



McMinnville

WARREN CO. | TN

• WHERE LIFE'S IN FULL BLOOM •

City of McMinnville Elected Officials Training Manual 2024



Table of Contents

Structure and Overview	6
Charter	6
History	6
Relationship with Warren County and “the Lawsuit”	6
Board of Mayor and Aldermen (BoMA)	6
Boards & Commissions	7
Personnel Roles.....	7
Personnel	7
City Administrator	7
City Recorder.....	7
Finance Director/Treasurer.....	7
City Attorney	7
Director of Public Works	8
Director of Water and Wastewater	8
Police Chief.....	8
Fire Chief	8
Director of Community Development	8
Director of Parks and Recreation	8
Human Resources Director	8
Information Technology Manager	8
Tourism & Marketing Manager.....	9
Organizational Charts.....	9
Board of Mayor & Aldermen.....	9
Qualifications	9
Term of Office	9
Electing Vice Mayor	10
Role of Mayor and Vice Mayor and Line of Succession	10
Role of Board of Mayor and Aldermen	10
Role Quick Reference Charts.....	11
Meetings (Types and Schedules).....	12
Regular Meetings	12

Special Meetings	12
Public Hearings.....	12
Agendas and Packets	16
Meeting Order	16
Meeting Decorum	17
Robert’s Rules of Order.....	17
Motions	17
Discussion/Debate	17
Method of Voting.....	17
Audience	17
Public Meeting & Agenda Policy	13
Minutes	16
Quorum	17
Ordinances and Resolutions	18
Code of Ethics and Conflicts of Interest.....	18
Compensation and Benefits.....	18
Boards & Commissions	18
Board of Zoning Appeals.....	18
Historic Zoning Commission.....	18
McMinnville Regional Planning Commission	19
Board of Adjustment Appeals	19
Board of Public Utilities.....	19
Alcoholic Beverage Board	19
Housing Authority	19
Industrial Development Board of McMinnville/Warren County (IDB)	19
McMinnville Downtown Revenue Finance Corporation (MDRFC)	20
Park Theater Advisory Board (PTAB).....	20
Tourism Advisory Committee	20
Committees of the BoMA	20
Appointment and Composition of Standing Committees.....	20
Finance Committee	20
Water & Sewer Committee.....	20
Safety Committee	21
Street & Sanitation Committee.....	21
Building & Grounds Committee	21

Parks & Recreation Committee.....	21
Tourism & Marketing Committee	21
State of Tennessee Oversight	21
Open Meetings Law	21
Open Records Law	21
State Comptroller Oversight	22
Public Notice of Meetings	22
Title VI	22
State Statutes Applying to Municipal Officials and Employees	22
Campaign Finance	22
Conflicts of Interest.....	22
Conflict of Interest Disclosure Statements	23
Consulting Fee Prohibition for Elected Municipal Officials.....	24
Crimes of Official Misconduct.....	25
Ouster Law	25
Departments	26
Administration & Finance	26
Organization.....	26
Funds.....	27
Levy of Taxes	28
Budget.....	28
Procurement	28
Cash Disbursements.....	30
Borrowing of Funds.....	30
Revenue	30
Reporting.....	30
Audit.....	30
Police Department	31
Organization.....	31
Municipal Court.....	31
Fire Department.....	32
Organization.....	32
Community Development.....	32
Organization.....	32
Public Works	33

Organization.....	33
Parks & Recreation.....	34
Organization.....	34
Water & Wastewater Department and Utility Billing.....	34
Organization.....	35
Related Municipal Entities and Resources.....	36
Municipal Technical Advisory Service (MTAS)	36
Tennessee Municipal League (TML).....	36
Public Entity Partners (Formerly The Risk Management Pool)	36
Tennessee Municipal Bond Fund (TMBF)	36
Local Government Investment Pool (LGIP)	36
Community Services.....	37
Public Safety.....	37
Child Passenger Safety Program	37
Crime Prevention	37
Prescription Drug Collection Box	37
House Check Service	37
Exhibits.....	37
List of Board of Mayor & Aldermen Members and Committees of the Whole.....	37
List of Citizen Boards, Commissions & Members.....	38
List of Employee Positions	41
Code of Ethics Title 4 Chapter 2.....	43

Updated 11/2024

Structure and Overview

Charter

The City of McMinnville is a general law Mayor-Alderman charter (TCA §6-18-101 et seq.). The charter is the most important legal document of any city. A municipal charter outlines the organization, powers, functions and essential procedures of the city government as granted by the state. It covers qualifications of board members, elections, duties of the mayor, municipal court, duties of the City Administrator, city recorder, and chief of police and other provisions. It is comparable to the Constitution of the United States or Articles of Incorporation for a business.

History

The City of McMinnville, Tennessee, was founded in 1810, incorporated in 1868 and named for Governor Joseph McMinn as “The Town of McMinnville”. In 1967, the designation of the municipality was changed to “City of McMinnville”. The City of McMinnville provides the following services: public safety (police and fire), public works, (streets, sanitation, animal control and urban forestry), parks and recreation, community development, water and wastewater and general administrative services.

The City of McMinnville is the county seat of Warren County and covers 11 square miles. Other incorporated towns in Warren County include Centertown, Morrison & Viola.

Relationship with Warren County and “the Lawsuit”

The City of McMinnville is responsible for operation of its own municipal court, maintenance of its streets and rights-of-way, enforcement of its own Municipal Code, refuse collection, police force, fire stations, construction and maintenance of water and wastewater lines, operation of water and wastewater treatment plants, collection and distribution of water and sewer user fees, operation and maintenance of parks, administration of animal control, implementation and operation of its stormwater program, distributing building permits, collection of personal and property tax statements and collection of other city-imposed taxes.

Warren County provides some general services to the City of McMinnville such as providing tax assessments to the State of Tennessee on behalf of the City.

The County receives Local Options Sales Tax from TN Department of Revenue (TDOR) monthly for all merchants within the City. Merchants report and submit payment to TDOR for the prior month’s sales. TDOR reports and submits LOR to the County. The County is entitled to and retains 50% + 2% handling fee for the merchants within the city limits and submits reports and payment to the City of the remaining 48%. (This is a 3-month process: June sales are reported to TDOR in July. TDOR reports and pays County in August. County pays City in August).

In 2011, Warren County and the City of McMinnville agreed to a settlement on Local Option Revenues (LOR) collected by merchants within the City limits. For 25 years (2011-2036), the County will pay the City an increasing additional percentage of LOR of the county’s percentage to effectively “pay back” uncompensated LOR for previous years. After June of 2026, the City will continue to receive their portion (48%) of the LOR and the County will receive their (50% + 2% Administrative Fee) of the LOR from merchants within the city limits.

For more information, please refer to “the Lawsuit” information provided in the presentation.

Board of Mayor and Aldermen (BoMA)

The Board of Mayor and Aldermen serve as the policy making body for the city and consists of the mayor and six (6) aldermen. The citizens of The City of McMinnville elect 1 mayor and 6 aldermen for four-year terms, staggered so that every two years there is an election for either three aldermen or the Mayor and three aldermen. The board of mayor

and aldermen, upon its first regular meeting after each election, shall elect one of its members as vice mayor, whom shall hold such office for a period of one (1) year. Detailed information regarding the Board of Mayor and Aldermen can be found in Section II starting on page 9.

Boards & Commissions

The City of McMinnville currently has the Board of Zoning Appeals, McMinnville Regional Planning Commission, Board of Adjustment Appeals, Historic Zoning Commission, Board of Public Utilities, Alcoholic Beverage Board, Housing Authority, Industrial Development Board of McMinnville/Warren County, McMinnville Downtown Revenue Finance Corporation, Tourism Development Board and Park Theater Advisory Board. The purpose of these boards is to ensure compliance of the portions of the Municipal Code. The boards vary in size from five to ten members & have varying term lengths. A list of Boards, Commissions & their members can be found in the Exhibits section on page 36.

Personnel Roles

Personnel

Employment with the City of McMinnville is at-will. An employee at-will may be terminated at any time, with or without cause and without notice, for any reason not prohibited by law. No employee or representative of the city can change an employee's at-will status.

City Administrator

The City Administrator is appointed by a majority vote of the Board of Mayor & Aldermen and is the administrative head of the municipal government managing the overall operations of the city under the direction and supervision of the Board of Mayor & Aldermen. The City Administrator serves as the focal point for citizen complaints, recommends and implements policy, is charged with seeing that the laws and ordinances are carried out, and has the sole authority to hire or appoint, promote, demote, suspend, transfer, remove and discipline all department heads and subordinate employees. The City Administrator supervises the work of all department heads and sees that all terms and conditions imposed in favor of the city or its residents in any public utility are done. The City Administrator attends all meetings of the Board, recommends measures of adoption to the Board, prepares, and presents the City's annual proposed budget to the Board of Mayor & Aldermen, acts as purchasing agent, executes contracts when authority is delegated, and performs any other duties prescribed by the charter.

City Recorder

The City Recorder is appointed by a majority vote of the Board of Mayor & Aldermen. Recording the minutes of City Council meetings, and serving as the repository for ordinances, books, papers, and the City seal.

Finance Director/Treasurer

The City Finance Director/Treasurer is appointed by a majority vote of the Board of Mayor & Aldermen. The Finance Director/Treasurer shall receive and receipt for all funds or monies due the city and safely keep and preserve the same until such funds or monies are duly drawn out upon warrants issued by him in conformity with law, or for monies duly appropriated by the board of mayor and aldermen. The Finance Director/Treasurer shall keep a true and correct account of all monies received on account of each separate fund of the city and shall also keep a true and correct account of each such fund, and an account of each and every appropriation made by the board of mayor and aldermen.

City Attorney

The city retains an attorney as opposed to having a full-time staff member. The City Attorney is appointed by a majority vote of the Board of Mayor & Aldermen. The City Attorney directs the management of all litigation in which the city is party, represents the city in all legal matters and proceedings in which the city is a party, attends any meetings of the Board of Mayor & Aldermen, advises the Board and committees or members, City Administrator, and department heads

as to legal questions affecting the city's interest, and approves as to form all contracts, deeds, bonds, ordinances, resolutions and other documents to be signed in the name of the city.

Director of Public Works

The Director of Public Works is appointed by the City Administrator, serves as a department head and serves under the direction and policies of the Streets and Sanitation Committee and is responsible for oversight of streets, rights-of-way and landscape maintenance, animal control, supervision of the sanitation and brush collection, department budget and purchases, and supervision of department staff.

Director of Water and Wastewater

The Director of Water and Wastewater is appointed by the City Administrator, serves as a department head, and serves under the direction and policies of the Water and Sewer Committee. The Director of Water and Wastewater is responsible for oversight of all water and wastewater facilities, construction and maintenance of water and sewer lines, billing and enforcing payment of charges for water and sewer services, service charges and deposits, department budget and purchases, and supervision of department staff.

Police Chief

The Police Chief is appointed by the City Administrator, serves as a department head, and serves under the direction and policies of the Safety Committee. This includes providing overall direction for the police department, supervising personnel, monitoring law enforcement activities, serving as department liaison with the community, overseeing the department budget and purchases, supervising criminal investigations, and conducting internal affairs investigations.

Fire Chief

The Fire Chief is appointed by the City Administrator, serves as a department head, and serves under the direction and policies of the Safety Committee. This includes providing overall direction for the fire department, supervising personnel, serving as department liaison with the community, overseeing the department budget and purchases and supervision of department staff.

Director of Community Development

The Director of Community Development is appointed by the City Administrator, serves as a department head, and serves under the direction and policies of the Building and Grounds committee and is responsible for the enforcement of codes, policies, and procedures, review of plans, issuance of building permits, conducting of inspections, stormwater management, contribution to revision of Ordinances, and providing support to the Board of Zoning & appeals, Planning Commission and Historic Zoning Commission.

Director of Parks and Recreation

The Director of Parks and Recreation is appointed by the City Administrator, serves as a department head, and serves under the direction and policies of the Parks and Recreation Committee and is responsible for oversight of all recreation facilities, department budget and purchases, and supervision of department staff.

Human Resources Director

The Human Resources Director is appointed by the City Administrator and is responsible for oversight of the development, coordination, and administration of all aspects of the City's human resources functions, to include maintaining the City's personnel system; administering the health and worker's compensation insurance programs; assisting employees; promoting workplace safety; developing training programs; providing general support within the Human Resources Department.

