an address to which official Beer Board correspondence should be sent.

- (15) Each applicant must swear and affirm that the statements of facts contained in his/her application are true and correct to the best of his/her knowledge, information and belief. Any false information contained in the application as to a material fact may be grounds for revocation of said license
- (16) Automatic revocation will result from misrepresentation of the facts before the Beer Board in the hearing to obtain a beer permit.
- (17) Any change in entertainment format must be approved through the Beer Board prior to effective date of change.
- (18) The Applicant for any type of beer permit MUST be 21 years of age at the time of application in order to apply for a permit.
- (19) The applicant will need to submit to a criminal background check.

8-208. Classes of permits. There shall be three (3) classes of permits issued by the beer board, as follows:

(1) Class A. A manufacturer's permit to a manufacturer of beer for the manufacture, possession, storage, sale, distribution, and transportation of the product of such manufacturer, not to be consumed by the purchaser upon or near the premises of such manufacturer. A manufacturer of beer shall be defined as one who employs a minimum of twenty-five (25) full-time employees in the manufacturing of beer.

(2) Class B. An "off-site" permit to any person or legal organization engaged in the sale of such beverages where they are not to be consumed by the purchaser or other persons upon or near the premises of such seller.

(3) Class C. An "on-site" permit to any person or legal organization engaged in the operation of a restaurant wherein the sale of beer is for consumption on the premises. A restaurant shall be defined as a business establishment whose primary business is the sale of prepared food to be consumed on the premises and less than thirty percent (30%) of its income is from the sale of beer and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment and seating capacity of at least thirty (30) people at tables, and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests. An "on-site" permit to any person or legal organization that has been granted a liquor by the drink license by the State of Tennessee.

(3)(a) Class D. (Beer Catering Permit) as defined above with manufacturing of beer capabilities on site. Beer Catering Permit Notwithstanding any other provisions of this chapter, or any rule or regulation of the Beer Board to the contrary, any brewery meeting the exemption requirements set forth in T.C.A. § 57-5-101(c)(1)(A) that does not also operate as a restaurant ("brewery"), shall be subject to the following provisions and restrictions:

- a. The intent of this section is to recognize the distinction between breweries with tasting rooms and other establishments that sell alcoholic beverages, specifically that a brewery tasting room is an adjunct to the primary business of manufacture and sale to wholesale or retail establishments. It being the intent of this section to encourage

the growth of local business and tourism while protecting the public welfare and morals.

- b. *Permit required.* Each brewery with a tasting room in which beer is to be manufactured and sold must apply for a beer permit through the Town of Atoka Beer Board in conformity with above process. Such permit application shall make reference to the fact that the application is for a brewery with a tasting room. The permit application shall conform to all on-premises permit requirements if the brewery intends to allow the consumption of beer in its tasting room, but so long as the application is accompanied by a sworn petition indicating that the restrictions of subsection D of this section are met, then there shall be no requirement for a brewery with a tasting room to maintain kitchen facilities or serve food.
- c. *On and off premises consumption allowed.* So long as the tasting room of the brewery conforms with the requirements of subsection D below, breweries with tasting rooms shall be authorized to sell beer manufactured on premises for on-premises consumption or off-premises consumption (off-premises consumption shall include beer sold to licensed wholesalers or retail establishments) so long as all beer sold for off-premises consumption is in the original, sealed container.
- d. *No food requirement—Restrictions.* No brewery with a tasting room shall be required to serve food, maintain kitchen facilities, or conform to any requirement relating to the percentage of sales attributable to food so long as it:
 - 1. Does not engage in the sale of any alcoholic beverage other than beer manufactured on premises.
 - 2. Does not derive more than 25 percent of its gross annual income from the sale of beer for consumption on premises.
 - 3. Does not open to the public for any period between the hours of 12:00 a.m. and 12:00 p.m.
 - 4. Does offer water or other non-alcoholic beverages at no cost to its patrons.
 - 5. If located within a 500-foot radius of a church as set forth above shall remain closed to the public on Sundays, and if located within such radius of a school or residential dwelling, shall remain closed to the public on Sundays and shall close to the public each Monday through Thursday no later than 10:00 p.m. this section being intended to prevent traffic congestion, to reduce noise and to protect the public welfare and morals of the community.

3(b) Special Event Beer Permit Special beer permits are issued pursuant to special requirements.

- a. Special beer permits are temporary in nature and cannot exceed a thirty (30) day effective period or end of the term of the special event, whichever time frame is shorter.
- b. The special beer permit will not be issued to facilitate “transfer” of any existing beer permit.

1. Only one beer permit will be issued per Special Event. Absolutely NO sub-contracting of outside license beer permit holders.
- c. Must be heard and approved by the Beer Board prior to any issuance and approval. Applicant must be in person to testify in front of the Beer Board and must be the same person as the one who submits the application to the Recorder's Office.
- d. The applicant will need to submit to a background check.
- e. Anyone selling or serving beer will need to have a current file of all employees must be kept at the location. This file must include a sworn affidavit that such employee is not in violation of T.C.A. 57-5-301. This file must include the name, date of birth, address, phone number, and SSN# of all employees that serve beer.
- f. No license shall be issued to sell any beer / alcoholic beverage where such sale will cause congestion of traffic or interference with schools, churches, or other places of public gathering, or otherwise interfere with public health, safety and morals, and the judgment of the Beer Board on such matters shall be final.

(4) No manufacturer, legal organization or person may hold more than one class of permit at the same location. (Ord. #89-11A, § 2-208, as replaced by Ord. #02-05-03, Aug. 2002, and amended by Ord. #03-03-01, April 2003)

(5) For "On" premise consumption licenses, the applicant must serve at least one hot meal a day, consisting of at least one meat and two vegetables, prepared on the premises with adequate kitchen facilities and a menu available to be read by the customers. Change 8, February 13, 2018

(6) All locations applying for "Off" premise consumption licenses must have at least \$2,000.00 inventory at the time of the hearing, excluding equipment, fixtures, beer, tobacco and petroleum products.

(7) Licensee with "Off" or "On" premise beer permit will not allow any consumption of alcoholic beverages on the sidewalks, streets or property within the immediate (parking lot) vicinity. No such beverages will be kept for sale in such premises except in the original containers or packages.

