

JUSTIN HANSON
Mayor



TINA DUNN
Recorder-Treasurer

City of Covington

POST OFFICE BOX 768
200 West Washington Avenue, Covington, Tennessee 38019
Telephone (901) 476-9613 Fax (901) 476-6699

THE MEETING OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF
COVINGTON, TENNESSEE ON OCTOBER 22, 2019 at 5:30 p.m.

1. Meeting to be called to order by Mayor Justin Hanson.
2. Invocation to be given by Alderman Keith Phelps.
3. Pledge of Allegiance to the Flag to be led by Alderman Jeff Morris.
4. Minutes of the Preceding Meeting to be approved.
5. Report from Committees:
 - Minutes of the Beer Board Committee Meeting
 - Minutes of the General Welfare – Public Relations Committee Meeting
 - Minutes of the Finance & Administration Committee Meeting
6. Additions to the Agenda.
7. Welcome to visitors and grievances from citizens.
8. Report from Mayor Justin Hanson:
 - Resolution – Appropriation HTL Advantage
 - Resolution – TDOT – 2019 Multimodal Access Grant
 - Request – Covington Civic Center
 - Updates
9. Report from Recorder-Treasurer Tina Dunn:
 - Sales Tax Report
10. Report from City Attorney Rachel Witherington:
11. Old Business:

12. New Business:

- Resolution – Hwy 51 Zoning Moratorium
- Resolution – Design Review Committee
- Bills Over/Under \$1,000.00 ready for Board Approval

The Board of Mayor and Aldermen met at City of Covington on October 8, 2019 at 5:47 p.m. with the following members present: Mayor Justin Hanson, Aldermen: Danny Wallace, Johnetta Yarbrough, Jeff Morris, Minnie Bommer, and Keith Phelps. Also present were Police Chief Larry Lindsey, Fire Chief Richard Griggs, Public Works Director David Gray, Personnel Director Tiny Rose, Building Official Lessie Fisher, Park and Recreation Director Joe Mack, City Attorney Rachel Witherington and Recorder-Treasurer Tina Dunn.

Meeting was called to order by Mayor Justin Hanson.

Invocation was given by Alderwoman Johnetta Yarbrough.

Pledge of Allegiance to the Flag was led by Alderwoman Minnie Bommer.

Motion was made by Alderwoman Johnetta Yarbrough and seconded by Alderman Keith Phelps that the Minutes of the Preceding Meeting be approved as distributed to the Board (See Attached). Motion passed.

Motion was made by Alderman Keith Phelps and seconded by Alderman Danny Wallace that the Minutes of the General Welfare – Public Safety Committee Meeting be approved with the addition of Rob Sherrill being present at the meeting (See Attached). Motion passed.

Motion was made by Alderman Jeff Morris and seconded by Alderman Danny Wallace that the Minutes of the Public Works Committee Meeting be approved with the correction of the deletion of the motion for the stop sign on the intersection of Mark Walker and S College (See Attached). Motion passed.

Motion was made by Alderman Keith Phelps and seconded by Alderman Danny Wallace to postpone the Resolution for the Zoning Hwy 51 Moratorium and the Resolution for the Design Review Committee until the October 22, 2019 Meeting. Motion passed with Alderman Morris abstaining from the vote.

Several visitors approached the Board of Mayor and Aldermen with concerns for the demotion of Assistant Police Chief Bass and Assistant Police Chief Wilson to the positions of Patrolmen. They stated this demotion was unfair and requested this action be reconsidered. Alderwoman Bommer stated she did not know anything about the demotion of the Assistant Police Chiefs until after the action was taken. Mayor Justin Hanson reported the scores of the MTAS Assessment for the Police Chief Position and stated he will support the actions of the new police chief.

Mayor Justin Hanson presented a request from US Hwy 51 Country for the closure of part of the Covington Square on October 26th (See Attached).

Motion was made by Alderman Jeff Morris and seconded by Alderman Keith Phelps to approve the request from US Hwy 51 Country. Motion passed.

Mayor Justin Hanson presented a request from Go Lucy Go Foundation for permission to hold the 9th annual Go Lucy Go 5K and 10K on April 18, 2020 (See Attached).

Motion was made by Alderman Keith Phelps and seconded by Alderwoman Minnie Bommer to approve the request from Go Lucy Go. Motion passed.

Mayor Justin Hanson presented the request from the FFA Alumni for the tractor ride on October 26, 2019 (See Attached).

Motion was made by Alderwoman Minnie Bommer and seconded by Alderwoman Johnetta Yarbrough to approve the request from the FFA Alumni. Motion passed.

Mayor Justin Hanson presented the Proclamation for Fire Prevention Week 2019 (See Attached).

Motion was made by Alderman Keith Phelps and seconded by Alderman Jeff Morris to approve the Proclamation for Fire Prevention Week 2019. Motion passed.

City Attorney Rachel Witherington read from the Municipal Code, Chapter 1-103 (Committees and Purchasing) Paragraph 5. Each committee or committee member shall not have direct supervisory authority over any subordinates of the mayor, either publicly or privately. Alderwoman Bommer felt the Board should have been informed of this action and she was not aware until after the action was taken.

The following bills over/under \$1000.00 were presented for approval:

Centerpoint Energy	Gas	Purchased Natural Gas	\$ 101,453.22
A2H	Street	Street Resurfacing	\$ 3,488.40
ADAPCO	Street	Chemicals	\$ 3,155.00
Amazon	Various Dept	Misc Purchases	\$ 1,351.65
BFI N Shelby Landfill	WWTP	Sludge Disposal	\$ 2,045.29
BNY Mellon	PB Acct Bond	Interest Pymt on Bond	\$ 1,260.67
Bob Austill	Street	Concrete Finishing	\$ 2,992.00
Brenntag Mid-South, Inc.	WWTP	Chemicals	\$ 3,625.00
Cottrell Electric Inc	WTP	Misc Supplies/ Repair & Maint	\$ 3,215.49
Cov Tipton Cty Chamber	General	2019 Heritage Festival	\$ 2,000.00
Dr. David Griffin	Fire	Charleston 9 Event	\$ 4,000.00
G & C Supply	Gas/Sewer	Supplies/Material Inventory	\$ 1,809.48
Harwell Construction	Museum	Door Repair	\$ 1,360.00
Mark Heaston	Fire	Travel	\$ 551.84
Polydyne Inc.	WWTP	Misc Supplies for WWTP	\$ 4,732.20
Public Entity Partners	Various Dept	Workman's Compensation	\$ 7,432.00
Russ Jones	Park & Rec	Softball & Baseball Field	\$ 2,860.00
Structural Technology Inc.	Fire	Repair & Maint	\$ 1,049.95
Sullivan's Natural Gas Ser	Gas	Repair & Maint	\$ 1,525.00
Tipton County Sanitation	Sanitation	Waste Disposal	\$ 1,232.00

Titan Aviation Fuels	Airport	Inventory of Gasoline	\$ 17,910.12
Traf-Mark Industries	Street	Street Stripping	\$ 4,778.78
Tri-State	Gas	Repair & Maint/Inventory	\$ 2,013.06
USA Bluebook	Water	Repair & Maint	\$ 3,068.42
Verizon	Police/Water	Telephone/Communication	\$ 2,600.68
Vistaprint	Park & Rec	Publicity	\$ 1,030.75
Walker's Commercial	Ground Maint	Tree Removal	\$ 1,600.00
Wal-Mart	Various Depts	Supplies	\$ 2,803.62
Wilson County Motors, LLC	Water	Vehicle Lease	\$ 24,135.50
Zeager Bros. Inc.	Park & Rec	Playground Repair & Maint	\$ 2,471.88
		TOTAL	213,552.00

Motion was made by Alderman Danny Wallace and seconded by Alderman Keith Phelps that the preceding bills over/under \$1000.00 be paid when properly approved. Motion passed.

There being no further business, the meeting adjourned at 7:00 p.m.

Attest:

Recorder-Treasurer

Mayor

The Beer Board of the City of Covington, Tennessee met at City Hall on October 8, 2019 at 5:30 p.m. with the following members present: Mayor Justin Hanson Aldermen: Danny Wallace, Keith Phelps, Johnetta Yarbrough, Minnie Bommer, and Jeff Morris. Also present were Public Works Director David Gray, Building Official Lessie Fisher, Fire Chief Richard Griggs, Personnel Director Tiny Rose, Police Chief Larry Lindsey, Park and Recreation Director Joe Mack, and Recorder-Treasurer Tina Dunn.

Meeting was called to order by Mayor Justin Hanson.

Public Hearing on Beer Application for Jasmine Renee Young, dba Prime Time Grill, located at 1416 Highway 51 North for Class 1, On Premise Consumption was called to order.

Motion was made by Alderwoman Minnie Bommer and seconded by Alderman Johnetta Yarbrough that the Beer License is granted to Jasmine Renee Young, dba Prime Time Grill, located at 1416 Highway 51 North for Class 1, On Premise Consumption. Motion passed.

Public Hearing on Beer Application for Kendra Lashay Kilpatrick, dba Crumpy's Hot Wings, located at 831 Highway 51 North, Suite C & D, for Class 1, On Premise Consumption was called to order.

Motion was made by Alderwoman Minnie Bommer and seconded by Alderwoman Johnetta Yarbrough that the Beer License is granted to Kendra Lashay Kilpatrick, dba Crumpy's Hot Wings, located at 831 Highway 51 North, Suite C & D, for Class 1, On Premise Consumption. Motion passed.

Public Hearing to consider the revocation, suspension or civil penalty in lieu of suspension of the beer permit of Ralph E Watkins, owner of Midway Market II at 5000 Mueller Brass Road for selling beer to a minor was called to order.

Motion was made by Alderwoman Minnie Bommer to suspend the beer permit of Ralph Watkins, Midway Market II, for fifteen days. There being no second, the motion failed.

Motion was made by Alderman Danny Wallace to suspend the beer permit of Ralph Watkins, Midway Market II, for ninety days. There being no second, the motion failed.

Motion was made by Alderman Jeff Morris and seconded by Alderwoman Johnetta Yarbrough to suspend the beer permit of Ralph Watkins, Midway Market II, for thirty days. Motion passed with nay vote by Alderwoman Bommer.

There being no further business, the meeting adjourned at 5:47 p.m.

JUSTIN HANSON
Mayor



TINA DUNN
Recorder-Treasurer

City of Covington

POST OFFICE BOX 768

200 West Washington Avenue, Covington, Tennessee 38019

Telephone (901) 476-9613 Fax (901) 476-6699

**THE MEETING OF THE BEER BOARD OF THE CITY OF COVINGTON,
TENNESSEE, ON THE 8th DAY OF OCTOBER 2019 AT COVINGTON
CITY HALL AT 5:30 P. M.**

- 1. Meeting to be called to order by the Chairman Mayor Justin M. Hanson.**
- 2. Public Hearing to consider a Beer Permit Application for JASMINE RENEE YOUNG, co-owner of PRIME TIME GRILL located at 1416 Highway 51 North for Class I, On Premise Consumption.**
- 3. Public Hearing to consider a Beer Permit Application for KENDRA LASHAY KILPATRICK, co-owner of CRUMPY'S HOT WINGS located at 835 Highway 51 North, SUITE C & D for Class I, On Premise Consumption.**
- 4. Public Hearing to consider the revocation, suspension or civil penalty in lieu of suspension of the beer permit of RALPH E. WATKINS, owner of MIDWAY MARKET II at 5000 MUELLER BRASS ROAD for selling beer to a minor.**
- 5. Meeting Adjourned.**

**APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF COVINGTON, TIPTON COUNTY, TENNESSEE**

To the Board of Mayor and Aldermen of the City of Covington, Tennessee:

I hereby make application for a beer permit authorizing sale of beer for

On Premises/ Off Premises Consumption.

Class 1

1. What is your name? Mr. Young Jasmine Renee
Miss. (Last) (First) (Middle)
2. What is your home address? 1438 Talmadge Rd. Covington TN.
(Street) (City) (State)
3. What is your telephone number? 901-317-0926
4. What is the name of your business? Prime Time Grill
5. What is the location or address of your business? 1416 Hwy 51
North Covington, TN
(Street No.) (Street Name)
6. Do you own the premises in which you operate your business? NO
If you do not, give the name and address of the owner. Danny Young
306 Woodmont Cove Covington, TN.
7. How far (in feet) are you from the nearest Church or School? 50'
8. Will you operate the business in person or are you acting as an agent for another? in person
9. Give the names and addresses of all partners and owners?

10. Are all owners, operators and employees citizens of the United States of America? yes
11. Describe the type of business which you will operate? resturant
12. Give the name of the former operator of the business? West
Tennessee Liquor
13. Have you ever had a beer permit revoked or suspended in the State of Tennessee? NO
If yes, give date, place and cause of such revocation and suspension.

14. Have you or any owner or employee been convicted of any violation of the liquor laws or any crime involving moral turpitude within the last ten years? NO
If yes, give date, place and charge.

15. Have you read and are you familiar with the ordinance governing the sale of beer in the City of Covington? yes
16. If granted a permit, will you strictly comply with the city ordinance and the laws of the State of Tennessee governing the sale, storage, and manufacture of beer or other like beverages and so operate your business as not to interfere with the public health, safety and morals? yes

Applicant hereby solemnly swears that each and every statement in the above application is true and correct and agrees that, if any statement therein is false, the permit issued pursuant thereto may be revoked by the Board of Mayor and Aldermen of the City of Covington, Tennessee upon notice and hearing, in which event the burden shall be on the permittee to prove the correctness of all the statements in this application.

This 24th day of July, ~~19~~ 2019

Signed: [Signature]
(Applicant Signature)



Sworn to and subscribed before me this 24th day of July

2019

[Signature]
Notary Public

My commission expires 20 August 2019

I have reviewed the application and I find NO FINDINGS

Date: 9-30-19

[Signature]
Police Chief

I have inspected the premises and I find NO
violations of the Building Code
adopted by the City of Covington.

Date: 10-1-19

[Signature]
Code Enforcement Officer

I have inspected the premises and I find NO violations
violations of the Fire Code
adopted by the City of Covington.

Date: 10-1-19

[Signature]
Fire Chief

The Board of Mayor and Aldermen of the City of Covington, Tennessee took
the following action on _____

Additional Information:

The Classification Under Which I Choose to be Licensed is:

_____ Manufacturing

 X Class 1 on Premises

_____ Class 2 On Premises

_____ Off Premises

I have received a copy of Ordinance 1514 and agree to abide by the regulations as set forth in this ordinance.

Domine Lopez
Applicant's Signature

David A. Guzman
Witness

Prime Time Grill
Business Name

24 July 2019
Date

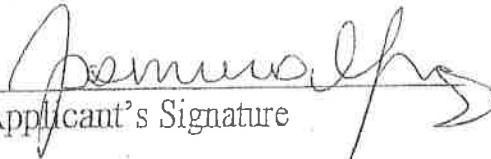
7/24/19
Date

In accordance with Ordinance 1514 of the City of Covington, Section 2-210-(3)-(c), the following is a list of all owners, partners, and employees of

Prime Time Grill + Dorothy B's

I agree to provide to the Covington Police Department the Name, Address, and Date of Birth of any future employees in advance of their employment for the purpose of checking for criminal history. I understand that anyone working in my establishment who has not been approved by the Covington Police Department shall constitute a violation of the Beer Ordinance.

Name	Address	Birth Date	Driver's Lic. #
Jasmine Young	1438 Tabernacle Rd Cov. TN	7/15/92	1B4521091
Mozella Mitchell	551 Junior Dr. Covington, TN.	7/8/73	080051221
Katrina Currie	1393 Sandpiper Covington TN.	11/11/85	097880808
Cartrell Jackson	50 Grant Lane. Mason, TN	11/09/73	070023494
Wallace Glass	506 W. Ripley Ave. Covington, TN	12/20/62	0601814256
Cleopatra Young	795 Peeler Rd. Covington, TN	7/21/64	071808246


Applicant's Signature

7/24/19
Date



**City of Covington
Business Tax Standard License**

October 1, 2019

PRIME TIME GRILL
306 WOODMONT CV
COVINGTON TN 38019-5406

Letter ID: L1344979712
Expiration Date: 15-May-2020
Return Due By: 15-Apr-2020

The business tax license printed below certifies the receipt and approval of your business tax license application or the renewal of a license for your existing business. The license is valid until the expiration date noted above. Your license number is 1001302655 and your classification is 2. The certificate must be displayed publicly at the location for which it is issued.

All business tax returns are required to be filed and the payment remitted electronically. Your return is due on April 15, 2020. Please visit www.tn.gov/revenue for additional information.

Note: This license does not permit operation unless properly zoned and/or in compliance with all other applicable state, county, or city laws, rules and regulations. Also, as required by Tenn. Code Ann. § 39-17-1801 et seq., businesses must comply with all provisions of the Tennessee Non-Smoker Protection Act.

DETACH LICENSE BELOW AND DISPLAY IN PUBLIC AREA



**City of Covington
Business Tax Standard License**

This certificate must be publicly displayed.

PRIME TIME GRILL
1416 HIGHWAY 51 N
COVINGTON TN 38019-1522



Date Issued: 01-Oct-2019
Classification: 2
Letter ID: L1344979712
License Number: 1001302655
Expiration Date: 15-May-2020

MARY GAITHER
TIPTON COUNTY CLERK

220 HWY 51 N, STE 2
COVINGTON, TN 38019

LICENSE
0559487

STANDARD BUSINESS TAX LICENSE

Mailing

Location

27885 PRIME TIME GRILL

PRIME TIME GRILL

306 WOODMONT CV
COVINGTON, TN 38019

1416 HWY 51 N
COVINGTON, TN 38019

DANNY YOUNG
JASMINE YOUNG

LOCAL ACCOUNT NUMBER 27885
STATE ACCOUNT NUMBER 1001302655
TRANSACTION NUMBER
CLASS 02
SALES TAX NUMBER

ISSUE DATE 09/10/19
TAX PERIOD STARTED - 08/27/2019
PAYMENT DUE BY 4/15/2020
EXPIRATION DATE 5/15/2020

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES

Mary Gaither

CLERK'S SIGNATURE APRIL WK04 Drawer:4 Site:1

-- POST AT LOCATION OF BUSINESS --
IF BUSINESS CLOSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE

**APPLICATION FOR BEER PERMIT
STATE OF TENNESSEE
CITY OF COVINGTON, TIPTON COUNTY, TENNESSEE**

To the Board of Mayor and Aldermen of the City of Covington, Tennessee:

I hereby make application for a beer permit authorizing sale of beer for
On Premises/ Off Premises Consumption.

Class II

1. What is your name? Mr. Kilpatrick Kendra Lashay
Mrs. (Last) (First) (Middle)
Miss. 141 DOE TR1 ATOKA, TN 38004
(Street) (City) (State)
2. What is your home address? (901) 831-2740
3. What is your telephone number? Crumpy's Hotwings
4. What is the name of your business? 835
5. What is the location or address of your business? HWY 51 C and D Covington, TN 38019
(Street Name) (Street No)
6. Do you own the premises in which you operate your business? NO
If you do not, give the name and address of the owner. APC rentals
7. How far (in feet) are you from the nearest Church or School? N/A
8. Will you operate the business in person or are you acting as an agent for another? in person
9. Give the names and addresses of all partners and owners?
Rob Williamson Jr. 141 DOE TR1 ATOKA, TN 38004
10. Are all owners, operators and employees citizens of the United States of America? yes
11. Describe the type of business which you will operate? Hotwings
Restaurant
12. Give the name of the former operator of the business? _____
13. Have you ever had a beer permit revoked or suspended in the State of Tennessee? NO
If yes, give date, place and cause of such revocation and suspension. N/A
14. Have you or any owner or employee been convicted of any violation of the liquor laws or any crime involving moral turpitude within the last ten years? NO
If yes, give date, place and charge. N/A
15. Have you read and are you familiar with the ordinance governing the sale of beer in the City of Covington? yes
16. If granted a permit, will you strictly comply with the city ordinance and the laws of the State of Tennessee governing the sale, storage, and manufacture of beer or other like beverages and so operate your business as not to interfere with the public health, safety and morals? yes

Applicant hereby solemnly swears that each and every statement in the above application is true and correct and agrees that, if any statement therein is false, the permit issued pursuant thereto may be revoked by the Board of Mayor and Aldermen of the City of Covington, Tennessee upon notice and hearing, in which event the burden shall be on the permittee to prove the correctness of all the statements in this application.

This 24th day of July, 2019

Signed: Kenisha Kilpatrick
(Applicant Signature)



Sworn to and subscribed before me this 24th day of July,

2019

David A. Gwinn
Notary Public

My commission expires 30th August 2019

I have reviewed the application and I find NO FINDINGS

Date: 9-30-19

Chief AD R
Police Chief

I have inspected the premises and I find NO
violations of the Building Code
adopted by the City of Covington.

Date: 10-1-19

Xessie Tesher
Code Enforcement Officer

I have inspected the premises and I find NO violations
violations of the Fire Code
adopted by the City of Covington.

Date: 10-1-19

Loren L. Linder
Fire Chief

The Board of Mayor and Aldermen of the City of Covington, Tennessee took
the following action on _____

Additional Information:

The Classification Under Which I Choose to be Licensed is:

_____ Manufacturing

 X Class 1 on Premises

_____ Class 2 On Premises

_____ Off Premises

I have received a copy of Ordinance 1514 and agree to abide by the regulations as set forth in this ordinance.

