

**CITY OF MANCHESTER**  
**BOARD OF MAYOR AND ALDERMEN**  
**AGENDA**  
**May 6<sup>th</sup>, 2025 @ 6:30 P.M.**  
**City Hall Board Room**  
**No Work Session**

1. **ROLL CALL:**

2. **INVOCATION:**

3. **PLEDGE TO THE FLAG**

4. **APPROVAL OF AGENDA**

5. **MINUTES**

- April 1, 2025 BOMA Meeting Minutes & BOMA Beer Board Minutes

6. **COMMENTS FROM CITIZENS**

7. **COMMENTS FROM MAYOR** Special Called BOMA Meeting 5-15-25 @ 5:30 pm

8. **COMMITTEE AND COMMISSION REPORTS**

- \*Safety \*Finance \*Street \*Water & Sewer \*Recreation \*Tourism \*Planning & Zoning
- \*Information Systems \*Historic Zoning

9. **RESOLUTIONS AND ORDINANCES**

**Resolutions:**

- a) A resolution authorizing the purchase of Two (2) 2025 Ford F-150 4x4 Super Crew Cab for a total of One Hundred and Six Thousand Four Hundred and Sixty Dollars and 00/100 (\$106,460.00) for use of the Public Works Department of the City of Manchester; sponsored by Vice Mayor Messick.
- b) A resolution authorizing a contract to purchase Four (4) Dodge Durangos with patrol equipment at a cost of Fifty-Three Thousand Seven Hundred Forty-Four and 35/100 Dollars (\$53,744.35) each, and two (2) Dodge Durangos with Administrative equipment at a cost of Forty-Six Thousand Seven Hundred Thirty-Three and 70/100 Dollars (\$46,733.70 each, for use by the Police Department; sponsored by Alderman French.
- c) A resolution authorizing contracting with the State of Tennessee for reimbursement of the cost of maintenance of state routes which pass over City streets for the Fiscal Years 2025-2026 in a total amount not to exceed One Hundred and Eighty-Five Thousand Three Hundred Thirty and 48/100 Dollars (\$185,330.48); sponsored by Vice Mayor Messick.
- d) A resolution authorizing the Mayor of the City of Manchester to execute and submit an application for funds to the Appalachian Regional Commission, FastTrack Infrastructure Development Program (FIDP), and AgTrack Program for a 500,000-gallon elevated water storage tank; sponsored by Mayor Hobbs.
- e) A resolution to approve Matlock Clements, P.C. as the City's Auditor for Fiscal Year 2025-2026 at a cost not to exceed Forty-Two Thousand Dollars (\$42,000) for the standard and an additional "single audit" of federal funds expenditures; sponsored by Alderman Crosslin.
- f) A resolution to approve an agreement between the City of Manchester, Tennessee and Coffee County, Tennessee for the coordination of road maintenance and emergency services; sponsored by Vice Mayor Messick.

**Ordinances:**

- a) 2<sup>nd</sup> reading of an ordinance amending provisions to Manchester Municipal Code 13-202 (3) regarding violations; sponsored by Vice Mayor Messick.
- b) 2<sup>nd</sup> reading of an ordinance amending provisions to Manchester Municipal Code 16-210 (6) regarding driveway tile installation; sponsored by Vice Mayor Messick.

- c) 2<sup>nd</sup> reading of an ordinance amending provisions to Manchester Municipal Code 10-205 regarding dogs; sponsored by Vice Mayor Messick.
- d) 2<sup>nd</sup> reading of an ordinance rezoning that property formally owned by Robert and Shonta Gilley and now owned by Swanson Developments, LP, on Murfreesboro Highway and recently annexed into the City; sponsored by Vice Mayor Messick.
- e) 1<sup>st</sup> reading of an ordinance adding provisions to Manchester Municipal Code 4-603 regarding Assistant Fire Chief vehicle "Take Home" policy; sponsored by Alderman French.
- f) 1<sup>st</sup> reading of an ordinance amending the budget ordinance for fiscal year 2024-25, Ordinance no. 1726; sponsored by Alderman Crosslin.
- g) 1<sup>st</sup> reading of an ordinance to revise Title 14 Chapter 12 of Manchester Municipal Code, Stormwater Ordinance; sponsored by Vice Mayor Messick.

**9. OLD BUSINESS**

**10. NEW BUSINESS**

Planning & Zoning Commission Vacancy - Mayoral Appointment

**11. ITEMS FROM THE BOARD OF MAYOR AND ALDERMAN**

**12. ADJOURNMENT: Beer Board to Follow**

[www.cityofmanchestertn.com](http://www.cityofmanchestertn.com)

LIVE STREAMING <https://www.youtube.com/@CityOfManchesterTennessee>

**CITY OF MANCHESTER**  
**BOARD OF MAYOR AND ALDERMEN**  
**Meeting Minutes**  
**April 1<sup>st</sup>, 2025, @ 6:30 pm**  
**City Hall Board Room**

The Board of Mayor and Aldermen met in regular session at 6:30 p.m. in the Board Room at Manchester City Hall. The meeting was presided over by Mayor Hobbs. Present for the meeting were Mayor Hobbs, Alderman French, Alderman Crosslin, Vice Mayor Messick, Alderman Parsley, Alderman Anderson, Alderman Threet, Attorney Johnson, Executive Administrative Assistant Keele, Finance Director Burrows, MWSD Director Perry, Parks/Rec. Director Fox, I.S. Director Smotherman, MPD Chief Sipe, MPD Assistant Chief Floied, MFD Chief Chambers, Public Works Director Gannon, Community Development & Zoning Director Brittany Fiske, Engineer Adam Carter, Coffee County Industrial Board Director Anne Majors, and other citizens.. Meeting opened with a prayer by Pastor Josh Jackson and the pledge to the flag was spoken in unison. Mayor Hobbs called the meeting to order.

**ROLL CALL:**

Roll was taken via Open Meetings program.

**MOTION TO APPROVE AGENDA**

Mayor Hobbs called for an approval of the presented agenda. Alderman French made a motion to approve and seconded by Vice Mayor Messick. The motion to approved passed 6-0

**APPROVAL OF MINUTES:**

Alderman French made a motion to approve the 3-4-25 BOMA minutes. Vice Mayor Messick seconded the motion and the motion passed 5-1 with Alderman Anderson voting nay.

**CORRESPONDENCE:** none

**COMMENTS FROM CITIZENS:** none

**COMMENTS FROM MAYOR:** Mayor Hobbs welcomed everyone and reminded the BOMA to speak into their microphones.

**Safety Committee-** Fire Chief Chambers discussed two recruits at the fire academy, several software programs, and submission of MTAS audit. Chief Sipe discussed the filling of a SRO vacancy, several events the MPD were involved in, and Captain Robertson position with the state grants.

**Finance Committee-** Director Burrows discussed the fiscal year 2025-2026 budget is 80 percent complete.

**Street Committee-** Director Gannon discussed the next meeting would be April 10<sup>th</sup>, mowing, sidewalk projects, and maintenance of right-of-way, and vacancies.

**Water /Sewer Commission-** Director Perry discussed the next meeting would be April 3<sup>rd</sup>, departmental review, Dukes Root Control, New Hire of Assistant Director Lonnie Foley.

**Recreation Commission-**Director Fox discussed that Nicholas Gonder received an award from the soil conservation district, tournaments, registration of summer camp, opening day of baseball, softball, soccer, Easter events. Next meeting will be April 9

**Tourism-**Vice Mayor Messick discussed the importance of a budget.

**Planning & Zoning Commission-** Director Fiske stated the next meeting would be April 21, Codes department has moved to 107 Hillsboro Blvd, thanked all departments for their help with the move.

**Information Systems Committee-** Director Smotherman stated the next meeting would be April 14.

**Historic Zoning Commission-**Director Fiske stated the next meeting would be April 3.

**RESOLUTIONS & ORDINANCES**

**Resolutions:**

- a) A resolution to authorize an award of Manchester Tourism & Community Grant Funds to Park Partners for a playground in the amount of Four Thousand 00/100 Dollars (\$4,000.00); sponsored by Alderman French. Alderman French made a motion to approve and seconded by Vice Mayor Messick. Mayor Hobbs opened the floor to discussion and called for the roll. The motion to approved the resolution passed 6-0.

- b) A resolution authorizing a contract to purchase three (3) Ford Mavericks at a total cost of Ninety Thousand Two Hundred and Nineteen and 00/100 Dollars (\$90,219.00) and one (1) Ford F-150 4x4 Super Crew at a cost of Forty-Nine Thousand Three Hundred and Seven and 00/100 Dollars (\$49,307.00), for use by the Water and Sewer Department; sponsored by Alderman Anderson. Alderman French made a motion to approve and seconded by Alderman Crosslin. Mayor Hobbs opened the floor to discussion and called for the roll. The resolution passed 6-0.
- c) A resolution to approve a new City of Manchester logo; sponsored by Alderman Crosslin. Alderman Anderson made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and discussed the need of a new logo and the steps that have been taken. Mayor Hobbs called for the roll and the resolution passed 4-3 with Mayor Hobbs voting yea to break the tie. Alderman Threet, Vice Mayor Messick, and Alderman Parsley voted nay.
- d) A resolution to approve a purchase and sale and lease at the City of Manchester, Tennessee Industrial Park for up to 115.00 acres; sponsored by Mayor Hobbs. Vice Mayor Messick made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and called for the roll. The resolution passed 6-0.
- e) A resolution to rescinding previous resolution and adopting a Plan of Services preliminary to annexation of Ninety-Nine (99) acres of property previously owned by Robert and Shonta Gilley, located on Murfreesboro Hwy; sponsored by Vice Mayor Messick. Vice Mayor Messick made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to a public hearing and after none called for the roll. The resolution passed 5-1 with Alderman Anderson voting nay.
- f) A resolution annexing Ninety-Nine and 00/100 (99) acres of property owned by Swanson Developments, LP, located on Murfreesboro Highway; sponsored by Vice Mayor Messick. Alderman French made a motion to approve and seconded by Vice Mayor Messick. Mayor Hobbs opened the floor to a public hearing and after none called for the roll. The motion passed 5-1 with Alderman Anderson voting nay.
- g) A resolution to approve a contract in the amount of Four Hundred Ninety-Five Thousand Dollars (\$495,000.00) with Langley and Taylor DBA Swim Club Management of Nashville, for Recreation Center Phase 1A Aquatic Renovations Project; sponsored by Alderman French. Alderman Anderson made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and called for the roll. The resolution passed 6-0.