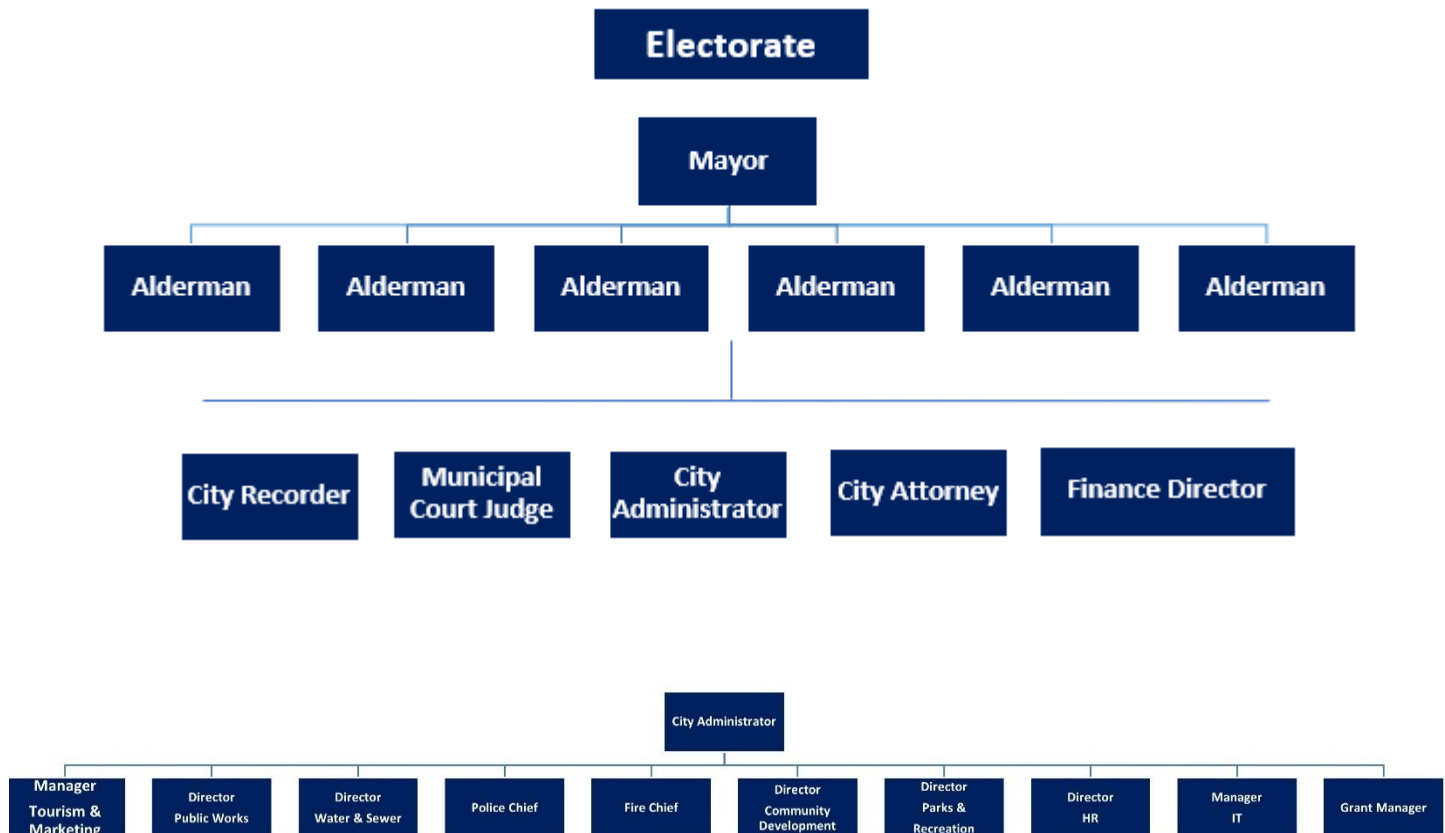
Information Technology Manager

The IT Manager is appointed by the City Administrator and is responsible for oversight of system maintenance, IT equipment and facilities, department budget and purchases, and supervision of department staff.

Tourism & Marketing Manager

The Tourism & Marketing Manager leads the City's tourism and marketing initiatives, develops, implements, and monitors long-term plans, goals, and objectives focused on tourism in Warren County.

Organizational Charts



Board of Mayor & Aldermen

Qualifications

A qualified voter of the city, other than a person qualified to vote based only on nonresident ownership of real property under §6-20-106(b), shall be eligible for election to the office of mayor or alderman. No person shall be eligible for the office of mayor or alderman unless such person has resided within the municipality for at least one (1) year next preceding the election.

To begin the qualification process, interested parties can pick up a petition from the Warren County Election Commission. The petition requires twenty-five (25) or more eligible City of McMinnville voter signatures.

Term of Office

The terms of all aldermen shall begin at the beginning of the first regularly scheduled meeting of the Board of Mayor and Aldermen following the date of the certification of their election. The terms of the Mayor and all aldermen shall be

for four (4) years, or until their successors are elected and qualified. The terms are staggered with three (3) aldermen elected biennially.

Electing Vice Mayor

The Aldermen, at the first regular meeting after each biennial election, shall elect one of its members as Vice Mayor for a term of one (1) year.

Role of Mayor and Vice Mayor and Line of Succession

The Mayor presides over all meetings of The Board of Mayor and Aldermen. The Mayor has a seat, a voice, and a vote but no veto, on all matters before the Board. The Mayor also signs all ordinances, resolutions, contracts, and agreements made in the name of the city.

The Vice Mayor shall act as Mayor during any temporary absence, inability, or failure to act of the Mayor, and whenever a vacancy occurs in the office of Mayor, the Vice Mayor shall become Mayor and hold office as such for the unexpired term.

The line of succession to the office of vice mayor shall be in the following order:

1. Chairman of the finance committee.
2. Chairman of the water and sewer committee.
3. Chairman of the safety committee.
4. Chairman of the street and sanitation committee.
5. Chairman of the building and grounds committee.
6. Chairman of the parks and recreation committee.

Role of Board of Mayor and Aldermen

The Board exercises legislative duties, taking official action by passing or adopting ordinances and resolutions.

Ordinances and resolutions can only be acted upon by a quorum of the Board and only in a public meeting. The Board is tasked with developing the long-range vision for the community. It also establishes the policies that affect the overall operation of the city. The Board focuses on the city's goals and major projects, as well as long-term planning such as community growth, capital improvements, financing, and strategic planning. The Board also adopts the city's annual budget appropriating all funds and claims on the city's finances. The Board also approves bids, contracts, and other agreements that financially binds the city, levies taxes, approves the incurrence of debt, issues bonds/notes, approves individual expenditures over \$20,000, and conducts public hearings as needed. The Board appoints and supervises the City Administrator, including preparation of a yearly performance review. The Board also appoints and supervises the City Attorney, City Judge, and City Recorder.

Role Quick Reference Charts

AREA	BOARD	CITY ADMINISTRATOR
Long- Term Goals (> 1 year)	Approves	Recommends and provides input
Short-Term goals (< 1 year)	Monitors	Establishes and carries out
Day-to-Day Operations	No Role	Makes all management decisions
Budget	Approves	Develops and recommends
Capital Purchases	Approves	Prepares Requests
Decision on Building, Renovation, Leasing and Expansion	Makes decisions and assumes responsibility	Recommends (could sign contracts if given authority)
Supply Purchases	Establishes policy and budget	Purchases according to Policy and maintains an adequate audit trail
Major Repairs	Approves	Obtains estimates and recommends
Minor Repairs	Adopts Policy	Authorizes repairs per policy
Emergency Repairs	Works with City Administrator	Notifies Mayor and acts with concurrence from Mayor and Board
Cleaning and Maintenance	No Role	Sets up Schedule
Fees	Adopts Policy	Develops, recommends, and implements policy
Billing, Credit, and Collections	Adopts Policy	Develops, recommends, and implements policy
Hiring of Staff	No Role	Approves all hiring
Staff Deployment and Assignment	No Role	Establishes and carries out
Firing of Staff	No Role	Makes Final Termination Decision
Staff Grievances	No Role	Follows policy regarding grievance procedures
Personnel Policies	Adopts Policy	Develops, recommends, and implements policy
Staff Salaries	Approves Salary Line Item in Budget	Approves salaries with recommendations from supervisory staff
Staff Evaluation	Evaluates on the City Administrator position	Evaluates or appoints designee to evaluate all other staff



Meetings (Types and Schedules)

Regular Meetings

The Board of Mayor and Aldermen shall by ordinance fix the time and place at which the regular meetings of the board shall be held. Currently, the Board meets twice a month at McMinnville City Hall every second and fourth Tuesday of the month at 7:00 p.m.

Committee Meetings

Committee meetings may be held at any time and date, independent of the standing BoMA meetings, which are held every second and fourth Tuesday of the month. Any member of the committee may request or call a meeting of the committee.

Special Meetings

The mayor shall have power to convene the board of mayor and aldermen whenever, in his judgement, such special meeting shall be for the welfare of the city, but the board, when so convened, shall not consider any matters except such as shall be brought to the attention of the members of the board in the mayor's call for such special meeting. Notice of the special meeting shall be in writing, signed by the mayor, and shall state the purpose of the meeting being called, which notice or call shall be served upon each member by the chief of police, or designated officer.

Public Hearings

Public hearings are held in certain cases where actions of the Board directly affect citizens and/or their property. Public hearings allow an opportunity for citizens to address the Board with their concerns regarding pending legislation. There is no limit on the number of citizens allowed to speak or the amount of time they may speak.

Public Meeting & Agenda Policy

PURPOSE:

Public meetings are essential to the democratic process. Public comment at meetings is permitted based on the guidance outlined below. These objectives and rules are established to allow the public's business to be accomplished in an efficient and effective manner.

PUBLIC MEETING NOTICE:

BoMA (Legislative Body)

Meeting materials must be submitted to the City Administrator and Recorder by 10:00 am on the Thursday preceding the BoMA meeting.

- At least 48 hours' notice prior to a meeting of the local legislative body, the agenda for the upcoming meeting will be made available to the public, at no charge, in a place accessible to the public (i.e., Website, social media, city hall, newspaper). The agenda must reasonably describe the matters to be deliberated upon or acted on during the public meeting.
- Legally, no items can be added to the BoMA agenda after 7:00 pm on Sunday. No items will be added after 10:00 am on Thursday without special approval from the Mayor.
- The subject matter must be clearly stated in all BoMA meeting notices.

Committee

Committee meetings may be held at any time and date, independent of the standing BoMA meetings, which are held every second and fourth Tuesday of the month.

- The notice requirement for committee meetings is the same as for the governing body (BoMA), except that the agenda does not need to be published 48 hours prior to the meeting.
- Committees are required to provide adequate public notice of what will be done in meetings. The subject matter must be clearly stated in all committee meeting agendas/notices.

Adequate Public Notice for Committee Meetings

There is no statutory definition of adequate public notice. According to MTAS's guidance:

- It is impossible to formulate a general rule regarding what the phrase 'adequate public notice' means. Adequate public notice means adequate public notice under the circumstances, or such notice based on the totality of the circumstances as would fairly inform the public.
- Case by case is recommended due to the varying nature of the committee requests. Some items may call for a higher level of public input than others. For example, budget versus the purchase of a used vehicle which has already been included and approved in the budget. Committing to a date or time certain would unnecessarily limit our ability to be responsive and flexible. We just recently increased our purchasing policy levels to increase our responsiveness and flexibility.

Submission of Meeting Materials for Committee Meetings

- Meeting materials for standing Tuesday night committee meetings must be submitted to City Administrator and Recorder by 10:00 am on the preceding Thursday.
- Items added to committee agendas after the agenda's publication on Friday must be published on the City's Facebook page, website, and Outlook to provide adequate notice.
- This same process also applies to adding an entire committee meeting to a standing Tuesday night set of committee and BoMA meetings after the agenda has been published on Friday.

Authority to Call Committee Meetings

According to Robert's Rules of Order (50:21), the authority to call a committee meeting typically resides with the committee chair. The committee chair is responsible for setting the time and place for the meeting. However, if the committee does not have a chair, or if the chair is unavailable or neglects to call the meeting, the committee members can call a meeting, provided a majority agrees to do so.

Handling Last-Minute Requests

In both cases (BoMA and Committee), be aware that not every last-minute request to add an item to the agenda, or to add a committee meeting, is due to poor planning. At times, staff will receive information that does not coincide with our rules of order and must be addressed promptly to mitigate negative impacts on the city. In these cases, the BoMA retains the right to suspend the rules upon majority vote of the BoMA.