8-209. Sale of beer permitted only in specified zones. It shall hereafter be lawful to sell, store for resale, distribute or manufacture beer in the Town of Atoka, Tennessee, provided that permits authorized by this chapter shall be issued for locations that are now zoned or may be in the future zoned as follows:

- (1) Class A Permits: Zoning Districts I
- (2) Class B Permits: Zoning Districts GC and NC.
- (3) Class C Permits: Zoning Districts GC and NC. (Ord. #89-11A, § 2-209, deleted by Ord. #98-10-02, Nov. 1998, and replaced by Ord. #02-05-03, Aug. 2002)
- (4) Class D & E Permits: Zoning Districts GC and NC.

- (a) Applicant will engage in the sale of beer only at the location specified on the beer permit.
- (b) All sales of beer will be made in strict accordance with the license or special permitted event granted and the rules and regulations of the Beer Board.

8-210. Publication notice. Before the beer board shall issue a permit, it shall cause to be published in a newspaper of general circulation, and/ or by electronic means, a notice in which the name of the applicant and the address of the location for such permit and the date and the time of its meeting at which such application shall be considered. The notice shall be published not less than ten (10) days prior to such meeting. Such meeting shall be a published hearing for the purpose of hearing the statement of any person or his attorney on any application for license or permit. (Ord. No. 89-11A, sec. 2-210)

8-211. Interference with public health, safety, and morals prohibited. No permit authorizing the sale of beer will be issued when such business would cause congestion of traffic or would interfere with hospitals, schools, churches, or other places of public gathering, or would otherwise interfere with the public health, safety, and morals. In no event will a permit be issued authorizing the sale of beer within two hundred (200) feet of any hospital, school, church or other place of public gathering as referenced above in section 8-207(a)(4). If any property applying for a beer permit shall adjoin another property that is classified as a hospital, school, church, or other place of public gathering, but meets the 8-18 distance requirement of 200 feet, then before the permit may be issued, a solid fence of eight feet in height shall be erected along the adjoining property line at the expense of the applicant for the beer permit. The fence which shall be substantially opaque and serve as a visual barrier between the adjoining properties shall be composed of masonry, vinyl, durable woods, or combination of masonry, vinyl, and durable woods. (Ord. #89-11A, § 2-212, as replaced by Ord. #00-04-01, April 2000, and Ord. #05-02-01, Feb. 2005)

8-212. Issuance of permits to persons convicted of certain crimes prohibited.

(1) No beer permit shall be issued to any person who has been convicted for the possession, sale, manufacture, or transportation of intoxicating beer / liquor, a felony, any open, unadjudicated cases before any magistrate of any federal, state, local courts, any conviction of 2 or more drug related offenses (including misdemeanors), or any crime involving moral turpitude within the past ten (10) years.

(2) All individuals holding at least a five percent (5%) ownership interest in the applicant must present proof that they have been citizens or lawful residents of the United States for not less than one (1) year immediately preceding the date upon which application is made to the Town Recorder. Applicants may satisfy this requirement by presenting any of the following official documents for inspection by the town recorder:

- (a) A U.S. Passport or Passport Card;
- (b) A Permanent Resident Card ("Green Card"); or
- (c) A birth certificate issued by:
 - (i) The United States government; or
 - (ii) The government of any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any other territory or possession of the United States. This requirement shall not apply where no individual holds at least a five percent (5%) ownership interest in the applicant. (Ord. No. 89-11A, sec. 2-211, as replaced by Ord. #15-10-02, Oct. 2015)

8-212 (a) Non-Transfer of Beer permit. Beer permits are not transferable from person(s), location(s), or any change in the name of the business. Any new owner of a business must have a beer permit issued in his/her own name. Transference is strictly prohibited.

8-213. Regulations of the Beer Board.

- (1) All licenses must be current and prominently displayed at all times.
- (2) All establishments with beer permits shall maintain at least one working telephone for incoming and outgoing calls at all times.
- (3) No owner or employee shall drink alcoholic beverages or beer while on duty. An owner or manager is assumed to be on duty at all times while in their establishment.
- (4) Only authorized personnel, meeting requirements of TCA 57-5-301(a) (1), shall be left in charge of a beer establishment to sell or serve beer to customers.
- (5) No beer shall be sold, served, or gifted to persons under legal age. A person must be 21 years of age to buy, consume or possess beer. The burden of ascertaining the correct age of minor customers shall be upon the owner, operator and employees of the business. Proof of legal age is required of all customers before any alcoholic beverage /beer are served or sold to such persons
- (6) All beer must be off the tables by 3:15 a.m. each day and not in any type of containers.
- (7) The police shall be called promptly by the manager and/or employees to report a fight or disturbance at the establishment.
- (8) The owner and his employees shall cooperate fully with the police in their normal and necessary investigation.
- (9) No alcoholic beverages / beer will be allowed to be consumed in or upon the premises of a liquor store.
- (10) In all "On" premise locations, there must be sufficient lighting for customers to adequately read a menu and for employees to properly inspect the age and identification cards of customers.
- (11) No sale or consumption of beer will be permitted from any location while under suspension or revocation by the Beer Board.
- (12) Licensee shall maintain an orderly establishment and not be in violation of any health, building, or fire department regulations.
- (13) Licensee shall not be in violation of any ordinance of the Town, statutes of the State or Federal law.
- (14) Licensee shall not allow gambling on his/her premises. Gambling is defined as T.C.A. 39-17-501 (2) (A-F) as amended.