Kendrea Kilpatrick
Applicant's Signature

David H. Green
Witness

Crumpy's Hotwings
Business Name

24 July 2019
Date

7/24/19
Date

In accordance with Ordinance 1514 of the City of Covington, Section 2-210-(3)-(c), the following is a list of all owners, partners, and employees of

Crumpy's Hotwings-Covington

I agree to provide to the Covington Police Department the Name, Address, and Date of Birth of any future employees in advance of their employment for the purpose of checking for criminal history. I understand that anyone working in my establishment who has not been approved by the Covington Police Department shall constitute a violation of the Beer Ordinance.

Name	Address	Birth Date	Driver's Lic. #
Kendra Kilpatrick	147 Doe trl ATOKA, TN	02-24-1990	107657274
Rob Williamson Jr.	147 Doe trl ATOKA, TN	04-10-1991	115487116
Gwendolyn Kilpatrick	6009 Fmde Naylor drive mason, TN	07-27-1970	069779631
Cora Williamson	2330 Rm 170 Ed Covington, TN	12-10-1960	056243275

Kendra Kilpatrick
Applicant's Signature

9-30-19
Date

!! NOTICE OF A PUBLIC HEARING !!

COVINGTON BEER BOARD

THE REGULAR SCHEDULED MEETING OF THE BEER BOARD OF THE CITY OF COVINGTON, TENNESSEE WILL BE HELD AT 5:30 P.M. ON TUESDAY, THE 8th DAY OF OCTOBER 2019 IN THE BOARD ROOM OF COVINGTON CITY HALL IN ORDER TO CONSIDER THE REVOCATION, SUSPENSION OR CIVIL PENALTY IN LIEU OF SUSPENSION OF THE BEER PERMIT OF THE FOLLOWING BEER PERMIT HOLDER FOR SELLING BEER TO MINORS IN VIOLATION OF THE LAWS OF THE STATE OF TENNESSEE AND THE CITY OF COVINGTON:

RALPH E. WATKINS, owner of MIDWAY MARKET II at 5000 MUELLER BRASS ROAD

ALL INTERESTED PARTIES ARE INVITED
TO ATTEND AND COMMENT.

JUSTIN M. HANSON

CHAIRMAN

MIDWAY MARKET II
5000 Mueller Brass Road
Covington, Tennessee

Permit Holder/Owner/Operator

Ralph E. Watkins
3388 Highway 59 South
Covington, Tennessee 38019

Violation: Selling Beer To A Minor On The 29th December 2018.

Narrative of Case:

On Saturday, the 29th day of December 2018, Officer James Perry of the Covington Police Department Special Crimes Unit conducted an alcohol compliance check at all convenience stores holding beer permits inside the corporate limits of Covington. Officer Perry used a confidential informant who was under the age of 21 to attempt to purchase alcohol from each of the convenience stores. Officer Perry accompanied the confidential informant to every store and maintained visual contact with the confidential informant at all times during the transactions. Officer Perry observed the confidential informant enter and purchase a 25 oz. beer from Midway Market II at 5000 Mueller Brass Road from the clerk on duty identified as Aletha Hill. Ms. Hill was issued a misdemeanor citation for Selling Alcohol to Minors (Tennessee Code Annotated 57-5-301) and was ordered to appear before the Tipton County General Sessions Court on Tuesday, the 22nd day of January 2019 at 9:00 A.M.

Aletha Hill plead guilty to the charged offense in February 2019 and was granted judicial diversion. She was ordered to return to Court in May 2019 to review payment of court costs and fees. All fines, court costs and fees have been paid in full.

History:

Midway # II received a Beer Permit for Off Premise Consumption from the Covington Beer Board on the 9th October 2007.

This is the third offense for this establishment:

Midway II was fined \$1000.00 on the 27th April 2010 for selling beer to minors.

Midway II was fined \$1500.00 on the 23rd July 2019 for selling beer to minors on the 18th of May 2019.

IN THE GENERAL SESSIONS COURT OF TIPTON COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

DOCKET NO. 19 CR 27

Aletha Hill

ORDER GRANTING JUDICIAL DIVERSION

The above defendant applied for judicial diversion under T.C.A. 40-35-313 and pursuant to the response by the Tennessee Bureau of Investigations, the defendant does meet the qualifications for diversion.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that diversion under T.C.A. 40-35-313 is granted to this defendant. The defendant is to pay the court costs in this matter on or before 6 months as a specific condition of probation. The defendant is to be on supervised /unsupervised probation for a period of one year. After successful completion of this probation, and with no further criminal conviction, this matter is to be dismissed and, upon proper application, his / her record expunged.

ENTER this the 19 day of Feb., 20 19.

William A. Peeler
Honorable William A. Peeler
Tipton County General Sessions Court

I understand that failure to pay my court costs before 6 months will result in a violation of my diversion and suspended sentence.

*Aletha Hill

The General Welfare – Public Relations Committee met at City Hall on October 8, 2019 at 4:00 p.m. with the following members present: Chairman Alderwoman Minnie Bommer, Alderman Keith Phelps, and Alderman C H Sullivan. Also present were Alderman Danny Wallace, Alderman Jeff Morris, Alderwoman Johnetta Yarbrough, Parks and Recreation Director Joseph Mack, Assistant to the Mayor Rebecca Ray, and Recorder-Treasurer Tina Dunn.

Chairman Alderwoman Minnie Bommer called meeting to order. Alderwoman Yarbrough will act in behalf of Mayor Hanson due to his absence.

The report for the Airport was presented for review and will be discussed at the next General Welfare – Public Relations Committee Meeting.

Parks and Recreation Director Joseph Mack gave an update on the Bicycle Park/Playground. There will be 12+ trail features and a pump track for kids. Quotes were received from Progressive Bike Ramps. A supervised community build will reduce the cost of installation by 50% (\$6,731.00) which will allow the addition of trail features. Director Mack has requested to make a full time maintenance position for the park in place of the two part time positions. The position will be funded through the grant for three years and the annual salary will be \$30,000.00. The Department has begun a search to replace the existing recreation software provider. The software prices range from \$3,700 to \$6,000 annually. Registration for basketball is open. The games will be played in January.

Motion was made by Alderman Keith Phelps and seconded by Alderwoman Johnetta Yarbrough to accept the report from Parks and Recreation Joseph Mack. Motion passed.

The Veteran of the Month for October is John Dixson and will be honored on Tuesday, October 8, 2019. The gardening series will continue in October. The Museum has a designated Family Search Affiliate Library. Family Search is the largest genealogical organization in the world and its resources help millions of people each year discover their family roots. This service is provided free of charge. There will be a painted Christmas Card Workshop on November 2, 2019 at 10:00 a.m. Living History Day will be November 16, 2019. This is a free event featuring Civil War and World II reenactors, cannon firing demonstrations, and lectures regarding the life of common soldiers and women in the Civil War.

Motion was made by Alderman Keith Phelps and seconded by Alderwoman Johnetta Yarbrough to approve the Living History Day and the firing of the cannon contingent on public safety approval. Motion passed.

Motion was made by Alderman Keith Phelps and seconded by Alderwoman Johnetta Yarbrough to accept the report for the Museum. Motion passed.

There being no further business, the meeting adjourned at 4:34 p.m.

Annual Sales Profile

Start date: 1/1/2019
End date: 12/31/2019

Site: Covington Airport

Inventory History — Complete Summary

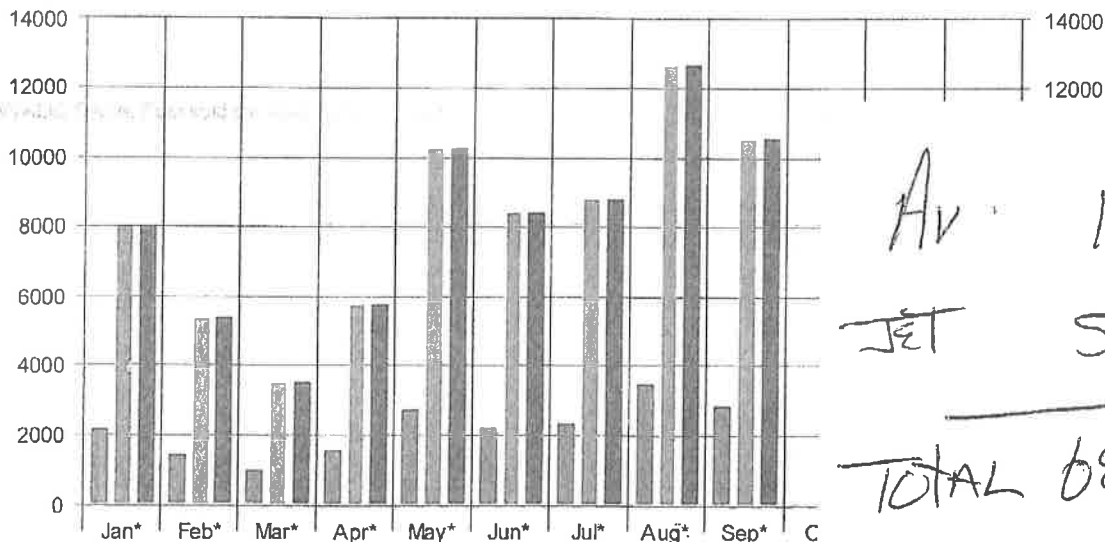
	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sep*	Oct	Nov	Dec	Y.T.D*
Beg Inventory	(425,972.900	(428,065.700	(429,471.700	(430,381.800	(431,875.100	(434,569.100	(436,761.600	(439,052.800	(442,434.300	(445,222.000	(445,222.000	(445,222.000	
Gal Purchased	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Adjustments	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Gallons Sold	2,092.820	1,406.000	910.050	1,493.340	2,694.050	2,192.430	2,291.210	3,381.530	2,787.650	0.000	0.000	0.000	19,249.080
End Inventory	(428,065.700	(429,471.700	(430,381.800	(431,875.100	(434,569.100	(436,761.600	(439,052.800	(442,434.300	(445,222.000	(445,222.000	(445,222.000	(445,222.000	

Financial History — Complete Summary

	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sep*	Oct	Nov	Dec	Y.T.D*
Net Sales	7,938.760	5,326.630	3,481.780	5,706.030	10,184.460	8,335.290	8,726.020	12,606.370	10,463.340	0.000	0.000	0.000	72,768.680
Cost of Goods	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Gross Profit	7,938.760	5,326.630	3,481.780	5,706.030	10,184.460	8,335.290	8,726.020	12,606.370	10,463.340	0.000	0.000	0.000	72,768.680

Monthly Statistics — Complete Summary

	Jan*	Feb*	Mar*	Apr*	May*	Jun*	Jul*	Aug*	Sep*	Oct	Nov	Dec	Y.T.D*
Avg Sale \$	149.788	123.875	79.131	101.893	125.734	102.905	124.657	153.736	129.177	0.000	0.000	0.000	121.211
Avg Sale Vol	39.487	32.698	20.683	26.667	33.260	27.067	32.732	41.238	34.415	0.000	0.000	0.000	32.027
Avg PPU Vol	3.793	3.788	3.826	3.821	3.780	3.802	3.808	3.728	3.753	0.000	0.000	0.000	3.789
Avg CPU Vol	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Avg Margin/Unit	3.793	3.788	3.826	3.821	3.780	3.802	3.808	3.728	3.753	0.000	0.000	0.000	3.789
Avg Margin/Sale	149.788	123.875	79.131	101.893	125.734	102.905	124.657	153.736	129.177	0.000	0.000	0.000	121.211
% of Vol YTD	10.872	7.904	4.728	7.758	13.996	11.390	11.903	17.567	14.482	0.000	0.000	0.000	100.000
% of Profit YTD	10.910	7.320	4.705	7.841	13.996	11.455	11.991	17.324	14.379	0.000	0.000	0.000	100.000
# of Sales	53.000	43.000	44.000	56.000	81.000	91.000	70.000	82.000	81.000	0.000	0.000	0.000	591.000



Av 1518
JET 5369
TOTAL 6887

* INVALID DATA. Fuel sold exceeds fuel purchased.

From: Dustin Pulleyblank <dpulleyblank@appliedpavement.com>

To: covingtonmuniapt@aol.com <covingtonmuniapt@aol.com>

Cc: Jim.Currey@tn.gov <Jim.Currey@tn.gov>; Jacob Brooks <Jacob.Brooks@tn.gov>

Subject: Structural testing

Date: Fri, Sep 27, 2019 9:58 am

Mr. Anderson,

My company (Applied Pavement Technology) has been contracted by TDOT to perform structural pavement testing at your airport (Covington). This is in conjunction with the PCI inspections that we performed earlier in the year. We have the work scheduled for Oct. 14, 2019. The testing will be on the primary runway of each airport. I will be operating in a pickup truck with a trailer. The truck is equipped with overhead lights and a radio. I can work on a give-way basis and will not cause any traffic disruptions, however a NOTAM may be issued for the day of testing, if you wish. I will need access to the airfield upon arrival, and I would like to begin testing in the morning of the 14th and should take approximately 2.5-3 hours. If you have any questions or concerns, please don't hesitate to email me or call at 217-398-3977. I will be traveling from 10/1-10/10/8, so email might work best during that time. You can also try my cell at 217-621-1156 Please let me know that you have received this email and this schedule will work for you, as I will be working at multiple airports each day. Thanks, I look forward to speaking with you.

Best Regards,

Dusty

Dustin S. Pulleyblank

Senior Technician

Applied Pavement Technology, Inc.

115 W. Main, Suite 400

Urbana, IL 61801

Phone: 217.398.3977

Fax: 217.398.4027

www.appliedpavement.com

From: Curtis.Underhill@bargedesign.com <Curtis.Underhill@bargedesign.com>
To: Brian.Vogt@bargedesign.com <Brian.Vogt@bargedesign.com>
Cc: Mr. Robbin <covingtonmuniapt@aol.com>
Subject: Covington Municipal Airport
Date: Mon, Sep 30, 2019 1:32 pm

Covington Municipal Airport

September 30 2019

Punch list

- 1) flight check PAPI's and ensure proper setting along with FAA
- 2) set proper angle on REIL's
- 3) place fill in low trenches, all trenches should be flush and smooth. Pick up all rock or concrete that is 2" and larger. Same should be done at each light.
- 4) replace light kit on wind sock ✓
- 5) cut all old existing wire below ground level ✓
- 6) place duct markers at there proper location
- 7) install tether wire to concrete at all sign pads ✓
- 8) check and ensure all lights are burning as of today we had 4 TW lights not working ✓
- 9) clean and remove all construction debris and clean lay down area
- 10) turn in a set of as build drawings

Sincerely,

Curtis W Underhill,
RPR, CEI Inspector

AVIATION SERVICES

D 901-244-5526
M 901-239-4292
O 901-755-7166
60 Germantown Court, Suite 100 // Memphis, TN 38018

 cid:image001.png@01D37B22.0C3F35D0

3. **Project Communication** – Barge Resident Project Representative (RPR), Curtis Underhill / (901) 239-4292. Shelby Electric's Foreman, Ray Overbey / (901) 212-6845
4. **Work Completed / Underway** –
 - a. TW lights, 5k and counterpoise lines complete
 - b. Helipad lights and circuit is complete
 - c. RW light fixtures and circuit is complete
 - d. PAPI fixtures installed, wire pulled, junction can, and (2) tops needed
 - i. Tom Nichols of RSI (901) 568-0871 has performed initial calibration
 - ii. Flight check process has been initiated with the FAA
 - iii. Robin requested Barge to review FAA flight check contract once received
 - e. Signs
 - i. All have been wired
 - ii. 2 concrete base pads are being reconstructed
 - f. New windsock internal module is on order. Anticipated to arrive next week
 - g. October ship date for light fixture base plates
 - h. Final junction box circuit run to electrical vault in progress
 - i. Megger testing complete except for final circuit run
5. **Planned Work** –
 - a. Additional fill for trenches and around sign bases
 - b. Sod for hold bar sign bases and larger disturbed areas
 - c. Flight Test
6. **Construction Schedule** – All work is expected to be complete by end of next week other than installing the new base plates and flight check. A punchlist is anticipated in approximately 2 weeks.
7. **Current Submittals** – None pending
8. **Change Items Tracking**
 - a. CO #1 – base plates for existing light fixtures to be submitted to TDOT
 - b. CO #2 – adjust PAPI circuit trench quantity signed and submitted to TDOT
9. **Current Requests for Information** – None
10. **Payment Application Status**
 - a. Pay App #3 has been verified and submitted TDOT

60 Germantown Ct Suite 100
Memphis, Tennessee 38018
Phone: (901) 755-7166
BARGEDESIGN.COM

BARGE

11. **Onsite Construction Meetings** – Anticipate next progress meeting in 2-3 weeks as needed

Additional Discussion

Ray – Mike would be acting as Foreman next week for trench fill and dirt work

Chris – none

Brian H - none

Curtis – none

John – Confirmed City has submitted Shelby Electric invoice #3 into BlackCat

Robin – Everything needs to be especially well cleaned before work stoppage. A location may be provided for Shelby Electric to dispose of concrete debris. Ray and Curtis to coordinate. Requested that all project areas be policed for exposed demo'd wire and debris.

These notes represent my understanding of items discussed and conclusions reached. Participants are requested to review these items and advise of necessary corrections or revisions.

Signed: _____ Date: 9/19/2019
Brian Vogt, Assoc. Project Manager



Enhancing our community's vitality through volunteerism,
collaboration, partnerships and outreach.

AGENDA



- **Bicycle Park/Playground (PD Grant)**
- **Parks and Recreation Software**
- **Winter Sports**
- **Tipton County Museum**