**Ordinances:**

- a) 2<sup>nd</sup> reading of an ordinance to amend and delete Manchester Municipal Code 5-101 relative to Official Depository; sponsored by Alderman Crosslin. Alderman Anderson made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and called for the roll. The ordinance passed final reading 6-0.
- b) 2<sup>nd</sup> reading of an ordinance to amend Manchester Municipal Code 5-703 relative to purchasing authority; sponsored by Alderman Crosslin. Vice Mayor Messick made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and called for the roll. The ordinance passed final reading 6-0.
- c) 1<sup>st</sup> reading of an ordinance amending provisions to Manchester Municipal Code 13-202 (3) regarding violations; sponsored by Vice Mayor Messick. Vice Mayor Messick made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and called for the roll. The ordinance passed 1<sup>st</sup> reading 5-1 with Alderman Anderson abstaining.
- d) 1<sup>st</sup> reading of an ordinance amending provisions to Manchester Municipal Code 16-210 (6) regarding driveway tile installation; sponsored by Vice Mayor Messick. Alderman French made a motion to approve and seconded by Vice Mayor Messick. Mayor Hobbs opened the floor to discussion and called for the roll. The ordinance passed 1<sup>st</sup> reading 6-0.
- e) 1<sup>st</sup> reading of an ordinance amending provisions to Manchester Municipal Code 10-205 regarding dogs; sponsored by Vice Mayor Messick. Vice Mayor Messick made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to discussion and called for the roll. The ordinance passed 1<sup>st</sup> reading. 6-0.

- f) 1<sup>st</sup> reading of an ordinance rezoning that property formally owned by Robert and Shonta Gilley and now owned by Swanson Developments, LP, on Murfreesboro Highway and recently annexed into the City; sponsored by Vice Mayor Messick. Vice Mayor Messick made a motion to approve and seconded by Alderman French. Mayor Hobbs opened the floor to a public hearing and called for the roll. The ordinance passed 1<sup>st</sup> reading 5-1 with Alderman Anderson voting nay.

**OLD BUSINESS**-none

**NEW BUSINESS**- none

**COMMENTS FROM BOMA:** Alderman Threet discussed the past history of the City of Manchester being anti-growth. Alderman French discussed the county moratorium. Mayor Hobbs invited everyone to the Open House of the Codes Dept. on 5-6-25.

**ADJOURNMENT:**

- Being no further business to discuss, Mayor Hobbs asked for a motion to adjourn and Alderman Crosslin made the motion. The motion was seconded by Alderman French. The motion to adjourn was passed 5-1 with Alderman Threet abstaining. The meeting adjourned at 7:10p.m.

**SIGNATURES:**

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**Mayor Joey Hobbs**

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**Executive Administrative Assistant Keele**

**City of Manchester**  
**Board of Mayor and Alderman**  
**Beer Board Minutes**  
**April 1, 2025**

Immediately Following the Mayor and Aldermen Board Meeting

Mayor Hobbs called the meeting to order

**Application(s):**

1. **Name of Business: Speedway Store #47340 (1699); Business Address: 1380 McMinnville Hwy, Manchester, TN 37355; Previous Name of Business: n/a; Name and Address of Property Owner: 7-Eleven Inc. 3200 Hackberry Road, Irving, TX 75063; Name of Applicant: David Seltzer, Southlake TX, 76092; Application is for off-premises consumption. Alderman Crosslin made a motion to approve and seconded by Alderman Parsley. Assistant Police Chief Floied stated the applicant has met all requirements and is favorable for permit. Mayor Hobbs opened the floor to discussion and called for the roll. The motion to approve the application passed 7-0.**
- **Adjournment: Being no further business to discuss, Mayor Hobbs asked for a motion to adjourn and Alderman French made the motion. The motion was seconded by Vice Mayor Messick. The motion to adjourn was passed 6-0. The meeting adjourned at 7:13 p.m.**

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Mayor Joey Hobbs

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Exec. Administrative Assistant Keele

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE PURCHASE OF TWO (2) 2025 FORD F-150 4X4 SUPER CREW CAB FOR A TOTAL OF ONE HUNDRED AND SIX THOUSAND FOUR HUNDRED AND SIXTY DOLLARS AND 00/100 (\$106,460.00) FOR USE OF THE PUBLIC WORKS DEPARTMENT OF THE CITY OF MANCHESTER**

WHEREAS, the City of Manchester Public Works Department needs two new cargo/passenger trucks; and

WHEREAS, the Public Works Department has determined that two Ford F-150 4x4 Super Crew Cab Trucks will best serve the department's needs; and

WHEREAS, the city has sufficient funds in its budget line item account (260-43200-943) to purchase this equipment, and

WHEREAS, this equipment is available pursuant to the State of Tennessee Department of General Services contract making the purchase exempt from the City's bidding requirements; and

WHEREAS, Code Section 5-703 (4) of the City of Manchester requires any obligation of the City on any contract of \$35,000 be approved by resolution; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER,** that the City of Manchester purchase two (2) 2025 Ford F-150 4x4 Super Crew Cab Trucks at a total cost of ONE HUNDRED AND SIX THOUSAND FOUR HUNDRED AND SIXTY DOLLARS AND 00/100 (\$106,460.00), through a State of Tennessee Department of General Services contract vendor and that the Mayor and Finance Director are authorized to execute the documents necessary to meet the intent of this resolution.

**RESOLVED THIS \_\_\_\_\_th DAY OF MAY, 2025.**

**RESOLUTION NO. .**

**A RESOLUTION AUTHORIZING A CONTRACT TO PURCHASE FOUR (4) DODGE DURANGOS WITH PATROL EQUIPMENT AT A COST OF FIFTY THREE THOUSAND SEVEN HUNDRED FORTY FOUR AND 35/100 DOLLARS (\$53,744.35) EACH, AND TWO (2) DODGE DURANGOS WITH ADMINISTRATIVE EQUIPMENT AT A COST OF FORTY SIX THOUSAND SEVEN HUNDRED THIRTY THREE AND 70/100 DOLLARS (\$46,733.70) EACH, FOR USE BY THE POLICE DEPARTMENT**

WHEREAS the City of Manchester Police Department needs six (6) new vehicles; and

WHEREAS the Manchester Police Department has determined that a Dodge Durango V-6 with equipment will best serve the Department's needs; and

WHEREAS the City will have sufficient funds in the General Account (110-42100-943.001) to purchase these vehicles; and

WHEREAS these vehicles are available pursuant to the State of Tennessee Department of General Services contract making the purchase exempt from the City's bidding requirements; and

WHEREAS Code Section 5-703 (4) of the City of Manchester requires any obligation of the City on any contract in excess of \$35,000 be approved by resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the City of Manchester contract to purchase four (4) Dodge Durangos V-6, with the "patrol" package, at a cost of Fifty Three Thousand Seven Hundred and Forty Four and 35/100 Dollars (\$53,744.35) each, for a total of Two Hundred Fourteen Thousand Nine Hundred and Sixty One and 40/100 Dollars (\$214,961.40); and two (2) Dodge Durangos V-6, with the "Administrative" package, at a cost of Forty Six Thousand Seven Hundred and Thirty Three and 70/100 Dollars (\$46,733.70) each, for a total of Ninety Three Thousand Four Hundred and Sixty Seven and 40/100 Dollars

(\$93,467.40), from TT of Columbia, a State of Tennessee Department of General Services contract vendor.

BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the purchases be funded from the General fund (110-42100-943.001).

BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the Mayor be authorized to enter into the contract and any other documents required.

Resolved this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_  
Anthony Burrows, Finance Director

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING CONTRACTING WITH THE STATE OF  
TENNESSEE FOR REIMBURSEMENT OF THE COST OF MAINTENANCE  
OF STATE ROUTES WHICH PASS OVER CITY STREETS FOR THE FISCAL  
YEARS 2025 AND 2026 IN A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED  
AND EIGHTY FIVE THOUSAND THREE HUNDRED THIRTY AND 48/100 DOLLARS  
(\$185,330.48)**

WHEREAS the State of Tennessee is required by T.C.A. 54-5-201 to construct, reconstruct and improve streets and maintain streets in municipalities such as the City of Manchester over which traffic on State highways is routed; and

WHEREAS the City of Manchester, Tennessee is organized for the care of its own streets and, therefore, T.C.A. 54-5-203 directs that the State of Tennessee shall reimburse the City of Manchester for all expenditures to maintain said streets over which State highways are routed subject to approval of the Tennessee Department of Transportation; and

WHEREAS the State of Tennessee has proposed a contract for its reimbursement to the City of Manchester, Tennessee, at unit prices, in an amount not to exceed One Hundred and Eighty Five Thousand Three Hundred Thirty And 48/100 Dollars (\$185,330.48) of the cost of maintaining the portion of City streets over which State highways are routed, a copy of which is attached as Exhibit "A" hereto; and

WHEREAS Code Section 5-703 (4) of the City of Manchester requires any obligation of the City on any contract in excess of \$35,000 be approved by resolution; and

WHEREAS the City of Manchester, Tennessee believes it to be in its best interest to enter into said contract.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the City of Manchester enter into a contract with the State of Tennessee, in an amount not to exceed One Hundred and Eighty Five Thousand Three Hundred Thirty And 48/100 Dollars (\$185,330.48) for total reimbursement of the cost of maintaining those portions of State highways which are routed over City streets for the Fiscal Years 2025 and 2026, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference.

BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the Mayor and Finance Director are authorized to execute the contract and all necessary documents.

Resolved this \_\_\_\_\_ day of May 2025.

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_  
Anthony Burrows, Finance Director

**CONTRACT  
BETWEEN THE STATE OF TENNESSEE,  
DEPARTMENT OF TRANSPORTATION  
AND  
City of Manchester**

This Contract, by and between the State of Tennessee, Department of Transportation, hereinafter referred to as the "State" and The City of Manchester, hereinafter referred to as the "Contractor," is for the provision of the routine maintenance of state routes, as further defined in the "SCOPE OF SERVICES."

Contractor Edison Registration ID # 0000001572  
Contract #: CMA 2639

**A. SCOPE OF SERVICES:**

- A.1. The Contractor shall provide all service and deliverables as required, described, and detailed herein and shall meet all service and delivery timelines as specified by this Contract.
- A.2. Tenn. Code Ann. § 54-5-201 provides that the State is authorized to enter into contracts with municipalities regarding the improvement and maintenance of streets over which traffic on state highways is routed.
- A.3. Tenn. Code Ann. § 54-5-202 provides that streets constructed, reconstructed, improved and maintained by the State shall be of a width and type that the State deems proper, but the width so constructed, reconstructed, improved and maintained shall not be less than eighteen feet (18'); and, in the case of resurfacing and maintenance, from curb to curb where curbs exist, or the full width of the roadway where no curbs exist.
- A.4. Tenn. Code Ann. § 54-5-203 provides that the State is authorized to enter into contracts with municipalities that are organized to care for streets to reimburse, subject to the approval of the State, for improvements and maintenance.
- A.5. Tenn. Code Ann. § 54-16-106 provides that the highway authorities of the state, counties, cities, and town are authorized to enter into agreements with each other respecting the improvement and maintenance of controlled-access facilities, defined by Tenn. Code Ann. § 54-16-101 as a highway or street specially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement of access from abutting properties.
- A.6. Tenn. Code Ann. § 54-5-139 provides that the State may enter into a contract with a qualified county to perform maintenance activities upon the rights-of-way of state highways located outside of municipalities and metropolitan governments; and, that the reimbursement shall be on an actual cost basis.
- A.7. The State is hereby contracting with the Contractor for the improvements and maintenance specified in Attachment Either "Exhibit A" titled "Guidelines Covering Maintenance of State Highways through Municipalities," attached and incorporated hereto as part of this Contract.

**B. TERM OF CONTRACT:**

This Contract shall be effective on July 1, 2025 ("Effective Date"), and extend for a period of twenty-four (24) months after the Effective Date ("Term"). The State shall have no obligation for goods or services provided by the Contractor prior to the Effective Date.

**C. PAYMENT TERMS AND CONDITIONS:**

C.1. Maximum Liability. In no event shall the maximum liability of the State under this Contract exceed One Hundred Eighty Five Thousand Three Hundred Thirty Dollars and Forty Eight Cents (\$185,330.48). The payment rates in section C.3 shall constitute the entire compensation due the Contractor for all service and Contractor obligations hereunder regardless of the difficulty, materials or equipment required. The payment rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the payment rates detailed in section C.3. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

C.2. Compensation Firm. The payment rates and the maximum liability of the State under this Contract are firm for the duration of the Contract and are not subject to escalation for any reason unless amended.

C.3. Payment Methodology. The Contractor shall be compensated based on the payment rates herein for units of service authorized by the State in a total amount not to exceed the Contract Maximum Liability established in section C.1.

- a. The Contractor's compensation shall be contingent upon the satisfactory completion of units, milestones, or increments of service defined in section A.
- b. The Contractor shall be compensated for said units, milestones, or increments of service based upon the following payment rates:

<b>Service Description</b>	<b>Amount (per compensable increment)</b>
Either "Exhibit A" titled "Guidelines Covering Maintenance of State Highways through Municipalities"	See Exhibit A
If included herein "Exhibit B" containing the maximum allowable labor and equipment rates.	See Exhibit B

C.4. Travel Compensation. The Contractor shall not be compensated or reimbursed for travel, meals, or lodging.

C.5. Invoice Requirements. The Contractor shall invoice the State only for completed increments of service and for the amount stipulated in section C.3, above, and present said invoices no more often than monthly, with all necessary supporting documentation, to:

Tennessee Department of Transportation  
1208 East Carroll Street  
Tullahoma, TN 37388

- a. Each invoice shall clearly and accurately detail all of the following required information (calculations must be extended and totaled correctly).
  - (1) Invoice Number (assigned by the Contractor)
  - (2) Invoice Date

- (3) Contract Number (assigned by the State)
- (4) Customer Account Name: Tennessee Department of Transportation
- (5) Customer Account Number (assigned by the Contractor to the above-referenced Customer)
- (6) Contractor Name
- (7) Contractor Tennessee Edison Registration ID Number Referenced in Preamble of this Contract
- (8) Contractor Contact for Invoice Questions (name, phone, and/or fax)
- (9) Contractor Remittance Address
- (10) Description of Delivered Service
- (11) Complete Itemization of Charges, which shall detail the following:
  - i. Service or Milestone Description (including name & title as applicable) of each service invoiced
  - ii. Number of Completed Units, Increments, Hours, or Days as applicable, of each service invoiced
  - iii. Applicable Payment Rate (as stipulated in Section C.3.) of each service invoiced
  - iv. Amount Due by Service
  - v. Total Amount Due for the invoice period

b. The Contractor understands and agrees that an invoice under this Contract shall:

- (1) include only charges for service described in Contract Section A and in accordance with payment terms and conditions set forth in Contract Section C;
- (2) only be submitted for completed service and shall not include any charge for future work;
- (3) not include sales tax or shipping charges; and
- (4) initiate the timeframe for payment (and any discounts) only when the State is in receipt of the invoice, and the invoice meets the minimum requirements of this section C.5.

C.6. Payment of Invoice. A payment by the State shall not prejudice the State's right to object to or question any payment, invoice, or matter in relation thereto. A payment by the State shall not be construed as acceptance of any part of the work or service provided or as approval of any amount invoiced.

C.7. Invoice Reductions. The Contractor's invoice shall be subject to reduction for amounts included in any invoice or payment theretofore made which are determined by the State, on the basis of audits conducted in accordance with the terms of this Contract, not to constitute proper remuneration for compensable services.

C.8. Deductions. The State reserves the right to deduct from amounts, which are or shall become due and payable to the Contractor under this or any contract between the Contractor and the State of Tennessee any amounts, which are or shall become due and payable to the State of Tennessee by the Contractor.

C.9. Prerequisite Documentation. The Contractor shall not invoice the State under this Contract until the State has received the following documentation properly completed.

- a. The Contractor shall complete, sign, and present to the State the "Authorization Agreement for Automatic Deposit Form" provided by the State. By doing so, the Contractor acknowledges and agrees that, once this form is received by the State, payments to the Contractor, under this or any other contract the Contractor has with the State of Tennessee, may be made by ACH; and
- b. The Contractor shall complete, sign, and return to the State the State-provided W-9 form. The taxpayer identification number on the W-9 form must be the same as the

Contractor's Federal Employer Identification Number or Social Security Number referenced in the Contractor's Edison registration information.

**D. STANDARD TERMS AND CONDITIONS:**

- D.1. Required Approvals. The State is not bound by this Contract until it is signed by the contract parties and approved by appropriate officials in accordance with applicable Tennessee laws and regulations (depending upon the specifics of this contract, said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).
- D.2. Modification and Amendment. This Contract may be modified only by a written amendment signed by all parties hereto and approved by both the officials who approved the base contract and, depending upon the specifics of the contract as amended, any additional officials required by Tennessee laws and regulations (said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).
- D.3. Termination for Convenience. The State may terminate this Contract without cause for any reason. Said termination shall not be deemed a breach of contract by the State. The State shall give the Contractor at least thirty (30) days written notice before the effective termination date. The Contractor shall be entitled to compensation for satisfactory, authorized service completed as of the termination date, but in no event shall the State be liable to the Contractor for compensation for any service which has not been rendered. Upon such termination, the Contractor shall have no right to any actual general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- D.4. Termination for Cause. If the Contractor fails to properly perform its obligations under this Contract in a timely or proper manner, or if the Contractor violates any terms of this Contract, the State shall have the right to immediately terminate the Contract and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the Contractor shall not be relieved of liability to the State for damages sustained by virtue of any breach of this Contract by the Contractor.
- D.5. Subcontracting. The Contractor shall not assign this Contract or enter into a subcontract for any of the services performed under this Contract without obtaining the prior written approval of the State. If such subcontracts are approved by the State, each shall contain, at a minimum, sections of this Contract below pertaining to "Conflicts of Interest," "Nondiscrimination," and "Records" (as identified by the section headings). Notwithstanding any use of approved subcontractors, the Contractor shall be the prime contractor and shall be responsible for all work performed.
- D.6. Conflicts of Interest. The Contractor warrants that no part of the total Contract Amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Contractor in connection with any work contemplated or performed relative to this Contract.
- D.7. Nondiscrimination. The Contractor hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract or in the employment practices of the Contractor on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
- D.8. Records. The Contractor shall maintain documentation for all charges under this Contract. The books, records, and documents of the Contractor, insofar as they relate to work performed or money received under this Contract, shall be maintained for a period of three (3) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon

reasonable notice by the State, the Comptroller of the Treasury, or their duly appointed representatives. The financial statements shall be prepared in accordance with generally accepted accounting principles.