8-19

- (15) Licensee shall not permit the noise, sound or vibration generated or transmitted by any jukebox, band, vocalist, or sound equipment to be audible to persons on any public street,
- (16) highway or upon any adjoining residential or commercial premises to the extent that it is detrimental.
- (17) Licensee will not permit minors or disorderly persons heretofore connected with violations of the liquor laws / beer to loiter around or frequent his/her establishment.
- (18) Licensee will not permit the storage of whiskey or alcoholic beverages in excess of 8% alcoholic content by weight without having received the proper license from the State Alcohol Beverage Commission.
- (19) Licensee shall not allow or permit any part of the establishment in which beer is sold, served, or consumed to be used for living quarters.
- (20) Licensee shall not serve nor permit persons who are visibly intoxicated or under the influence of any drug or intoxicant to loiter in or around his/her establishment.
- (21) Licensee will conduct the business in person, for himself, or as agent for or partner with a named person, firm, corporation, or association.
- (22) Licensee shall immediately surrender beer license to the Beer Board whenever he/she withdraws from the ownership and/or operation of the business.
- (23) Licensee shall promptly notify the Beer Board of any change in the address to which official Beer Board correspondence should be sent.
- (24) A current file of all employees must be kept at the location. This file must include a sworn affidavit that such employee is not in violation of T.C.A. 57-5-301. This file must include the name, date of birth, address, phone number, TN ABC Server Permit³, and SSN# of all employees that serve beer.
- (25) Employ any person convicted for the possession, sale, manufacture, or transportation of intoxicating liquor/ beer, a felony, any open, unadjudicated cases before any magistrate of any federal, state, local courts, any conviction of 2 or more drug related offenses (including misdemeanors), or any crime involving moral turpitude within the past ten (10) years.
- (26) Make or allow any sale or gift of beer to any intoxicated person or any person under twenty-one (21) years of age.
- (27) Serve, sell, give away, or allow the consumption on his premises or in adjacent buildings of any alcoholic beverage with an alcoholic content of more than eight percent (8%) by weight.
- (28) Allow consumption of any alcoholic beverage on the premises or in or on adjacent buildings or property owned, leased, controlled or in the possession of the beer permit holder.
-

(29) Allow any open beer to be carried from the building. (Ord. No. 89-11A, sec. 2-214)

(30) All owners and employees of establishments selling or serving alcoholic Beverages / beer must read and be familiar with the rules and regulations of the Beer Board.

(31) Owner or applicant must notify the Beer Board of any change of home address within ten (10) days.

(32) The Beer Board has the full power and authority to enter, inspect and investigate any business operated pursuant to any licenses issued by the Board and has full authority to call upon any members of the police and health department for assistance in the enforcement of the State laws, Town ordinances and the rules and regulations of the Beer Board pertaining to the sale of alcoholic beverages / beer.

(33) Beer is defined as any beverage with an alcoholic content of less than eight percent (8%) by weight, and liquor is defined as any beverage with more than eight percent (8%) alcoholic content by weight.

(34) Approved "On" premise and "Off" premise beer permits are issued and effective so long as the applicant continues to operate and own the business at the designated location or until said license is either suspended or revoked by the Town of Atoka Beer Board.

(35) In considering the issuance of a beer permit, the Beer board may consider the past record of the applicant in the operation of an establishment that served or sold alcoholic beverages / beer.

8-214. Restriction on hours for the sale of beer. No beer shall be sold within the corporate limits of the Town of Atoka, on Monday through Saturday between the hours of 3:00 a.m. and 5:00 a.m. No beer shall be sold in the Town of Atoka on Sundays between the hours of 3:00 a.m. and 10: 00 am. (Ord. #89-11A, § 2-215, as amended by Ord. #02-05-03, Aug. 2002, and Ord. #11-11-01, Dec. 2011)

8-215. Hearings. The beer board shall have the power to hear complaints and violations presented to the Beer Board. Matters brought before the Beer Board will be heard and will follow the order listed:

- (1) Requests for continuances
- (2) Violations
- (3) New Beer Permit applications
- (4) All other matters on the agenda

When holding a hearing for violations, the Beer Board, with access to the Town Attorney, shall review all letters and police reports and shall have the power to act as follows:

- (1) Take no action (note and file),
- (2) Place an establishment on probation up to one year,
- (3) Suspend the Beer Permit a number of days or indefinitely,
- (4) Assess a civil penalty in lieu of suspension,
- (5) Revoke the Beer Permit,
- (6) Dismiss any and all charges,
- (7) For retail liquor stores, and liquor by the drink establishments; recommend probation, suspension, or revocation to the State Alcohol Beverage Commission.

Hearing held before the Beer Board are not held to the same standards as a Court of Law. Hearsay evidence is admissible in the hearings before the Beer Board, the Board has no present power to

subpoena or require the presence of any witness, and a transcript recording shall be made of the Beer Board hearings.

Suspension - The Beer Board has the power to suspend or revoke any beer permit issued under the provisions of this chapter when the holder thereof is guilty of violating any of the requirements or regulations spelled out in this chapter. This includes making a false statement or misrepresentation in their application, or a violation of local/ state/ federal law, or whenever it shall satisfactorily appear that the premises of any person, firm, or corporation holding a permit under this chapter are being maintained and operated in such manner as to be detrimental to public health, safety, and morals.

Revocations - Except as hereinafter provided, no beer permit shall be revoked until a public hearing is held by the board after reasonable notice to all the known parties in interest. Revocation proceedings may be initiated by any member of the beer board. The foregoing shall be in addition to any punishment imposed upon such holder by a court of law.

(Ord. #89-11A, § 2-216, as amended by Ord. #02-05-03, Aug. 2002)

- a. Three violations of the provisions or restrictions of state law or town ordinances during a two-year period by any licensee shall be subject to revocation of the licensee's license in accordance with the rules and procedures otherwise established by this ordinance and state law.
- b. Any licensee whose license is revoked shall not be eligible to receive a license for three years from the date of revocation.

8-216. Privilege tax. There is hereby imposed on the business of selling, distributing, storing or manufacturing beer an annual privilege tax of one hundred dollars (\$100) pursuant to Tennessee Code Annotated 57-5-104(b)(1). Any person, firm, corporation, joint stock company, syndicate or association engaged in the sale, distribution, storage or manufacture of beer shall remit the tax on January 1, 1994, and each successive January 1, to the Town of Atoka, Tennessee. At the time a new permit is issued to any business subject to this tax, the permit holder shall be required to pay the privilege tax on a prorated basis for each month or portion thereof remaining until the next tax payment date. (Ord. #93-11-01, § 1, Dec. 1993)

8-217. Civil penalty in lieu of suspension. The beer board may, at the time it imposes a 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. Each violation can be considered as an individual separate offense punishable by an individual penalty and considered separately.