PUBLIC MEETING CODE OF CONDUCT OBJECTIVES:

1. Observe the Public Meeting Rules and the Rules of Decorum.
2. Listen to understand, not to reply.
3. Speak with intention in a concise manner.
4. Be tolerant and respectful in disagreements with others' statements or comments.
5. Express your opinion to educate board members, commissioners, audience members, and your neighbors with respect.

PUBLIC MEETING RULES:

1. No action will be taken by the Board on items presented as "new business" on the same date if new business requires the appropriation of city funds.

Instances when committee actions can be taken to the full board for immediate consideration:

- A. Annual routine requests from nonprofit organizations where no funds are requested other than normal set up expenses.
- B. Personnel considerations involving disciplinary action or termination.

2. Business requiring the appropriation of city funds must be on the Board agenda.

Instances when committee actions are taken to full board after a 2-week waiting period:

- A. Actions involving the spending of funds not budgeted in the current fiscal year budget, and where there are no time constraints for grant, loan, or other deadlines that could cause cancellation of the project.
- B. All other requests that do not meet the qualifications under item 1 above other than emergency requests and items 3 below.
- C. All other personnel considerations.

3. All business, excluding new business where no city funds are appropriated or allocated, will originate, or be routed through the committee system.

Actions bypassing the committees and taken to the full board immediately:

- A. *Spending of city funds not budgeted in the current fiscal year budget for economic development where there are time constraints for grants, loans, state notifications, etc. This situation will occur when the immediate action of the board is necessary, and we'll create economic growth and job creation for the citizens of McMinnville.*
 - B. *Any other emergency that requires the full boards immediate action; where inaction would cause the City of McMinnville or the taxpayers damage or harm if immediate action is not taken.*
 - C. *Special meetings called by the mayor in accordance with state law.*
4. In the event of an unforeseen emergency where the City of McMinnville or its citizens will suffer harm, the board may suspend part or all this policy and amend an agenda with approval of four (4) board members or with 2/3 of the board members present.

It is the desire of the board to inform the public of all items of business being considered, therefore the city will:

- A. *Post items approved by committees no later than 5 calendar days after the committee meeting.*
 - B. *Post all business being considered at the next Board meeting 48 hours prior to the meeting. The city will use social media, the website, the local newspaper, and or the local radio stations.*
 - C. *All city business requiring a vote of the mayor and board of Alderman will originate through the committee system excluding item 3 above.*
5. The rules of order and parliamentary procedure contained in the current edition of Robert's Rules of Order Newly Revised shall govern the transaction of business by and before the City of McMinnville at its meetings in all cases to which they are applicable and in which they are not inconsistent with provisions of the charter or this code.
6. Those requesting to speak must reside in or own property in Warren County, TN.
7. All comments shall be directed through the chair. Public comments are not a debate and there shall be no questions-and-answers as part of any comments.
8. All comments should be concise, non-repetitive, and shall not exceed three (3) minutes per speaker. Time cannot be shared or allotted with other speakers. Time limits may be adjusted at the discretion of the Chair. The allotted time of three (3) minutes shall include and commence from the beginning of the speaker's remarks.
9. The Chair can stop comment after time has expired or if the commenter has violated these Rules and/or the Rules of Decorum.
10. The Chair can remove the commenter from the meeting if violations occur.
11. Persons will refrain from creating, provoking, or participating in any type of disturbance involving unwelcome physical contact.
12. Persons will refrain from behavior that will disrupt the public meeting. This includes loud noises, shouting, booing, hissing, heckling, or engaging in any other activity in a manner that disrupts or impedes the orderly conduct of the meeting or impedes the ability of the speaker to be heard by the Board/Commission.
13. Persons will refrain from the use of obscene language, "fighting words" likely to incite violence from the individual(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
14. Persons will refrain from using audible electronic devices (including, but not limited to mobile phones, radios, portable gaming devices, or computers) or other devices while the meeting is in session.

15. Signs, posters, banners and/or other display material are prohibited in the Board Room, as they may obstruct the view or safe passage of other attendees, or otherwise disturb the business of the meeting.
16. Persons in the audience will refrain from the following prohibited conduct at meetings: campaigning for public office, soliciting of funds, or promoting private business ventures.
17. All persons shall, at the request of the Chair, be silent.
18. If, after receiving a warning from the Chair, a person persists in disturbing the meeting, the Chair may order that person to leave the meeting. If he/she does not remove him/herself, the Chair may order that person to be removed by a law enforcement officer.
19. Weapons and other objects deemed a threat to the safety of persons at the meeting or the facility infrastructure are not allowed.
20. Persons in the audience shall refrain from smoking or eating in the Board Room.
21. Persons exiting the Board Room shall do so quietly.

EXCEPTIONS:

1. A meeting of a governing body, or a portion thereof, where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body; or
2. A meeting where there are no actionable items on the agenda; or
3. Executive sessions, which are not open to the public.

(Ordinance No. 1861, 9/2024)

Agendas and Packets

Items to be placed on the agenda are typically routine in nature (such as monthly reports), requested within a meeting setting, or provided to the City Administrator by board members or staff. The City Recorder creates and publishes agendas and packets for the Board meetings based on direction from the Mayor and City Administrator. The packets are delivered to each Aldermen, the City Administrator, City Attorney, and all department heads by the City Recorder. Agendas are published on the city's website. The agenda is also available at the meeting. Any packet contents are available upon request at the meeting. Packet contents generally include documentation related to action items on the agenda such as legislation, bids and monthly reports.

Meeting Order

1. Roll Call
2. Consideration of Minutes
3. Communications
4. Petitions
5. Unfinished Business
6. New Business
7. Resolutions
8. Ordinances
9. Departmental Reports
10. Announcements
11. Adjournment

Meeting Decorum

Robert's Rules of Order

Robert's Rules of Order defines parliamentary procedure including the role of the Mayor and Aldermen and establishes rules of procedure. Because a meeting can only deal with one matter at a time and all members have equal rights, privileges and obligations, rules of procedure are designed to assist a meeting, not hinder it. It is the duty of the chair to enforce the rules of order during a meeting.

Motions

A motion is a formal proposal that certain action be taken, or that a certain statement expresses the opinion, desire or will of the Board. Motions must be made by Board members, not by guests or the public. In order to vote, all motions require a second to put the issue before the Board. Seconding a motion does not necessarily endorse a motion. It simply indicates a desire to have the motion considered by the Board.

Motions may be amended or withdrawn. A motion will pass or fail based on a majority vote. If an amended motion fails, the original motion is still on the floor for consideration. If a motion fails, an alternative motion can be made. Only those voting in the majority may bring a matter back before the board for reconsideration. There are no exceptions.

Discussion/Debate

Once a motion is made and seconded, discussion or debate may begin on the motion. Board members should make the chair aware of their desire to speak but the mover should be allowed the opportunity to speak first. While a Board member is speaking no other member should interrupt. No member should speak twice on the same issue until everyone else has the opportunity to speak once.

Method of Voting

Members of the Board vote on items by yay or nay or roll call. In a yay or nay vote, keep in mind that an unspoken vote reads as approval. All votes are recorded within the meeting minutes.

Audience

Audience disruption of a meeting is a violation of T.C.A. §39-17-306 if the person substantially obstructs or interferes with the meeting by physical action or verbal utterance. Violation of this section is a Class B misdemeanor. It is the duty of the chair to maintain control of the meeting decorum.

Minutes

The City Recorder should keep minutes of all public meetings of the board. It is not necessary that the recorder keep minutes for an informal work session where no action is taken. The minutes will reflect actions approved by motion of the board, as well as resolutions and ordinances. Resolutions should be kept in a bound binder by number. Ordinances should also be kept in a bound binder by number. MTAS recommends that numbering be done to identify the fiscal year.

It is not necessary for the recorder to include every word spoken in the minutes. The recorder should include significant motions, resolutions, and ordinances including how each member voted. The recorder may state that the mayor or another member of the board discussed items without recording every spoken word.

Quorum

The charter provides that a majority of the Board constitutes a quorum. The City of McMinnville has a seven (7) member board, with four (4) members constituting a quorum.

Ordinances and Resolutions

Ordinances must be approved on two readings not less than one week apart and shall become effective per the date designated on the Ordinance.

Resolutions shall be read in full one time and shall become effective when adopted unless otherwise designated on the Resolution.

Code of Ethics and Conflicts of Interest

The City of McMinnville has codified regulations for city personnel and elected officials. Title 1, Chapter 9 “Code of Ethics” addresses both ethics and conflicts of interest. A copy of these regulations can be found in the Municipal Code and in this document in the Exhibits section, page 33. In addition to McMinnville’s regulations, the State of Tennessee has laws governing ethics and conflicts of interest. A summary of the laws can be found in Section V, State of Tennessee Oversight.

Compensation and Benefits

Currently the City of McMinnville Mayor receives \$900 per month and each alderman receives \$400 per month. The attendance requirement for compensation shall provide for a forfeiture of compensation by any Alderman who misses in excess of twenty-five (25%) of the scheduled regular meeting within a rolling year. The rolling year shall begin on July 1st and continue through June 30th of each year.

Boards & Commissions

Board of Zoning Appeals

The BZA considers plans and drawings for compliance with the zoning code including structure height, minimum lot area, open side and rear yards, setback requirements, and permitted and non-conforming uses. The BZA is governed by codified regulations as outlined in Chapter 7 Section 14-708 “Board of Zoning Appeals” in the McMinnville Zoning Code. The BZA is a five (5) member board appointed by the Mayor and confirmed by the Board of Mayor & Aldermen. Alternates can also be appointed. Although an Aldermen is not required to be a member of the BZA, it is strongly recommended that an Aldermen attend each meeting. The BZA meets at City Hall on the last Tuesday of each month at 11:00 a.m. A list of current members and terms of expiration can be found in the Exhibits section.

Historic Zoning Commission

Chapter 7 Section 14-512 outlines the H-1 (Historic) District, which was established for the purposes of protecting and preserving the heritage and historic sites of the City; safeguarding the character and heritage of the H-1 District by preserving the district as a whole and individual property therein that embodies important elements of its social, economic, cultural, political or architectural history.

The Historic Zoning Commission oversees the H-1 District, and consists of five (5) members, including a representative of a local patriotic organization; a representative from a local preservation organization; an architect, if available, and a member of the McMinnville Regional Planning Commission, at the time of the appointment. The remainder shall come from the community in general. Members shall be appointed by the Mayor and confirmed by a majority vote of the Board of Mayor and Aldermen. The terms of membership shall be five (5) years, except that the initial individual appointments to the Commission shall be for terms of one (1), two (2), three (3), four (4) and five (5) years, respectively. Vacancies shall be filled for any unexpired terms by the Mayor and confirmed by the Board of Mayor and Aldermen. All members shall serve without compensation.

The HZC meets at City Hall on the last Tuesday of each month at 10:00 a.m. A list of current members and terms of expiration can be found in the Exhibits section.

McMinnville Regional Planning Commission

Created in order to guide and accomplish a coordinated and harmonious development of the city which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity, and the general welfare, as well as the efficiency and economy in the process of development, a municipal planning commission is hereby created and established. The planning commission consists of seven members. One of the members shall be the mayor, and one shall be a member of the board of mayor and aldermen selected by such board, and the remaining five shall be citizens appointed by the mayor. The mayor and alderman member's term runs concurrently with his or her membership on the Board and the citizen terms are 5 years. A list of current members and terms of expiration can be found in the Exhibits Section.

Board of Adjustment Appeals

The Board of Adjustment Appeals was created to hear appeals from decisions of the Building, Plumbing, Gas and Housing Codes Enforcement Officer. The Board shall consist of 5 citizens who serve a term of one year.

Board of Public Utilities

The Board of Public Utilities shall consist of five members appointed by the mayor and confirmed by the board of mayor and aldermen. One member shall be a member of the board of mayor and aldermen designated by the mayor and approved by the board.

Alcoholic Beverage Board

The Alcoholic Beverage Board responsibilities will be to enforce the provisions of Title 8 Chapter 2 of the McMinnville Municipal Code and applicable provisions of Tennessee Code Annotated, title 57, chapter 5, with respect to sale and distribution of beer within the City of McMinnville. The board shall consist of five members appointed by the Board of Mayor and Aldermen whereas one shall be an alderman of the City of McMinnville and four shall be domiciled citizens of the City of McMinnville. The term of the aldermanic member shall expire with his or her term of office on the Board of Mayor and Aldermen and the other member's term is two years.