BICYCLE PARK AND PLAYGROUND

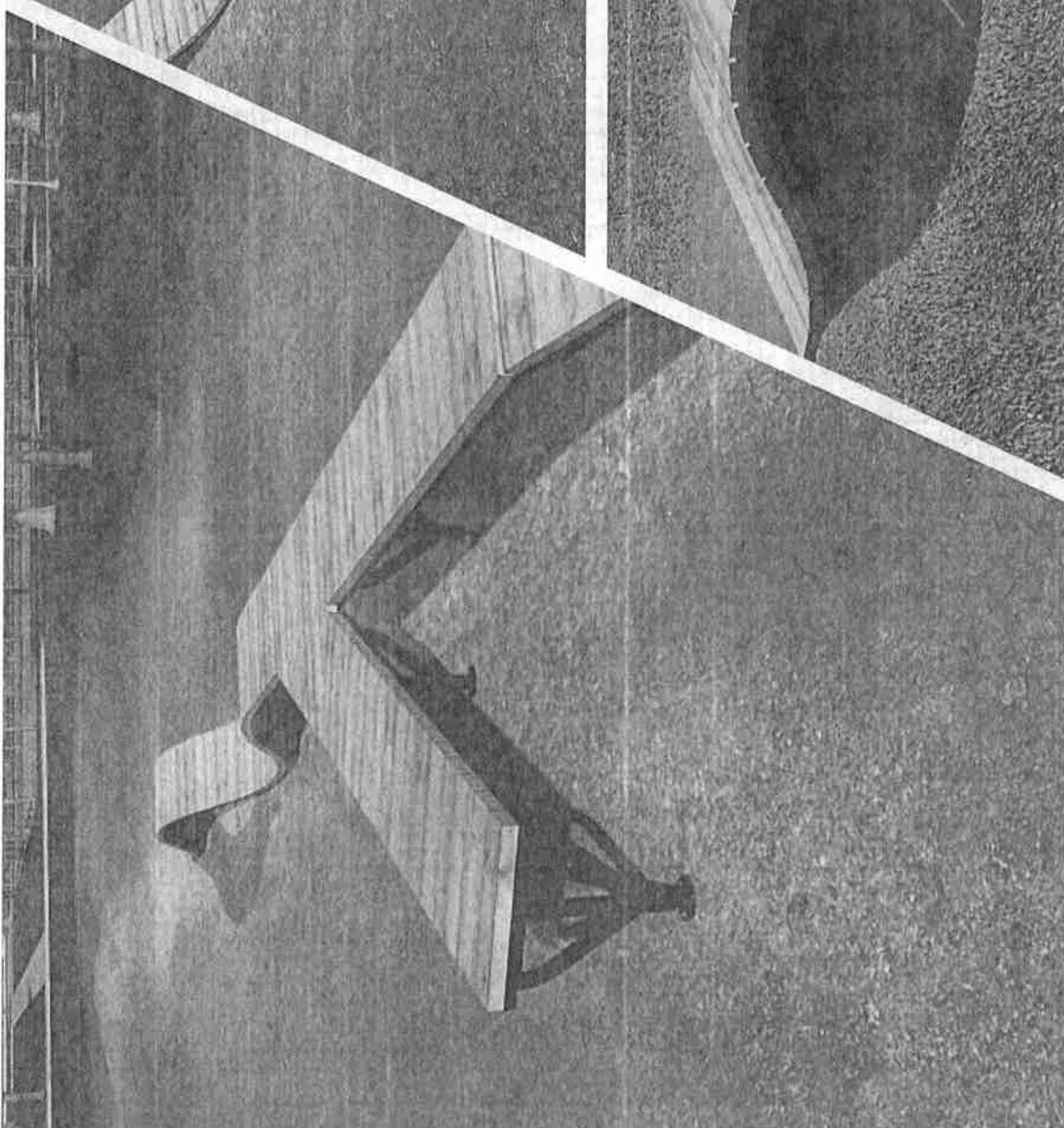
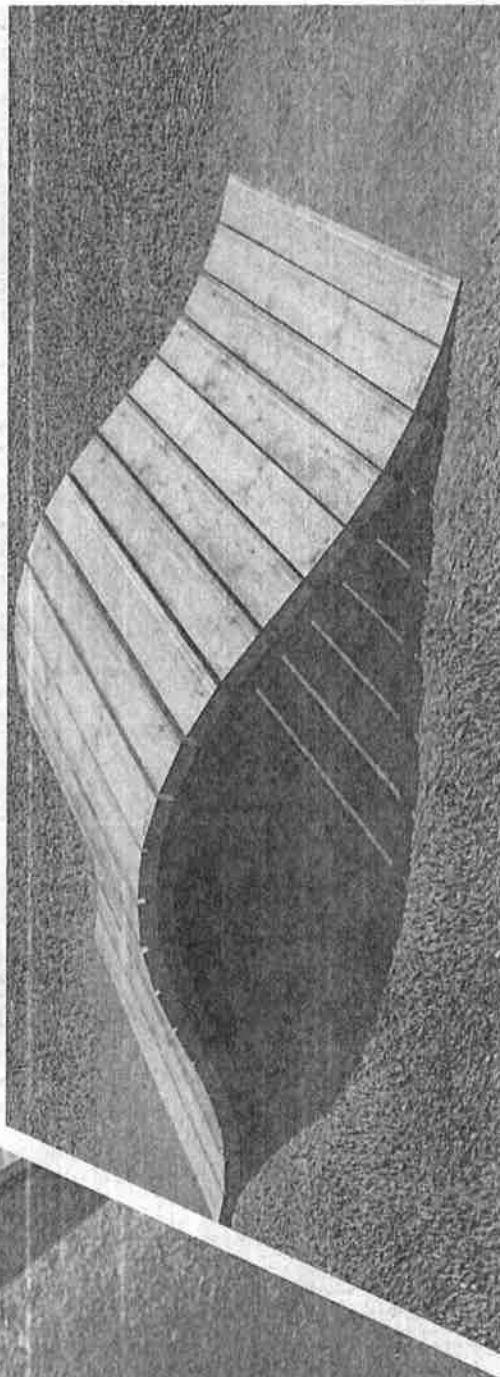
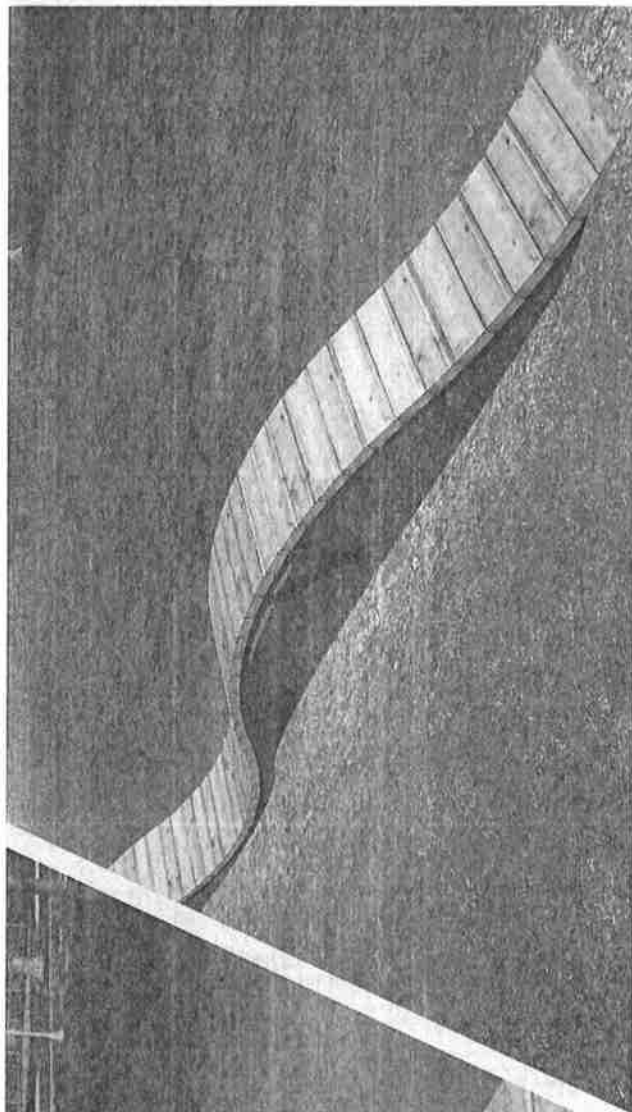


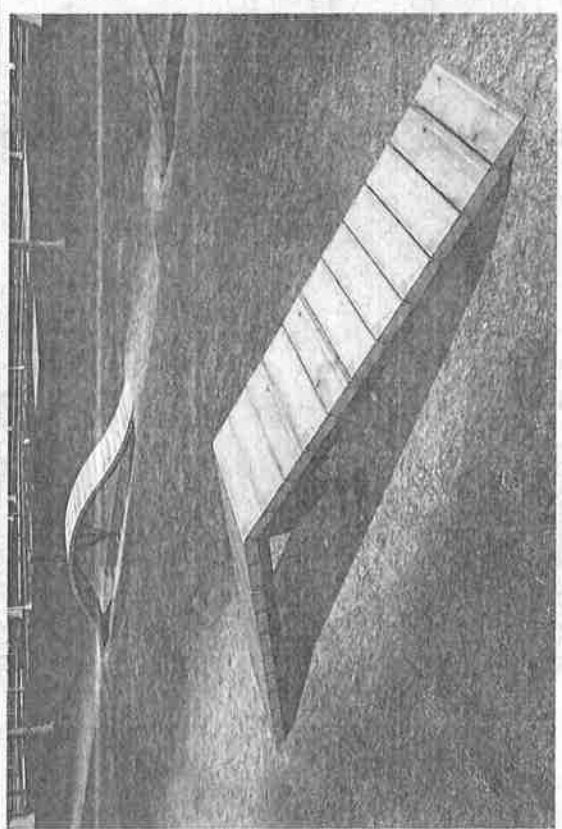
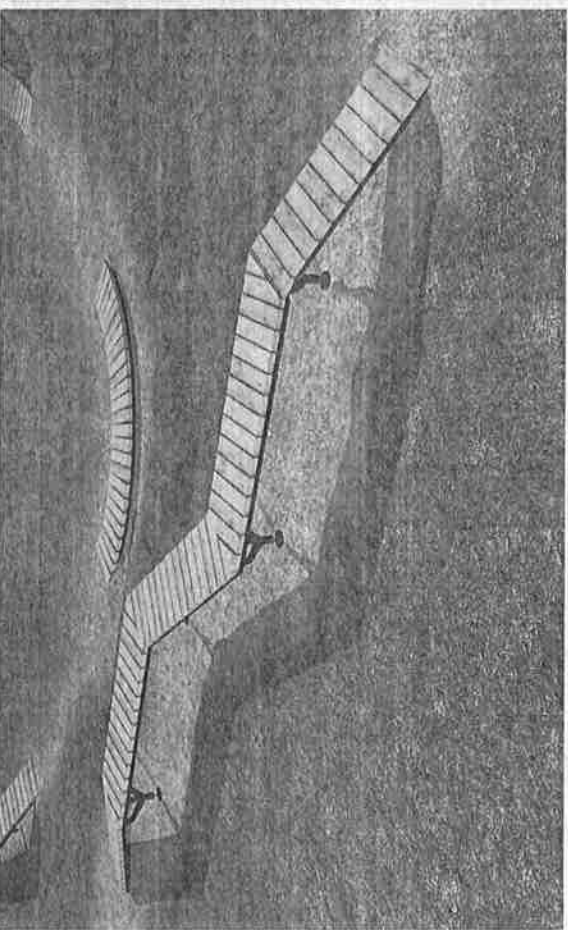
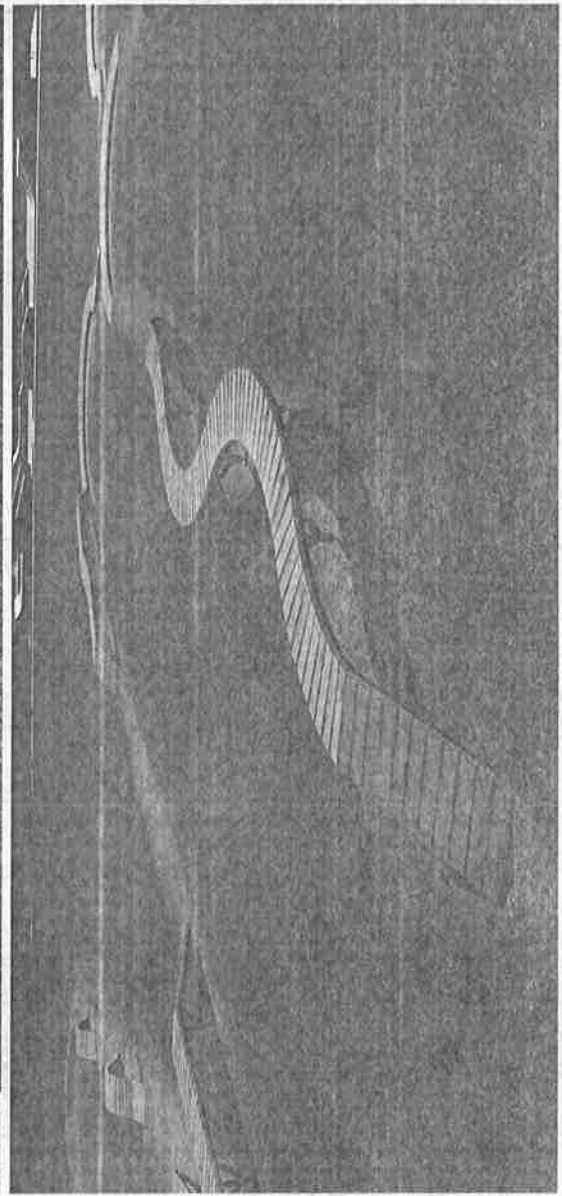
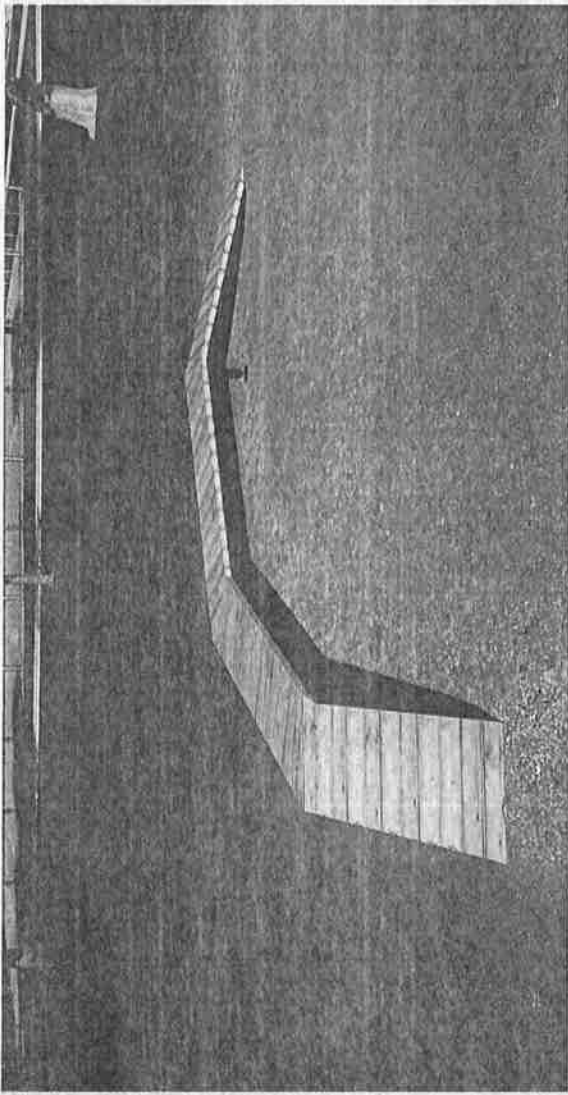
➤ 12+ Trail Features*

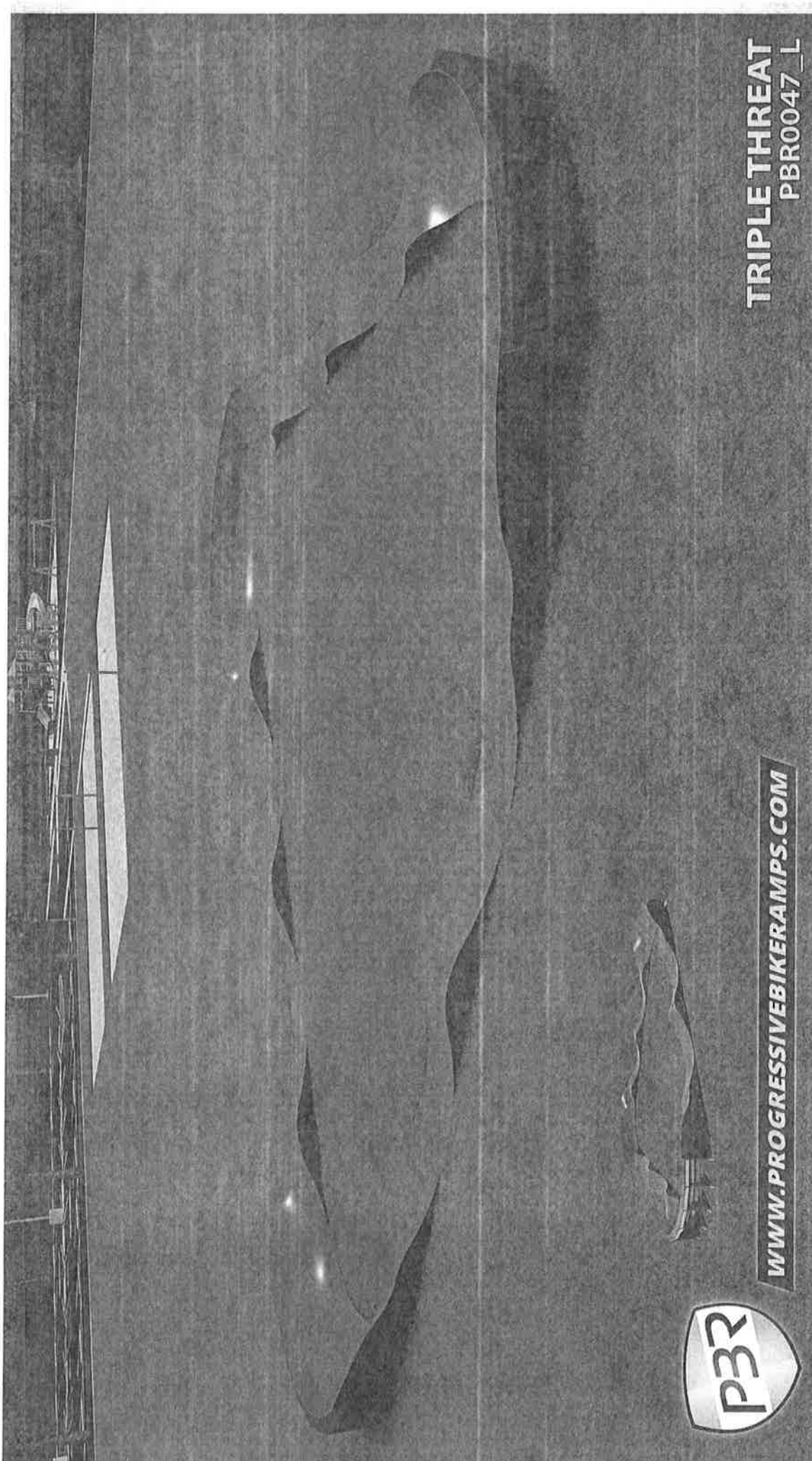
- Roller, Zig Zag Center, Teeter Totter, Roller Corner, Split Decision, Double Roller, Zig Zag S Corner, Straight Ladder, A-Frame, 90% turn, Flat Zig Zag, Roller Corner

➤ Triple Threat (Lumberjack Series) – Pump Track

* A supervised community build will reduce the cost of installation by 50% (\$6,731) and we will add trail features.



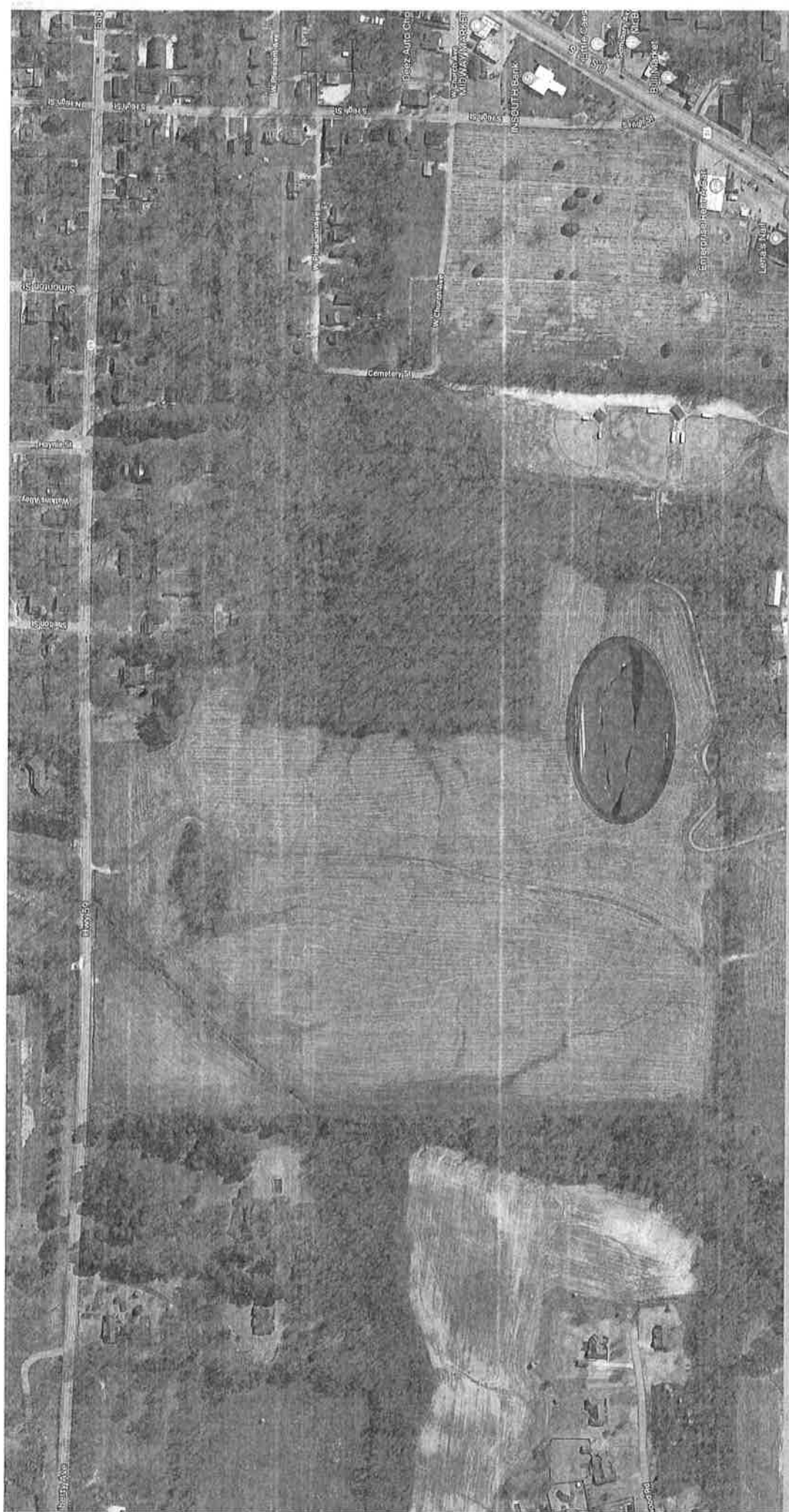




TRIPLE THREAT
PBR0047_L

WWW.PROGRESSIVEBIKERAMPS.COM







BICYCLE PARK AND PLAYGROUND

We intend to reach out to the following agencies in the community to solicit assistance with a community build.

- Churches
- Boy Scouts
- Public Safety (Sheriff's Office, Police, Fire)
- Schools/Students (Community Service Hours)
- Construction Companies

BICYCLE PARK AND PLAYGROUND

Survey Results



TOTAL RESPONSES
166

OVERALL SURVEY STATUS
OPEN

NOTIFICATIONS
3 of 1

Collectors

[OPEN](#)
Social Media Post 1
Created 9/20/2019

166
RESPONSES
COLLECTED

[OPEN](#)
Web Link 1
Created 9/20/2019

0
RESPONSES
COLLECTED

Responses Volume

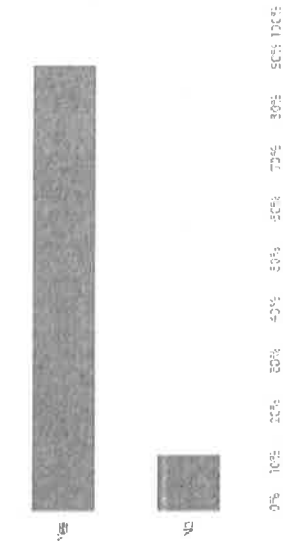


BICYCLE PARK AND PLAYGROUND

Survey Results

Do you know how to ride a bicycle?