If a civil penalty is offered as an alternative to suspension, the holder shall have seven (7) days within which to pay the civil penalty before the suspension shall be imposed. If the civil penalty is paid within that time, the suspension shall be deemed satisfied. (Ord. #93-11-01, § 1, Dec. 1993)

8-218 Employment of Minors. Pursuant to T.C.A. 1-3-113 and 50-5-101, et. Seq., employment of minors is permitted in certain instances as follows:

Under the age of 14 years, not to be employed where alcohol beverages / beer are sold.

Ages 14-15-16-17 years, at on premise locations, may be employed in establishments where the monthly average gross receipts of alcoholic beverages/ beer do not exceed 25% of total gross receipts as long as minors are not permitted to take orders for or serve alcoholic beverages. Minors may be employed in such capacity as a kitchen aide, busboy, cook, hostess, parking lot attendant, porter, and janitor. These persons do not need to be registered with the Beer Board.

Duties of the employer:

- Must keep separate file for each minor employed at the location.

- Must keep application on file at the location.
- Must keep copy of birth certificate or other evidence of minor's age.
- Must keep time record showing hours of work each day.
- Post printed notices stating regulations governing employment and hours of work of minors and designate which type of employment is prohibited to minors.

SECTION 2. This Ordinance shall become effective immediately upon its adoption, the public welfare requiring it.

PASSED at the First Reading by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 11TH day of January 2022.

PASSED at the Second Reading by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the 8th day of February 2022.

W. Daryl Walker, Mayor

ATTEST:

Town Recorder

RESOLUTION NO. _____

Exhibit D

A RESOLUTION APPROVING AND SUPPORTING THE SUBMISSION OF A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM.

WHEREAS, the Federal Emergency Management Agency has responsibility for the administration of the Assistance to Firefighters (AFG) grant program which is designed to assist communities in receiving adequate fire prevention education in their communities; and

WHEREAS, the Town of Atoka, acting by and through its Board of Aldermen proposes to apply for FY 2021 AFG Fire Prevention and Education funds for the purpose of fire prevention and public education to the Atoka Fire Department that will benefit the residents of the Town of Atoka; and

WHEREAS, the Town of Atoka will provide local financial support in conjunction with the AFG Fire Prevention and Education funds to provide fire prevention and public education and will designate and appoint a Financial Officer to perform certain duties in the administration of said grant.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

SECTION 1. Mayor Daryl Walker is hereby authorized to execute and submit an application with appropriate assurances to the Federal Emergency Management Agency requesting FY 2021 AFG Fire Prevention and Education funds for the purpose of public education on fire prevention to the Atoka Fire Department

SECTION 2. Mayor Daryl Walker is hereby designated and appointed as Financial Officer and to perform on behalf of the Town of Atoka, Tennessee, those acts and assume such duties as are consistent with said position.

SECTION 3. The Town Recorder is hereby directed to file in her office a duplicate or copy of the agreement after it has been executed by the parties or their duly authorized representatives.

SECTION 4. This Resolution takes effect immediately upon its passage and approval, the public welfare requiring it.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 8th day of February 2022.

Mayor

ATTEST:

Town Recorder

Exhibit E

RESOLUTION NUMBER _____

A RESOLUTION ESTABLISHING A POLICY ON THE ELECTRONIC RECORDING AND BROADCASTING OF THE TOWN OF ATOKA BOARD OF MAYOR AND ALDERMEN MEETINGS.

Whereas, the electronic recording and broadcasting of Town of Atoka Board of Mayor and Aldermen meetings would serve the public by allowing them to observe and participate in the Board meetings; and

Whereas, with today's modern technology, it is cost effective to provide not only live broadcasts but also recordings of the Board of Mayor and Aldermen meetings that can be posted on the internet and made available for watching the meetings at the convenience of the citizens of Atoka; and

Whereas, the Board of Mayor and Aldermen wish to provide this information for the citizens of Atoka,

NOW, THEREFORE BE IT RESOLVED THIS _____ DAY OF _____, 2022, THAT:

Section 1. The Town Administrator shall prepare and provide to the Board for approval a plan for the recording and broadcasting of the Board of Mayor and Aldermen meetings. The plan should include:

A. The cost of providing the equipment necessary for the recording and broadcasting live on the internet the Board of Mayor and Aldermen meetings.

B. The system should allow for the meetings to be broadcast live.

C. The system should allow for the meeting to be recorded and allow the recording to be posted on the internet for a reasonable amount of time so that the citizens of Atoka may access and watch the meeting on the internet. The meeting shall be posted and available on the internet for a period of (60 days, 6 months, 1 year?). *(I am checking with our attorneys to see if there is a legal requirement for how long the recording must be kept and if there is a legal requirement for how long it should be available to the public.)*

D. The design of the system should allow the public the ability to comment virtually during the live broadcast of the meeting.

Citizens wishing to comment at the meeting virtually shall register with the recorder (1 day, 1 hour, 6 hours?) in advance of the start of the meeting. Citizens that have properly registered to deliver comments virtually shall have their microphone unmuted for their comments during the appropriate time. Speakers will be limited to two minutes on one subject.

(Should there be an ability to delay the live broadcast of public comments to ensure that inappropriate comments are not broadcast to the public?)

All citizens observing the meeting will be muted at all times to help preserve the quality of the broadcast and to maintain order for those observing the meeting on the internet.



February 8, 2022

Exhibit F

Office of the Town Administrator

MEMORANDUM

To: Board of Mayor and Aldermen
From: Marc Woerner, Town Administrator
Re: FY 2023 Budget Process

The budget process can be long and tedious, and it is generally a process that continues through every month of the year in some form or fashion. The new FY 2022 budget creation process was viewed as extremely successful by the Board under the town's new administrative leadership.

As the FY 2023 budget is created, considered, and prepared, we will continue with last year's structured process that identifies policies and basic expectations of expected revenues and expenditures. These expectations for the future are based on actual historical audited revenues and expenditures from the last few years.