Housing Authority

The McMinnville Housing Authority is a non-profit corporation organized under the laws of the State and must be operated according to the State and Federal Governments. The Department of Housing and Urban Development is the federal agency that oversees the regulatory compliance of all public housing authorities. Policies applying specifically to the local operation are set by a Board of five Commissioners, who are appointed by the Mayor. They serve without pay.

Residents are selected by the Housing Authority based on adopted policies and federal requirements. The units are available only to families of low-income. Rental charges are based on the family income not the size of the apartment.

Industrial Development Board of McMinnville/Warren County (IDB)

The function of the Industrial Development Board is to acquire, own, lease, and dispose of properties to the end that corporations may be able to promote industry and develop trade by inducing manufacturing, industrial, and commercial enterprises to locate in Warren County.

McMinnville Downtown Revenue Finance Corporation (MDRFC)

The PILOT (Payment In Lieu of Taxes) Program is a local incentive is administered by the McMinnville Downtown Revenue Financial Corporation (MDRFC) Board of Directors. This is a tax abatement program to encourage development in downtown McMinnville.

Park Theater Advisory Board (PTAB)

The objective of the Park Theater Advisory Board (PTAB) is to assist the Park Theater in fulfilling its mission to provide exceptional programming. The PTAB monitors and evaluates programs, gives voice to underserved segments of the community, serves as a sounding board for the ideas presented by the Park Theater staff and brings issues of community concern to the attention of Park Theater management. The PTAB has seven (7) members that consists of the Park Theater Manager, a city board member from the Parks and Recreation Committee and five (5) citizens of Warren County with a term of three (3) years each that are nominated and approved by the Board of Mayor and Aldermen.

Tourism Advisory Committee

The Advisory Committee shall:

1. Be advisory only to the Board of Mayor and Aldermen through the City of McMinnville Tourism & Marketing Manager.
2. Annually establish goals and objectives and make funding recommendations to the Tourism & Marketing Committee through the City of McMinnville Tourism & Marketing Manager and City Administrator for inclusion into the annual budget.
3. At the end of the fiscal year, the City of McMinnville Tourism & Marketing Manager will provide the City Administrator with a written annual report.
4. Assist in the conceptualization of projects specific to tourism.
5. Serve as ambassadors for McMinnville's tourism efforts.

The Tourism Advisory Committee shall consist of thirteen (13) voting members and three (3) ex-officio members.

Committees of the BoMA

Appointment and Composition of Standing Committees

The mayor shall appoint the standing committees and each committee consists of 3 aldermen. The mayor shall, from time to time, appoint special committees of the Board as he or she deems necessary and proper. The mayor has power to remove at any time any member of the standing committees of the Board but should immediately appoint a successor to the member removed so that membership of each standing committee always consists of 3 aldermen.

Finance Committee

The Finance Committee has the duty to protect the financial interests of the city, to see that no money is paid out of the municipal treasury except in accordance with the ordinances, resolutions, and other legal methods of paying the same.

Water & Sewer Committee

The Water and Sewer Committee has the general care and supervision of the administration of the Water and Sewer system. The committee shall not make contract for expenditures in excess of the current revenue appropriated or radical changes in the system without the approval of the Board.

Safety Committee

The Safety Committee has the general care and supervision of the Police and Fire departments including all appropriations.

Street & Sanitation Committee

The Street and Sanitation Committee has the general care and supervision of the Public Works department which includes Animal Control, Vehicle Maintenance, Sanitation Collection and Disposal, Street Aid and Urban Forestry including all appropriations.

Building & Grounds Committee

The Building and Grounds Committee shall oversee the maintenance of all property owned by the city.

Parks & Recreation Committee

The Parks and Recreation Committee has the general care and supervision of all recreation facilities, the Parks and Recreation Department and the Park Theater, to see that they are kept in proper condition and repair, and to recommend to the Board such rules and regulations as it deems necessary.

Tourism & Marketing Committee

The Tourism & Marketing Committee has the general care and supervision of the Tourism & Marketing Department, including all appropriations.

State of Tennessee Oversight

Open Meetings Law

Tennessee's Sunshine Law was enacted in 1974. A basic provision of the law is the requirement for open meetings. The law applies when members of a governing body are authorized to make decisions in a meeting that requires a quorum. The law also applies to meetings of two or more public body members if they have the authority to make decision for or recommendations to the public body. It also pertains to chance meetings if decisions are made, or deliberation of business occurs. If the participants "deliberate toward a decision," then the meeting should be open to the public. Public-body members may not use telephones or other electronic communications to evade the Sunshine Law requirements.

There are some exceptions. An open meeting is not required for on-site inspections of projects or programs, change meetings of two or more public-body members if they do not deliberate toward a decision, and strategy sessions of a governing body in labor negotiations.

Actions found to violate the Sunshine Law are void. If a citizen successfully sues a municipality for a Sunshine Law infraction, the circuit court may issue an injunction and impose penalties. The court retains jurisdiction over the municipality for a year, and the municipality must submit semiannual compliance reports.

Open Records Law

Tennessee's Public Records Act was passed in 1957 and amended substantially in 2008. All records are public records except medical records, psychological profiles, marriage counseling, current and ongoing police investigations, and employee social security numbers. Pay records are considered public records. Unless exempt by law, computer records (including emails) are public records. The City of McMinnville has implemented "Public Records Policy" that outlines the process for requesting, inspection, copying, and charging fees for public records.

State Comptroller Oversight

The State Comptroller's office maintains oversight of all municipalities, specifically in regard to finance. The city is required to submit its fiscal audit report, budget, and any debt issuances to the State Comptroller's office for review.

Public Notice of Meetings

TCA § 8-44-103. Notice of public meetings

(a) Notice of Regular Meetings. Any such governmental body which holds a meeting previously scheduled by statute, ordinance, or resolution shall give adequate public notice of such meeting.

(b) Notice of Special Meetings. Any such governmental body which holds a meeting not previously scheduled by statute, ordinance, or resolution, or for which notice is not already provided by law, shall give adequate public notice of such meeting.

(c) The notice requirements of this part are in addition to, and not in substitution of, any other notice required by law.

Title VI

The City of McMinnville has a Title VI program to ensure staff, contractors, and elected officials are aware of Title VI of the 1964 Civil Rights act and to maintain compliance with the act. The program coordinator is the City Recorder.

Title VI of 1964 Civil Rights Act- "No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under a program or activity receiving federal financial assistance."

It covers all forms of federal aid except those federally funded contracts of insurance and guaranty. It does not cover employment, except where employment practices result in discrimination against program beneficiaries or where the purpose of federal assistance is to provide employment. Nor does it apply to discrimination based on age, sex, geographical locale or wealth. Title VI addresses areas of service such as transportation, construction, distribution of benefits, locations of facilities, law enforcement and environmental issues, healthcare, natural resources, housing and community development, and agriculture and nutrition.

State Statutes Applying to Municipal Officials and Employees

Campaign Finance

Title 2, Chapter 10 of the TCA code deals with campaign finances and disclosure. Prospective candidates who receive contributions and announced candidates regardless of receipt of contributions must file a campaign financial disclosure statement. More information on the requirements can be found at <https://www.tn.gov/tref/tref-candidates/tref-candidate-faqs.html>.

Conflicts of Interest

TCA 6-54-107. Interest of officer in municipal contracts prohibited.

(a) No person holding office under any municipal corporation shall, during the time for which such person was elected or appointed, be capable of contracting with such corporation for the performance of any work that is to be paid for out of the treasury. Nor shall such person be capable of holding or having any other direct interest in such a contract. Direct interest means any contract with any business in which the official is the sole proprietor, a partner, or the person having the controlling interest. Controlling interest includes the individual with the ownership or control of the largest number of outstanding shares owned by any single individual or corporation.

(b) No officer in a municipality shall be indirectly interested in any contract to which the municipality is a party unless the officer publicly acknowledges such officer's interest. "Indirectly interested means any contract in which the officer is interested but not directly so but includes contracts where the officer is directly interested but is the sole supplier of goods or services in a municipality.

(c) (1) Any member of a local governing body of a county or a municipality who is also an employee of such county or municipality may vote on matters in which such member has a conflict of interest if the member informs the governing body immediately prior to the vote as follows:

Because I am an employee of (name of governmental unit), I have a conflict of interest in the proposal about to be voted. However, I declare that my argument and my vote answer only to my conscience and to my obligation to my constituents and the citizens this body represents.

(2) In the event a member of a local governing body of a county or a municipality has a conflict of interest in a matter to be voted upon by the body, the member may abstain for cause by announcing such to the presiding officer. Any member of a local governing body of a county or municipality who abstains from voting for cause on any issue coming to a vote before the body shall not be counted for the purpose of determining a majority vote.

(3) The vote of any person having a conflict of interest who does not inform the governing body of such conflict as provided in subdivision (c)(1) shall be void if challenged in a timely manner. As used in this subdivision (c)(3), "timely manner" means during the same meeting at which the vote was cast and prior to the transaction of any further business by the body.

(4) Nothing in this subsection (c) shall be construed as altering, amending, or otherwise affecting the provisions of § 12-4-101(a). In the event of any conflict between this subsection (c) and § 12-4-101(a), the provisions of § 12-4-101(a) shall prevail.

Conflict of Interest Disclosure Statements

TCA 8-50-501. Disclosure statements of conflict of interests by certain public officials.

(a) Disclosure of the interests named in § 8-50-502 shall be made to the Tennessee ethics commission by candidates for and appointees to the following offices:

(1) Each member of the general assembly;

(2) The secretary of state, comptroller of the treasury, state treasurer and each member of the state election commission;

(3) Each director of the Tennessee regulatory authority;

(4) The governor;

(5) Each officer of the governor's cabinet;

(6) Each supreme court justice, each judge of the court of criminal appeals and each judge of the court of appeals;

(7) Each delegate to a constitutional convention called to consider a new constitution or amendments to the Constitution of Tennessee;

(8) The attorney general and reporter;

(9) The district attorneys general and the public defenders for each judicial district;

- (10) The administrative director of the courts;*
 - (11) The executive director of the district attorneys general conference;*
 - (12) The state election coordinator;*
 - (13) Members of the board of probation and parole;*
 - (14) Members and executive director of the alcoholic beverage commission;*
 - (15) The chancellor of the board of regents and the president of each college or university governed by the board of regents;*
 - (16) The president of the University of Tennessee, and the chancellor of each separate branch or campus of the University of Tennessee;*
 - (17) Members of the registry of election finance;*
 - (18) Members of the Tennessee ethics commission; and*
 - (19) Each candidate or appointee to a local public office as defined in § 2-10-102.*
- (b) A candidate for any of the offices in subsection (a) that are elective shall file a disclosure statement no later than thirty (30) days after the last day provided by law for qualifying as a candidate. An appointee to any of the offices listed in subsection (a) shall file a disclosure statement within thirty (30) days from the date of appointment. The appointing authority shall notify the commission of any such appointment within three (3) days of the appointment.*
- (c) Any candidate or appointee who is running for reelection or is reappointed to the same office or position the candidate or appointee currently holds shall not be required to file the statement required by subsection (b), as long as such candidate or appointee is in compliance with §§ 8-50-503 and 8-50-504.*
- (d)(1) The disclosure shall be in writing in the form prescribed by the Tennessee ethics commission and shall be a public record; provided, however, that no candidate or appointee to a local public office required to disclose pursuant to subdivision (a)(19) shall be required to electronically file documents with the commission.*
- (2) A person required to file the form required by this part shall have one (1) attesting witness sign the form before it is submitted to the appropriate authority. The form need not be notarized before it is submitted to the appropriate authority.*
- (3) Any disclosure filed as a candidate or appointee by a member of the general assembly, the secretary of state, the comptroller of the treasury, the state treasurer, the governor, or an officer of the governor's cabinet, and any amended disclosures filed by any such persons, shall be posted on the website of the commission.*
- (e) The computation of time within which to do any act required by this part shall be in accordance with § 1-3-102.*

Consulting Fee Prohibition for Elected Municipal Officials

TCA 2-10-124 Violations at local level -- Penalties

- (a) It is an offense for any member of a municipal or county legislative body, member-elect of a municipal or county legislative body, or other elected county or municipal official to knowingly receive a fee, commission or any other form of compensation for consulting services, other than compensation paid by the state, a county, or municipality.*

(b) It is an offense for any person or other entity, other than the state, a county, or a municipality, to pay a fee, commission or any other form of compensation for consulting services relating to a municipality or county if such person or entity knows the person to whom the compensation is paid is a member of the municipal or county legislative body, a member-elect of the municipal or county legislative body, or other elected municipal or county official in the county or municipality in which the consulting services are to be performed.