- D.9. Prevailing Wage Rates. All contracts for construction, erection, or demolition or to install goods or materials that involve the expenditure of any funds derived from the State require compliance with the prevailing wage laws as provided in *Tennessee Code Annotated*, Section 12-4-401 *et seq.*
- D.10. Monitoring. The Contractor's activities conducted and records maintained pursuant to this Contract shall be subject to monitoring and evaluation by the State, the Comptroller of the Treasury, or their duly appointed representatives.
- D.11. Progress Reports. The Contractor shall submit brief, periodic, progress reports to the State as requested.
- D.12. Strict Performance. Failure by any party to this Contract to insist in any one or more cases upon the strict performance of any of the terms, covenants, conditions, or provisions of this Contract shall not be construed as a waiver or relinquishment of any such term, covenant, condition, or provision. No term or condition of this Contract shall be held to be waived, modified, or deleted except by a written amendment signed by the parties hereto.
- D.13. Independent Contractor. The parties hereto, in the performance of this Contract, shall not act as employees, partners, joint venturers, or associates of one another. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Contract shall be construed to create an employer/employee relationship or to allow either to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purpose whatsoever.

The Contractor, being a Tennessee governmental entity, is governed by the provisions of the Tennessee Government Tort Liability Act, *Tennessee Code Annotated*, Sections 29-20-101 *et seq.*, for causes of action sounding in tort. Further, no contract provision requiring a Tennessee political entity to indemnify or hold harmless the State beyond the liability imposed by law is enforceable because it appropriates public money and nullifies governmental immunity without the authorization of the General Assembly.

- D.14. State Liability. The State shall have no liability except as specifically provided in this Contract.
- D.15. Force Majeure. The obligations of the parties to this Contract are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, natural disasters, riots, wars, epidemics, or any other similar cause.
- D.16. State and Federal Compliance. The Contractor shall comply with all applicable State and Federal laws and regulations in the performance of this Contract.
- D.17. Governing Law. This Contract shall be governed by and construed in accordance with the laws of the State of Tennessee. The Contractor agrees that it will be subject to the exclusive jurisdiction of the courts of the State of Tennessee in actions that may arise under this Contract. The Contractor acknowledges and agrees that any rights or claims against the State of Tennessee or its employees hereunder, and any remedies arising therefrom, shall be subject to and limited to those rights and remedies, if any, available under *Tennessee Code Annotated*, Sections 9-8-101 through 9-8-407.
- D.18. Completeness. This Contract is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions of the parties' agreement. This Contract supersedes any and all prior understandings, representations, negotiations, and agreements between the parties relating hereto, whether written or oral.

D.19. Severability. If any terms and conditions of this Contract are held to be invalid or unenforceable as a matter of law, the other terms and conditions hereof shall not be affected thereby and shall remain in full force and effect. To this end, the terms and conditions of this Contract are declared severable.

D.20. Headings. Section headings of this Contract are for reference purposes only and shall not be construed as part of this Contract.

**E. SPECIAL TERMS AND CONDITIONS:**

E.1. Conflicting Terms and Conditions. Should any of these special terms and conditions conflict with any other terms and conditions of this Contract, these special terms and conditions shall control.

E.2. Communications and Contacts. All instructions, notices, consents, demands, or other communications required or contemplated by this Contract shall be in writing and shall be made by certified, first class mail, return receipt requested and postage prepaid, by overnight courier service with an asset tracking system, or by EMAIL or facsimile transmission with recipient confirmation. Any such communications, regardless of method of transmission, shall be addressed to the respective party at the appropriate mailing address, facsimile number, or EMAIL address as set forth below or to that of such other party or address, as may be hereafter specified by written notice.

The State:

Jeremy Price, Team Lead  
State of Tennessee Department of Transportation  
1208 East Carroll Street Tullahoma, TN 37388  
jeremy.price@tn.gov  
Telephone #: 931-205-3671  
FAX #: 931-454-1924

The Contractor:

Bridget Anderson, Finance Director  
City of Manchester  
200 W. Fort St., Manchester, TN 37355  
banderson@cityofmanchestertn.com  
Telephone # 931-728-4652  
FAX # 931-728-824

All instructions, notices, consents, demands, or other communications shall be considered effectively given upon receipt or recipient confirmation as may be required.

E.3. Subject to Funds Availability. The Contract is subject to the appropriation and availability of State and/or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate the Contract upon written notice to the Contractor. Said termination shall not be deemed a breach of Contract by the State. Upon receipt of the written notice, the Contractor shall cease all work associated with the Contract. Should such an event occur, the Contractor shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Contractor shall have no right to recover from the State any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.

E.4. MUTCD. In accordance with Tenn. Code Ann. 54-5-108, the Contractor shall conform to and act in accordance with the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by rules of the State. Particularly, the Contractor shall sign work-zones associated with this Contract in accordance with the aforesaid MUTCD.

- E. 5. Maintenance. Nothing contained in this Contract shall change the maintenance obligations governed by the laws of the State of Tennessee, it being the intent of this Contract not to enlarge the present maintenance obligations of the State.

IN WITNESS WHEREOF,

The City of Manchester:

---

CONTRACTOR SIGNATURE

DATE

---

PRINTED NAME AND TITLE OF CONTRACTOR SIGNATORY (above)

APPROVED AS TO FORM AND LEGALITY

---

CONTRACTOR ATTORNEY SIGNATURE

DATE

---

PRINTED NAME AND TITLE OF CONTRACTOR ATTORNEY SIGNATORY (above)

STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION:

---

HOWARD H. ELEY, COMMISSIONER

DATE

APPROVED AS TO FORM AND LEGALITY

---

LESLIE SOUTH, GENERAL COUNSEL

DATE

GUIDELINES COVERING MAINTENANCE  
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following items, where applicable, are eligible for reimbursement by the State to the Contractor under the Standard Maintenance Agreement:

Activity	Maintenance Work Type	Unit Of Measure
401	Manual Spot Patching	Tons
402	Crack Repair	Pounds
404	Mechanical Continuous Patching	Tons
405	Milling	Square Yards
406	Surface Replacement	Tons
411	Concrete Pavement Repair	Cubic Yards
412	Concrete Joint Repair	Linear Feet
425	Grading Unpaved Surface (Shoulder)**	Linear Miles
427	Patching Unpaved Surface (Shoulder)**	Tons
435	Machine Mowing**	Acres
438	Debris Removal**	Man Hours
441	Litter Removal**	Roadway Miles
446	Mechanical Sweeping and Street Flushing	Miles
447	Manual Roadway Sweeping	Man Hours
460	Plowing Snow	Lane Miles
461	De-icing Salt and/or Sand for Snow & Ice Removal	Tons
463	Anti-icing (Salt Brine)	Gallons
470	Pavement Markings	Line Miles
471	Specialty Markings	Each

\*\* Work must be inside the area eligible for reimbursements as detailed in "CITY MAINTENANCE ROADWAY TYPICAL SECTIONS".

The following items are the responsibility of the Contractor and are not eligible for reimbursement by the State:

1. Mowing right-of-way back of curbs or beyond edge of paved surface on roadway segments which are not access controlled.
2. Litter from right-of-way back of curbs or beyond edge of paved surface on roadway segments which are not access controlled.
3. Storm drainage
4. Traffic control signs and signals and any other traffic control or monitoring devices.
5. Street lighting
6. Street name signs
7. Tree removal and vegetation control on right-of-way back of curbs or beyond edge of paved surface on roadway segments which are not access controlled.
8. Sidewalks

NOTE:

1. Major resurfacing when generally required will be performed by the State as a construction project, in accordance with a program developed after consultation with the Contractor.
2. The State will furnish and maintain route markers through the Municipalities.

ROADWAY SURFACE INVENTORY FOR THE MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following Table itemizes the current total roadway surface area to be maintained in a 12-Month period to the nearest whole square yard. For a 24-Month contract, the following quantities will be doubled. Routes listed below shall be routinely maintained, swept, or flushed by the Contractor under the terms of this contract. The State agrees to reimburse said Contractor in the amount actually expended for street maintenance, excluding machine mowing and litter removal, not to exceed the calculated maximum reimbursement below.