There are a few large items that will need to be considered while creating the FY 2023 budget. Future planning of water, sewer, and roadway infrastructure is of *utmost* importance. Public safety, recreation, and the sustainability of *all* town operations are critical, especially with Ford's Blue Oval City coming online within three years. Additionally, the town will be completing its Long-Range Comprehensive Plan in FY 2023. Adequate appropriations must be included in the FY 2023 budget to ensure future needs are ultimately implemented and executed.

The process utilized last year involved the Town Administrator and Finance Department meeting regularly with Department Directors individually to create a budget draft and do the heavy lifting and calculations. As the budget meetings continue and we develop solid numbers in the final few weeks, we meet with the Board's Finance and Administration Committee members to come to a final draft for the board's consideration. I have met initially with the Directors, and I have developed a budget meeting schedule to evaluate and plan for the wants and needs, as well as, capital expenditures for all departments. I will meet with the Department Heads on the following tentative schedule:

- February 9 and February 22
- March 10 and March 23

- April 4*, April 19* * *Denotes meeting dates with Board Finance and Administration liaisons*
- May 3 – *This date is scheduled to have a public work session.*

Tennessee State Law requires that the budget ordinance be presented no less than 45 days prior to the new fiscal year, July 1st. Therefore, the Budget Ordinance first consideration is due to be presented at the May 10, 2022 board meeting.

Exhibit G**REPORT ON DEBT OBLIGATION**
(Pursuant to Tennessee Code Annotated Section 9-21-134)**1. Public Entity:**

Name: Town of Atoka
 Address: 334 Atoka-Munford Avenue
Atoka, TN 38004
 Debt Issue Name: Fire Department Capital Outlay Note, Series 2022

If disclosing initially for a program, attach the form specified for updates, indicating the frequency required.

2. Face Amount: \$ 660,000.00

Premium/Discount: \$ 0.00

3. Interest Cost: 1.7400 %

☒ Tax-exempt ☐ Taxable

☒ TIC ☐ NIC

☐ Variable: Index _____ plus _____ basis points; or

☐ Variable: Remarketing Agent _____

☐ Other: _____

4. Debt Obligation:

☐ TRAN ☐ RAN ☒ CON

☐ BAN ☐ CRAN ☐ GAN

☐ Bond

☐ Loan Agreement

☐ Financing Lease

If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Division of Local Government Finance ("LGF").

5. Ratings:

☒ Unrated

Moody's _____

Standard & Poor's _____

Fitch _____

6. Purpose:**BRIEF DESCRIPTION**

☒ General Government 100.00 %

Acquisition of fire engine for Town's Fire Department

☐ Education _____ %

☐ Utilities _____ %

☐ Other _____ %

☐ Refunding/Renewal _____ %

7. Security:

☒ General Obligation

☐ General Obligation + Revenue/Tax

☐ Revenue

☐ Tax Increment Financing (TIF)

☐ Annual Appropriation (Financing Lease Only)

☐ Other (Describe): _____

8. Type of Sale:

☐ Competitive Public Sale

☐ Interfund Loan _____

☐ Negotiated Sale

☐ Loan Program _____

☒ Informal Bid

9. Date:

Dated Date: 01/28/2022

Issue/Closing Date: 01/28/2022

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-134)

10. Maturity Dates, Amounts and Interest Rates *:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2023	\$ 60,000.00	1.7400 %		\$	%
2024	\$ 62,000.00	1.7400 %		\$	%
2025	\$ 63,000.00	1.7400 %		\$	%
2026	\$ 64,000.00	1.7400 %		\$	%
2027	\$ 65,000.00	1.7400 %		\$	%
2028	\$ 67,000.00	1.7400 %		\$	%
2029	\$ 68,000.00	1.7400 %		\$	%
2030	\$ 69,000.00	1.7400 %		\$	%
2031	\$ 70,000.00	1.7400 %		\$	%
2032	\$ 72,000.00	1.7400 %		\$	%
	\$	%		\$	%

If more space is needed, attach an additional sheet.

If (1) the debt has a final maturity of 31 or more years from the date of issuance, (2) principal repayment is delayed for two or more years, or (3) debt service payments are not level throughout the retirement period, then a cumulative repayment schedule (grouped in 5 year increments out to 30 years) including this and all other entity debt secured by the same source **MUST BE PREPARED AND ATTACHED**. For purposes of this form, debt secured by an ad valorem tax pledge and debt secured by a dual ad valorem tax and revenue pledge are secured by the same source. Also, debt secured by the same revenue stream, no matter what lien level, is considered secured by the same source.

* This section is not applicable to the Initial Report for a Borrowing Program.

11. Cost of Issuance and Professionals:☐ No costs or professionals

	AMOUNT (Round to nearest \$)	FIRM NAME
Financial Advisor Fees	\$ 0	
Legal Fees	\$ 0	
Bond Counsel	\$ 500	Spencer Fane Bone McAllester
Issuer's Counsel	\$ 0	
Trustee's Counsel	\$ 0	
Bank Counsel	\$ 0	
Disclosure Counsel	\$ 0	
	\$ 0	
Paying Agent Fees	\$ 0	
Registrar Fees	\$ 0	
Trustee Fees	\$ 0	
Remarketing Agent Fees	\$ 0	
Liquidity Fees	\$ 0	
Rating Agency Fees	\$ 0	
Credit Enhancement Fees	\$ 0	
Bank Closing Costs	\$ 0	
Underwriter's Discount _____ %		
Take Down	\$ 0	
Management Fee	\$ 0	
Risk Premium	\$ 0	
Underwriter's Counsel	\$ 0	
Other expenses	\$ 0	
Printing and Advertising Fees	\$ 0	
Issuer/Administrator Program Fees	\$ 0	
Real Estate Fees	\$ 0	
Sponsorship/Referral Fee	\$ 0	
Other Costs _____	\$ 0	
TOTAL COSTS	\$ 500	

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-134)

12. Recurring Costs:☐ No Recurring Costs

	AMOUNT (Basis points/\$)	FIRM NAME (If different from #11)
Remarketing Agent		
Paying Agent / Registrar		
Trustee		
Liquidity / Credit Enhancement		
Escrow Agent		
Sponsorship / Program / Admin	15	TMBF Administration Fee
Other		

13. Disclosure Document / Official Statement:☒ None Prepared☐ EMMA link _____ or☐ Copy attached**14. Continuing Disclosure Obligations:**

Is there an existing continuing disclosure obligation related to the security for this debt?