(c) (1) (A) If conduct giving rise to a violation of this section would also constitute the offense of bribery prohibited by § 39-16-102, then such violation is a Class C felony. Any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

(B) Nothing contained within this section shall be construed to prohibit prosecution and conviction for the Class C felony offense of bribery of a public servant, set forth in § 39-16-102; nor shall it be construed to prohibit prosecution and conviction for any other applicable criminal offense.

(2) Any other violation of this section is a Class A misdemeanor. Any person convicted of such offense shall forever afterwards be disqualified from holding any office under the laws or constitution of this state.

Crimes of Official Misconduct

39-16-401. Definitions for public misconduct offenses.

As used in this part, unless the context otherwise requires:

(1) "Act" means a bodily movement, whether voluntary or involuntary, and includes speech;

(2) "Law" means the constitution or a statute of this state or of the United States, a written opinion of a court of record, a municipal ordinance, or a rule authorized by and lawfully adopted under a statute; and

(3) "Public servant" means a person elected, selected, appointed, employed, or otherwise designated as one (1) of the following even if the public servant has not yet qualified for office or assumed the duties:

(A) An officer, employee, or agent of government;

(B) A juror or grand juror;

(C) An arbitrator, referee, or other person who is authorized by law or private written agreement to hear or determine a cause or controversy;

(D) An attorney at law or notary public when participating in performing a governmental function;

(E) A candidate for nomination or election to public office; or

(F) A person who is performing a governmental function under claim of right although not legally qualified to do so.

Ouster Law

8-47-101. Officers subject to removal Grounds.

Every person holding any office of trust or profit, under and by virtue of any of the laws of the state, either state, county, or municipal, except such officers as are by the constitution removable only and exclusively by methods other than those provided in this chapter, who shall knowingly or willfully commit misconduct in office, or who shall knowingly or willfully neglect to perform any duty enjoined upon such officer by any of the laws of the state, or who shall in any public place be

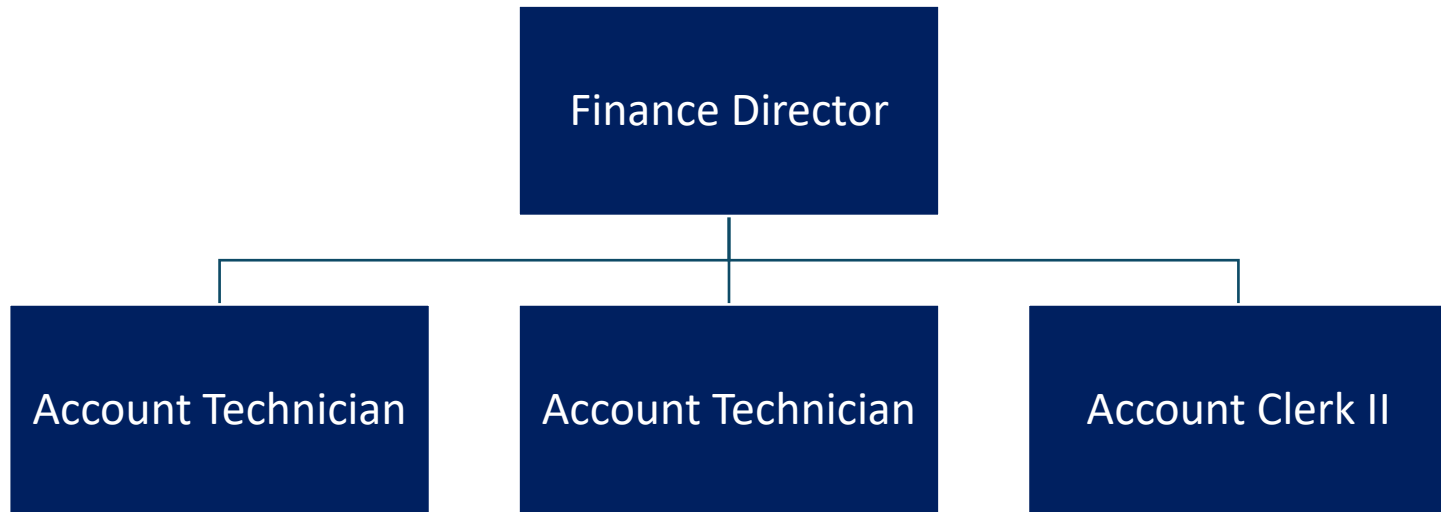
in a state of intoxication produced by strong drink voluntarily taken, or who shall engage in any form of illegal gambling, or who shall commit any act constituting a violation of any penal statute involving moral turpitude, shall forfeit such office and shall be ousted from such office in the manner hereinafter provided.

Departments

Administration & Finance

Administration and Finance is made up of the City Administrator, Finance Director/Treasurer, Human Resources Administration, Information Technology Manager, 1 Accounting Technician, 1 Accounting/HR Administrative Assistant & 1.5 Account Clerks. This department constitutes 17% of the General Fund Expenditures.

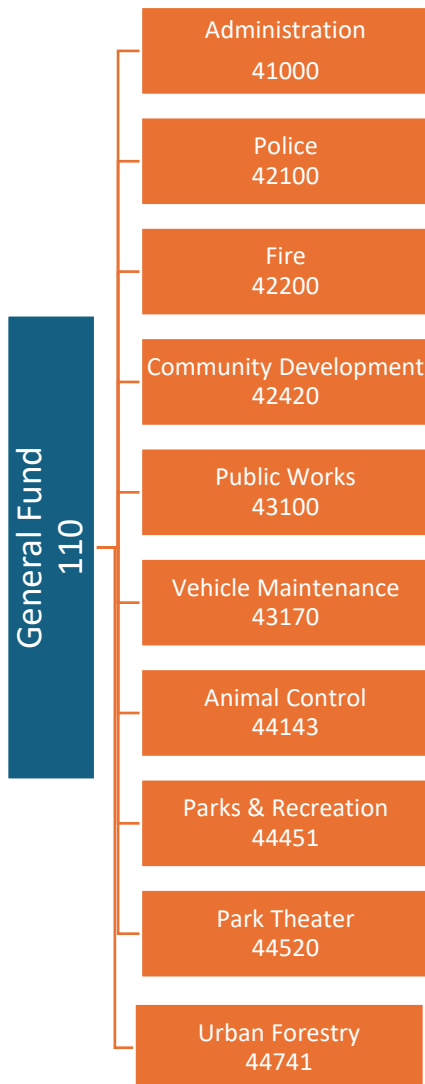
Organization



Funds

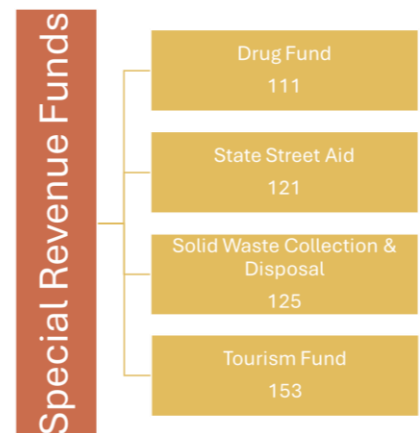
The City of McMinnville has the following types of Funds:

- **General Fund**- The General Fund is the general operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.



- **Enterprise Fund**- Accounting for municipal services where a fee is charged to finance costs associated with providing the service.
- **Water & Sewer**- Water and Sewer user fees are charged and collected by McMinnville Water and Sewer Department monthly based on water/sewer usage. Other fees collected include service fees, tap fees, etc. and are used to construct and maintain the water and sewer infrastructure of the City of McMinnville.

- **Special Revenue Funds**- Special Revenue Funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.



- **Drug Fund** - Fines for drug offenses, forfeited cash, proceeds from the sale of seized property, and general fund allocations are allowable sources of revenue for the Drug Fund. Expenditures are limited to drug-related uses only. Allowable expenditures for the Drug Fund include local drug treatment programs, drug education, drug enforcement and some non-recurring general law enforcement operational expenditures, such as vehicles, vehicle equipment, body armor, weapons and computers).

▪ **Solid Waste** - A mandatory fee shall be imposed on all residences for solid waste collection services without regard to whether the service is actually used by the occupants or not. One cannot avoid paying garbage collection fee. Fees are billed collected with the monthly water bill, unless the occupant or resident is not receiving water service, in which case they are billed separately.

- **State Street Aid**- The TN Legislature authorized the state to distribute a portion of the proceeds from the state gasoline fuel taxes to incorporated cities and towns for use on municipal streets. The funds are paid monthly on a per capital basis. Each year MTAS estimates the per capital amount of state street funds cities will receive. The

expenditures in the Street Aid Fund are restricted for items related to street maintenance, construction, improvements, etc.

- **Tourism Fund**- The City brought Tourism efforts inhouse in 2024 and created the Tourism Fund. All Hotel/Motel taxes and short-term occupancy rental revenue is accounted for here. Expenditures in this fund are restricted for items and services related to tourism and tourism development.

Levy of Taxes

All cities are authorized by state law to enact a property tax. Property taxes are assessed on a calendar year basis (January- December). They become payable in October and are due no later than February 28th of the following calendar year. The City of McMinnville residents pay property taxes to both Warren County at the rate fixed by the Board of Commissioners and to the City of McMinnville at the rate fixed by the Board of Mayor and Aldermen. Each year, the Board of Mayor and Aldermen will fix the tax rate, by ordinance, prior to the start of the fiscal year (July-June). This is typically a portion of the annual operating budget.

Budget

The budget is the most important document that the city will develop and implement. The budget for a municipality is different from that of a business. The budget is passed in the form of an Ordinance. The Budget Ordinance is the law that gives the city authorization to spend money. It is the central policy statement of the city stating where the money will come from and how it will be spent. The City is required by State statute to adopt annual budgets. All budgets are prepared on the basis where current available funds must be sufficient to meet current expenditures. Expenditures should not exceed appropriations authorized by the Board, and any authorized revisions. Final budgetary amounts presented in the financial statements represent amended amounts as authorized by the Board. Any unencumbered appropriations lapse at the end of each year. Departmental appropriations comprise a legal spending limit for governmental funds. State law also requires that the budget be published in the local newspaper ten (10) days prior to final approval of the budget ordinance. The budget includes both operating and capital revenues and expenditures.

Procurement

Cities must follow the Municipal Purchasing Law of 1983 and any locally adopted regulations. The City of McMinnville classifies purchases into one of 6 categories, and each has its own guidelines for approval per Ordinance No. 2024-06.

Class A

- All transactions involving expenditures \$20,000 or more (including recurring purchases of like items or services in which the aggregate amount exceeds \$20,000 in any 12-month period). All transactions in this classification must have prior approval of the board of mayor and aldermen.
- Sealed, publicly advertised competitive bidding

Class B

- All transactions involving expenditures exceeding \$10,000.00 but not exceeding \$19,999.99 (including recurring purchases of like items or services in which the aggregate amount is between \$10,000 and \$19,999.99 in any 12-month period). All transactions in this classification must have prior approval of the respective committee.
- Sealed, publicly advertised competitive bidding

Class C

- All transactions involving expenditures exceeding \$4,000.00 but not exceeding \$9,999.99 (including recurring purchases of like items or services in which the aggregate amount is

between \$4,000 and \$9,999.99 in any 12-month period). All transactions in this classification must have prior approval of the city administrator.

- Competitive bidding required (price published from catalog, electronic database, or other published materials).

Class D

- All transactions involving expenditures exceeding \$1,000.00 but not exceeding \$3,999.99 (including recurring purchases of like items or services in which the aggregate amount is between \$1,000 and \$3,999.99 in any 12-month period). All transactions in this classification must have prior approval of the department head.
- 3 quotes

Class E

- Class E transactions shall be made by any city employee upon authorization of the department head. The best price should be obtained for any transaction under \$999.99, competitive bids and public advertisement are not required for this classification.

Emergency

- Single purchase of any item of supplies, material, equipment or services for which public safety would be severely impaired by delay necessary to comply with the administrative procedures of the purchasing/procurement guidelines
- Requires prior board approval with a waiver of procedures of Ordinance No. 1378 Section 5-503 in the interest of public safety

Class	Amount Range	Authorized by	Public Advertisement?	Competitive Bid
A	≥ \$20,000	BoMA	Yes	Yes (Sealed)
B	\$10,000-\$19,999.99	Committee	Yes	Yes (Sealed)
C	\$4,000-\$9,999.99	City Administrator	No	Yes (Price Published)
D	\$1,000-\$3,999.99	Department Head	No	Yes (3 Quotes)
E	≤ \$999.99	Department Head	No	No
Exceptions: Emergency purchases, second-hand items or from other governmental entities.				