Answered: 133 Skipped: 0



ANSWER CHOICES

- Yes 125 93.99%
- No 8 6.01%

TOTAL 133

RESPONSES

38.35%

11.26%

Would you like to learn how to ride a bicycle?

Answered: 19 Skipped: 0



ANSWER CHOICES

- Yes 16 84.21%
- No 3 15.79%

TOTAL 19

RESPONSES

38.35%

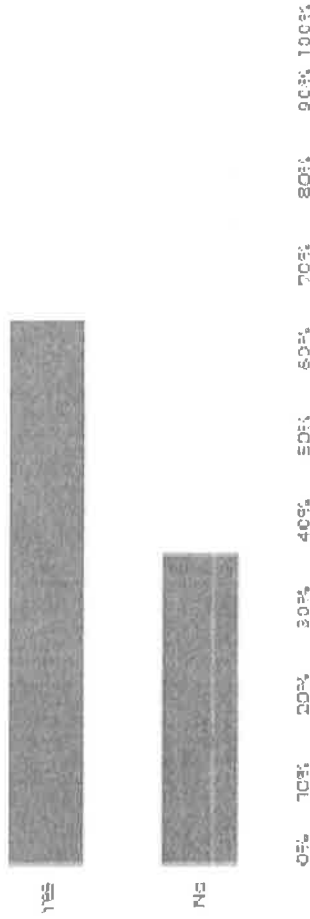
11.26%

BICYCLE PARK AND PLAYGROUND

Survey Results

Do you have a bicycle?

Answered: 165 Skipped: 1



ANSWER CHOICES		RESPONSES	
Yes		83.64%	138
No		16.36%	27
TOTAL			165

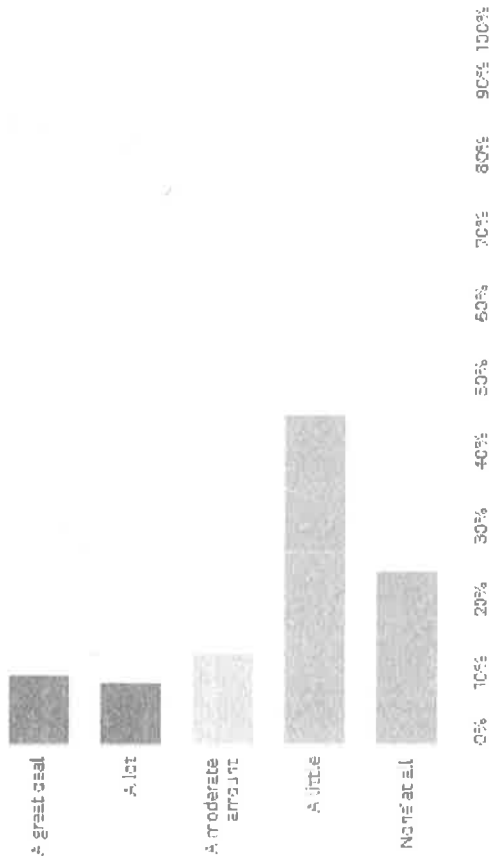
BICYCLE PARK & PLAYGROUND

Survey Results



How often do you get to ride your bicycle?

Answered: 104 Skipped: 62



ANSWER CHOICES

- A great deal
- A lot
- A moderate amount
- A little
- None at all

TOTAL

RESPONSES

A great deal	9.62%	10
A lot	8.65%	9
A moderate amount	12.50%	13
A little	45.19%	47
None at all	24.04%	25
TOTAL		104

If you had access to a bicycle would you ride it if you could ride it safely?

PREVIEW: 56 8/10/2010

BICYCLE PARK & PLAYGROUND

Survey Results



0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%

ANSWER CHOICES

▼ YES

▼ NO

TOTAL

▼ RESPONSES

87.5%

12.5%

49

7

56



Survey Results

BICYCLE PARK & PLAYGROUND

How often would you ride your bicycle or one of our loaner bicycles if you could ride it safely at our bicycle playground/park?

Generated: 1/15/2020 2:10:10 PM



ANSWER CHOICES

- ▶ Every day
- ▶ A few times a week
- ▶ About once a week
- ▶ A few times a month
- ▶ Once a month
- ▶ Less than once a month

TOTAL


RESPONSES

- ▶ 5.33%
- ▶ 16.92%
- ▶ 14.58%
- ▶ 16.92%
- ▶ 5.33%
- ▶ 13.40%

10
10
20
10
10
10
150

Parks and Recreation Software



We have begun a search to replace our existing recreation software provider. We have received demos and have some scheduled in the coming weeks. Our Intent is to replace  EZFacility software before the end of the year. Parks and Recreation software prices range from \$3700-\$6000 annually.

Register now- Pay later

COVINGTON

YOUTH

SPORTS

Season starts in January

901-476-3734

<http://www.covingtontn.com/covington-youth-sports.html>



\$55

BASKETBALL

Ages 5-17

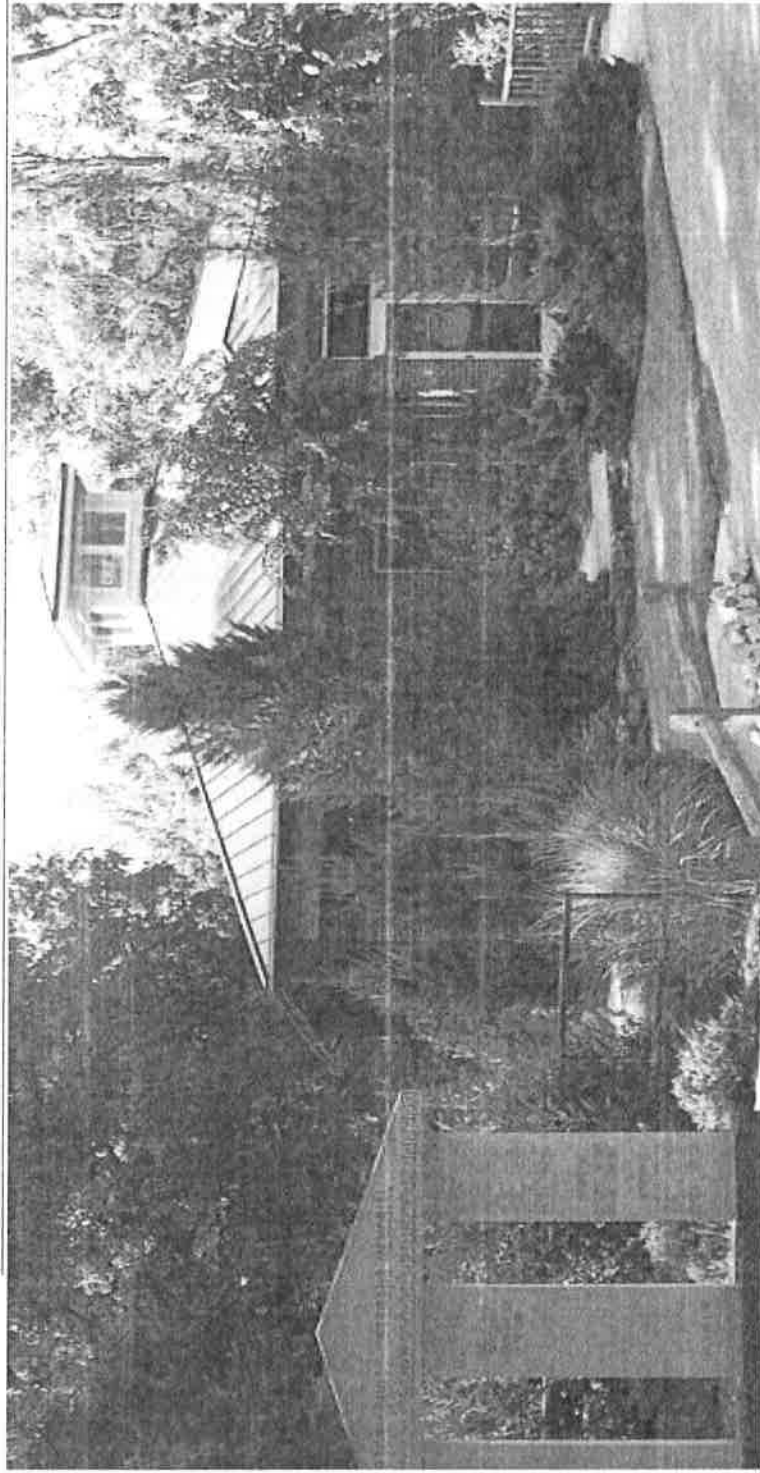
Games will be played in January



**JUNIOR
GRIZZLIES**

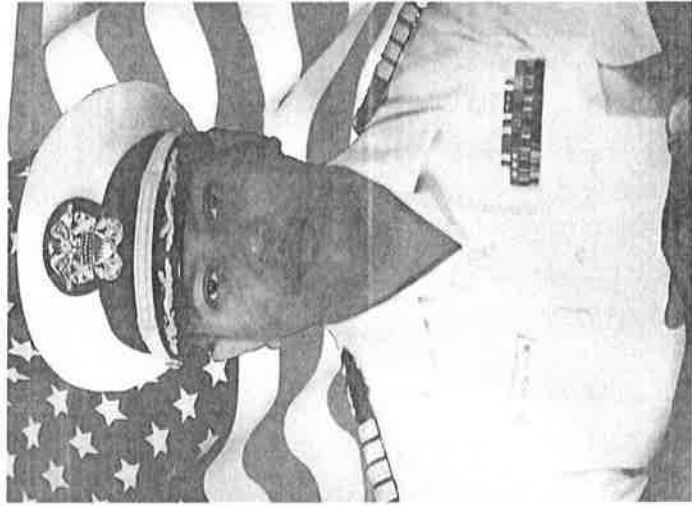


Tipton County Museum





Tipton County Museum



Veteran of the Month: September 2019 John Dixon

His reception is Tuesday, October 8, 2019 at 6:30 p.m.



A Special Thanks to Our Program Sponsors:

Veterans of Foreign Wars Post 4840
Disabled American Veterans Auxiliary Unit 116
Woodmen Life, Neil Bringle

Successful Gardening—An October Event at The Tipton County Museum!



TIPTON COUNTY
MUSEUM

751 Bert Johnston Ave.
Covington, TN 38019
Phone: 901-476-0242



ADMISSION PER
PROGRAM:
\$5.00 General Public
FREE to Museum
Members

751 Bert Johnston Avenue
PO Box 788
Covington, TN 38019
Phone: 901-476-0242

Saturday, October 5th: 10:00 - 11:30 A.M.

"Preparing Your Lawn for Winter"

- Guest Speaker – Booker T. Leigh: Shelby County Extension Agent & host of "What's Growing On."

Saturday, October 12th: 10:00 - 11:30 A.M.

"Hydrangeas & Azaleas"

- Guest Speakers – Vivian England & Kim Thorn: Fayette County Master Gardeners

Saturday, October 19th: 10:00 - 11:30 A.M.

"Vertical Gardening"

- Guest Speaker – Ginny Fletcher: Memphis Area Master Gardener.

**** Saturday, October 26th: 10:00 - 11:30 A.M. ****

"Native Plants are Better? Sorting Myths from Realities"

- Guest Speaker – Carol Reese: Research Horticulture Specialist at U.T.'s West TN AgResearch & Education Center.

**** Bring seeds and cuttings to share with others.**

This event is being made possible in part by the following
Corporate Sponsors:



Tipton County Museum Genealogy Center

751 Bert Johnston Ave, Covington, TN 38019
901-476-0242

The Tipton County Museum, Veterans Memorial & Nature Center is excited to announce that we are now a designated FamilySearch Affiliate Library. FamilySearch is the largest genealogical organization in the world and its resources help millions of people each year discover their family roots! This valuable resource can be viewed from the Museum's family history workstation or by accessing a personal device using the Museum's WiFi. You must be present in the Museum to access FamilySearch databases. This service is provided FREE of charge!

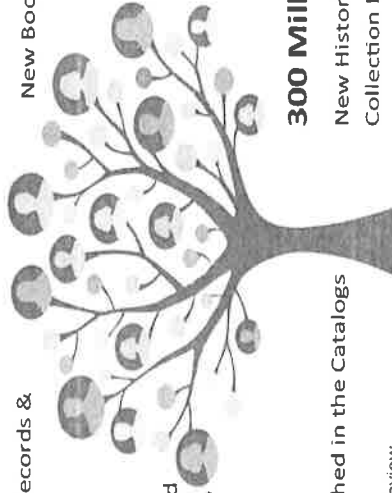
Hours of Operation: Tues—Friday 9am to 5pm & Saturday 9am to 3pm

5.8 Billion *

Total Researchable Records &
Images Online

3.98 Billion

Total Records Indexed
122.2 Million New



21 Million

New Book Scanning Images

1.21 Billion

People in Trees

277 Million

New Images Published in the Catalogs

300 Million

New Historical Record
Collection Images

* 2018 FamilySearch Review



TIPTON COUNTY
MUSEUM
Covington, TN 38019

The Tipton County Museum Presents

A Passion for Art

With Barrie Foster

"I would rather die of Passion than of Boredom." Emile Zola

During this special four week class, students will learn how to paint loosely and colorfully in oils on small canvas panels. All materials will be furnished, so this is the perfect class for anyone who has not yet painted in oils! No previous art experience required.

When: October 23, 30, & November 6 & 13, 2019. 9:30—11:30 a.m.

Where: 751 Bert Johnston Ave., Covington, TN



Fee: \$60 Members, \$80 General Public

Tipton County Museum

751 Bert Johnston Avenue, P.O. Box 768,

Covington, TN 38019

901-476-0242



TIPTON COUNTY
MUSEUM

The Tipton County Museum Presents
The Painted Christmas Card
Workshop

Grab your paints and blank cardstock and join us for a fun morning of creating beautiful Christmas cards! Artist Barrie Foster will guide you in painting Christmas cards in watercolor, although you may paint in the medium of your choice. Sherri Onorati, an experienced scrapbooker, will have several Christmas themed stamps to enhance your mini masterpieces. Templates and snacks will be provided. You provide the paint and cards. A family discount is available, which makes this the perfect family activity! Preregistration is required.

When: Saturday, November 2, 2019. 10 a.m. until noon.

Where: 751 Bert Johnston Ave., Covington, TN

Fee: \$15 Museum Members, \$20 General Public



The Tipton County Museum
751 Bert Johnston Avenue
Covington, TN 38019
(901) 476-0242



Tipton County Museum
Living History Day
Saturday, November 16, 2019
10 a.m. until 2 p.m.

We will have the Civil War reenactors and the World War II reenactors here. There will be a lecture on women in the civil war in the morning in the conference room, and a lecture on a rare civil war rifle in the afternoon. The Tipton County Veterans Council will have food for sale. This event is free and people will park across the street.

We need permission for the following:

The Civil War reenactors would like to demonstrate how to load and fire the cannon at 11:00 a.m. and again at 1 p.m. They will set it off in the first meadow and it will be very loud. They will be using black powder.

The Civil War reenactors would also like to do a musket firing demonstration at 11:15 a.m. and again at 1:15 p.m., also in the first meadow. It too, will be very loud. Only blanks will be used.



TIPTON COUNTY
MUSEUM

Living History Day



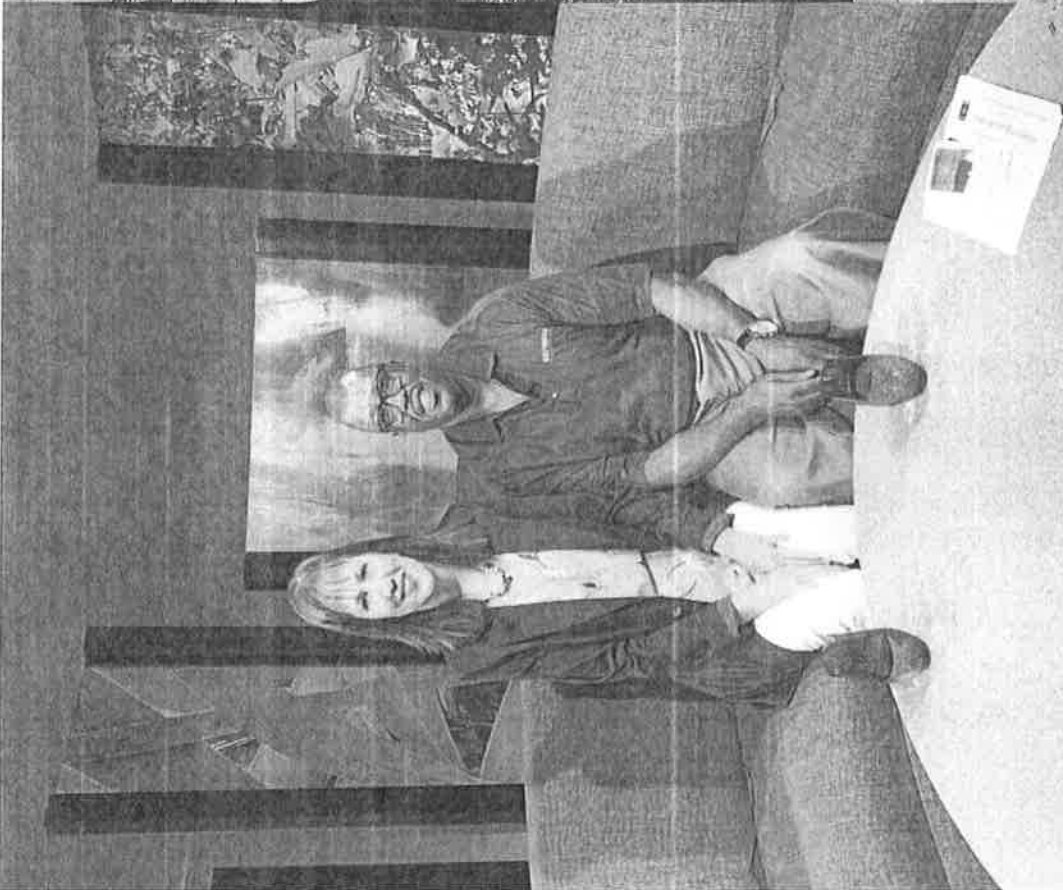
TIPTON COUNTY MUSEUM

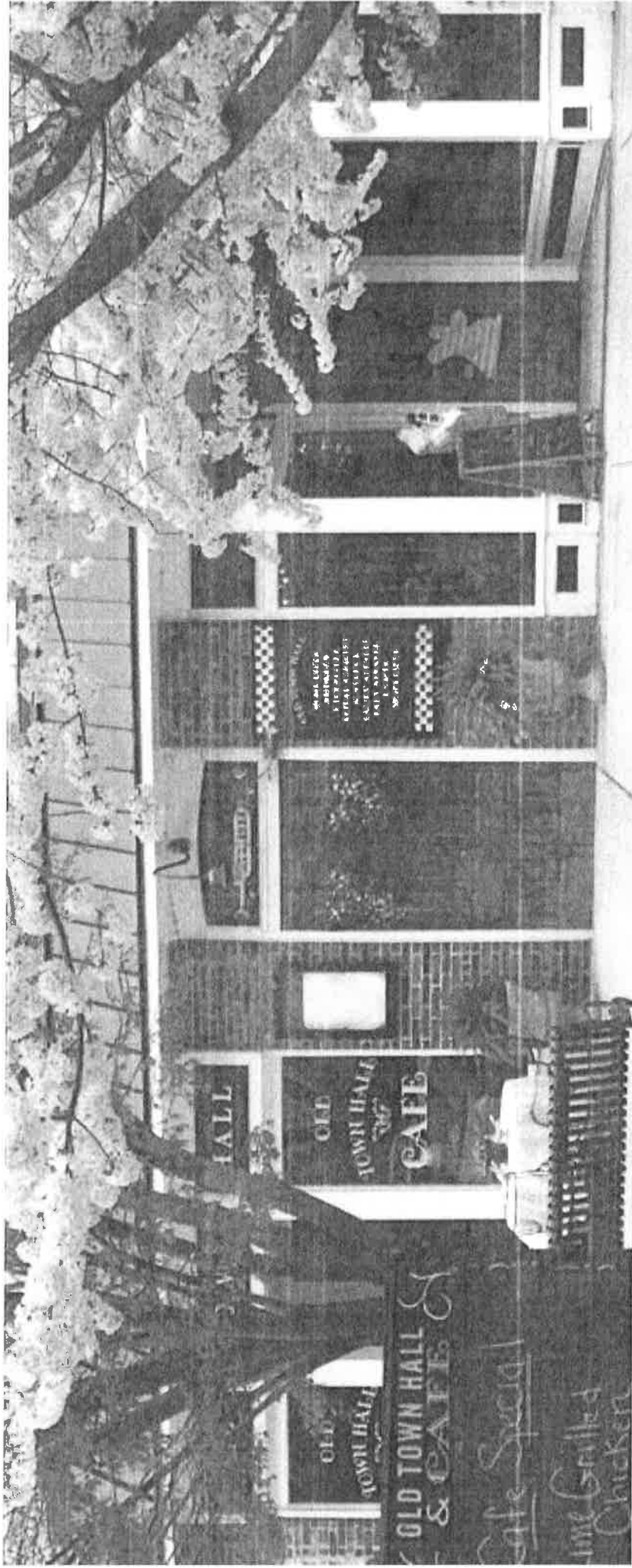
VETERANS MEMORIAL & NATURE CENTER

751 BERRY JONKSTON AVE. COVINGTON

SATURDAY, NOV. 16, 2019 ■ 10AM TO 2 PM

Join us for this FREE event featuring Civil War and World War II reenactors, musket, rifle and cannon firing demonstrations, weapon and period clothing exhibits and lectures regarding the life of common soldiers and women in the Civil War.