☐ Yes ☒ No

Is there a continuing disclosure obligation agreement related to this debt?

☐ Yes ☒ No

If yes to either question, date that disclosure is due _____

Name and title of person responsible for compliance _____

15. Written Debt Management Policy:

Governing Body's approval date of the current version of the written debt management policy

12/06/2011

Is the debt obligation in compliance with and clearly authorized under the policy?

☒ Yes ☐ No**16. Written Derivative Management Policy:**☒ No derivative

Governing Body's approval date of the current version of the written derivative management policy _____

Date of Letter of Compliance for derivative _____

Is the derivative in compliance with and clearly authorized under the policy?

☐ Yes ☐ No**17. Submission of Report:**

To the Governing Body:

on _____

and presented at public meeting held on _____

Copy to Director, Division of Local Govt Finance: on _____

either by:

☐ Mail to:

OR

☒ Email to:Cordell Hull Building
425 Rep. John Lewis Parkway N., 4th Floor
Nashville, TN 37243-3400

LGF@cot.tn.gov

18. Signatures:

AUTHORIZED REPRESENTATIVE

PREPARER

Name W. Daryl WalkerTitle MayorFirm MayorEmail dwalker@townofatoka.com

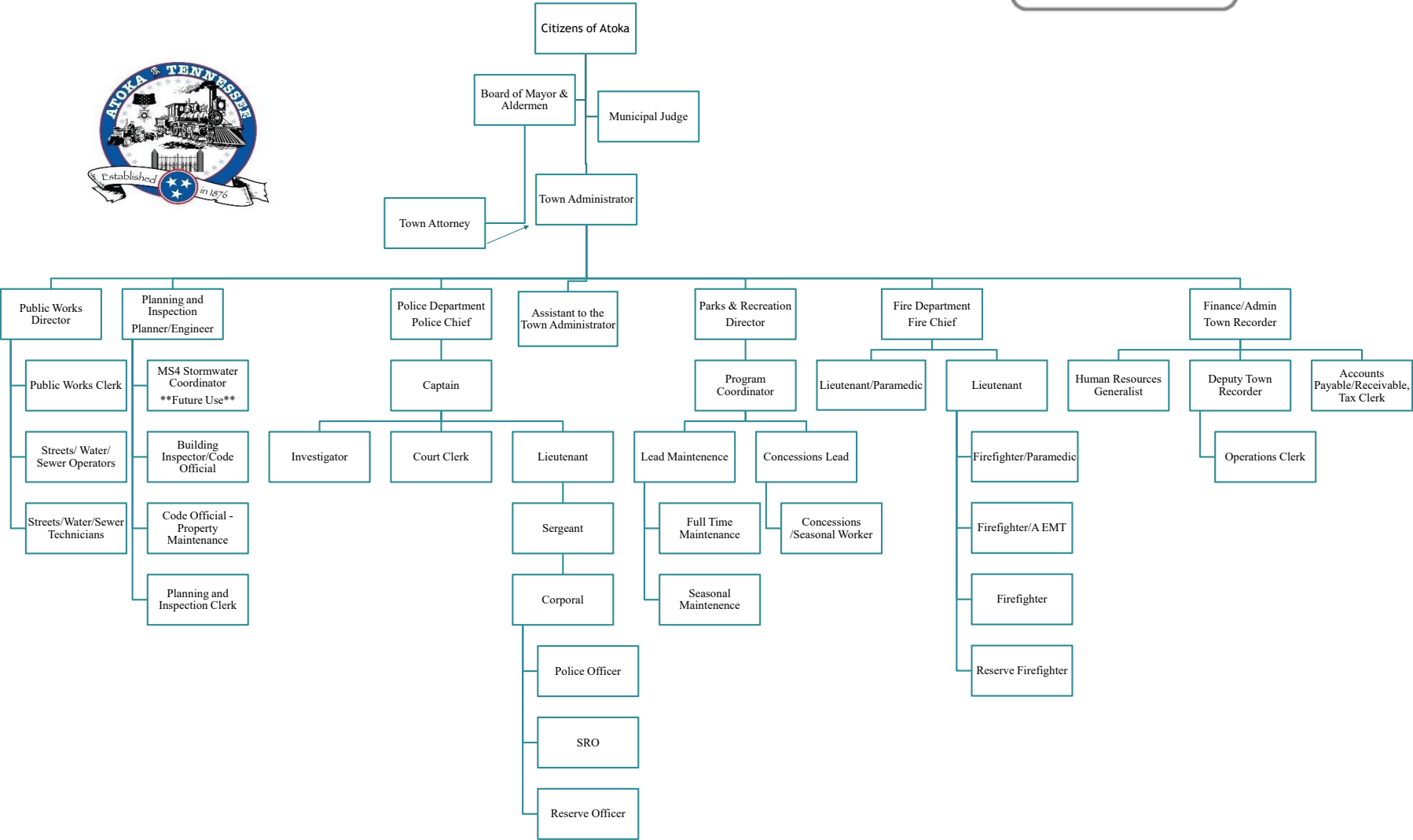
Date _____

TMBF

lmooningham@tmbf.net

Organization Chart DRAFT 2.8.2022

February 8, 2022
Exhibit H



Code Enforcement Monthly Report
Fiscal Year 2021

PERMIT INFORMATION	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Building Permit - Commercial		1		2			1						4
Building Permit - Industrial		0											0
Building Permit - Residential - Addition	3	2	3	1	2		1						12
Building Permit - Residential - New Build	7	5	1	4	15	5	5						42
Building Permit - Residential - Upstairs Finish	2	1		1									4
Misc Permit - Detached Garage		0			4	3							7
Misc Permit - Fence	1	3	3	1	3	2							13
Misc Permit - Fireworks Stand		0				2							2
Misc Permit - Pool Permit		2	1	1	2		1						7
Misc Permit - Sign Permit	1	0		2									3
Misc Permit - Storage Shed	3	1	1	1	7								13
TOTAL PERMIT INFORMATION	17	15	9	13	33	12	8						107
CERTIFICATE OF OCCUPANCY	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Certificate of Occupancy - Commercial	0	0											
Certificate of Occupancy - Industrial	0	0											0
Certificate of Occupancy - Residential	6	13	3	18	9	12	7						68
TOTAL CERTIFICATE OF OCCUPANCIES	6	13	3	18	9	12	7		0	0	0	0	68
BUILDING INSPECTIONS	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Form Board / Set Back Inspection	5	5	1	2	14	3							30
Footing Inspection	2	1	1	1	2	1	4						12
Plumbing Inspection	4	5	4	6	6	11	4						40
Sheeting Inspection	9	3	4	7	7	6	6						42
Brick Ties Inspection	12	8	8	19	5	1	1						54
Framing Inspection	16	8	9	15	7	8	3						66
Insulation Inspection	4	6	4	15	2	7	5						43
TOTAL BUILDING INSPECTIONS	52	36	31	65	43	37	23						287
CODE ENFORCEMENT ACTIONS	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	TOTAL
Municipal Court Citations													
Property Maintenance Complaints - Closed	46	12	49	60	39	49	15						270
Property Maintenance Complaints - Received	57	15	67	63	93	56	18						369
TOTAL CODE ENFORCEMENT ACTIONS	103	27	116	123	132	105	33						639
PERMIT FEES	JUL	AUG	SEPT	OCT	NOV	DEC	JAN		MAR	APR	MAY	JUNE	TOTAL
Collected Fees	\$7,103	\$3,538	\$1,119	\$3,743	\$9,264	\$4,433	\$3,647						\$32,847
TOTAL PERMIT FEES	\$7,103	\$3,538	\$1,119	\$3,743	\$9,264	\$4,433	\$3,647						\$32,847
COMMENTS													

13 grinder pumps systems INFORMATION IS BASED ON DATA THAT WAS AVAILABLE FOR THE MONTHLY REPORT



January-22						
Incidents	Current Month	Previous Month	Current Month Last Year	Year to Date	Dollar Loss	Dollar Saved
Structure Fires-Atoka	0	3	1	0		
Structure Fires-County Area	10	2	3	10		