Types of Procurement

Recurring purchases- items such as utilities and gasoline

Purchases below the bid limit-issued a purchase order or purchased on store accounts

Sole Source purchases-items that can only be purchased from one supplier. It is only allowable if the supplier is the only source of the goods or services, and no acceptable substitutes are available.

RFP (Request for Proposals)-This type of procurement is used when the city requires professional services such as legal services, fiscal agent, financial advisor, or advisory services. The services are chosen on the quality of service provided and not the cost. The Board must approve the award.

Sealed Bids-This type of procurement is used for goods and services \$10,000 or over. The criteria for vendor selection must be clearly defined and the Board must approve the award (full board by resolution for \$20,000 or more).

Cooperative Purchasing Agreements or Pools- State law allows for the city to forego the bid process and piggyback off of state, local, and other cooperative purchasing agreements already procured. The city uses this procurement method to purchase both its commercial and health insurance. Commercial insurance is purchased through TML.

Cash Disbursements

Invoices are matched with procurement documents (i.e. purchase order, store account receipts, contract documents, quotes) and coded with the appropriate budget line item. Checks are produced as needed, but usually once a week. All checks require two signatures. Check signers include the City Treasurer and the Mayor. If the City Treasurer is not available to sign checks, the City Administrator may sign and if the Mayor is not available, the Vice-Mayor may sign. When checks are submitted for signature, the invoice and all documentation are attached to the check for inspection.

Borrowing of Funds

State law requires that borrowing money be done by resolution. The Tennessee Comptroller of the Treasury, Office of State and Local Finance has statutory authority to approve debt issues and require certain reports. Any time a municipality issues debt, Public Debt Report Form CT-01253 must be submitted to the Comptroller of the Treasury within 45 days following issuance. In addition, municipalities with any type of debt must submit a cash basis balanced budget for approval immediately upon adoption to the Office of State and Local Finance. The budget will only be approved if it demonstrates the municipality has appropriate sufficient funds to pay outstanding debt obligations and balanced the budget on a cash basis.

Revenue

The majority of the City of McMinnville's General Fund revenue is from property taxes and local options sales tax. The General Fund also receives revenue from state shared taxes, from Warren County per the Local Option Revenue Settlement and revenue generated from interest earned on investments, permits and court fines.

Reporting

Financial statements are provided in monthly packets. The statements include all Fund Statements of Revenue Expenditures, Statement of Net Position and Changes in Net Position, and Capital Fund Report. Quarterly reports are provided for continuous budget monitoring/review.

Audit

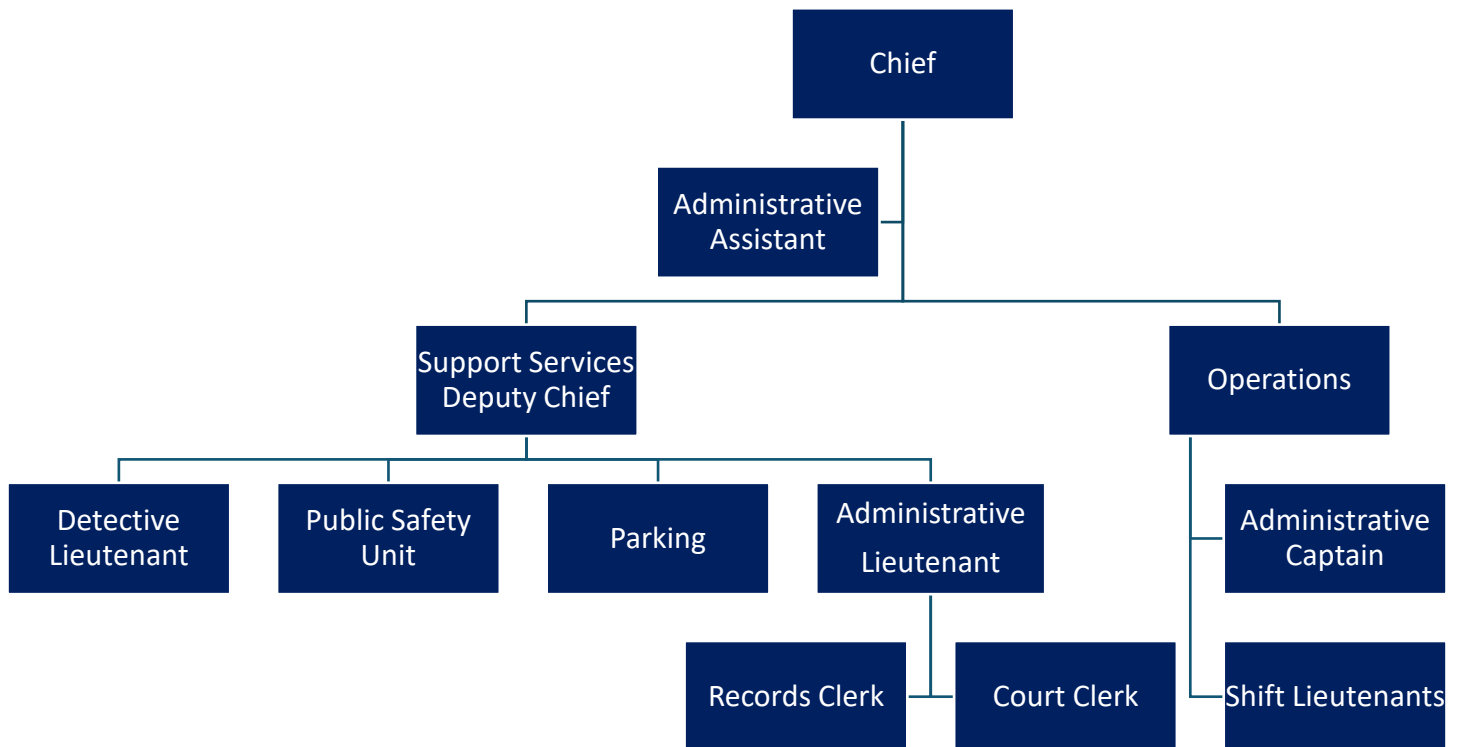
State law requires the City of McMinnville to have an independent auditor give an opinion on the financial reports of the city. The auditor must follow the GAGAS "Yellow Book" publication. When the audit is complete, the auditor submits the report to the Division of Local Government Audit of the Comptroller's Office. The audit is also reviewed by the Budget & Finance Committee for recommendation before being accepted and approved by the Board of Mayor & Aldermen.

Police Department

The Police Department accounts for 44 full time employees and includes 41 sworn police officers which includes the Chief of Police, Deputy Chief, Administrative Lieutenant, Captain, Lieutenants, Sergeants, and Detectives. Each officer exceeds the professional standards required by the State of Tennessee for police officers. Officers within the Police Department have a wide range of expertise in the field of law enforcement to provide the community with the highest degree of service. This department constitutes 27% of the General Fund Expenditures.

All marked City of McMinnville Police vehicles are equipped with a video/audio recording device, first aid medical kit, fire extinguisher, and speed monitoring devices. An automatic defibrillator on each shift is available for emergency use.

Organization



Municipal Court

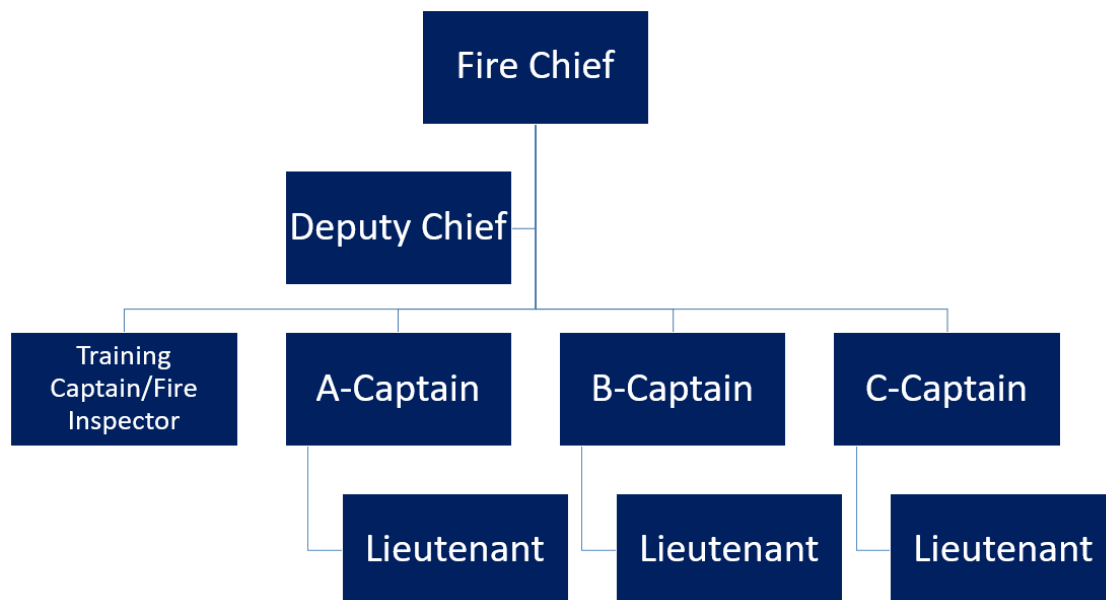
The Municipal Court is presided over by the City judge. The Municipal Court hears cases concerning traffic violations and violations of other McMinnville ordinances committed within the City of McMinnville. Court is held on Mondays at 4:00 p.m. in the Board Room on the 2nd Floor of City Hall. The City Court Clerk handles administrative responsibilities concerning the operation of the Municipal Court.

The City of McMinnville also is a site for Safety School. The class takes place at City Hall on scheduled on select Saturday mornings at 9 a.m. and Thursday afternoons at 5:00 p.m.

Fire Department

The Fire Department employs 35 full-time, certified firefighters including the Fire Chief & Training Officer. This department constates 18% of the General Fund Expenditures.

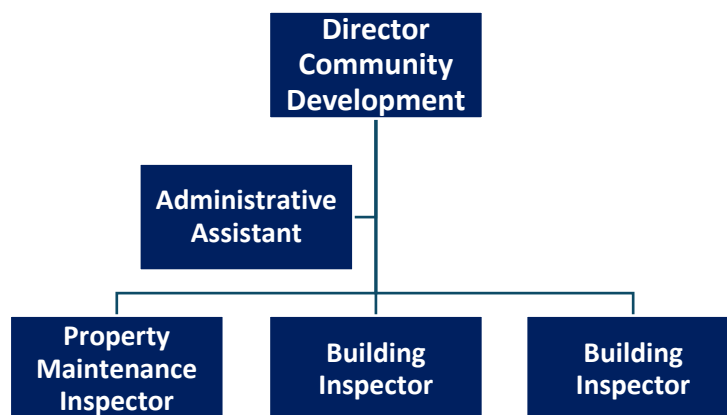
Organization



Community Development

The Community Development Department is staffed by a director, community planner, building inspector, property maintenance inspector and an administrative assistant. The Community Development Department is responsible for stormwater oversight, reviewing plans, issuing building permits, enforcing the Municipal Code as it relates to building and zoning, and working with the MPC, BZA, and HZC. This department constitutes 3% of the General Fund Expenditures.

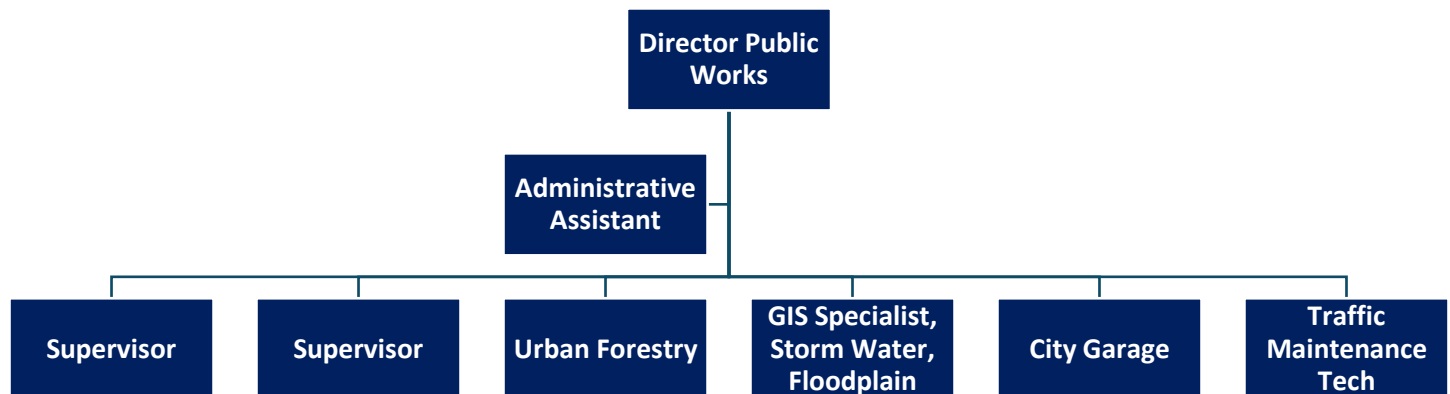
Organization



Public Works

The Public Works department is staffed by the Director of Public Works, a streets maintenance supervisor, an animal control officer, urban forestry staff, garage staff, crew chiefs, heavy equipment operators, a traffic maintenance technician and an administrative assistant. The Public Works Department is responsible for maintenance of city streets and rights-of-way, trash and recycling collection, brush and chipper services, snow and ice removal and animal control. This department constitutes 14% of the General Fund Expenditures.