Covington Parks and Recreation Director Joseph Mack

901-592-7644

jmack@covingtontn.com



The Finance and Administration Committee met at City of Covington on October 15, 2019 at 4:00 p.m. with the following members present: Mayor Justin Hanson, Aldermen: Keith Phelps, Danny Wallace, Johnetta Yarbrough, and Jeff Morris. Also present were: Building Official Lessie Fisher, Public Works Director David Gray, City Attorney Rachel Witherington, Mark Herbison (HTL), Nelson Williams (Chairman Industrial Development Board), David Gwinn, Personnel Director Tiny Barton, and Assistant to the Mayor Rebecca Ray.

Chairman C H Sullivan was not able to attend the meeting due to illness. Motion was made by Alderman Jeff Morris and seconded by Alderwoman Yarbrough to appoint Mayor Hanson as Chairman. Motion passed.

Meeting was called to order by Mayor Justin Hanson.

Discussion began on the purchase of 65 acres from the Southall family for industrial development. This would be a total of 160 acres for industrial development site. This purchase would be funded through the gas fund. Rates on customers would not increase if we used these funds. The Industrial Development Board has met with County Executive Huffman and Mark Herbison (HTL). It is recommended an investment of \$560,000.00 from the City which is \$21,500 per acre. The ID Board agrees to put in \$200,000.00 and the County will fund \$637,000.00. Mayor Hanson submitted letter of legal opinion on "community organization". The conclusion is that HTL Advantage is considered a community organization and in the business of economic development. Comptrollers have been involved in this discussion.

Motion was made by Alderman Keith Phelps and seconded by Alderman Danny Wallace for the Resolution to be brought before the Board of Mayor and Aldermen for approval. Motion passed.

Building Official Lessie Fisher submitted map regarding alley that individuals would like to acquire from the city. The property is between Zion and Habitat Cove. Attorney Witherington stated we need to approve a process before addressing specific requests. A form was submitted that has been developed through the Code Department, Public Works, and City Attorney.

Motion was made by Alderman Keith Phelps and seconded by Alderman Jeff Morris to authorize the Codes Department to use the submitted form as new procedure for acquiring alleyways. Motion passed.

There are currently no means available to the City to collect court costs, fines, invoices from utility equipment damage, etc. Attorney Witherington would like this body to determine threshold for City attorney to file action to pursue collection of money. Collection agencies may be the most cost-effective way to collect property maintenance fees, fines, etc. Alderman Wallace recommended that Director Fisher proceeds with getting proposals from collection agencies. A list will be provided with the number of cases from the Court Clerk for review. Also, a sample RFP (Request for Proposal) will be presented to review in November.

Discussion began on the Beer Ordinance. Attorney Witherington recommended specific language needed on parameters, statute of limitations, mitigating factors, etc.

Discussion began on proposed language for the six month moratorium on the Hwy 51 corridor. The recommendation is to expand Planning Commission from 7 members to 9 members. Alderman Wallace is concerned with the halt of new inquires or new business openings Attorney Witherington clarified that it would not affect new businesses, only new development and sees the most impact will be on properties zoned R1 and R2. Alderman Phelps recommended moratorium for less than 6 months. With a 90 day moratorium, the Planning Commission would review the proposed changes in the February meeting.

Motion was made by Alderman Wallace and seconded by Alderman Yarbrough for the Resolution for a 90 day moratorium come before the Board of Mayor and Alderman for approval. Motion passed with Alderman Morris abstaining.

Motion was made by Alderman Keith Phelps and seconded by Alderman Yarbrough to create a Design Review Commission. Motion passed.

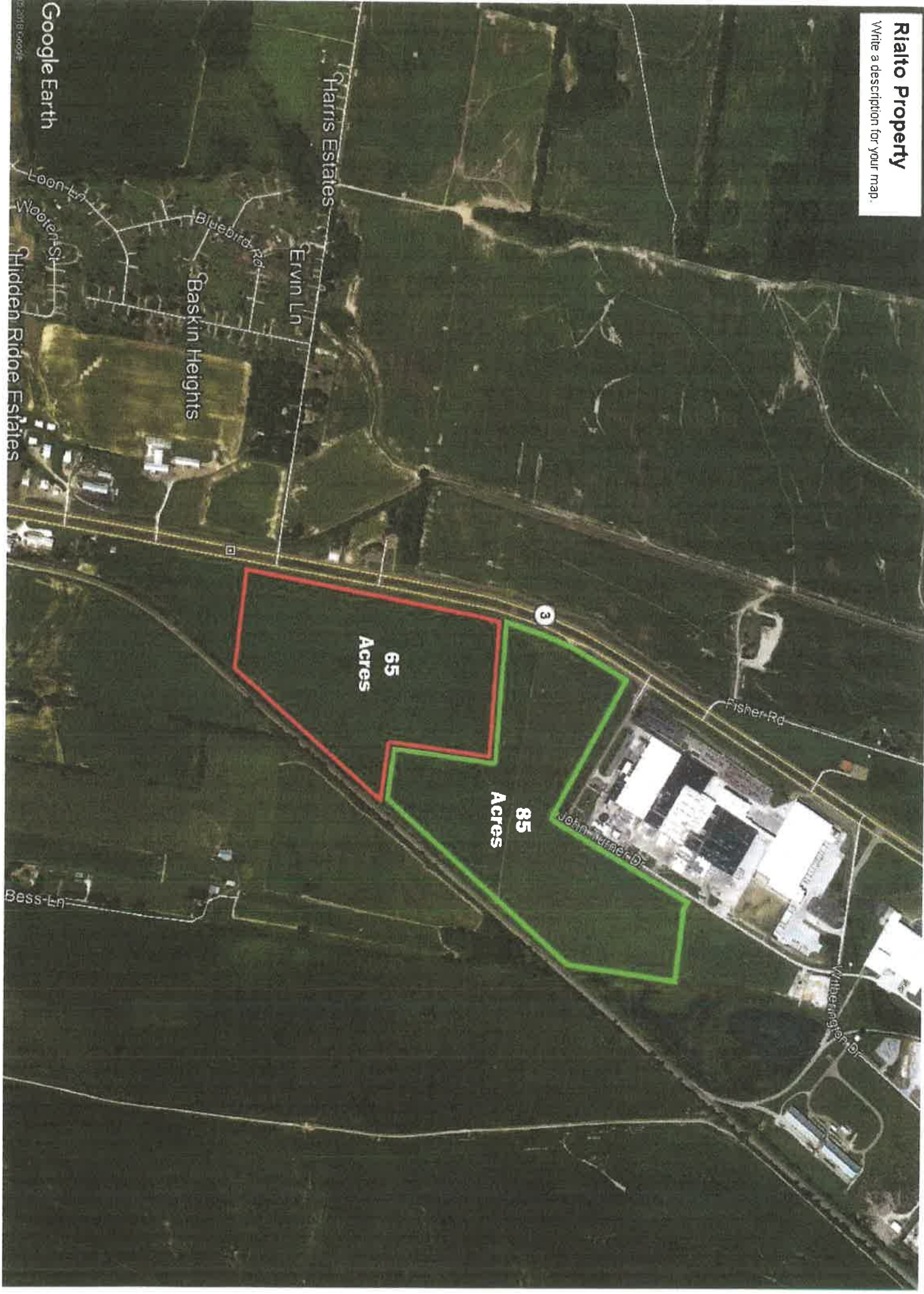
There being no further business, the meeting adjourned at 6:00 p.m.

Finance & Administration Committee Meeting
October 15, 2019
4:00 p.m.

1. Purchase of Additional Industrial Property - Mayor Hanson/Mark Herbison
2. Request for Alley Way to be Combined – Lessie Fisher
3. Discussion on Collection Agencies – Lessie Fisher
4. Discussion on Beer Ordinance – Lessie Fisher
5. Moratorium /Design Review Committee Discussion – Attorney Witherington

Rialto Property

Write a description for your map.



PROJECT JH
Sample PILOT Agreement
\$113 Million Real/\$158 Million Personal Investment

Tax Saving for
Real Property

Tax Year 1-Oct	Appraised Value 113,000,000	AppV*40% Assessed Value	COUNTY			IN-LIEU Taxes Due
			TAX RATE 2.42	AssV/100*TR Taxes Computed	IN-LIEU PERCENT	
2020	113,000,000	45,200,000	2.42	1,093,840	10.00%	109,384
2021	113,000,000	45,200,000	2.42	1,093,840	20.00%	218,768
2022	113,000,000	45,200,000	2.42	1,093,840	30.00%	328,152
2023	113,000,000	45,200,000	2.42	1,093,840	40.00%	437,536
2024	113,000,000	45,200,000	2.42	1,093,840	50.00%	546,920
2025	113,000,000	45,200,000	2.42	1,093,840	60.00%	656,304
2026	113,000,000	45,200,000	2.42	1,093,840	70.00%	765,688
2027	113,000,000	45,200,000	2.42	1,093,840	80.00%	875,072
2028	113,000,000	45,200,000	2.42	1,093,840	90.00%	984,456
2029	113,000,000	45,200,000	2.42	1,093,840	100.00%	1,093,840

\$10,938,400

\$6,016,120

Tax Saving for
Personal Property

Tax Year 1-Oct	Appraised Value 158,000,000	AppV*30% Assessed Value	COUNTY			IN-LIEU Taxes Due
			TAX RATE 2.42	AssV/100*TR Taxes Computed	IN-LIEU PERCENT	
2020	139,040,000	41,712,000	2.42	1,009,430	10.00%	100,943
2021	118,500,000	35,550,000	2.42	860,310	20.00%	172,062
2022	99,540,000	29,862,000	2.42	722,660	30.00%	216,798
2023	79,000,000	23,700,000	2.42	573,540	40.00%	229,416
2024	60,040,000	18,012,000	2.42	435,890	50.00%	217,945
2025	39,500,000	11,850,000	2.42	286,770	60.00%	172,062
2026	31,600,000	9,480,000	2.42	229,416	70.00%	160,591
2027	31,600,000	9,480,000	2.42	229,416	80.00%	183,533
2028	31,600,000	9,480,000	2.42	229,416	90.00%	206,474
2029	31,600,000	9,480,000	2.42	229,416	100.00%	229,416

\$4,806,265

\$1,889,241

**TOTAL
COUNTY**

210,327
390,830
544,950
666,952
764,865
828,366
926,279
1,058,605
1,190,930
1,323,256

\$7,905,361
50.21%

Tax Saving for
Real Property

Tax Year 1-Oct	Appraised Value	AppV*40% Assessed Value	CITY			IN-LIEU Taxes Due
			TAX RATE 1.33	AssV/100*TR Taxes Computed	IN-LIEU PERCENT	
2020	113,000,000	45,200,000	1.33	601,160	10.00%	60,116
2021	113,000,000	45,200,000	1.33	601,160	20.00%	120,232
2022	113,000,000	45,200,000	1.33	601,160	30.00%	180,348
2023	113,000,000	45,200,000	1.33	601,160	40.00%	240,464
2024	113,000,000	45,200,000	1.33	601,160	50.00%	300,580
2025	113,000,000	45,200,000	1.33	601,160	60.00%	360,696
2026	113,000,000	45,200,000	1.33	601,160	70.00%	420,812
2027	113,000,000	45,200,000	1.33	601,160	80.00%	480,928
2028	113,000,000	45,200,000	1.33	601,160	90.00%	541,044
2029	113,000,000	45,200,000	1.33	601,160	100.00%	601,160

\$3,306,380

Tax Saving for
Personal Property

Tax Year 1-Oct	Appraised Value	AppV*30% Assessed Value	CITY			IN-LIEU Taxes Due
			TAX RATE 1.33	AssV/100*TR Taxes Computed	IN-LIEU PERCENT	
2020	139,040,000	41,712,000	1.33	554,770	10.00%	55,477
2021	118,500,000	35,550,000	1.33	472,815	20.00%	94,563
2022	99,540,000	29,862,000	1.33	397,165	30.00%	119,149
2023	79,000,000	23,700,000	1.33	315,210	40.00%	126,084
2024	60,040,000	18,012,000	1.33	239,560	50.00%	119,780
2025	39,500,000	11,850,000	1.33	157,605	60.00%	94,563
2026	31,600,000	9,480,000	1.33	126,084	70.00%	88,259
2027	31,600,000	9,480,000	1.33	126,084	80.00%	100,867
2028	31,600,000	9,480,000	1.33	126,084	90.00%	113,476
2029	31,600,000	9,480,000	1.33	126,084	100.00%	126,084

\$2,641,460

\$1,038,302

50.21%

\$4,344,682

TOTAL
CITY

115,593

214,795

299,497

366,548

420,360

455,259

509,071

581,795

654,520

727,244

Tax Year 1-Oct	COMBINED CITY & COUNTY TAXES COMPUTED	COMBINED CITY & COUNTY PILOT DUE	
2020	\$3,259,200	325,920	10%
2021	\$3,028,125	605,625	20%
2022	\$2,814,825	844,448	30%
2023	\$2,583,750	1,033,500	40%
2024	\$2,370,450	1,185,225	50%
2025	\$2,139,375	1,283,625	60%
2026	\$2,050,500	1,435,350	70%
2027	\$2,050,500	1,640,400	80%
2028	\$2,050,500	1,845,450	90%
2029	\$2,050,500	2,050,500	100%
	\$24,397,725	12,250,043	50%

Tina Dunn

From: Code Compliance
Sent: Friday, October 11, 2019 3:06 PM
To: Tina Dunn
Cc: Lessie Fisher
Subject: FW: Request Alley Way Be Combined
Attachments: 19-043 Map by Ronnie Hall.pdf

Hello Tina,

Please add to F&A agenda.

Thank you,

Phyllis Mayfield

Codes Technician
(901) 476-7191 ext. 146
pmayfield@covingtontn.com
www.covingtontn.com
200 W. Washington Ave.
Covington, TN 38019

From: ronnie hall <ronniejudy1234@hotmail.com>
Sent: Thursday, October 3, 2019 11:54 AM
To: Code Compliance <codecompliance@covingtontn.com>
Cc: ronnie hall <ronniejudy1234@hotmail.com>
Subject: Request Alley Way Be Combined

Good morning, Ms. Fisher,

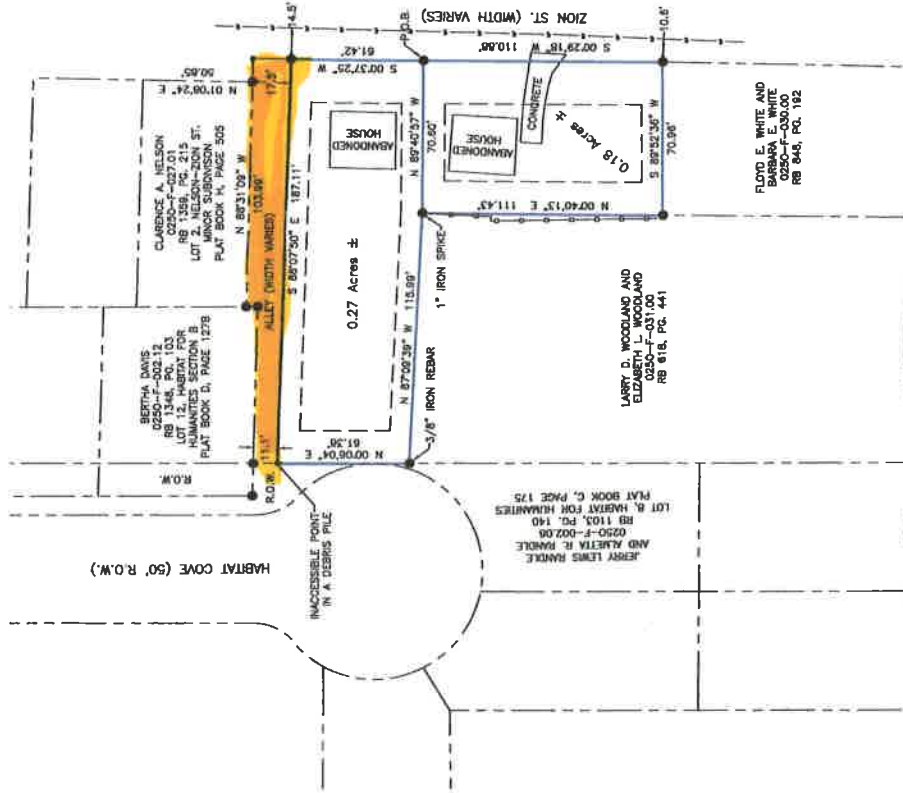
I am requesting that the alley way next to 421 Zion St, Covington, TN be combined or split between the three land owners. I have attached a copy of the map showing the alley between 421/425 Zion St and 418 Habitat Cove. The alley is not usable with over weed and landscape.

Sincerely,
Ronnie & Judy Hall
210-749-8149
210-863-9922



NOTES:

1. BEARINGS SHOWN REFERENCED TO THE SOUTH LINE OF LOT 2, NELSON-ZION ST. MINOR SUBDIVISION, PLAT BOOK H, PAGE 508, REDEVELOPER'S OFFICE, Tipton County, Tennessee. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES.
2. SUBJECT PROPERTIES SHOWN BEING THE PROPERTIES CONVERTED TO RONNIE HALL AND JUDY D. HALL BY DEED AS SHOWN IN RECORD BOOK 1809, PAGE 814-820, REDEVELOPER'S OFFICE, Tipton County, Tennessee.
3. THESE PROPERTIES ARE SUBJECT TO ALL APPLICABLE EASEMENTS, RIGHT-OF-WAYS, AND RESTRICTIONS OF RECORD, SHOWN OR UNSHOWN ON PLAT OF SURVEY.
4. SUBJECT PROPERTIES SHOWN BEING IDENTIFIED AS PARCELS 028.00 AND 028.01 AS SHOWN ON TIPTON COUNTY TAX MAP 0280, GROUP F.
5. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE REPORT.
6. ALL IMPROVEMENTS SHOWN HEREON ARE EXISTING.
7. THIS PROPERTY IS CURRENTLY ZONED R-3 CITY/HIGH DENSITY RESIDENTIAL DISTRICT PER THE CITY OF CORINTH MUNICIPAL ZONING MAP. MINIMUM BUILDING SETBACK LINES ARE AS FOLLOWS: FRONT 20', SIDE 10', REAR 15'. CONTACT APPROPRIATE AGENCIES FOR FURTHER RESTRICTIONS WHICH MAY APPLY.
8. SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITY WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE NAME APPEARS UPON THIS SURVEY.



CERTIFICATION:

I, STEVEN R. CONTI, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AND IT IS MY OPINION THAT THIS SURVEY MEETS OR EXCEEDS THE STANDARDS OF PRACTICE FOR A SURVEY OF THIS TYPE AND THAT THE PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:10,000 AS SHOWN HEREON.

STEVEN R. CONTI
TIN RLS 2028



BOUNDARY SURVEY FOR RONNIE HALL

1ST CIVIL DISTRICT, TIPTON COUNTY, TENNESSEE

TMA land surveys, Inc.
Professional Land Surveyors & Engineers

P.O. BOX 488
POCATELLO, TN, 38208
PH: (661) 415-3601
FAX: (661) 415-3602

SCALE: 1" = 40'
DATE: 8/27/2016
DRAWING FILE: 19-043
PROJECT NO. 19-043
SHEET 1 OF 1

- SYMBOLS LEGEND
- ANGLE POINT (NO MONUMENT)
 - FOUND CORNER 1/2" IRON REBAR UNLESS OTHERWISE NOTED
 - REBAR
 - BOUNDARY
 - EXISTING FENCE
 - PHYSICAL CENTERLINE
 - BUILDING SETBACK

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. Privilege tax.
- 8-209. Beer permits shall be restrictive.
- 8-210. Classes of permits.
- 8-211. Limitation upon issuance of beer permits.
- 8-212. Conditions.
- 8-213. Legal hours of sale.
- 8-214. Revocation of beer permits.
- 8-215. Civil penalty in lieu of suspension.
- 8-216. Effect of beer board action.

8-201. Beer board established. There is hereby established a beer board to be composed of the board of mayor and aldermen. The mayor shall be the chairman of the beer board and shall be entitled to vote on all matters coming before the beer board. (Ord. #1514, May 2003)

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 city 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. #1514, May 2003)

8-203. Record of beer board proceedings to be kept. The recorder/treasurer 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

¹Municipal code references
Alcohol: title 11, chapter 1.
Tax provisions: title 5.