Approved Maximum Reimbursement Per Square Yard:	\$ 0.17
Total Roadway Surface Area (YD^2):	502572
Calculated Maximum Annual Reimbursement (Roadway Surface):	\$ 85,437.24
Total Maximum Reimbursement (Roadway Surface):	\$ 170,874.48

Roadway Surface Inventory Worksheet

Route	Street Name	Action	Crossing Boundary Description	Rdwy. Profile Type	Access Control	Beg Log Mile	End Log Mile	Roadway Length(ft.)	Roadway Width(ft.)	Median Width(ft.)	Median Area (yd.^2)	Reimbursible Area (yd.^2)
SR-02	Murfreesboro Hwy	BEGIN	CL Sign-Manchester - Rt.	1C	No	11.681	12.56	4641.12	24		-	12,376.32
SR-02	Murfreesboro Hwy	CHANGE	300' W of Sound Wall - Rt.	1D	No	12.56	12.977	2201.76	64		-	15,666.96
SR-02	Murfreesboro Hwy	CHANGE	End of sidewalk - Rt./Henriksen	1C	No	12.977	13.29	1652.64	24		-	4,407.04
SR-02	Murfreesboro Hwy	CHANGE	Begin sidewalk @ service area	1D	No	13.29	13.51	1161.6	34		-	4,388.27
SR-02	Murfreesboro Hwy	CHANGE	W end of grass median-wood	1F	No	13.51	13.861	1853.28	54	26.00	5,353.92	5,765.76
SR-02	Hillsboro Boulevard	CHANGE	McArthur St./McMinnville Hwy.	1D	No	13.861	16.65	14725.92	84		-	137,441.92
SR-02	Hillsboro Boulevard	CHANGE	Expressway Dr.	1C	No	16.65	16.948	1573.44	60		-	10,489.60
SR-02	Hillsboro Boulevard	CHANGE	End I-24 ramp W exit	1D	No	16.948	17.45	2650.56	84		-	24,738.56
SR-02	Hillsboro Boulevard	END	Joe Hickerson Rd. Rt	1C	No	17.45	17.579	681.12	36		-	2,724.48
SR-02	Hillsboro Boulevard	END	CL Sign-Manchester - Lt.	1C	No	17.579						
SR-53	Woodbury Hwy	BEGIN	Murfreesboro Hwy Intersection	1D	No	0	0.836	4414.08	64		-	31,389.01
SR-53	Woodbury Hwy	CHANGE	I-24	1C	No	0.836	1.001	871.2	60		-	5,808.00
SR-53	Woodbury Hwy	CHANGE	End I-24 ramp W exit	1D	No	1.001	1.324	1705.44	84		-	15,917.44
SR-53	Woodbury Hwy	END	CL sign - Manchester - Lt.	1D	No	1.324						
SR-55	New Tullahoma Hwy	BEGIN	CL sign - Manchester - Rt.	1G	No	8.689	11.41	14366.88	78	30.00	47,889.60	76,623.36
SR-55	McMinnville Hwy	CHANGE	Manchester Central High School	1D	No	11.41	13.773	12476.64	64		-	88,722.77
SR-55	McMinnville Hwy	CHANGE	Hillsboro Rd. Rt.	1D	No	13.773	14.088	1663.2	50		-	9,240.00
SR-55	McMinnville Hwy	CHANGE	End Bridge-Rt./Begin School Z	1C	No	14.088	14.473	2032.8	62		-	14,003.73
SR-55	McMinnville Hwy	CHANGE	Begin School Zone 25 mph	1F	No	14.473	14.598	660	132	60.00	4,400.00	5,280.00
SR-55	McMinnville Hwy	CHANGE	Begin grass median - I-24 Inter.	1G	No	14.598	14.75	802.56	108	60.00	5,350.40	4,280.32
SR-55	McMinnville Hwy	CHANGE	I-24 Bridge	1G	No	14.75	14.823	385.44	48		-	2,055.68
SR-55	McMinnville Hwy	CHANGE	I-24 North Interchange	1G	No	14.823	15	934.56	108	60.00	6,230.40	4,984.32
SR-55	McMinnville Hwy	CHANGE	Ragsdale Rd. - Rt.	1E	No	15	15.124	654.72	134	60.00	4,364.80	5,383.25
SR-55	McMinnville Hwy	END	End of grass median - Lt.	1D	No	15.124	15.548	2238.72	84		-	20,894.72
								<b>Total Length (mi.):</b>	<b>14.091</b>	<b>Total Roadway Surface:</b>		<b>502572</b>

INVENTORY OF ELIGIBLE MACHINE MOWING FOR THE MAINTENANCE OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following Table itemizes the eligible mowing area in acres to be maintained in a 12-Month period. For a 24-Month contract, the following quantities will be doubled. All eligible mowing areas shall be maintained by the Contractor under the terms of this contract. The State agrees to reimburse said Contractor in the amount actually expended for machine mowing, not to exceed the number of cycles and the price per acre as detailed below.

Approved Mowing Reimbursement Per Acre:	\$ 50.00
Calculated Maximum Annual Reimbursement (Mowing):	\$ 4,600.00
Total Maximum Reimbursement (Mowing):	\$ 9,200.00

Mowing Inventory Worksheet								
Route Number	Roadway Type	Begin Termini (LM)	End Termini(LM)	Median Area (acres)	Controlled Access Area (acres)	Segment Total Area (acres)	Number of Mowing Cycles	Contract Segment Total Area (acres)
SR-55	1G	8.689	11.41	9.895	0	9.895	6	59.37
SR-55	1F	14.473	14.598	0.909	0	0.909	6	5.454
SR-55	1G	14.598	14.75	1.105	0	1.105	6	6.63
SR-55	1G	14.823	15	1.287	0	1.287	6	7.722
SR-55	1E	15	15.124	0.902	0	0.902	6	5.412
SR-02	1F	13.51	13.861	1.106	0	1.106	6	6.636
<b>Total Contract Area (acres):</b>								<b>92</b>



### CITY MAINTENANCE ROADWAY TYPICAL SECTIONS

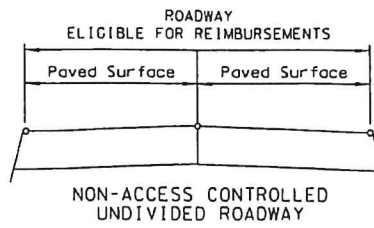


FIGURE 1A

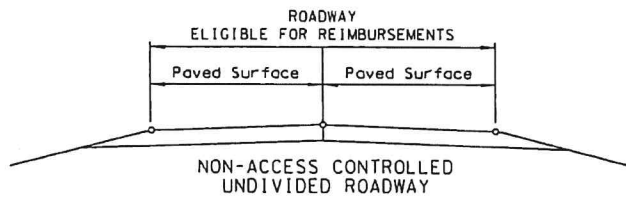


FIGURE 1B

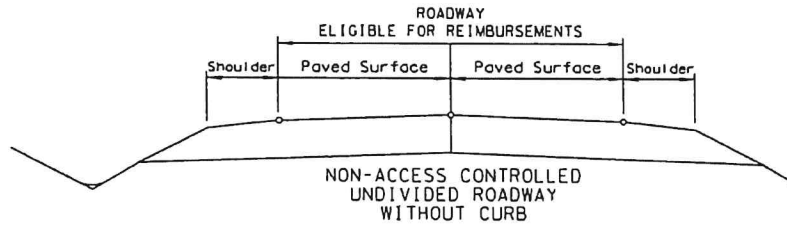


FIGURE 1C

NOTE: IN FIGURES 1A, 1B, AND 1C FOR NON-CONTROLLED ROUTES  
THE PAVED SURFACE WILL INCLUDE PAVED SHOULDERS.