Total	10	5	4	10	\$0	\$0
Fires Other-Atoka	8	3	1	8		
Fires Other-County Area	4	0	2	4		
Total	12	3	3	12		
HazMat Calls-Atoka	5	1	1	5		
HazMat Calls-County Area	0	1	0	0		
Total	5	2	1	5		
MVA-Atoka	9	6	12	9		
MVA-County Area	1	3	2	1		
Total	10	9	14	10		
EMS Calls-Atoka	85	48	54	85		
EMS Calls-County Area	11	8	9	11		
Total	96	56	63	96		
Other Calls (Service, Good Intent)-Atoka	8	0	20	8		
Other Calls (Service, Good Intent)-County Area	0	0	1	0		
Smoke Alarm Checks	76	87	37	76		
Smoke Alarm Installs	0	0	3	0		
Total	8	0	21	8		
Mutual Aid Given	12	4	6	12		
Mutual Aid Received	6	8	2	6		
Total Calls-Atoka	115	61	89	115	\$0	\$0
Total Calls-County Area	26	14	17	26	\$0	\$0
Totals for the Month	141	75	106	141	\$0	\$0
Vehicle Fleet Status	DAYS OUT OF SERVICE		COMMENTS			
ENGINE 11 Smeal						
ENGINE 12 Wilson	31		Bad Pump, Transmission			
ENGINE 13 Pierce						
BRUSH TRUCK 13 Ford						
Reserve Firefighter Hours	Training	Work	Total Hours	YTD Hours		
	20	88.5	108.5	108.5		
Comments						
Station 1 closed for 1 day (1/2/22) and for 4 hours (1/30/22)						

Atoka Parks and Recreation

February Monthly Report- Calendar Year 2021-2022

Program/League Information					Special Event Information					
Description	Participants This Year	Participants Last Year	Program Cost	Fees Collected	Description	This Year	Last Year	Event Cost	Fee/Donations Collected	
Summer-Y-Space Camp	16	N/A NEW	\$580.81	\$1,088.71	Rock the Block-August	est. 2,000	300 + cars	\$27,670.21	\$950.00	
Summer-Y-Challenger-Soccer Camp	22	20	\$0.00	\$0.00	Autumn in Atoka	est. 500+	75+	\$1,467.60	\$2,520.00	
Summer-Y-Lego 1 Camp		16			Safe Night Out	900 bags	1,000 bags	\$4,786.84	\$5,324.50	
Summer-Y-Lego 2 Camp	17	N/A-NEW	\$652.40	\$1,680.00	Veteran's Ceremony-November	est. 50	est. 50	\$39.40	\$0.00	
Summer-Y-Summer-Adventure Camp	19	16	\$1,053.55	\$1,472.00	Tree Lighting-December	400+	200+	\$4,068.22	\$0.00	
Summer-Y-Art Camp		16			Santa's Ride-Meet/Greet-December	100+	N/A (COVID)		\$0.00	
Summer-Y-Blast Ball/Tball		161			Christmas Decorating-December	9	14		\$0.00	
Fall-Y-Soccer Camp	39	N/A- NEW	\$1,638.56	\$2,020.50	Easter-Bunny Brunch					
Fall-Y-AYSO-Soccer	279	150	\$16,453.78	\$22,175.00	Food Truck Festival-March					
Spring-Y-AYSO-Soccer		255			BBQ Fest- April					
Fall-Y-REC-Softball	325	280	\$21,199.20	\$30,610.00	Cops & Bobbers-June					
Spring-Y-FASA-Softball		355			Movies in The Park #1-TBA					
Fall-A-Kickball	3	4	\$416.00	\$684.00	Movies in the Park #2-TBA					
Spring-A-Kickball		N/A			Tournament #1-TBA					
Winter-Y-Little Sports		25			Tournament #2- TBA					
Summer-Y-Little Sports	25	N/A NEW	\$618.48	\$1,245.00						
Summer-A-Softball		9								
Fall-Y-Art Class	20	19	\$1,108.79	\$1,470.00						
Spring-Y-Art Class		26								
Adult-Art/Craft Class	10	N/A	\$416.54	\$315.00						
Concession Sales					<div>Current Activities: Winter Little Sports & Spring Art Class</div> <div>Current Registrations: Softball, Soccer, Blast ball/Tball, & Summer Camps</div> <div>Upcoming Events: Spring Sports, Food Truck Festival 3/12, Atoka BBQ Fest 4/1 & 4/2, and Bunny Brunch 4/9.</div>					
Description	Current This Year	Current Year	Last	Current FYTD						Last FYTD
Nancy Lane Park	\$0.00	\$113.00		\$21,352.68						\$20,794.48
Walker Park	\$0.00	\$0.00		\$9,267.69						\$805.07
Rentals										
Description	Current This Year	Current Year	Last	Current FYTD						Last FYTD
Splash Pad-Regular (8)	\$0.00	N/A		\$1,440.00						N/A
Splash Pad-Private (2)	\$0.00	N/A		\$1,700.00						N/A
Softball Fields	\$65.00	N/A		\$380.00						N/A
Other Facilities	\$120.00	N/A		\$160.00						N/A
Citizen Service/Park Maintenance										
Description	Current This Year	Current Year	Last	Current FYTD						Last FYTD
Q-Alert Service Request-Closed	1	1		11						7