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 beer board. (Ord. #1514, May 2003)

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. Any member present but not voting shall be deemed to have cast a "nay" vote. (Ord. #1514, May 2003)

8-205. Powers and duties of the beer board.¹ The beer board shall have the power and it is hereby directed to regulate the selling, storing for sale, distributing for sale, and manufacturing of beer within the City of Covington in accordance with the provisions of this chapter. (Ord. #1514, May 2003)

8-206. "Beer" defined. The term "beer" as used in this chapter shall mean and include all beers, ales, and other malt liquors or any other beverages having an alcoholic content of not more than five percent (5%) by weight. (Ord. #1514, May 2003)

8-207. Permit required for engaging in beer business.² 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 beer board shall prescribe and/or furnish, and pursuant to Tennessee Code Annotated, § 57-5-104(a), shall be accompanied by a non-refundable application fee of two hundred and fifty dollars (\$250.00). Each applicant must be a person of good moral character and he must certify that he has read and is familiar with the provisions of this chapter. (Ord. #1514, May 2003)

8-208. Privilege tax.³ There is hereby imposed on the business of selling, distributing, storing or manufacturing beer a privilege tax of one hundred dollars (\$100.00). Any person, firm, corporation, joint stock company, syndicate or association engaged in the sale, distribution, storage or

¹State law reference

Tennessee Code Annotated, § 57-5-106.

²State law reference

Tennessee Code Annotated, § 57-5-103.

³State law reference

Tennessee Code Annotated, § 57-5-104(b).

manufacture of beer shall remit the tax each successive January 1 to the City of Covington, 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. #1514, May 2003)

8-209. Beer permits shall be restrictive. All beer permits shall be restrictive as to the type of beer business authorized under them. Separate permits shall be required for selling at retail, storing, distributing, and manufacturing. It shall be unlawful for any beer permit holder to engage in any type or phase of the beer business not expressly authorized by his permit. It shall likewise be unlawful for him not to comply with any and all express restrictions or conditions which may be written into his permit by the beer board. (Ord. #1514, May 2003)

8-210. Classes of permits. Permits issued by the beer board shall consist of four (4) types:

(1) **Manufacturing.** A manufacturer's permit to a manufacturer of beer for the manufacture, possession, storage, sale, giveaway, distribution, and transportation of the product of each manufacturer, not to be consumed by the producer upon or near the premises of such manufacturer.

(2) **Class 1 on premises permit.** A Class 1 on premises permit shall be issued for the consumption of beer only on the premises. To qualify for a Class 1 on premise permit, an establishment must, in addition to meeting the other regulations and restrictions in this chapter:

(a) Must obtain and maintain a valid hotel-restaurant license from the State of Tennessee;

(b) Be able to seat a minimum of thirty (30), including children, in booths and at tables, in addition to any other seating it may have;

(c) Keep and maintain the premises in a clean and sanitary condition, and obtain the Tennessee Department of Health and Environment, Division of Food and General Sanitation, or its designee, or other proper state and local authority, all necessary permits as required for restaurants in the State of Tennessee;

(d) File with the City of Covington on a monthly basis a copy of the sales tax return due to the State of Tennessee; and

(e) Provide a state sales tax number and federal employee's identification number to the City of Covington.

In addition, the monthly beer sales of any establishment that holds a Class 1 on premises permit shall not exceed forty percent (40%) of the gross sales of the establishment. Any such establishment that for two (2) consecutive months has beer sales exceeding forty percent (40%) of its gross sales, shall have its beer permit revoked. It shall be the responsibility of each applicant to provide the City of Covington appropriate distinctions of the amount of beer and

food sold. Said information shall be provided to the City of Covington on a monthly basis on such forms and according to such procedures as the City of Covington may dictate. The city may, in its discretion, require each applicant to provide such additional information as the City of Covington deems necessary in order to make appropriate distinctions of the amount of beer and food sold. Failure to provide such information shall constitute a violation of this chapter and may result in a revocation or suspension of the permit.

(3) Class 2 on premises permit. Other establishments making application for a permit to sell or give away beer for consumption on the premises, which did not qualify, or do not wish to apply for a Class 1 on premises permit, but which otherwise meet all other regulations and restrictions in this chapter, shall apply for a Class 2 on premises permit. To qualify for a Class 2 on premises permit, an establishment must, in addition to meeting the other regulations and restrictions in this chapter:

(a) Allow no one under the age of twenty-one (21) years to be in or about the premises where beer is being sold or given away;

(b) Require all customers to have valid identification card on their person;

(c) Provide to the Covington Police Department prior to commencement of employment, the name and address and date of birth of each and every employee for the purpose of ascertaining whether said employee has a criminal record;

(d) Provide and maintain separate sanitary toilet facilities for men and women, and keep and maintain the premises in a clean and sanitary condition;

(e) Allow no assaults, fighting, damaging of property and breaches of peace occurring on or in the premises where beer is sold or given away;

(f) Provide a state sales tax number and federal employee's identification number to the City of Covington;

(g) In the event food is served, shall obtain from the Tennessee Department of Health and Environment, Division of Food and General Sanitation, or its designee, or other state or local authority, all necessary permits as required for sale of food; and

(h) Have all seating in the interior of the building under a permanent roof. No beer shall be allowed outside the building for sale, giveaway, or consumption.

(4) Off premises permit. An off premises permit shall be issued for the consumption of beer only off the premises. To qualify for an off premises permit, an establishment must, in addition to meeting the other regulations and restrictions in this chapter:

(a) Be a grocery store or a convenience type market;

(b) In either case, be primarily engaged in the sale of grocery and personal, home care and cleaning articles, but may also sell gasoline; and

(c) Provide a state sales tax number and federal employee's identification number to the City of Covington.

In addition, an establishment that holds an off premises permit shall not allow sale or giveaway of beer through any type of drive-through window. No beer shall be allowed outside the building for sale, giveaway, or consumption. (Ord. #1514, May 2003)

8-211. Limitation upon issuance of beer permits. No Class 2 on premises permit shall be issued to an applicant whose location:

(1) Is within two hundred fifty feet (250') from any hospital, church, school, public park or public playground or other place of public gathering and would cause congestion of traffic or interfere with hospitals, schools, churches, or other places of public gathering, or would otherwise interfere with the public health, safety and morals of the citizens; and

(2) The distances shall be measured in a straight line from the nearest point of the building of the Class 2 beer permit applicant to the nearest point of the property line of the hospital, church, school, public park or public playground or other place of public gathering. In the event the Class 2 applicant's business location is located in a building which is partitioned into separate business facilities, such as in a strip center or mall, the distances shall be measured in a straight line from the nearest point of the portion of the partitioned building occupied by the Class 2 beer permit applicant to the nearest point of the property line of the hospital, church, school or other place of public gathering. (Ord. #1566, Jan. 2007)

8-212. Conditions. The following are conditions for issuance of a permit under this chapter:

(1) In case of a partnership, a partner shall be the applicant, and, in case of a corporation, any officer or the local manager of the proposed location shall be the applicant. The license shall be issued in the name of the partnership or the corporation, as the case may be. In the case of a corporation, where the local manager is the applicant, the corporation shall report any change in that position.

(2) The applicant shall designate the location of the premises where beer shall be sold or given away and shall name the owner of the premises as well as the lessee thereof.

(3) The applicant shall not sell or give away beer at any place except the premises designated in the petition, except that an applicant may have a permit for more than one (1) location within the City of Covington, so long as a separate permit is issued for each location by the beer board.

(4) The applicant shall make no sales or give away of beer except upon the terms and conditions of the permit issued.

(5) The applicant shall designate in the application whether his application is for beer to be sold or given away for consumption on the premises or consumption off the premises. The application shall not be made for both consumption on and off the premises designated in the application.

(6) No sale or giveaway of beer shall be made to persons under the age of twenty-one (21) years and no such person shall be allowed to loiter about the area where beer is being sold or given away; however, any person eighteen (18) years of age or older may transport, possess, sell or dispense beer in the course of such person's employment in Class 1 on premises establishments and off premises establishments.

(7) The applicant shall allow no gambling upon the premises, nor allow any devices defined as gambling devices by state statute upon the premises designated for sale or giveaway of beer.

(8) Neither the applicant nor any person employed by him shall have been convicted of any violation of any liquor laws, any crime involving moral turpitude, or any felony within the last ten (10) years prior to filing the application.

(9) Neither the owner or any employee of the applicant shall drink intoxicating beverages during hours of operation.

(10) Only the person receiving the beer permit shall act as manager of any establishment granted the right to sell or give away beer within the City of Covington, however, the manager shall designate, in writing with a copy to the City of Covington, an alternative person who shall be in charge of the establishment when he is absent from the premises.

(11) No beer shall be sold or given away to drunk or disorderly persons.

(12) In all on premises locations, there must be sufficient lighting for customers to adequately read a menu, if applicable, and for employees to properly inspect the age and identification card of customers without aid of additional illumination.

(13) The licensee shall maintain an orderly establishment and not be in violation of any health, building or fire department regulations or ordinances of the City of Covington.

(14) The beer board has the full power and authority to enter, inspect and investigate any business operated pursuant to any permits issued by the beer board and has full authority to call upon any member of the police and health departments for assistance in the enforcement of the state laws, city ordinances and rules and regulations of the beer board pertaining to the sale or giveaway of beer.

(15) The licensee with an off premises beer permit shall not allow the consumption of beer anywhere on the premises of the licensee.

(16) No beer may be sold or given away except at places where such sale or giveaway will not cause congestion of traffic or interference with hospitals,

schools, churches or other places of public gathering, or otherwise interfere with public health, safety and morals. (Ord. #1514, May 2003, modified)

8-213. Legal hours of sale. Except as otherwise provided by state law:

(1) It shall be unlawful for any off-premises permit holder to make or allow any sale or giveaway of beer between the hours of 1:00 A.M. and 6:00 A.M. during any night of the week and between the hours of 1:00 A.M. on Sunday and 12:00 noon on Sunday.

(2) It shall be unlawful for any Class 1 permit holder to make or allow any sale or giveaway of beer between the hours of 2:00 A.M. and 6:00 A.M. during any night of the week and between the hours of 2:00 A.M. on Sunday and 11:00 A.M. on Sunday.

(3) It shall be unlawful for any Class 2 permit holder to make or allow any sale or giveaway of beer between the hours of 1:00 A.M. and 6:00 A.M. during any night of the week and between the hours of 1:00 A.M. on Sunday and 6:00 A.M. the following Monday.

(4) All Class 1 permit holders must have their place of business cleared of all customers by 2:00 A.M. and Class 2 permit holders must have their place of business cleared of all customers by 1:30 A.M. (Ord. #1638, Nov. 2012)

8-214. Suspension and revocation of beer permits.¹ The beer board shall have the power to suspend or revoke any beer permit issued under the provisions of this chapter when the holder thereof is guilty of making a false statement or misrepresentation in his application or of violating any of the provisions of this chapter. However, no beer permit shall be suspended or revoked until a public hearing is held by the board after reasonable notice to all the known parties in interest. Suspension or revocation proceedings may be initiated by the police chief or by any member of the beer board. (Ord. #1514, May 2003)

8-215. Civil penalty in lieu of suspension.² The beer board may, at the time it imposes a revocation or suspension, offer a permit holder the alternative of paying a civil penalty not to exceed one thousand five hundred dollars (\$1,500.00) for each offense of making or permitting to be made any sales or giveaway of beer to minors or a civil penalty not to exceed one thousand dollars (\$1,000.00) for any other offense or offenses. If a civil penalty is offered as an alternative to revocation or suspension, the holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension

¹State law reference

Tennessee Code Annotated, § 57-5-108(a)(1).

²State law reference

Tennessee Code Annotated, § 57-5-108(a)(2).

shall be deemed withdrawn. However, in no event shall a permit holder be allowed to pay a civil penalty for a second offense of making or permitting to be made a sale or giveaway of beer to minors. (Ord. #1514, May 2003)

8-216. Effect of board action. The action of the beer board in all such hearings shall be final, subject only to review by the court. When a permit is revoked, no new permit shall be issued hereunder for the sale or giveaway of beer at the same location or to the same permit holder, as the beer board may determine until the expiration of one (1) year from the date said revocation becomes final. When a permit is suspended, no new permit shall be issued hereunder for the sale or giveaway of beer at the same location or to the same permit holder until the period of suspension is over. (Ord. #1514, May 2003)

ORDINANCE NO. 1665

WHEREAS many of the ordinances under Title 8, Section 2 of the City of Covington Municipal Code are obsolete and in need of updating; and

WHEREAS, the Mayor and Board of Aldermen find that the health, safety and welfare of the citizens of the City of Covington is being compromised as a result of businesses that permit "brown bagging" and/or "BYOB" of beer and alcoholic beverages during the hours of 1:00 a.m. and 6:00 a.m.; and therefore:

BE IT ENACTED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF COVINGTON:

Section 1. Section 8-206 of the City of Covington Municipal Code titled "Beer defined" shall be deleted in its entirety and replaced with the following:

8-206. Definitions. For purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed by this section:

- (1) "Agent" means any person who is a partner, member or otherwise involved in the permittee's business, any employee of the permittee, or the spouse, parent(s), step-parent(s), grandparent(s), sibling(s), step-sibling(s), child(ren), step-child(ren) or grandchild(ren) of the permittee.
- (2) "Beer" means and includes all beers, ales, and other malt liquors or any other beverages having an alcohol content of not more than five percent (5%) by weight.
- (3) "Business" shall be defined as it is in Tennessee Code Annotated § 67-4-704 in that the term "business" means any activity engaged in by a person, individual, firm, partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or other group or combination acting as a unit, and the plural as well as the singular number or caused to be engaged in by a person, individual, firm, partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or other group or combination acting as a unit, and the plural as well as the singular number with the object of gain, benefit or advantage, whether direct or indirect. For purposes of this section the term "business" shall also be defined as any person, individual, firm, partnership, joint venture, association, corporation, estate, trust, business trust, receiver, syndicate, or other group or combination acting as a unit, and the plural as well as the singular number that holds a valid business license.
- (4) "BYOB" means "bring your own bottle" but also mean a person bringing their own beer or other alcoholic beverage into a business or any other place for consumption.
- (5) "Caterer" means a business engaged in offering food and beverage service for a fee at various locations, which (a) operates a permanent catering hall on an exclusive basis; (b) has a complete and adequate commercial kitchen facility; and (c) is licensed as a caterer by the Tennessee Department of Health.
- (6) "Church" means a building or property where a congregation regularly meets at least one day per week for religious worship.

- (7) "Clerk" means any person working in a capacity to sell beer directly to consumers for off-premises consumption.
- (8) "Beer Board" means that administrative body organized and empowered under the authority of Tennessee Code Annotated, Title 57, Chapter 5.
- (9) "Minor" with respect to purchasing, consuming or possessing beer means any person who has not attained the age of twenty-one (21) years.
- (10) "Moral Turpitude" includes but is not limited to the crimes of premeditated homicide, all sex related crimes, selling of any schedule and/or controlled substances illegally, fraud, and theft. For purposes of this definition, identification of Schedule substances are as defined by Tennessee Code Annotated sections 39-17-406, 39-17-408, 39-17-410, 39-17-412, 39-17-414, 39-17-416 respectively.
- (11) "Park" means a piece of property either owned or maintained by the City of Covington where persons regularly gather for recreational purposes or as spectators.
- (12) "Permit" means any permit issued pursuant to this Title.
- (13) "Permittee" means any person to whom any permit has been issued pursuant to this title.
- (14) "Premises" means any building, portion of a building, or property that is utilized for a particular business enterprise.
- (15) "Resident" means any person who at present is living within the City of Covington corporate limits with the intent that his permanent home shall be within such city.
- (16) "Responsible vendor" means a person, corporation or other entity that has been issued a permit to sell beer for off-premises consumption and has received certification by the Tennessee Alcoholic Beverage Commission under the "Tennessee Responsible Vendor Act of 2006," Tennessee Code Annotated § 57-5-606, et seq.
- (17) "Retailer" means any person licensed by the Beer Board who sells beer for consumption and not for resale.
- (18) "Off-Premises permit" means a permit issued by the Beer Board to a retailer engaged in the sale of beer which is not to be consumed by the purchaser upon the premises of such permittee.
- (19) "On-Premises permit" means a permit issued by the Beer Board to a retailer engaged in the sale of beer which is to be consumed by the purchaser only upon the premises of such permittee
- (20) "School" means any institution, including kindergarten, where regular classes are conducted under the supervision of a teacher or instructor, including schools or colleges where specialized subjects are taught to students of all ages. Such term shall include vocational, medical, law, art, cosmetology, and other institutions where similar subjects are taught; provided however, mortuary colleges shall not be included in such term.
- (21) "Sell" means and includes taking or receiving an order for, keeping or exposing for sale, delivering for value, keeping for intent to sell and trafficking in beer.

- (22) "Valid Identification" means (a) a valid driver's license issued by the State of Tennessee or any other state of the United States, (b) United States Active Military identification, (c) a valid passport, (d) valid identification card showing a recent photograph issued by any agency of a state or county for the purpose of identification.

Section 2. Section 8-208 of the City of Covington Municipal Code titled "Privilege tax" shall be deleted in its entirety and replaced with the following:

"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).

- (1) Any person, firm, corporation, joint stock company, syndicate or association engaged in the sale, distribution, storage or manufacture of beer shall remit to tax each successive January 1 to the City of Covington, Tennessee.
- (2) The Beer Board shall mail written notice to each permit holder of the payment date of the annual privilege tax at least thirty (30) days prior to January 1st of each year. Notice shall be mailed to the address specified by the permit holder on its permit application. If a permit holder does not pay the tax by January 31st or within thirty days after written notice of the tax was mailed, whichever is later, then the Beer Board shall notify the permit holder by certified mail that the tax payment is past due. If the permit holder does not pay the tax within ten (10) days after receiving notice of its delinquency by certified mail, then the permit may be suspended, revoked or the permit holder may be given a civil penalty subject to the procedures set forth in Tennessee Code Annotated § 57-5-108 and sections 8-214, 8-215, and 8-216 of this title.
- (3) The City of Covington may use the tax funds for any public purpose.
- (4) 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 payment date.

Section 3. Section 8-210 of the City of Covington Municipal Code titled "Classes of permits" shall be amended by changing the number of permits issued from four (4) to five (5) types, and by amending/adding the following language:

- (2)
 - (a) change the words "hotel restaurant license" to "Food Service Establishment Permit."
 - (f) Provide to the Covington Police Department prior to commencement of employment, the name, address, date of birth, and copy of valid identification of each and every employee for the purposes of ascertaining whether said employee has a criminal record.
- (3)
 - (b) remove the word "card."
 - (c) include copy of valid identification after the words "date of birth."

(4)

(c) Provide a state sales tax number and federal employee's identification number to the City of Covington.

(d) An establishment that holds an off premises permit shall not allow the sale or giveaway of beer through any type of drive-through window.

(e) No beer shall be allowed outside the building of an off premises permit holder for sale, giveaway, or consumption.

(5) Temporary permits. In addition to the permanent permits provided for in this section, the Beer Board shall have the authority to issue temporary permits to bona fide charitable, nonprofit or political organizations upon the same terms and conditions governing permanent permits, including limitations on the hours of sale. Temporary permits shall be issued as one (1) of two (2) types:

(a) A Single Event Permit. A single event permit shall be valid for a maximum period of 3 days, with the actual number of days to be determined by the Beer Board.

(b) A Multiple Event Permit. A multiple event permit may be issued for a fixed number of events during a calendar year, not to exceed six events per calendar year. The exact dates, time and location of each individual event must be approved by the Beer Board at the time of the issuance of the permit. If exact dates are not known at the time of permit issuance, subsequent approval at a future Beer Board meeting must be obtained prior to the event.

(c) Temporary permits do not permit the seller to sell beer anywhere within the city limits of their choosing, but are specific to the location wherein the event is being held. If the seller is found to be selling beer anywhere other than the location where the event is being held that is specified on the permit it will be considered a violation of their permit.

(d) No organization possessing a temporary permit shall purchase, for sale or distribution, beer from any source not properly licensed provided by State law.

(e) Failure of a temporary permittee to abide by the conditions of the permit and all laws of the State of Tennessee and the City of Covington will result in a denial of a temporary permit for the sale of beer for a period of one year

(f) For purposes of this section:

(i) Bona fide charitable or nonprofit organization means any entity which has been recognized as exempt from federal taxes under §501(c) of the Internal Revenue Code (26 U.S.C. §501(c)) or any organization having been existence for at least two (2) consecutive years which expends at least sixty (60%) of its gross revenue exclusively for religious, educational or charitable purposes;

(ii) Bona fide political organization means any political campaign committee as defined in Tennessee Code Annotated §2-10-102 or any political party as defined in Tennessee Code Annotated §2-13-101.

(h) The application for a temporary permit shall set forth the following

information:

- (i) The name, address, and telephone number of the chairperson of the charitable, nonprofit, or political organization seeking a temporary permit;
- (ii) The name, address, and telephone number of the person responsible for beer sales under the permit;
- (iii) The date, time and location when the event will be held;
- (iv) If the event requested to be covered by the temporary permit will be held on land not owned by the applicant, a written statement of approval from the landowner must accompany the application; and
- (v) The hours which beer sales will be conducted during the event.