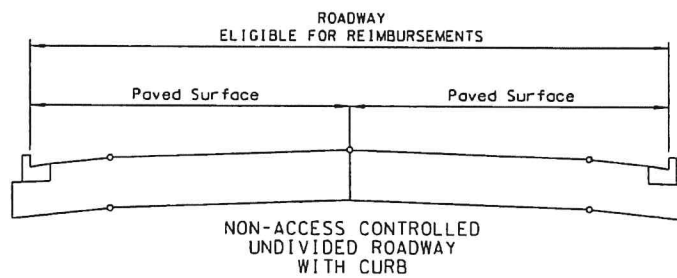


FIGURE 1D

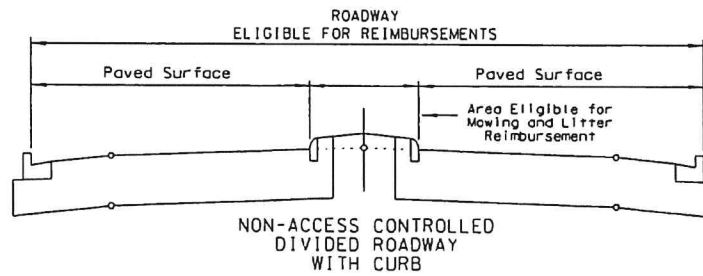


FIGURE 1E

CITY MAINTENANCE  
ROADWAY TYPICAL SECTIONS

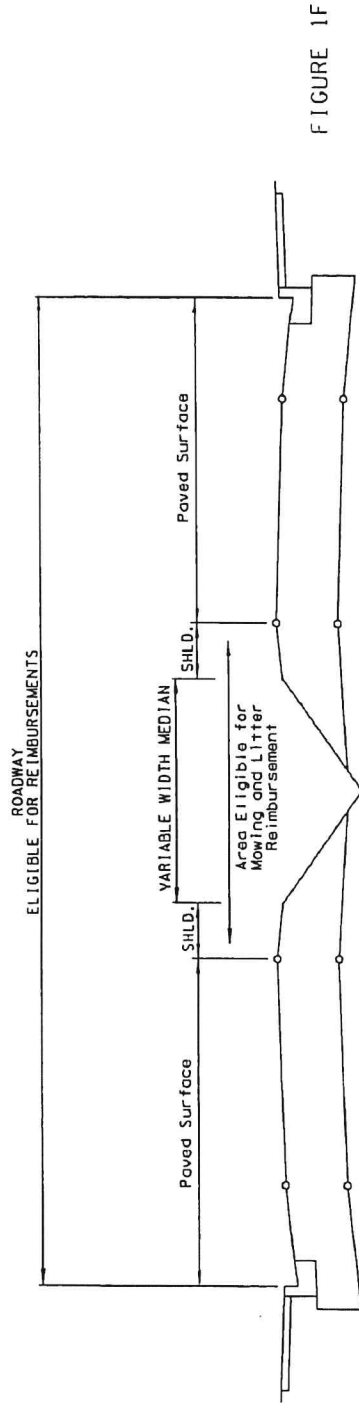


FIGURE 1F

NON-ACCESS CONTROLLED  
DIVIDED ROADWAY WITH CURB

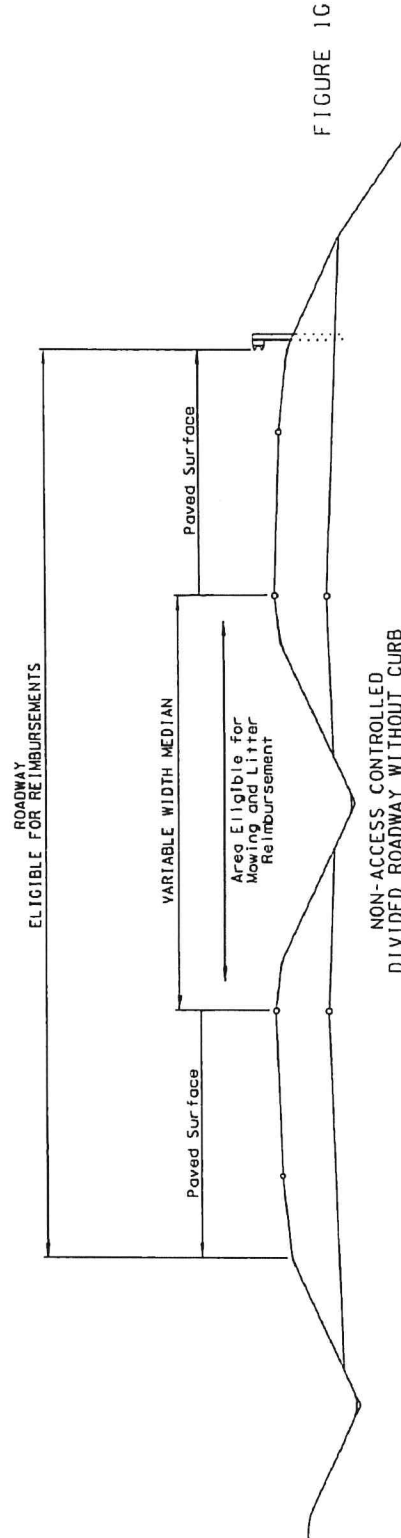


FIGURE 1G

NON-ACCESS CONTROLLED  
DIVIDED ROADWAY WITHOUT CURB

NOTE:  
IF FIGURES 1F AND 1G FOR NON-ACCESS CONTROLLED ROUTES  
THE PAVED SURFACE WILL INCLUDE PAVED SHOULDERS.

CITY MAINTENANCE  
ROADWAY TYPICAL SECTIONS

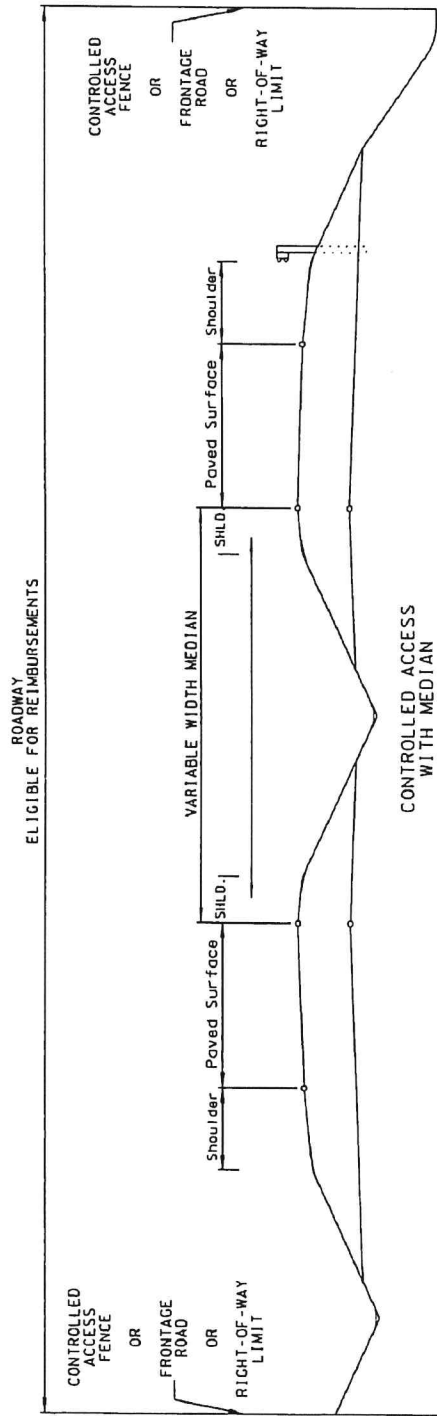


FIGURE 2A

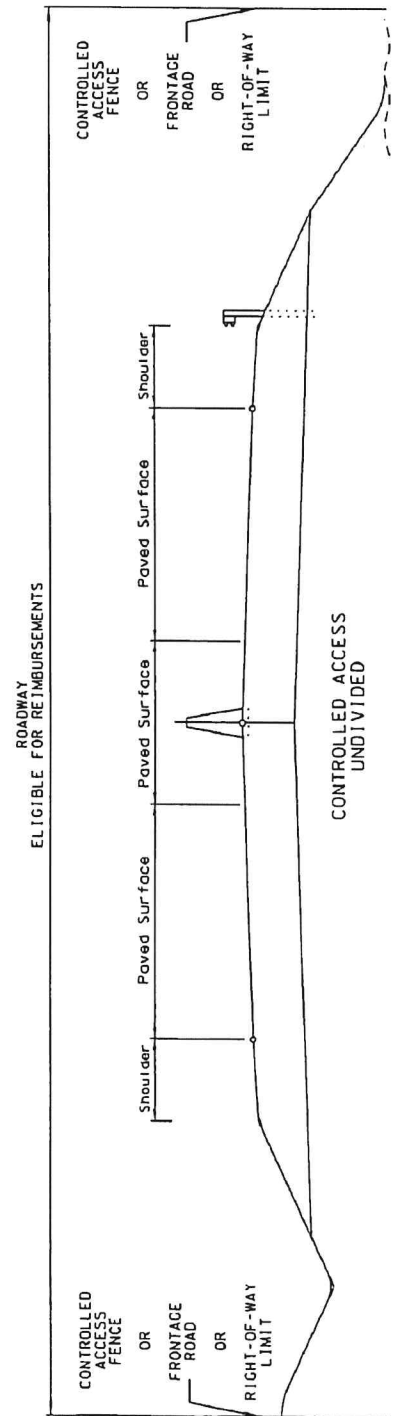


FIGURE 2B

**"EXHIBIT B"**  
**MAXIMUM ALLOWABLE EQUIPMENT RATES**  
**2025-2027 FISCAL YEAR**

ITEM NO.	DESCRIPTION OF EQUIPMENT	RATE	UNIT
1	SEDAN, POLICE OR FULL SIZE	12.00	HR
2	TRUCK, PICKUP	11.00	HR
3	TRUCK, ¾ TO 1 TON LIGHT DUTY	12.00	HR
4	TRUCK, ¾ TO 1 TON 4X4	13.00	HR
5	TRUCK, UTILITY/SERVICE BODY	14.00	HR
6	TRUCK, DUMP UP TO 15,000 GVWR	24.65	HR
7	TRUCK, DUMP OVER 15,000 UP TO 20,000 GVWR	28.12	HR
8	TRUCK, DUMP OVER 20,000 UP TO 40,000 GVWR	42.35	HR
9	TRUCK, DUMP TANDEM AXLE OVER 40,000 GVWR	68.00	HR
10	TRUCK, STAKE OR FLATBED UP TO 10,000 GVWR	17.45	HR
11	TRUCK, STAKE OR FLATBED OVER 10,000 UP TO 20,000 GVWR	26.10	HR
12	TRUCK, STAKE OR FLATBED OVER 20,000	42.00	HR
13	TRUCK, FLATBED OVER 32,500 GVWR	54.00	HR
14	TRUCK, TRACTOR SINGLE AXLE	37.00	HR
15	TRUCK, TRACTOR TANDEM AXLE	40.15	HR
16	TRUCK, SEWER/CULVERT/CATCH BASIN/ CLEANER (VAC-ALL)	82.20	HR
17	SWEEPER, TRUCK MOUNTED	55.89	HR
18	SWEEPER, SELF-PROPELLED	43.71	HR
19	TRUCK, W/STREET FLUSHER	70.16	HR
20	TRUCK, CRANE	28.28	HR
21	TRUCK, EXCAVATOR	64.73	HR
22	TRUCK, REFUSE COLLECTION	30.50	HR
23	TRACTOR, W/SWEEPER	32.68	HR
24	TRACTOR, W/DITCHER	62.12	HR
25	TRACTOR, WHEEL	48.22	HR
26	CHIPPER, BRUSH	36.81	HR
27	TRAILER, TILT	8.04	HR
28	TRAILER, PLATFORM OR GENERAL	10.12	HR
29	TRAILER, LOW BOY TANDEM	20.78	HR
30	JOINT & CRACK SEALING MACHINE	28.55	HR
31	ASPHALT RECLAIMER/RECYCLER MACHINE	135.78	HR
32	PAVER, ASPHALT SELF-PROPELLED	154.53	HR
33	PAVER, ASPHALT PULL TYPE	7.45	HR
34	DISTRIBUTOR, ASPHALT, PULL TYPE	27.37	HR
35	CHIP SPREADER MACHINE	57.42	HR
36	EXCAVATOR, TRACK TYPE (TRACKHOE)	87.31	HR