Atoka Police Department

68 Atoka - McLaughlin Drive



	Tennessee Incident Based Reporting System - Part 1 Crimes			
Town of Atoka	365 Days			
2/6/2022	2021	2022	+/-/=	% Chg
Assault-Agg(All)	2	2	0	0.0%
Assault-Agg	1	1	0	0.0%
Assault-Agg DV	1	1	0	0.0%
Child Abuse Agg	0	0	0	0.0%
Auto Thft	1	0	-1	-100.0%
Bur-Non-res	0	0	0	0.0%
Bur-Residential	1	0	-1	-100.0%
Bur-Bus	0	0	0	0.0%
Homicide	0	0	0	0.0%
Murder	0	0	0	0.0%
Negligent Manslaughter	0	0	0	0.0%
Justifiable Homicide	0	0	0	0.0%
Larceny(All)	5	1	-4	-80.0%
Shoplift Fel	0	0	0	0.0%
Shoplift Misd	0	1	1	100.0%
Th Build	0	0	0	0.0%
Th Fr M/V	0	0	0	0.0%
Th Veh Parts	1	0	-1	-100.0%
Th Other Trailer	1	0	-1	-100.0%
Other Th/Non-Specific	3	0	-3	-100.0%
Rape	0	0	0	0.0%
Robbery-Bus	0	0	0	0.0%
Robbery-Per	0	0	0	0.0%
Robbery-In	0	0	0	0.0%
Carjacking	0	0	0	0.0%
Part 1 Totals	9	3	-6	-66.7%



Atoka Police Department

68 Atoka - McLaughlin Drive



	Tennessee Incident Based Reporting System - Additional Crimes			
Town of Atoka	Year to Year Comparison			
2/6/2022	2021	2022	+/-/=	% Chg
Fraud	2	1	-1	-50.0%
ID Theft	0	0	0	0.0%
Credit Card	0	0	0	0.0%
Swindle / Scheme	2	1	-1	-50.0%
Counterfeit / Forgery	0	0	0	0.0%
Weapons	0	0	0	0.0%
MV Crash	22	16	-6	-27.3%
Injury	7	4	-3	-42.9%
Hit and Run	3	0	-3	-100.0%
Property damage	19	12	-7	-36.8%
Drugs / Narcotics	1	4	3	300.0%
Felony	0	1	1	100.0%
Misdemeanor	1	3	2	200.0%
Driving under Influence	0	0	0	0.0%
Additional Totals	25	21	-4	-16.0%
Misc Reports	28	25	-3	-10.7%
Bus and Res Alarms	11	19	8	72.7%
Calls for Service	0	0	0	0.0%

Enforcement	2021	2022	+/-/=	% Chg
Arrests	5	6	1	20.0%
Felony	2	1	-1	-50.0%
Misdemeanor	3	5	2	66.7%
Citations	122	126	4	3.3%
General Sessions	8	4	-4	-50.0%
City Court	36	70	34	94.4%
Warnings	78	52	-26	-33.3%

Atoka Public Works

Monthly Report - Calendar Year 2022

CUSTOMER ACCOUNTS	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
NEW ACCOUNTS OPENED	13												13
EXISTING ACCOUNTS CLOSED	5												5
NET CHANGE - CUSTOMER ACCOUNTS	8	0	0	0	0	0	0	0	0	0	0	0	8

SEWER SERVICE ISSUES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
TANK PUMPING - VENDOR	31												31
TOTAL SEWER SERVICE ISSUES	31	0	0	0	0	0	0	0	0	0	0	0	31

SOLID WASTE SERVICE ISSUES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
NEW CUSTOMERS (delivered can)	15												15
MISSED COLLECTIONS	52												52
DAMAGED / REPLACED CANS	9												9
OTHER / TRASH	9												9
TOTAL SOLID WASTE SERVICE ISSUES	85	0	0	0	0	0	0	0	0	0	0	0	85

WATER SERVICE ISSUES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
METER SET - PRIMARY SERVICE	2												2
METER SET - AUXILIARY SERVICE	1												1
METER MAINTENANCE	1												1
METERS REPLACED/ Antenna Added	1												1
ADJUSTMENTS	0												0
LATE PAYMENTS	653												653
NON-PAYMENT DISCONNECTION	61												61
TOTAL WATER SERVICE ISSUES	719	0	0	0	0	0	0	0	0	0	0	0	719

WORK ORDERS	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
WATER	163												163
SEWER	87												87
DITCHES, OTHER ISSUES	40												40
UTILITY LOCATES	71												71
TOTAL WORK ORDERS	361	0	0	0	0	0	0	0	0	0	0	0	361

WASTE PRO QUARTERLY COLLECTION	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
WASTE COLLECTED													0

BILLING INFORMATION	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL
ACH ACCOUNTS	432												432
E-BILL ACCOUNTS	1161												1161
SOLID WASTE CUSTOMERS	2931												2931
RECYCLING CUSTOMERS	2317												2317

COMMENTS