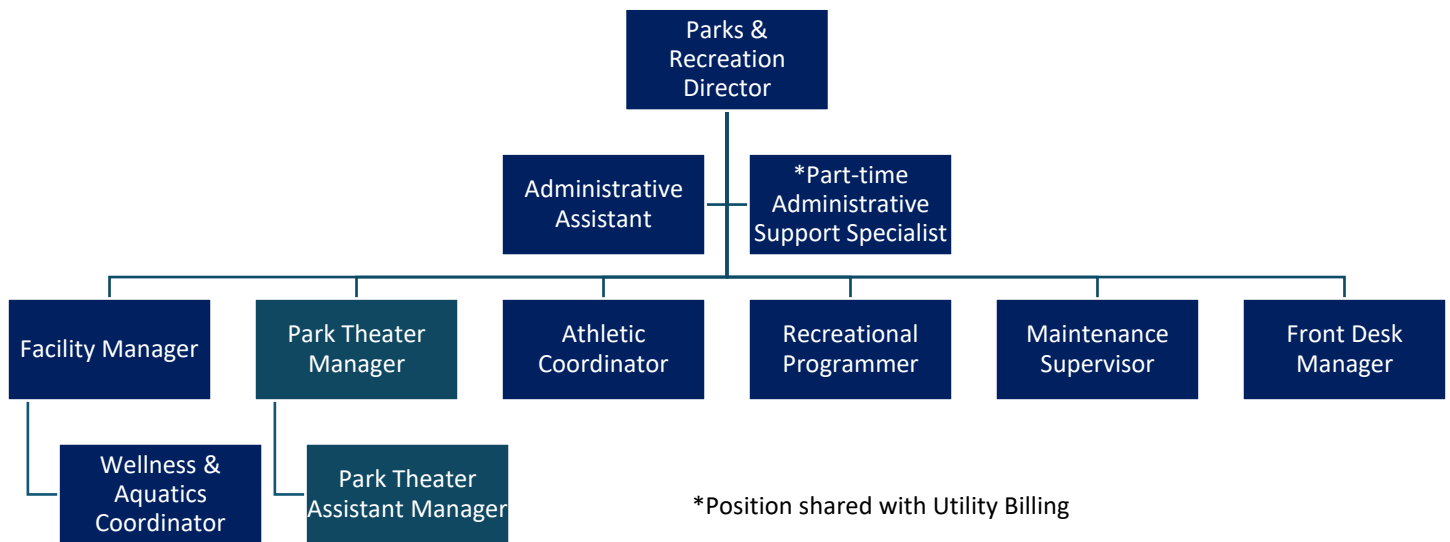
Organization



Parks & Recreation

The Parks & Recreation Department is staffed by a director, facility manager, Athletic Coordinator, Recreational Programmer, Maintenance Supervisor, Milner Recreation Center Office Supervisor, Administrative Assistant and Wellness Coordinator. This department also includes the Park Theater which is staffed by a Park Theater Manager and Park Theater Assistant Manager. The Parks & Recreation Department is responsible for the general care, maintenance and supervision of all city parks and recreation facilities, including Ramsey Park, Riverfront Park, Rocket Park, Pepper Branch Park, Pistole Park, The Milner Recreation Center & complex and the Gilley Pool. The Parks & Recreation department constitutes 18% of the General Fund Expenditures and the Park Theater constitutes 3%.

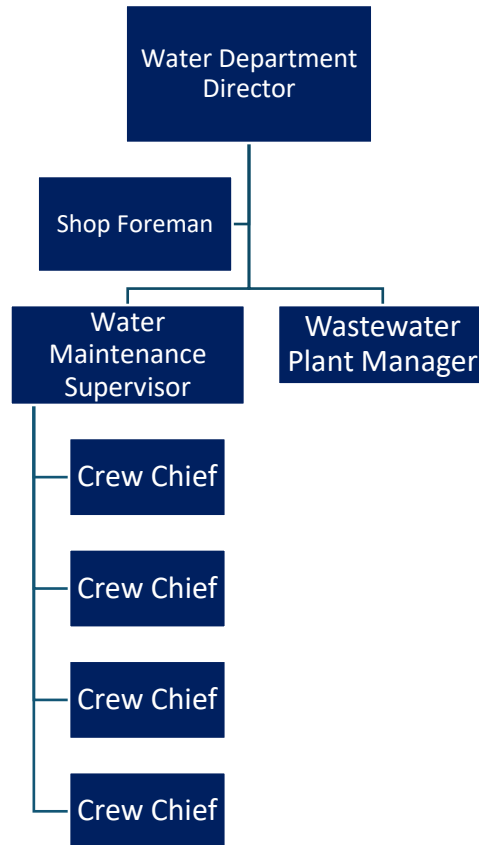
Organization



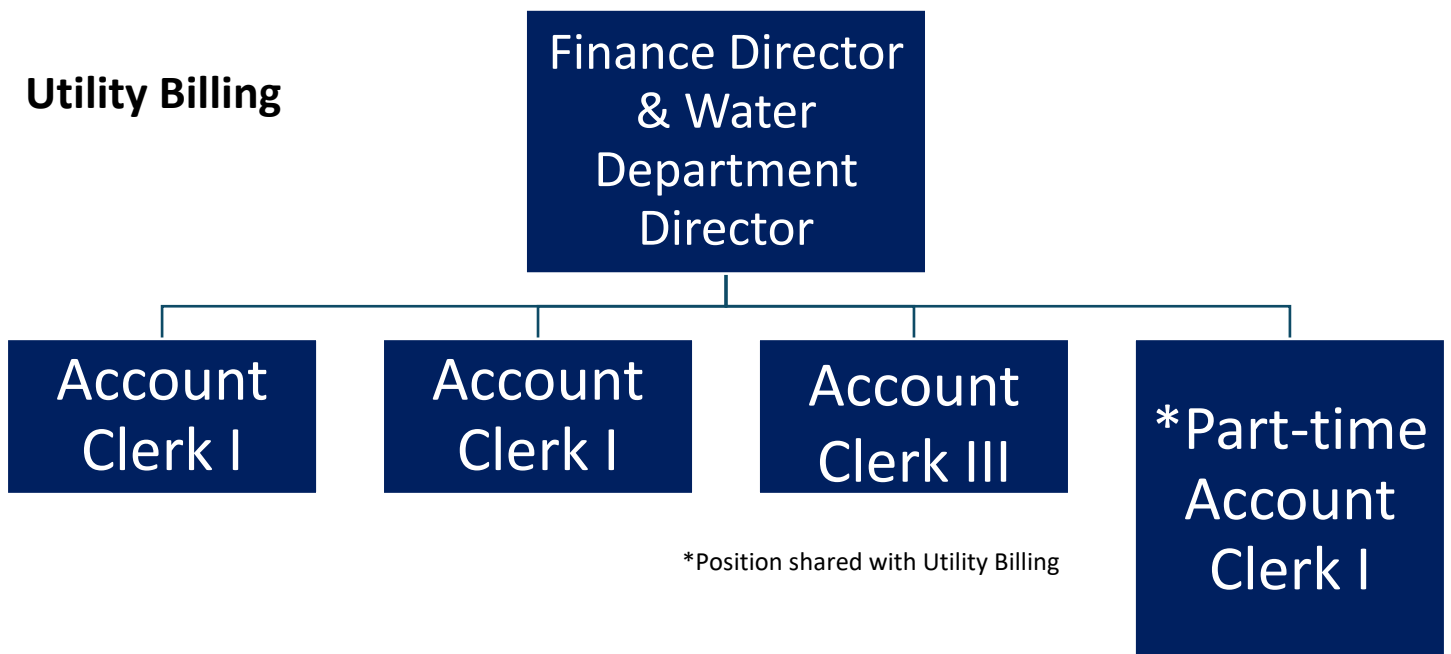
Water & Wastewater Department and Utility Billing

The Water & Wastewater Department is staffed by a director, Water Maintenance Supervisor, Wastewater Plant Manager, and Utility Billing Clerks. The Water & Wastewater Department is committed to providing a high-quality supply of water to each of its approximately 6,200 customers and committed to collecting & treating wastewater in a safe & cost-effective way before returning it into the Barren Fork River. The water system is made up of over 112 miles of water lines and 105 miles of sewer lines. The Water & Wastewater Department is a self-supporting department--it does not receive tax dollars but operates from water and sewer revenue within its own enterprise fund. The current budget of approximately \$4.2M is allocated for operations and debt service.

Water & Wastewater Department



Utility Billing



Related Municipal Entities and Resources

Municipal Technical Advisory Service (MTAS)

MTAS was created in 1949 as a state agency to provide municipal technical consulting services to Tennessee cities. MTAS is funded by a percentage of the state local sales tax and a direct appropriation of state legislature. MTAS charges for some training and codification services. However, cities are not charged for financial, management, legal, police, fire, or utility consulting services.

Tennessee Municipal League (TML)

TML is a voluntary, cooperative organization established by the cities and towns of the state of Tennessee for mutual assistance and improvement. The League's primary function is to work with the Tennessee General Assembly on behalf of city governments, promoting legislation helpful to cities and opposing legislation harmful to cities. Two extensions of the League include the TML Risk Management Pool and the Tennessee Municipal Bond Fund.

Public Entity Partners (Formerly The Risk Management Pool)

Public Entity Partners is made up of member governments who transfer their risk to the pool. The pool is supported by premium payments received from its members. The pool in turn pays for the losses submitted to it by its members. The advantage of the pool is that they do not operate for a profit, and they receive certain tax and regulatory advantages that commercial insurers do not. This allows them to offer coverage at lower premium costs. Also, they are structured to offer the types of coverage that governments need. They provide risk management training and other services specially designed for governments' needs.

Tennessee Municipal Bond Fund (TMBF)

TMBF creates and administers various types of loan programs for the benefit of cities and counties. As an entity of the Tennessee Municipal League, TMBF works closely with city officials to structure cost-effective and flexible borrowing options. Any governmental purpose project qualifies for financing through the TMBF programs. The loan size and/or repayment term typically determines which program a borrower utilizes. Types of projects include but are not limited to schools, roads, utilities, public buildings, jails, equipment, and any other project considered to be of benefit to the public. Project funds are available for any size government.

Local Government Investment Pool (LGIP)

The LGIP presents a great tool for the investing strategies of Tennessee's local governmental entities. LGIP offers a competitive rate with competitive service and multiple other benefits such as several levels of checks and balances to every transaction.

LGIP provides a method for agencies to invest funds with same or next-day access at a healthier rate of return than the entity might receive elsewhere. The LGIP also allows multiple accounts under the same participant (up to 99) with individualized, detailed reports. Many local governments who explore the LGIP option find better liquidity, easier separation of funds, and superior returns.

Community Services

Public Safety

Child Passenger Safety Program

Certified child passenger safety technicians are available with the Fire Department to give personal instruction on how to correctly install child restraint equipment in vehicles. They can also answer questions concerning the safety of your child while riding in a vehicle.

Crime Prevention

The city offers a full-time detective dedicated to investigating crimes against its residents, regardless of where the crime occurred. Also, the detective is available to meet and discuss ways to make a home more secure and less susceptible to theft.

Prescription Drug Collection Box

Anonymously and safely dispose of expired, unused, or unwanted prescription drugs. The collection box is in the side lobby of City Hall.

House Check Service

This service is available to McMinnville residents. The police department will conduct routine security checks of your residence while you are away for an extended period of time upon request.