(6) Events not subject to permit; notice required. Any event which is catered and the caterer has a valid Tennessee Alcoholic Beverage Commission (TABC) license to serve alcohol is not required to obtain a temporary permit. For the safety and welfare of the citizens of the City of Covington, the Beer Board requires prior notice of each event which is catered and not required to obtain a permit. Event coordinators shall furnish to the City of Covington Code Enforcement Officer and the City of Covington Police Chief a copy of the form submitted to the TABC no later than five (5) business days prior to the event.

Section 4. Section 8-212 of the City of Covington Municipal Code titled "Conditions" shall be amended by adding the following language:

(13) The permittee shall maintain an orderly establishment and not be in violation of any health, building or fire department regulations or ordinances of the City of Covington.

(14) The Beer Board, Police Department, Fire Department, and City of Covington Codes Division has the full power and authority to enter, inspect, and investigate any business operated pursuant to any permits issued by the Beer Board, and has full authority to call upon any member of the police and health departments for assistance in the enforcement of the State laws, City ordinances, and rules and regulations of the Beer Board pertaining to the sale or giveaway of beer.

(17) The permittee shall not allow or engage in any criminal activity on the premises.

Section 8-212 of the City of Covington Municipal Code shall be further amended as follows:

"(15) The permittee with an off premises beer permit shall not allow the consumption of beer anywhere on the premises of the permittee" shall be moved to Section 8-210(4)(e).

Section 5. Section 8-213 of the City of Covington Municipal Code titled "Legal hours of sale" shall be amended by adding the following:

(5) It shall be unlawful for any temporary permit holder to make or allow any sale or giveaway of beer between the hours of 12:00 A.M. and 12:00 P.M.

Section 6. Section 8-214 of the City of Covington Municipal Code titled "Suspension and Revocation of beer permits" shall be deleted in its entirety and replaced with the following:

"The Beer Board shall have the power to suspend or revoke any beer permit issued under the provisions of this chapter when the holder thereof is guilty of making a false statement(s) or misrepresentation(s) on his application. The Beer Board shall also have the power to suspend or revoke any beer permit issued in accordance with the provisions of Tennessee Code Annotated § 57-5-108. No beer permit shall be suspended or revoked until a public hearing is held by the board after reasonable notice to all the known parties in interest. Suspension or revocation proceedings may be initiated by the police chief, fire chief, building official, or by any member of the Beer Board."

Section 7. Section 8-215 of the City of Covington Municipal Code titled "Civil penalty in lieu of suspension" shall be deleted in its entirety and replaced with the following:

"The Beer Board may, at the time it imposes a revocation or suspension, offer a permit holder the alternative of paying a civil penalty as follows:

- (1) If the permit holder and the clerk that commit any offense, including making or permitting to be made any sales or giveaway of beer to a minor, have both complied with Tennessee Code Annotated § 57-5-606 then the civil penalty imposed is not to exceed one thousand dollars (\$1,000) for each offense.
- (2) If the permit holder is not a "Responsible Vendor" or has failed to comply with Tennessee Code Annotated § 57-5-606 then a penalty not to exceed two thousand five hundred dollars (\$2,500) may be imposed for each offense of making or permitting to be made any sales or giveaway of beer to a minor, or a civil penalty not to exceed one thousand dollars (\$1,000) for any other offense or offenses.
- (3) If a civil penalty is offered as an alternative to revocation or suspension, the permit holder shall have seven (7) days within which to pay the civil penalty before the revocation or suspension shall be deemed withdrawn.
- (4) In no event shall a permit holder be allowed to pay a civil penalty for a second offense of making or permitting to be made the sale or giveaway of beer to minors."

Section 8. Section 8-216 of the City of Covington Municipal Code titled "Effect of board action" shall be amended as follows:

The sentence "When a permit is revoked, no new permit shall be issued hereunder for the sale or giveaway of beer at the same location or to the same permit holder, as the Beer Board may determine until the expiration of one (1) year from the date of said revocation becomes final" shall be deleted and replaced with the following: "When a permit is revoked, no new permit shall be issued hereunder for the sale or giveaway of beer to the same permit holder or any agents of the permit holder at the same location as the Beer Board may determine until the expiration of one (1) year from the date said revocation becomes final."

Section 9. That the following shall be added to Title 8 of the City of Covington municipal code as section 217:

8-217. **"Brown Bagging" and/or "BYOB"**. This section shall make the unregulated and unlicensed possession and consumption of beer and alcoholic beverages in a business in the City of Covington between the hours of 1:00 a.m. and 6:00 a.m. unlawful.

(1) Between the hours of 1:00 a.m. and 6:00 a.m. during any night of the week and between the hours of 1:00 a.m. on Sunday and 12:00 noon on Sunday it is unlawful for any person to consume beer or an alcoholic beverage not lawfully sold by the business on the premises of any business open for business during these hours in the City.

(2) Between the hours of 1:00 a.m. and 6:00 a.m. during any night of the week and between the hours of 1:00 a.m. on Sunday and 12:00 noon on Sunday it is unlawful for any person to possess an open container of beer or an alcoholic beverage not lawfully sold by the business on the premises of any business open for business during these hours in the City.

(3) Between the hours of 1:00 a.m. and 6:00 a.m. during any night of the week and between the hours of 1:00 a.m. on Sunday and 12:00 noon on Sunday it is unlawful for any owner of a business open for business during these hours in the city to knowingly or intentionally permit any person to possess an open container of beer or an alcoholic beverage not lawfully sold by the business or to consume beer or an alcoholic beverage not lawfully sold by the business on the premises of said business. For the purposes of this section, notice to an agent or employee of a business shall constitute notice to the owner of the business.

(4) Between the hours of 1:00 a.m. and 6:00 a.m. during any night of the week and between the hours of 1:00 a.m. on Sunday and 12:00 noon on Sunday the open display by any person on the premises of a business open for business during these hours of any open container of beer or an alcoholic beverage marked as if for resale and lawfully sold by the business, shall be evidence of a violation of subsection (3) above.

(5) Any owner of a business open between the hours of 1:00 a.m. and 6:00 a.m. during any night of the week and between the hours of 1:00 a.m. on Sunday and 12:00 noon on Sunday, having notice, either actual or constructive, prior to 1:00 a.m. that beer and/or alcoholic beverages not lawfully sold by the business are being consumed on the premises shall at 1:00 a.m. or within a reasonable time thereafter give notice reasonably calculated to inform all persons on the premises that the consumption of beer or alcoholic beverages or the possession of an open container of beer or an alcoholic beverage on the premises is prohibited by this section. Failure of the owner of a business to give notice pursuant to this section, personally or through an agent or employee, shall be unlawful and shall constitute a separate violation of this section. However, such failure shall not provide a defense to prosecution of any person under any other subsections herein.

(6) This section does not prohibit the sale of beer or alcoholic beverages by any business that possesses a valid beer permit or alcoholic beverage license during such hours authorized by the laws of the State and the ordinances of the City, nor does this section prohibit any other conduct permitted under the laws of the State or the ordinances of the City. This section does not prohibit the owner of a business who resides on the premises of the business from consuming beer or alcoholic beverages at any time on the

premises or from possession of an open container of beer or alcoholic beverages at any time on the premises. This section does not prohibit the consumption of beer or alcoholic beverages by any person within the confines of the person's individual room in any hotel within the City.

(8) The provisions of this section are severable. If any provision of this section or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this section which can be given effect without the invalid provisions or application.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect from and after its passage, the public welfare of the corporation demanding it.

Passed by the Board of Mayor and Aldermen of the City of Covington, Tennessee this 28th day of April, 2015.

Passed on 1st Reading: 24th March 2015

Passed on 2nd Reading: 14th April 2015

Passed on 3rd and final Reading: 28th April 2015

ATTEST: Ino C Dunn
Recorder-Treasurer

[Signature]
Mayor

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Tenn. Code Ann. § 57-5-106**Copy Citation**

Current through the 2018 Regular Session.

Tennessee Code Annotated Title 57 Intoxicating Liquors Chapter 5 Beer Part
1 General Provisions

57-5-106. Licensing powers of cities, towns, and Class B counties.

(a) All incorporated cities, towns and Class B counties in this state are authorized to pass proper ordinances governing the issuance and revocation or suspension of licenses for the storage, sale, manufacture and/or distribution of beer within the corporate limits of the cities and towns and within the general services districts of Class B counties outside the limits of any smaller cities as defined in § 7-1-101 and to provide a board of persons before whom such application shall be made, but the power of such cities, towns and Class B counties to issue licenses shall in no event be greater than the power herein granted to counties, but cities, towns and Class B counties may impose additional restrictions, fixing zones and territories and provide hours of opening and closing and such other rules and regulations as will promote public health, morals and safety as they may by ordinance provide. The ordinance power granted to a municipality by this subsection (a) does not permit a municipality to establish residency requirements for its applicants. The ordinance power granted to a municipality by this section does not permit a municipality to impose training or certification restrictions or requirements on employees of a permittee if those employees possess a server permit issued by the alcoholic beverage commission pursuant to chapter 3, part 7 of this title.

(b) Cities, towns and Class B counties may authorize the sale of beer in the rooms of regularly conducted hotels and motels and in regularly incorporated clubs and lodges.

(c)

(1) Notwithstanding subsection (a), any county that is the owner of property used as a park that is within the corporate boundaries of a municipality within that county has the exclusive authority to issue, revoke, and suspend licenses for the storage, sale, manufacture, and distribution of beer within the boundaries of the park consistent with the county rules governing the issuance, revocation, and suspension of licenses for other locations in the county, except there is no restriction of distance from residences or churches, schools, or other public gathering places.

(2) This subsection (c) applies only in counties with a population of not less than one hundred seventy-two thousand three hundred (172,300) nor more than one hundred seventy-two thousand four hundred (172,400), according to the 2010 federal census or any subsequent federal census.



MEMORANDUM

TO: City of Covington Finance & Administration Committee Members
FROM: Rachel Witherington, City Attorney
DATE: January 14, 2019
SUBJECT: Requiring Beer Permit Applicants to be certified Responsible Vendors through the Alcoholic Beverage Commission

Question: Can the City of Covington pass an amendment to its beer ordinance requiring any applicant for a beer permit, whether it is an initial permit or a renewal of an existing permit, to be certified as a Responsible Vendor pursuant to the Tennessee Responsible Vendor Act?

Short Answer: No in some cases, and not advisable in others

History & Analysis:

History: Since the majority of the Board members have been recently sworn in and may be unfamiliar with this subject I will include a brief explanation of the Board's power when it comes to regulating the sale of beer and the Responsible Vendor Program. Generally, municipalities have broad authority to regulate the sale of beer within the city limits so long as those regulations don't conflict with state laws. Municipalities may prohibit the sale of beer all together in the city limits, or restrict the sale of beer to specific areas of the city, establish minimum distances from residences, schools, churches and other public gathering places, set certain hours during which beer can be sold, and other regulations or restrictions that protect the "public health, morals and safety." The City's ordinance governing the sale of beer sets forth restrictions on times, distance from schools and churches, and sets the maximum penalties for violations of the ordinance, among other things.

There are, of course, certain restrictions placed on the power of municipalities to regulate such activities by state law. For example, the

Responsible Vendor Act, which narrowed the City's regulatory authority when it comes to the sale of beer. The Responsible Vendor Program (RVP) requires participating vendors to comply with specific employee training, universal customer identification for the sale of beer, and mandatory posting of signage on their premises. In exchange for complying with the program's requirements, "Responsible vendors" are subject to reduced penalties for the illegal sale of beer to minors. If a vendor sells beer to a minor and is *not* a certified responsible vendor then they are subject to (1) suspension of their beer permit; (2) revocation of their beer permit; or (3) a civil penalty in lieu of suspension or revocation not to exceed \$2,500 per offense of selling beer to a minor or \$1,000 for any other offense. On the other hand, if they *are* a certified responsible vendor they are only subject to a maximum penalty of \$1,000, regardless of the offense, **and** their permit cannot be suspended or revoked unless there are two violations for selling beer to minors within any 12-month period. That is a significant discrepancy that should incentivize vendors to get their certification as a responsible vendor.

Analysis: The answer as to whether or not the City can *require* all beer permit holders to be certified responsible vendors is definitively "no." Tennessee Code Annotated § 57-5-106 says, among other things, *"The ordinance power granted to a municipality by this section does not permit a municipality to impose training or certification restrictions or requirements on employees of a permittee if those employees possess a server permit issued by the alcoholic beverage commission."*

Server permits are required by any retail food establishment that serves or sells alcohol *other than beer* for on premises consumption, and are granted by the Tennessee Alcoholic Beverage Commission (ABC). I confirmed with the ABC that the training for "server permits" and "responsible vendor certification" covers the same material regarding underage consumption of alcohol. Regardless, the City cannot require any beer permit holder whose employees

have server permits to be Responsible Vendors. Furthermore, all retail package stores, grocery stores and any other food retailer that sell beer and wine are required by state law to be certified responsible vendors in order to obtain and keep their license.

Therefore, the only class of permits the City could possibly require to have responsible vendor certification is Off-Premises vendors that do not also sell wine or liquor – convenience stores, gas stations and the like. While this class of permit holders is fairly easily identifiable, passing a new requirement that only applies to a certain class of permit holders may pose legal liability to the City. While the City has powerful authority to regulate the sale of beer or even prohibit the sale of beer all together in the city limits, anytime the imposition of a rule would only apply to a select class of permit holders and not others unequal application of the law is a likely result.

There are, however, other regulations the City could put into place to further incentivize beer permit holders in the City to become certified responsible vendors. For example:

1. The Board could lower the maximum fine for offenses of responsible vendors from \$1,000;
2. The Board could pass written policies and procedures for the beer board to suspend or revoke permits of vendors that are caught selling beer to a minor twice in 18 or 24 months;
3. If the Board chooses to pass policies and procedures it could determine that any vendor caught selling beer to a minor that is not a certified responsible vendor will be fined the maximum amount of \$2,500 or face a 6 month suspension of their permit.

In addition to those possible modifications of our ordinance to further incentivize vendors to be a part of the responsible vendor program, the following paragraph needs to be added to the current beer ordinance. State law requires that the beer board report the name of a clerk of any certified responsible vendor who sold beer to a minor within fifteen (15) days of that determination.

Loss of clerk's certification for sale to minor. If the beer board determines that a clerk of an off-premises beer permit holder

certified under Tennessee Code Annotated, §57-5-606, sold beer to a minor, the beer board shall report the name of the Clerk to an alcoholic beverage commission within fifteen (15) days of determination of the sale. The certification of the clerk shall be invalid, and the clerk may not reapply for a new certificate for a period of one (1) year from the date of the beer board's determination. 57-5-607

Obviously, the regulation and sale of beer and other intoxicating liquors in the State of Tennessee is complex. Different agencies have regulatory authority based on what you sell, and there are different requirements within each regulatory agency. The bottom line that this board needs to remember is any business that has the privilege of selling beer in the city limits of Covington does so because you have given them that privilege. You have the authority to revoke that privilege if they cannot do so responsibly.



Rachel K. Witherington

Drug Free Tipton

Responsible Vendor FAQ

- What is Responsible Vendor Training?

Responsible Vendor Training is a course that includes important information about employee and company liability, laws regulating the sale of alcohol, how to properly check IDs, and company policy.

- Where is the Responsible Vendor training offered?

You can get information on training that is offered through Drug Free Tipton. Contact Sierra Butler at drugfreetipton@gmail.com or call (901) 378-0545.

- What is the cost of the training?

The online training is 15.00 and Tipton County Coalition will gladly do a private classroom for ——— (per person?)

- What is the difference in Responsible Vendor training and being a Certified Responsible Vendor?

Having the training will help you better understand the laws regulating the sale of alcohol and can also greatly reduce insurance premiums. This is the training your Beer Board is requiring for all employees.

To be a Certified Responsible Vendor a business must go through steps to register with the Tennessee Alcoholic Beverage Commission for each location they would like to have certified. Once all of the requirements have been completed and fees paid, each store will have a certification from the TABC.

- What is the advantage of being a Certified Responsible Vendor?

Responsible Vendors cannot be fined more than 1500.00 or have their license revoked on the first offense of selling to a minor. This is true for the second offense if it is not within one (1) year of the first.

However, if a Responsible Vendor is cited for selling alcohol to a minor within a certain amount of time the TABC will revoke the certification and the Beer Board can take whatever measures they see fit.

- What is the process of becoming a Certified Responsible Vendor?

Please contact the training department at the Tennessee Alcoholic Beverage Commission for this information.

County, Tennessee
Board of Commissioners

RESOLUTION NO.

**RESOLUTION REQUIRING MINIMUM MANDATORY TRAINING
REQUIREMENTS FOR EMPLOYEES OF BEER PERMIT HOLDERS**

WHEREAS, in order to protect the health, safety and welfare of _____ County citizens, the
County Beer Board desires to adopt minimum mandatory training requirements for all
employees of beer permit holders; and

WHEREAS, *Tennessee Code Annotated, Section 57-5-105 (j)* provides that:

A county legislative body may impose training or certification restrictions or
requirements on employees of a permit holder, but such restrictions or
requirements shall not apply to any employee who is possessed of a server permit
issued by the alcoholic beverage commission pursuant to chapter 3, part 7 of this
title.

WHEREAS, the Beer Board passed this resolution by unanimous vote on May 27, 2014 and
strongly encourages the Board of Commissioners approve this measure for the safety of all
citizens.

NOW THEREFORE, BE IT RESOLVED by the _____ County Board of Commissioners
meeting in regular session this 21st day of July 2014 that:

Section 1: No person holding a permit or license to sell beer in the county, outside the
municipal limits of _____ shall allow any
employee to sell or serve beer unless that employee has attended and completed a program of
alcoholic beverage sale or server instruction approved and certified by the Tennessee Alcoholic
Beverage Commission.

Section 2: No employee of a person holding a beer permit or license to sell beer in the
county, outside the municipal limits of _____
shall be allowed to sell or serve beer unless that person has attended and completed a program of
alcoholic sale or server instruction approved and certified by the Tennessee Alcoholic Beverage
Commission.

- A) New employees of permit holders will have thirty (30) days to obtain proper
certification from the date of hire.
- B) Certificate of training is transferable between alcohol outlets except for outlets
that are certified Responsible Vendors by the Tennessee Alcoholic Beverage
Commission.

C) Employees holding a valid Tennessee Alcoholic Beverage Commission certification or license shall be exempt from the terms of this resolution.

Section 3: Employees of permit holders shall annually complete a program of alcoholic sale or server instruction approved and certified by the Tennessee Alcoholic Beverage Commission.

Section 4: Documentation demonstrating compliance with the terms of this resolution shall be maintained on premises and shall be available for inspection by proper authorities at all times.

Section 5: The County Beer Board may issue Show Cause Orders to any permit holders or employees to command their presence and answer charges before the Board upon information and belief received that a violation of this resolution has occurred.

Section 6: Failure to comply with annual training requirements will result in the suspension of a beer permit for up to ten (10) days, or in the alternative, the imposition of a monetary fine. Underage sales violation shall be punishable by permit suspension, revocation and/or monetary fines commensurate with the attached *Exhibit 1*.

Section 7: The County Clerk shall cause a copy of this resolution to be mailed to all beer permit holders within thirty (30) days of passage and all new applicants shall be provided a copy of this resolution at the time of application.

Section 8: The terms of this resolution are hereby incorporated by reference in the County Beer Board Rules and Regulations.

Section 9: If any provision of this resolution shall be invalidated by a court of law the remaining sections shall remain valid, effective and enforceable.

Section 10: This resolution shall take effect ninety (90) days from the date of passage of this Resolution.

DULY RESOLVED, PASSED AND APPROVED this day of .

, County Commission Chair

, County Mayor

ATTEST:

County Clerk

EXHIBIT 1

A vendor whose agent sells or distributes beer to a minor shall be guilty of an offense and shall be punished by the Anderson County Beer Board as follows:

- (1) For a first offense:
 - (a) a vendor who has received certification from the Alcoholic Beverage Commission pursuant to the Tennessee Responsible Vendor Act of 2006 shall be fined not less than five hundred (\$500.00) dollars nor more than one thousand (\$1,000.00) dollars in lieu of suspension; or,
 - (b) a vendor who has not received certification from the Alcoholic Beverage Commission shall be fined not less than five hundred (\$500.00) dollars nor more than two thousand, five hundred (\$2,500.00) dollars in lieu of suspension.
- (2) For a second offense:
 - (a) a vendor who has received certification from the Alcoholic Beverage Commission pursuant to the Tennessee Responsible Vendor Act of 2006 shall be fined one thousand (\$1,000.00) in lieu of suspension; or,
 - (b) a vendor who has not received certification from the Alcoholic Beverage Commission shall be fined not less than one thousand (\$1,000.00) dollars nor more than two thousand, five hundred (\$2,500.00) dollars in lieu of suspension.
- (3) A vendor who is guilty of an offense shall not be considered a repeat or multiple offender and subject to the enhanced penalties described in this section if twenty-four (24) or more months have elapsed between the date of the present offense and the date of any preceding violations.
- (4) A Responsible Vendor's certification shall be revoked if it has two (2) offenses within a twelve (12) month period.
- (5) All fines shall be paid within seven (7) calendars days of assessment or permit will be suspended on the 8th day.