**"EXHIBIT B"**  
**MAXIMUM ALLOWABLE EQUIPMENT RATES**  
**2025-2027 FISCAL YEAR**

	DESCRIPTION OF EQUIPMENT	RATE	UNIT
37	DRAGLINES AND CRANES	75.99	HR
38	TRACTOR, CRAWLER (DOZER)	98.18	HR
39	MOTOR GRADER	65.30	HR
40	BACKHOE	37.90	HR
41	LOADER, FT END RUBBER TIRED (ARTICULATED) UP TO 1 CU. YD.	32.13	HR
42	LOADER, FT END RUBBER TIRED (ARTICULATED) OVER 1 UP TO 1.5 CY	47.50	HR
43	LOADER, FT END RUBBER TIRED (ARTICULATED) OVER 1.5 CU. YD.	59.71	HR
44	LOADER, FRONT END TRACK TYPE	71.50	HR
45	LOADER, SKID-STEER	58.46	HR
46	PROFILER, MILLING MACHINE	305.76	HR
47	ROLLER, WALK BEHIND	4.27	HR
48	ROLLER, STEEL WHEEL, 1 TO 5 TONS	88.84	HR
49	ROLLER, STEEL WHEEL, OVER 5 TONS	41.93	HR
50	GENERATOR, PORTABLE	8.30	HR
51	AIR COMPRESSOR, PORTABLE OR PULL TYPE	36.40	HR
52	WELDER, PORTABLE OR PULL TYPE	5.76	HR
53	CONCRETE MIXER, PORTABLE OR PULL TYPE	32.07	HR
54	CURBING MACHINE	65.74	HR
55	PAINT MACHINE, WALK BEHIND	31.57	HR
56	PAINT MACHINE, TRUCK MOUNTED (LARGE)	84.61	HR
57	THERMOPLASTIC MARKING MACHINE, WALK BEHIND	23.24	HR
58	TRAFFIC LINE REMOVER (WATER BLASTER)	43.68	HR
59	ARROW BOARD, TRAILER OR TRUCK MOUNTED	4.15	HR
60	MESSAGE SIGN, TRAILER MOUNTED	1.14	HR
61	LIGHT TOWER, TRAILER MOUNTED	24.18	HR
62	TRUCK MOUNTED ATTENUATOR	10.00	HR



**RESOLUTION No. \_\_\_\_\_**

**WHEREAS**, City of Manchester, Tennessee is eligible for grant funds through the Appalachian Regional Commission (ARC), FastTrack Infrastructure Development Program (FIDP), and AgTrack Program; and

**WHEREAS**, there exists a need to construct a 500,000 gallon, elevated water storage tank in the Manchester Industrial Park vicinity; and

**WHEREAS**, the proposed water storage tank will provide sufficient water storage to serve a new company that will be locating in the Manchester Industrial Park; and

**WHEREAS**, the new company which will result in the creation of approximately 200 new, high wage jobs as well as providing \$ \_\_\_\_\_ in private investment; and

**WHEREAS**, the City of Manchester wishes to make an application for said project;

**NOW, THEREFORE, BE IT RESOLVED, THAT**

- (1) The Mayor be authorized and directed to execute and submit an application for funds to the Appalachian Regional Commission in the amount of \$1,000,000;
- (1) The Mayor be authorized and directed to execute and submit an application for funds to the Tennessee Department of Economic and Community Development for FIDP funds in the amount of \$1,250,000;
- (2) The Mayor be authorized and directed to execute and submit an application for funds to the Tennessee Department of Agriculture for AgTrack funds in the amount of \$875,000;
- (4) The Mayor be authorized and directed to enter into all necessary agreements to receive and administer such grant funds.
- (3) The total cost of the project is \$3,500,000. The funds will be provided as follows:

\$1,000,000 ARC funds  
\$1,250,000 FIDP funds

\$875,000 AgTrack funds  
\$375,000 City of Manchester

Resolved this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

---

Joey Hobbs  
Mayor

---

Anthony Burrows  
Finance Director

**RESOLUTION NO. .**

**A RESOLUTION TO APPROVE MATLOCK CLEMENTS, P.C. AS THE CITY'S  
AUDITOR FOR FISCAL YEAR 2024 – 2025 AT A COST NOT TO EXCEED FORTY  
TWO THOUSAND DOLLARS (\$42,000) FOR THE STANDARD AND AN  
ADDITIONAL "SINGLE AUDIT" OF FEDERAL FUNDS EXPENDITURES**

WHEREAS the City of Manchester, Tennessee is required by statute to have an annual audit; and

WHEREAS the City of Manchester, Tennessee has reviewed the written proposal of Matlock Clements, P.C., dated March 11th, 2025, to perform the city's statutory audit for the period July 1, 2024 through June 30, 2025, and an additional "single audit" of Federal funds expenditures and found said proposal to be advantageous to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the City of Manchester, Tennessee accepts the written proposal of Matlock Clements, P.C., dated March 11th, 2025, to perform the city's statutory audit for the period July 1, 2024 through June 30, 2025 in an amount not to exceed Forty Two Thousand Dollars (\$42,000), for its annual statutory audit and an additional "single audit" of Federal funds expenditures.

BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the Mayor and Finance Director are authorized to execute a contract on behalf of the City of Manchester.

Resolved this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_  
Anthony Burrows, Finance Director

**CITY OF MANCHESTER**

**COST PROPOSAL – MUNICIPAL AUDIT SERVICES**

**FOR FISCAL YEAR ENDING JUNE 30, 2025**

**Matlock Clements**

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Certified Public Accountants

# Matlock Clements

[www.matlockclements.com](http://www.matlockclements.com)

Certified Public Accountants

270 Glenis Dr., Suite A  
Murfreesboro, TN 37129  
Phone: 615-907-1881  
Fax: 615-907-0357

March 11, 2025

City of Manchester  
Attn: Anthony Burrows, Finance Director  
200 W. Fort Street  
Manchester, TN 37355

**Re: Cost Proposal – Municipal Audit Services**

Dear Leaders of the City of Manchester,

On behalf of all employees of Matlock Clements, P.C., I want to thank you for inviting us to make our Proposal for Contract to Audit Accounts of the City of Manchester for the year beginning July 1, 2024 and ending June 30, 2025.

The following is a summary of the cost proposal format:

1. Proposed Fee Schedule
2. Description of invoicing procedures, including proposed method to ensure accuracy.

We are pleased to provide this and any other relevant information concerning our interest and proposal.

Sincerely,



Eric Clements, CPA, CFE

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**1. - PROPOSED FEE SCHEDULE**

Our total all-inclusive proposed fee is \$42,000, of which \$10,000 is related to single audit procedures. Our proposed fee includes all costs associated with financial statement preparation.

Our firm is willing to enter into a contract renewable annually for subsequent years if desired. Subsequent year price increases would not exceed 3% from the prior year.

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**2. - INVOICING PROCEDURE**

Invoicing occurs when the final audit report is presented by Matlock Clements, P.C. and is accepted by the City of Manchester. The invoice terms are net 30 days.

Ownership of the audit reports shall belong to the City of Manchester, and it is expressly understood that publication of the audit report (in whole or in part) or reference for such audit report shall be at the sole discretion of the City of Manchester.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF MANCHESTER, TENNESSEE AND COFFEE COUNTY, TENNESSEE FOR THE COORDINATION OF ROAD MAINTENANCE AND EMERGENCY SERVICES**

WHEREAS the City of Manchester, Tennessee is annexing certain non-adjointing land within in its Urban Growth Boundary (UGB), and

WHEREAS the City of Manchester, Tennessee and Coffee County Tennessee, wish to enter into an Interlocal Agreement for the City of Manchester to provide Emergency Protection and other services upon request, between current City boundaries and the newly annexed property as required by T.C.A. 6-51-104, pursuant to the agreement attached hereto as Exhibit "A;" and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the City of Manchester, Tennessee enter into the attached agreement with Coffee County, Tennessee, to provide certain services pursuant to T.C.A. 6-51-104

BE IT FURTHER RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the Mayor is authorized to execute this agreement.

Resolved this \_\_\_th day of May, 2025.

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_  
Anthony Burrows, Finance Director

**INTERLOCAL AGREEMENT**

**BY AND BETWEEN THE CITY OF MANCHESTER, TENNESSEE AND COFFEE COUNTY, TENNESSEE**

This agreement made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2025 between the City of Manchester, Tennessee hereinafter referred to as “City” and Coffee County, Tennessee, hereinafter referred to as “County” pursuant to the provisions of Tennessee Code Annotated (T.C.A. § 6-51-104).

In consideration of the mutual covenants and promises contained herein, the parties agree:

1. The term of this agreement is \_\_\_\_\_, \_\_\_\_\_, 2025 through \_\_\_\_\_, \_\_\_\_\_, 2026. This agreement shall automatically renew itself on an annual basis unless canceled in writing proceeded with a six (6) months notice. Either party may cancel this agreement at anytime after providing a six (6) months written notice.
2. Amendments to this agreement must be in writing and approved by the governing boards of the City and County.
3. The City agrees to provide emergency services, including police and fire protection, if requested to the parcels along Highway 41 between Northridge Drive and Map 068 Parcel 007.10 (the subject of a recent non-contiguous annexation by the City). It is agreed and assumed that the State of Tennessee will continue to maintain the roads and bridges along State Road 2 / Highway 41.
4. The County releases the City, and the City releases the County to the extent allowable by law, from any and all liability arising out of terms of this agreement.
5. This agreement shall be approved by the governing body of the City and the governing body of the County. Such agreements shall be in writing and shall authorize the City and County Mayors to sign the agreement.

**In Witness Thereof**, each party has caused this Interlocal Agreement to be executed by an authorized person on the date indicated.