Exhibits

List of Board of Mayor & Aldermen Members and Committees of the Whole

- Mayor Ryle Chastain (24-28)
- Vice Mayor & Alderman Steve Harvey (22-26)
- Alderman Sally Brock (24-28)
- Alderman Deitra Dunlap (22-26)
- Alderman Rachel Kirby (24-28)
- Alderman Keri Morton (22-26)
- Alderman Kara Youngblood (24-28)

Finance Committee

- Chair: Steve Harvey
- Deitra Dunlap
- Sally Brock

Water & Sewer Committee

- Chair: Sally Brock
- Rachel Kirby
- Kara Youngblood

Safety Committee

- Chair: Keri Morton
- Sally Brock
- Deitra Dunlap

Street & Sanitation Committee

- Chair: Rachel Kirby
- Steve Harvey
- Keri Morton

Building & Grounds Committee

- Chair: Kara Youngblood
- Rachel Kirby
- Keri Morton

Parks & Recreation Committee

- Chair: Deitra Dunlap
- Steve Harvey
- Kara Youngblood

Tourism & Marketing Committee

- Chair: Ryle Chastain
- Deitra Dunlap
- Kara Youngblood

List of Citizen Boards, Commissions & Members

Board of Zoning Appeals (5-year term)

Appointed by the Mayor and confirmed by the Board

Jerry Williamson, Chairman	December 2028
Emily Stefanick, Vice Chair	January 2027
Jim Brock, Secretary	December 2027
Joey Haston	December 2027
Dan Sellers	October 2027

Planning Commission (5-year term)

Appointed by the Mayor and confirmed by the Board

Jerry Williamson, Chairman	December 2028
Kara Youngblood, Vice Chair	Along w/ term of office
Jim Brock, Secretary	December 2027
Ryle Chastain, Mayor	Along w/ term of office
Ben Myers	October 2027
Jason Nunley (Regional Planning Rep.)	December 2027
Michael Weeter (Regional Planning Rep.)	

Board of Adjustment Appeals

Appointed by the Board of Mayor and Aldermen

Jerry Williamson, Chairman
Emily Stefanick, Vice Chairman
Jim Brock, Secretary
Joey Haston
Dan Sellers

Historic Zoning Commission (5-year term)

Appointed by the Mayor and confirmed by the Board

Michael Griffith, Chairman	February 2029
Raven Young, Secretary	February 2028
Rachel Kirby	February 2029
Dan Sellers	February 2027
Ben Myers	February 2027

911 Board

Appointed by the Board of Mayor and Aldermen

1 City Appointee – Sally Brock, Alderman
--

Main Street McMinnville Board

Appointed by the Board of Mayor and Aldermen

1 City Appointee – Sean Garrett

Board of Public Utilities (4-year term)

Appointed by the Board of Mayor and Aldermen

Jeff McKinley, Chairman	July 2027
Bill Locke	July 2028
Sally Brock	July 2026
Deitra Dunlap	November 2028
Michael Griffith	July 2025
Thomas Bratcher, Secretary & Treasurer	
Robert Newman, General Counsel	

Alcoholic Beverage Board

Appointed by the Board of Mayor and Aldermen

Lester Cowell, Chairman	September 2025
Yessica Carreon	September 2028
Shannon Haston	September 2028
Fred Hoover, III	September 2025
Keri Morton, Aldermanic Member	Along w/ term of office

Housing Authority (5-year term)

Appointed by the Mayor

Marvin Lusk, Jr., Chairman	December 2025
Kevin Dunlap	December 2028
Barry King	December 2026
Tommy Savage	December 2027
Jeanie McCormick – Resident Member	December 2025

County Tax Equalization Board

Appointed by the Board of Mayor and Aldermen

1 City Appointee – Jim Brock

Industrial Development Board of McMinnville/ Warren County

Elected by the Board of Mayor and Aldermen (6-year term)

Greg Smartt	August 2027
Ryan Lawrence	August 2027
Daniel Owens	August 2029
Scot MacDonald	August 2029
Justin Walling	August 2027

Tri-County Railroad Authority

Appointed by the Board of Mayor and Aldermen

Pete Sands
Jim Brock

McMinnville Downtown Revenue Finance Corp. (6-year term)

Dan Sellers – County	December 2026
Rodney Boyd – City	December 2025
Lynne Cole – Joint Appointee	December 2026

Larry Flatt – County	December 2022
Charles March – City	December 2025
Emily Stefanick – City	December 2028
Ray Talbert – County	December 2028

Central Tennessee Regional Solid Waste Planning Board (6-year term)

Frank Southard

January 2030

Tourism Advisory Committee

Voting Members

- Warren County Executive or County Commissioner
 - Terry Bell or County Commissioner
- Mayor of the City of McMinnville
 - Ryle Chastain
- Tourism and Marketing committee chairperson of the McMinnville Board of Alderman appointed after each election cycle by the Mayor
 - Alderman Deitra Dunlap
- City of McMinnville Parks & Recreation Director
 - Justin Scott
- McMinnville/Warren County Chamber of Commerce President/CEO
 - Melissa Mullins
- Main Street McMinnville Chairperson
 - Jennifer Flatt-Meredith
- State Parks Representative
 - (TBD – Need name)
- Local Historian or Library Manager
 - Brad Walker or Jimmy Haley
- Farmer's Market Representative
 - (TBD – Need name)
- A McMinnville Hotel/Motel business representative
 - (TBD - Appoint after current election)
- A McMinnville Short-Term Rental business representative
 - (TBD - Appoint after current election)
- A representative of a McMinnville Boat or Kayak Outfitter business representative
 - (TBD - Appoint after current election)
- A McMinnville dining establishment representative
 - (TBD - Appoint after current election)
- A non-voting youth representative
 - (TBD - Appoint after current election)

Ex-officio Members

- City of McMinnville Tourism & Marketing Manager
 - Jordan Pupols
- City of McMinnville City Administrator
 - Nolan Ming
- The Tennessee Department of Tourist Development Regional Director.
 - Ashley DeRossett

Two-thirds (2/3) of the committee shall be City of McMinnville residents and/or registered McMinnville business owners, with the remaining one-third (1/3) representing community stakeholders from the Middle Tennessee region. The Committee shall have non-voting youth members who will be selected and appointed by the majority.

Park Theater Advisory Board

Elected by the Board of Mayor and Aldermen

MEMBER	ROLE	VOTING	TERM	TERM
Joe Harvey	Chair	Y		
Ashley G. Wright	Secretary	N		
Deitra Dunlap	Alderman/Parks & Rec Committee	Y	w/ term of office	
Jordan Pupols	City Tourism & Marketing Manager	Y	JAN. 2022 - 2025	1ST
Ken Youngblood	Community Member	Y	JAN. 2022 - 2025	3RD
Vicki Myers Fults	Community Member	Y	JAN. 2022 - 2025	3RD
Emily Stefanick	Community Member	Y	JAN. 2022 - 2025	2ND
Jonathan Jones	Community Member	Y	JAN. 2022 - 2025	3RD
Bryan Kell	Community Member	Y	JAN. 2023 - 2026	3RD
Richard Grissom	Community Member	Y	JAN. 2023 - 2026	1ST

List of Employee Positions

Department/Position	# of Positions
Administration	8
Account Clerk I	1
Account Clerk II	1
Administrative Assistant	1
City Administrator	1
City Recorder	1
Finance Director / Treasurer	1
HR Director	1
IT Manager	1
Tourism & Marketing	1
Tourism & Marketing Manager	1
Animal Control	1
Animal Control Officer	1
City Garage	5
Mechanic	4
Vehicle Maintenance Supervisor	1
Codes Enforcement	7
Administrative Assistant	1
Building & Property Inspector	2
Community Planner	1
Director of Community Development	1
Permit Technician	1
Stormwater Manager	1
Fire Department	32
Fire Captain	3
Fire Chief	1
Fire Engineer	6
Fire Lieutenant	3

Fire Training Officer	1
Firefighter	18
Park Theatre	2
Administrative Assistant	1
Park Theater Manager	1
Parks & Recreation	12
Account Clerk II	1
Athletic Coordinator	1
Civic Center Office Supervisor	1
Director of Parks & Recreation	1
Facility Manager	1
Parks & Recreation Maintenance Supervisor	1
Parks & Recreation Maintenance Worker II	4
Recreation Programmer	1
Wellness & Aquatics Coordinator	1
Police Department	42
Account Clerk II	1
Detective	2
Detective Lieutenant	1
Detective Sergeant	3
Master Patrol Officer	1
Master Patrol Officer II	1
Patrol Sergeant/FTO	1
Patrolman II	2
Police Administrative Lieutenant	1
Police Chief	1
Police Court Clerk	1
Police Deputy Chief	1
Police Lieutenant	5
Police Officer	17
Police Records Clerk	1
Police Sergeant	3
Public Works	11
Administrative Assistant	1
Director of Public Works	1
Heavy Equipment Operator	6
Streets Maintenance Forman	2
Streets Maintenance Supervisor	1
Sanitation Collection	7
Heavy Equipment Operator	7
Sewer Plant	7
Wastewater Plant Manager	1
Wastewater Plant Operator	6
Street Aid	1
Traffic Maintenance Technician	1
Urban Forestry	3
Landscape Manager	1
Landscape Worker	2

Utility Billing	4
Account Clerk I	3
Account Clerk II	1
Water Maintenance	15
Heavy Equipment Operator	1
Heavy Equipment Operator	6
Inflow & Infiltration Crew Chief	1
Meter Reader	2
Pump Station Crew Chief	1
Water & Wastewater Crew Chief	2
Water Maintenance Shop Foreman	1
Water Maintenance Supervisor	1
Water Plant	5
Account Technician	1
Director of Water & Wastewater	1
Water Plant Operator	3
Grand Total	163

Code of Ethics Title 4 Chapter 2

Section 6. Ethics Policy

The City of McMinnville adopted the Model code of Ethics developed by the University of Tennessee Municipal Technical Advisory Service by Ordinance No. 1539.

Section 1. Applicability This ordinance constitutes the code of ethics for officials and employees of the City of McMinnville. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the city. The words “municipal” and “municipality” include these separate entities.

Section 2. Definition of “personal interest” (1) For purposes of Section 3 and 4, “personal interest” means: (a) Any financial, ownership, or employment interest in the subject of a vote by a city board not otherwise regulated by state statutes on conflicts of interest; or (b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or (c) Any such financial, ownership, or employment interest of the official’s or employee’s spouse, parent(s), stepparent(s), sibling(s), child(ren), or stepchild(ren). (2) The words “employment interest” includes a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised. (3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of state law take precedence over the provisions of this ordinance.

Section 3. Disclosure of personal interest by official with vote An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official’s vote on the measure. In addition, the official may recuse himself from voting on the measure.

Section 4. Disclosure of personal interest in nonvoting matters An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter.

Section 5. Acceptance of gratuities, etc. An official or employee may not accept, directly or indirectly, any money gift, gratuity, or other consideration or favor of any kind from anyone other than the city: (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or (2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing city business.

Section 6. Use of information (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law. (2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the city.

Section 7. Use of municipal time, facilities, etc. (1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage of himself. (2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the city.

Section 8. Use of position or authority (1) An official or employee may not use or attempt to make private purchases, for cash or otherwise, in the name of the city. (2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized by the charter, general law, or ordinance or policy of the city.

Section 9. Outside employment An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the city position or conflicts with any provision of the city's charter or any ordinance of the city.

Section 10. Ethics complaints (1) The city attorney is designated as the ethics officer of the city. Upon the written request of an official or employee potentially affected by a provision of this ordinance, the city attorney may render an oral or written advisory ethics opinion based upon this ordinance and other applicable law. (2) (a) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this ordinance or may undertake an investigation on his own initiative when he acquires information indicating a possible violation and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics. (b) The city attorney may request that the city board hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interest in a particular matter. (c) When a complaint of a violation of any provision of this ordinance is lodged against a member of the city board, the city board shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further

investigation. If the governing body determines that a complaint warrants further investigation, it shall authorize an investigation by the city attorney or another individual or entity chosen by the city board. (3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics. (4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than a violation of this code of ethics.

Section 11. Violations An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this ordinance is subject to punishment as provided by the city's charter or other applicable law and in addition is subject to censure by the city board. An appointed official or any employee who violates any provision of this ordinance is subject to disciplinary action.

Section 12. Penalty An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who has violated any provision of this ordinance is subject to punishment as provided by the city's charter or other applicable law, and may be assessed a penalty of \$50.00 in addition to being subjected to public censure by the city board. Any employee who violates any provision of this ordinance is subject to disciplinary action as found in the City Personnel Policy.

END OF DOCUMENT

Updated 12/2024