RESOLUTION NO. _____

WHEREAS, the City of Covington (hereinafter referred to as "City"), a Tennessee municipal corporation, has been vested with substantial power to regulate the use and zoning of real property for the purposes of maintain the health, morals, safety, security, peace and general public welfare of the city and its residents, which includes the governmental purpose of implementing moratoria for the reasons stated herein; and

WHEREAS, the City's Board of Mayor and Aldermen (hereinafter referred to as "Board") considers it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and City residents; and

WHEREAS, the concept of general public welfare is broad and inclusive, and it is within the power and prerogative of the Board to determine and ensure that development be implemented in the best interests of the City as a whole; and

WHEREAS, the US Highway 51 corridor has irregular zoning districts that has resulted in disorderly development resulting in disproportionate impacts on City resources, irregular aesthetic qualities, and negatively impacted property values of adjacent and neighboring properties; and

WHEREAS, the Board has determined it to be in the best interests of the City and its residents to maintain the status quo on the US Highway 51 corridor by imposing a six (6) month moratorium, as set forth in more detail below, temporarily halting both the acceptance of new applications for new development, rezoning, text amendments or variances and the processing of applications for new development, rezoning, text amendments or variances in all B-2 City/Highway Orientated Business District and in R-1 City/Low Density Residential District and R-2 City/Medium Density Residential Districts that are contiguous with US Highway 51. Excepted from this moratorium are new developments in the above listed districts that have already been approved at any stage of the development process by the City; and

WHEREAS, the purpose of the temporary moratorium is to allow the City an opportunity to study, research, analyze the irregular zoning districts on the US Highway 51 corridor and their impacts on the general welfare of the City of Covington, Tennessee and its citizens, and study, research, analyze and/or assess the likely impacts and nature of any future development in the above listed zoning districts including, without limitation and as the City deems appropriate, development and demographic trends, aesthetic qualities, burdens upon and access to City services, resources, schools, infrastructure, utilities, parks, public areas/facilities, and emergency and police services, traffic congestion, public safety, and neighborhood characteristics; and

WHEREAS, based upon the conclusions and opinions of City officials after studying the zoning along the US Highway 51 corridor as set forth hereinabove, work with the Municipal Planning Commission to amend the Municipal Zoning Ordinance to promote more orderly development along US Highway 51 that preserves the public welfare.

WHEREAS, said moratorium is in the best interests of the health, welfare, and safety of the City and its residents, and also wholly consistent with the police and other powers vested in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF COVINGTON, TENNESSEE, that, except as otherwise provided herein, a six (6) month moratorium is hereby imposed, effective upon the adoption of this resolution, to (1) temporarily halt the acceptance of applications for new development, rezoning, text amendments or variances in the B-2 City/Highway Orientated Business District and in parcels zoned R-1 and/or R-2 that are contiguous with US Highway 51, and (2) temporarily halt the processing of applications and/or issuance of building permits in the B-2 City/Highway Orientated Business District and in parcels zoned R-1 and/or R-2 that are contiguous with US Highway 51.

BE IT FURTHER RESOLVED, that notwithstanding the foregoing, this moratorium shall not apply to any new development, rezoning, text amendments or variances in the B-2 City/Highway Orientated Business District and in parcels zoned R-1 and/or R-2 that are contiguous with US Highway 51 that have already been approved at any stage of the process by the City, including any of its boards, departments, or commissions. However, said developments or approvals otherwise remain subject to all existing approval requirements of the city.

BE IT FURTHER RESOLVED, that, unless further extended, this moratorium shall expire on March 10, 2020.

APPROVED AND ADOPTED by the Board of Mayor and Aldermen of the City of Covington this 10th day of September, 2019, the public welfare requiring it.

Justin Hanson, Mayor

Tina Dunn, City Clerk/Recorder

RESOLUTION NO. _____

A RESOLUTION of the City of Covington, Tennessee to study the benefits and amend the Municipal Zoning Ordinance creating a Design Review Commission.

WHEREAS, *Tennessee Code Annotated* § 6-54-133 authorizes municipalities to create a Design Review Commission; and

WHEREAS, pursuant to the City of Covington Vision and Strategic Plan blight removal and code enforcement issues are top priorities of the citizens of the City of Covington; and

WHEREAS, the City has an interest in maintain and improving the aesthetic beauty of the community and in preserving and promoting high-quality design standards;

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF COVINGTON, TENNESSEE THAT:

The Code Enforcement Department, city planner, city attorney and the Municipal Planning Commission shall further study the benefits of creating a Design Review Commission pursuant to T.C.A. § 6-54-133 and amend the Municipal Zoning Ordinance creating said commission.

This resolution shall take effect from and immediately after its passage, the public welfare requiring it.

APPROVED AND ADOPTED by the Board of Mayor and Aldermen of the City of Covington this 10th day of September, 2019

Justin Hanson, Mayor

Tina Dunn, City Clerk/Recorder

Process for City Alleys being deeded to Citizens

10-15-19

1 – Request must be in writing and accompanied by a GIS map with the alley marked. Submitted to the Codes Compliance Department.

2 – City staff researches for utilities, easements, land locked lots and any other reason the property should not be sold.

3 – City staff contacts applicant(s) about findings.

4 – City staff sends letters to all property owner(s) that adjoin the property

A- making them aware of the request

B- informing them they have the right to acquire a portion of the alley that adjoins their property

C- includes information on the process, the applicant(s) contact information, and informs them that they may be responsible for a portion of the cost of the survey, appraisal, closing cost and all other expenses that may be involved.

D. Informs them that if they are wishing to acquire property, they must submit a request in writing and be present at the next regularly scheduled F & A meeting. The date, time and location of meeting is provided.

5 - Property owner(s) have the necessary documents performed and proof of payment in full for the services.

6 – Property owner(s) once again request to be on the next regularly scheduled F & A meeting agenda to present results of the survey and appraisal for consideration by the Committee.

7 – F & A meeting minutes are considered for approval at the next regularly scheduled Board of Mayor and Alderman meeting.

8 – A closing date may now be scheduled.

OWEN | JENKINS | DEDMON | WITHERINGTON

LAW GROUP LLP

W. Lewis Jenkins, Jr. ♦*Δ
Dean P. Dedmon ♦
Mark L. Hayes ◇
David Owen
Rachel K. Witherington
Leah F. Keiser
Thomas D. Forrester ◊

October 15, 2019

♦ Licensed in Tennessee & Missouri
* LL.M (Taxation)
Δ Board Certified Civil Trial Advocate
◇ Rule 31 Mediator
◊ Retired

Writer's Email:

Rwitherington@lexverum.com

Mr. Justin M. Hanson, Mayor
Mr. C.H. Sullivan, Chairman
Members of the City of Covington Finance & Administration Committee
200 W. Washington Ave.
Covington, TN 38019

Re: Use of Gas Utility Revenues for Economic Organizations

Dear Mayor & Board Members:

I write this letter as an official opinion regarding appropriate use of gas utility revenues to fund "chambers of commerce and economic and community organizations" as set forth in *Tennessee Code Annotated* § 7-34-115(b). The Revenue Bond Law, of which this statute is a part, was amended in the spring of 2018 to include the authorization to use gas utility revenues to fund chambers of commerce and economic and community organizations. For the last two budget cycles the City has provided funding for the Covington-Tipton County Chamber of Commerce pursuant to this law.

The question posed to me now is whether the use of gas utility revenues to partially assist in the purchase of real property for the purposes of industrial development, in conjunction with Tipton County, HTL Advantage, and the Industrial Development Board, meets the requirements under the law. After discussion with consultants and attorneys with MTAS the unanimous conclusion is that HTL Advantage *would be considered* an "economic organization" and, therefore, transferring funds to them for this specific purpose *does* comply with the law. Not only does HTL Advantage promote and recruit new industry to our community, it is also focused on workforce development and develops and implements programs to sustain industrial growth. Given that mission, I believe HTL Advantage clearly meets the definition of "economic and community organization."

The one condition the statute places on the use of gas utility revenues to fund economic organizations is that "rates on customers cannot be raised to cover contributions targeted for economic development efforts." Given that the balance of the gas utility fund is over \$11 million after last year's audit I see no conceivable reason gas utility rates would increase, and certainly doing so would run afoul of the statutory language.

Sincerely,


Rachel K. Witherington

RESOLUTION

A RESOLUTION AUTHORIZING REVENUE FROM THE NATURAL GAS UTILITY SYSTEM TO BE APPROPRIATED TO HTL ADVANTAGE FOR ECONOMIC DEVELOPMENT PURPOSES

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Covington finds that the rates charged to natural gas utility system customers are fair and equitable; and

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Covington has determined that the natural gas utility system has sufficient revenue to satisfy all obligations as required by Tennessee Code Annotated, § 7-34-115(a); and

WHEREAS, the State of Tennessee in *Tennessee Code Annotated Section*, 7-34-115(a)(2) authorizes either a municipal utility board with management responsibility for a municipal utility system that is a natural gas utility system or a municipal governing body, if there is no such board, to contribute revenue from the system to fund chambers of commerce and economic and community organizations; and

WHEREAS, the attorney for the City of Covington, after consultation with the Municipal Technical Advisory Service and Comptroller of the Treasury for the State of Tennessee, has opined in writing that HTL Advantage meets the definition of "economic and community organization" as that term is used in *Tennessee Code Annotated* § 7-34-115(a)(2) due to its mission of economic development, improvement of existing business, and recruitment of new industry to our community, and the fact that HTL Advantage works with other state and local community organizations like the Tennessee Valley Authority, local electric service providers, Tennessee Economic Development Council, West Tennessee Industrial Association, Real Estate Disposition Corporation, the Covington-Tipton County Chamber of Commerce and Tipton County Schools to meet its goals and promote economic development in our city.

WHEREAS, the municipal utility board with management responsibility for the natural gas utility system in the City of Covington desires to contribute revenue from the natural gas utility system to HTL Advantage for the purpose of HTL Advantage to purchase, in conjunction with Tipton County, Tennessee and the Covington Industrial Development Board, approximately 65 acres of real estate located on US Highway 51 and contiguous to the existing industrial park and real estate currently owned by the Covington Industrial Development Board. Title to the purchased real estate will be held by the Covington Industrial Development Board;

WHEREAS, the purpose for partially funding HTL Advantage in purchasing the real estate is to expand the City's existing industrial park and to have a prime industrial site located on a major US highway, contiguous to a major railway, and less than an hour away from other major modes of transportation in Memphis, Tennessee;

NOW, THEREFORE, BE IT RESOLVED by the Covington municipal utility board with management responsibility for the natural gas utility system in the City of Covington, Tennessee:

Section 1. Under the authority of Tennessee Code Annotated, § 7-34-115(a)(2), \$560,000 of gas utility system revenue is appropriated to HTL Advantage from the municipal utility board with management responsibility for the natural gas utility system in the City of Covington for the purpose of assisting in the purchase of approximately 65 acres of real estate to be marketed as a prime industrial site to new industry, and other economic development purposes.

Section 2. Pursuant to Tennessee Code Annotated, § 7-34-115(a)(2), customer rates will not be raised to in order to make this contribution, targeting economic development efforts.

Section 4. This resolution shall take effect from and after its final passage, the public welfare requiring it.

Passed on: October 22, 2019

SIGNED: _____
Mayor

ATTEST: _____
Recorder-Treasurer

RESOLUTION

CITY OF COVINGTON, TN

WHEREAS, the Tennessee Department of Transportation has responsibility for the administration of the Tennessee Department of Transportation-Multimodal Access Grant which is designed to assist communities in their efforts to enhance transportation concerns.

WHEREAS, the City of Covington, acting by and through its Mayor and Board of Aldermen proposes to apply for Multimodal funds for the purpose of performing eligible transportation activities that will benefit the majority of the residents of the City of Covington.

WHEREAS, the City of Covington will provide local financial support in conjunction with the Multimodal funds to complete the project, and,

WHEREAS, the City of Covington, as a recipient is required to designate and appoint a Financial Officer to perform certain duties in the administration of said grant.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Covington as follows:

THAT, Mayor Justin Hanson is hereby authorized to execute and submit an application with appropriate assurances to the State of Tennessee, Department of Transportation, requesting Fiscal Year 2019 Multimodal funds for the 2019 City of Covington Multimodal Access Grant.

THAT, the City of Covington will be responsible for the local cash/match toward the project to be provide in full by the general account; and

THAT, Mayor Justin Hanson be and is hereby designated and appointed as Financial Officer and to perform on behalf of the City of Covington, Tennessee, those acts and assume such duties as are consistent with said position.

READ AND ADOPTED this the _____ day of _____, 2019.

CITY OF COVINGTON

Mayor

ATTEST:



Covington Civic Center

October, 2019

Covington Mayor and Board
200 West Washington Avenue
Covington TN 38019

As the City of Covington's Events Coordinator, I would like to request permission for the annual Covington Christmas Parade, scheduled for Tuesday, December 3, 2019. As always with the parade, it is necessary to have assistance from the police, fire, and public works departments, helping with street closures and crowd control.

Parade participants are asked to line up in front of Covington High School Athletic Field on South College beginning at 5:30 pm. The parade will begin at 7:00 pm.

The parade route, from CHS Athletic Field, will head North on College to Sherrod; turn right on Sherrod to Main; North on Main to Court Square; around the Square to Liberty; West on Liberty to College; South on College; and continue back to CHS Athletic Field parking lots to disband.

Respectfully submitted,

Karen Griffin
Events Coordinator, City of Covington

MONTH TO DATE (2.75%)

REC/SALE	ACTUAL 2018-19	ACTUAL 2019-20	MONTH INC/(DEC)	MONTH INC/DEC %
SEPT/JUL	\$ 305,803	\$ 312,834	\$ 7,031	2.3
OCT/AUG	\$ 304,241	\$ 317,982	\$ 13,741	4.5
NOV/SEP	\$ 293,470	\$ -	\$ -	
DEC/OCT	\$ 293,024	\$ -	\$ -	
JAN/NOV	\$ 310,643	\$ -	\$ -	
FEB/DEC	\$ 380,475	\$ -	\$ -	
MAR/JAN	\$ 280,318	\$ -	\$ -	
APRIL/FEB	\$ 281,071	\$ -	\$ -	
MAY/MAR	\$ 332,855	\$ -	\$ -	
JUNE/APR	\$ 325,078	\$ -	\$ -	
JULY/MAY	\$ 335,012	\$ -	\$ -	
AUG/JUNE	\$ 313,072	\$ -	\$ -	

TOTAL

YEAR TO DATE (2.75%)

REC/SALE	ACTUAL 2018-19	ACTUAL 2019-20	MONTH INC/(DEC)	MONTH INC/DEC %
SEPT/JUL	\$ 305,803	\$ 312,834	\$ 7,031	2.3
OCT/AUG	\$ 610,044	\$ 630,816	\$ 20,772	3.4
NOV/SEP	\$ 903,514	\$ -	\$ -	
DEC/OCT	\$ 1,196,538	\$ -	\$ -	
JAN/NOV	\$ 1,507,181	\$ -	\$ -	
FEB/DEC	\$ 1,887,656	\$ -	\$ -	
MAR/JAN	\$ 2,167,974	\$ -	\$ -	
APRIL/FEB	\$ 2,449,045	\$ -	\$ -	
MAY/MAR	\$ 2,781,900	\$ -	\$ -	
JUNE/APR	\$ 3,106,978	\$ -	\$ -	
JULY/MAY	\$ 3,441,990	\$ -	\$ -	
AUG/JUNE	\$ 3,755,062	\$ -	\$ -	



Department of
Revenue

City/County Clerk Monthly Summary

Welcome, Tina Dunn

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If you are looking for historical data reports for periods prior to May 2018 for business tax and March 2017 for sales tax, please go to the [Business Intelligence Portal](#) and use your existing login information.

Month	Year	Search	Export
09 - September	2019		
Filter			
Collected In	Collections Type	Amount	
8401 - Covington	Business Tax	-15,928.43	
8401 - Covington	Local Option - DOR Admin Fee	1,120.99	
8401 - Covington	TV Telecom	-758.23	
8401 - Covington	Liquor by the Drink	-2,539.37	
8401 - Covington	Local Option	-99,643.23	
8401 - Covington	State Sales	-69,901.13	
8401 - Covington	Local Option - DOR Admin Fee	5,044.46	
8401 - Covington	Local Option	-448,396.69	
8 Rows		-631,001.63	

$$\begin{array}{r}
 443,352.23 / 2 = \\
 \underline{221,676.12} \\
 2,216.76 \\
 \underline{219,459.36} \\
 98,522.24 \\
 \underline{317,981.60}
 \end{array}$$



RESOLUTION NO. _____

WHEREAS, the City of Covington (hereinafter referred to as "City"), a Tennessee municipal corporation, has been vested with substantial power to regulate the use and zoning of real property for the purposes of maintaining the health, morals, safety, security, peace and general public welfare of the City and its residents, which includes the governmental purpose of implementing moratoria for the reasons stated herein; and

WHEREAS, the City's Board of Mayor and Aldermen (hereinafter referred to as "Board") considers it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and City residents; and

WHEREAS, the concept of general public welfare is broad and inclusive, and it is within the power and prerogative of the Board to determine and ensure that development be implemented in the best interests of the City as a whole; and

WHEREAS, the US Highway 51 corridor has irregular zoning districts that has resulted in disorderly development resulting in disproportionate impacts on City resources, irregular aesthetic qualities, and negatively impacted property values of adjacent and neighboring properties; and

WHEREAS, the Board has determined it to be in the best interests of the City and its residents to maintain the status quo on the US Highway 51 corridor by imposing a three (3) month moratorium, as set forth in more detail below, temporarily halting both the acceptance of new applications for new development, rezoning, text amendments or variances and the processing of applications for new development, rezoning, text amendments or variances in all B-2 City/Highway Orientated Business District and in R-1 City/Low Density Residential District and R-2 City/Medium Density Residential Districts that are contiguous with the US Highway 51 Corridor. Excepted from this moratorium are new developments in the above listed districts that have already been approved at any stage of the development process by the City; and

WHEREAS, the purpose of the temporary moratorium is to allow the City an opportunity to study, research, analyze the irregular zoning districts on the US Highway 51 corridor and their impacts on the general welfare of the City of Covington, Tennessee and its citizens, and study, research, analyze and/or assess the likely impacts and nature of any future development in the above listed zoning districts including, without limitation and as the City deems appropriate, development and demographic trends, aesthetic qualities, burdens upon and access to City services, resources, schools, infrastructure, utilities, parks, public areas/facilities, and emergency and police services, traffic congestion, public safety, and neighborhood characteristics; and

WHEREAS, based upon the conclusions and opinions of City officials after studying the zoning along the US Highway 51 corridor as set forth hereinabove, work with the Municipal-Regional Planning Commission to amend the Municipal Zoning Ordinance to promote more orderly development along the US Highway 51 Corridor that preserves the public welfare.

WHEREAS, said moratorium is in the best interests of the health, welfare, and safety of the City and its residents, and also wholly consistent with the police and other powers vested in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF COVINGTON, TENNESSEE, that, except as otherwise provided herein, a three (3) month moratorium is hereby imposed, effective upon the adoption of this resolution, to (1) temporarily halt the acceptance of applications for new development, rezoning, text amendments or variances in the B-2 City/Highway Orientated Business District and in parcels zoned R-1 and/or R-2 that are contiguous with the US Highway 51 Corridor, and (2) temporarily halt the processing of applications and/or issuance of building permits in the B-2 City/Highway Orientated Business District and in parcels zoned R-1 and/or R-2 that are contiguous with the US Highway 51 Corridor.

BE IT FURTHER RESOLVED, that notwithstanding the foregoing, this moratorium shall not apply to any new development, rezoning, text amendments or variances in the B-2 City/Highway Orientated Business District and in parcels zoned R-1 and/or R-2 that are contiguous with the US Highway 51 Corridor that have already been approved at any stage of the process by the City, including any of its boards, departments, or commissions. However, said developments or approvals otherwise remain subject to all existing approval requirements of the City.

BE IT FURTHER RESOLVED, that, unless further extended, this moratorium shall expire on January 30, 2020.

APPROVED AND ADOPTED by the Board of Mayor and Aldermen of the City of Covington this 22nd day of October, 2019, the public welfare requiring it.

Justin Hanson, Mayor

Tina Dunn, Recorder-Treasurer

RESOLUTION NO. _____

A RESOLUTION of the City of Covington, Tennessee to study the benefits and amend the Municipal Zoning Ordinance creating a Design Review Commission.

WHEREAS, *Tennessee Code Annotated 6-54-133* authorizes municipalities to create a Design Review Commission; and

WHEREAS, pursuant to the City of Covington Vision and Strategic Plan blight removal and code compliance issues are top priorities of the citizens of the City of Covington; and

WHEREAS, the City has an interest in maintaining and improving the aesthetic beauty of the community and in preserving and promoting high-quality design standards;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMAN OF THE CITY OF COVINGTON, TENNESSEE THAT: The Code Compliance Department, city planner, city attorney and the Municipal-Regional Planning Commission shall further study the benefits of creating a Design Review Commission pursuant to T.C.A. 6-54-133 and recommend amending the Municipal Zoning Ordinance creating said Commission.

This Resolution shall take effect from and immediately after its passage, the public welfare requiring it.

APPROVED AND ADOPTED by the Board of Mayor and Alderman of the City of Covington this 22nd day of October, 2019.

Justin Hanson, Mayor

Tina Dunn, Recorder-Treasurer

[illegible]