\_\_\_\_\_  
Mayor, City of Manchester  
Joey Hobbs

\_\_\_\_\_  
Mayor, Coffee County  
Dennis Hunt

Date \_\_\_\_\_

Date \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING PROVISIONS TO MANCHESTER MUNICIPAL CODE  
13-202 (3) REGARDING VIOLATIONS**

WHEREAS Manchester Municipal Code 13-202 (3) currently charges violators of the ordinance at the rates then charged by the State of Tennessee Department of Transportation; and

WHEREAS, the City of Manchester cannot recoup its actual costs at the current State rate; and

WHEREAS the Board of Mayor and Aldermen believes it in the best interest of the City of Manchester that MMC 13-202 (3) be amended to charge the violator One Hundred and 00/100 dollars (\$100.00) an hour to reimburse the City its labor and equipment costs.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that the first sentence of MMC 13-202 (3) be deleted in its entirety and replaced with the following:

“(3) If the City of Manchester, Tennessee takes any action to correct the deficiencies or problems related to the property, the owner or occupant to whom the notice is addressed shall be liable to the city for repayment of all labor and equipment costs incident to its work, based on the rate of One Hundred and 00/100 dollars (\$100.00) (1 hour minimum charge), plus fifteen percent (15%) for inspection and other incidental costs associated therewith, and shall be charged to the addressee, owner and/or occupant of the property.”

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: \_\_\_\_\_ April 1 \_\_\_\_\_, 2025

PASSED SECOND AND FINAL READING: \_\_\_\_\_, 2025

\_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING PROVISIONS TO MANCHESTER MUNICIPAL CODE  
16-210 (6) REGARDING DRIVEWAY TILE INSTALLATION**

WHEREAS Manchester Municipal Code 16-210 (6) currently charges for tile installation for driveways at the rate of Three Hundred and 00/100 Dollars (\$300.00); and

WHEREAS, the City of Manchester cannot recoup its actual labor and equipment costs at the current rate; and

WHEREAS the Board of Mayor and Aldermen believes it in the best interest of the City of Manchester that MMC 16-210 (6) be amended to charge for tile installation at Six Hundred and 00/100 Dollars (\$600.00) to reimburse the City its labor and equipment costs.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that MMC 16-210 (6) be deleted in its entirety and replaced with the following:

“(6) The driveway tile installation fee shall be Six Hundred and 00/100 Dollars (\$600.00), plus the cost of the tile if furnished by the city.”

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: \_\_\_\_\_ April 1 \_\_\_\_\_, 2025

PASSED SECOND AND FINAL READING: \_\_\_\_\_, 2025

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING PROVISIONS TO MANCHESTER MUNICIPAL CODE  
10-205 REGARDING DOGS**

WHEREAS Manchester Municipal Code 10-205 currently allows for destruction of unlicensed and untagged dogs by police officers; and

WHEREAS MMC 10-107 already proscribes disposition of unlicensed and untagged dogs; and

WHEREAS the Board of Mayor and Aldermen believes it in the best interest of the City of Manchester that MMC 10-205 be amended to change the word “destroyed” to ‘seized” in the second paragraph.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that MMC 10-205 be amended to change the word “destroyed” to ‘seized” in the second paragraph.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: \_\_\_\_\_ April 1 \_\_\_\_\_, 2025

PASSED SECOND AND FINAL READING: \_\_\_\_\_, 2025

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING THAT PROPERTY FORMALLY OWNED BY ROBERT AND SHONTA GILLEY AND NOW OWNED BY SWANSON DEVELOPMENTS, LP, ON MURFREESBORO HIGHWAY AND RECENTLY ANNEXED INTO THE CITY**

Whereas previous Ordinance No. 1729 incorrectly described subject property and the Board of Mayor and Alderman now wish to rescind said ordinance, and

Whereas, prior to 2012, cities were empowered to annex territory by ordinance; and

Whereas the Tennessee General Assembly revised the annexation statutes, which now provide that annexation by written consent be accomplished by resolution; and

Whereas the City of Manchester recently annexed certain property owned by Robert and Gilley which is now owned by Swanson Developments, LP; and

Whereas the City of Manchester has a currently-enacted Zoning Ordinance and Zoning Map; and

Whereas, pursuant to Tennessee law, since the zoning of real estate is accomplished by ordinance; it must be amended by ordinance rather than resolution; and

Whereas the Manchester Planning Commission recommended that the property formally owned by Robert and Shonta Gilley and now owned by Swanson Developments, LP, be rezoned according to and as described below.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Ordinance No. 1729 is rescinded and vacated, and

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14, Chapter 6, Section 1 of the Manchester Municipal Code be, and it is, hereby amended from RS-1 to apply the zoning

classification of R-4 to the following described properties owned by Swanson Developments, LP:

Beginning at a wooden fence post in the Northeast margin of U.S. Route 41, being the Southwest corner of this property; thence following the Northeast margin of U.S. Route 41 the next two calls: North 44 degrees 14 minutes 28 seconds West a distance of 4.27' to a concrete monument; thence North 42 degrees 12 minutes 45 seconds West a distance of 606.95' to a fence post; thence N 69 degrees 47'36" E a distance of 351.00' to an iron pin set; thence North 42 degrees 28 minutes 51 seconds West a distance of 257.04' to a nail set in a 30" pine; thence North 45 degrees 30 minutes 34 seconds East a distance of 126.06' to an iron pipe; thence North 42 degrees 49 minutes 00 seconds West a distance of 129.62' to a point; thence South 47 degrees 56 minutes 41 seconds West a distance of 448.82' to a point in the Northeast margin of U.S. Route 41; thence North 42 degrees 12 minutes 45 seconds West a distance of 50.00' to a point in the Northeast margin of U.S. Route 41; thence North 47 degrees 56 minutes 41 seconds East a distance of 397.30' to a point; thence North 41 degrees 57 minutes 30 seconds West a distance of 655.95' to a big corner post, being the Northwest corner of this property; thence North 56 degrees 15 minutes 59 seconds East a distance of 1809.99' to a cut off metal fence post in the Southwest margin of Interstate 24; thence following the Southwest margin of Interstate 24 the next three calls: South 58 degrees 35 minutes 48 seconds East a distance of 244.93' to a concrete monument; thence South 58 degrees 45 minutes 24 seconds East a distance of 999.78' to a concrete monument; thence South 58 degrees 45 minutes 09 seconds East a distance of 216.80' to a wooden fence post, being the Northeast corner of this property; thence South 06 degrees 19 minutes 46 seconds West a distance of 264.40' to an iron pin found at a metal fence post; thence South 04 degrees 57 minutes 24 seconds West a distance of 55.38' to an iron pipe; thence South 06 degrees 20 minutes 53 seconds West a distance of 405.86' to a pipe at a fence corner; thence North 86 degrees 57 minutes 45 seconds West a distance of 106.06' to a pipe at a fence corner; thence North 89 degrees 57 minutes 24 seconds West a distance of 257.35' to an iron pin found; thence South 05 degrees 26 minutes 29 seconds West a distance of 1057.00' to a wooden fence post; thence South 29 degrees 35 minutes 00 seconds West a distance of 330.26' to a wooden fence post, being the Southeast corner of this property; thence North 38 degrees 49 minutes 39 seconds West a distance of 284.56' to a pipe at a fence corner; thence North 42 degrees 58 minutes 57 seconds West a distance of 587.87' to a 50" red oak; thence South 53 degrees 15 minutes 06 seconds West a distance of 304.83' to an iron pin set at a corner post; thence North 42 degrees 53 minutes 41 seconds West a distance of 209.70' to a pipe at a fence corner; thence South 51 degrees 45 minutes 37 seconds West a distance of 406.57' to the point of beginning, having an area of 4,325,795 square feet or 99.31 acres, more or less, according to a survey conducted by Elkins Surveying dated September 10, 2024.

Being a portion of the same property conveyed to Robert F. Gilley and Shonta S. Gilley, Co-Trustees of the Gilley Joint Revocable Trust by Warranty Deed from Vicki A. Gilley, Trustee of the Amended and Restated Vicki A. Gilley Revocable Trust, originally created on December 27, 2010 and subsequently amended and restated on October 11, 2018 of record in Book W408, page 395, Register's Office for Coffee County, Tennessee, dated December 18, 2020 and recorded on December 29, 2020.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14, Chapter 6, Section 2 of the

Manchester Municipal Code entitled “Zoning Map” be amended to show these properties zoned R-4 as described above; and

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage and public hearing, the public welfare of the City of Manchester, Tennessee requiring it and that all ordinances in conflict be repealed to the extent of this conflict.

This ordinance is presented and passed with the positive recommendation of the Manchester Regional Planning Commission obtained at its meeting December 16, 2024.

PASSED FIRST READING: \_\_\_\_\_ April 1 \_\_\_\_\_, 2025

PASSED SECOND AND FINAL READING: \_\_\_\_\_, 2025

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_  
Anthony Burrows, Finance Director

LEASE  
BUILD



TRADE  
BUY - SELL

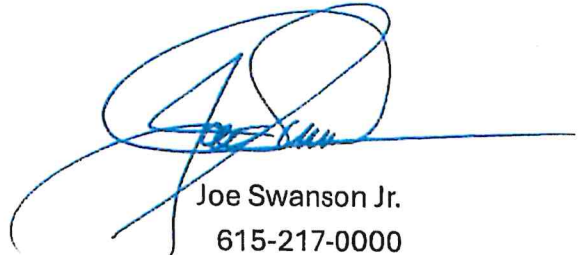
January 7, 2025

Brittany Fiske,  
Planning Director for City of Manchester, TN

Brittany,

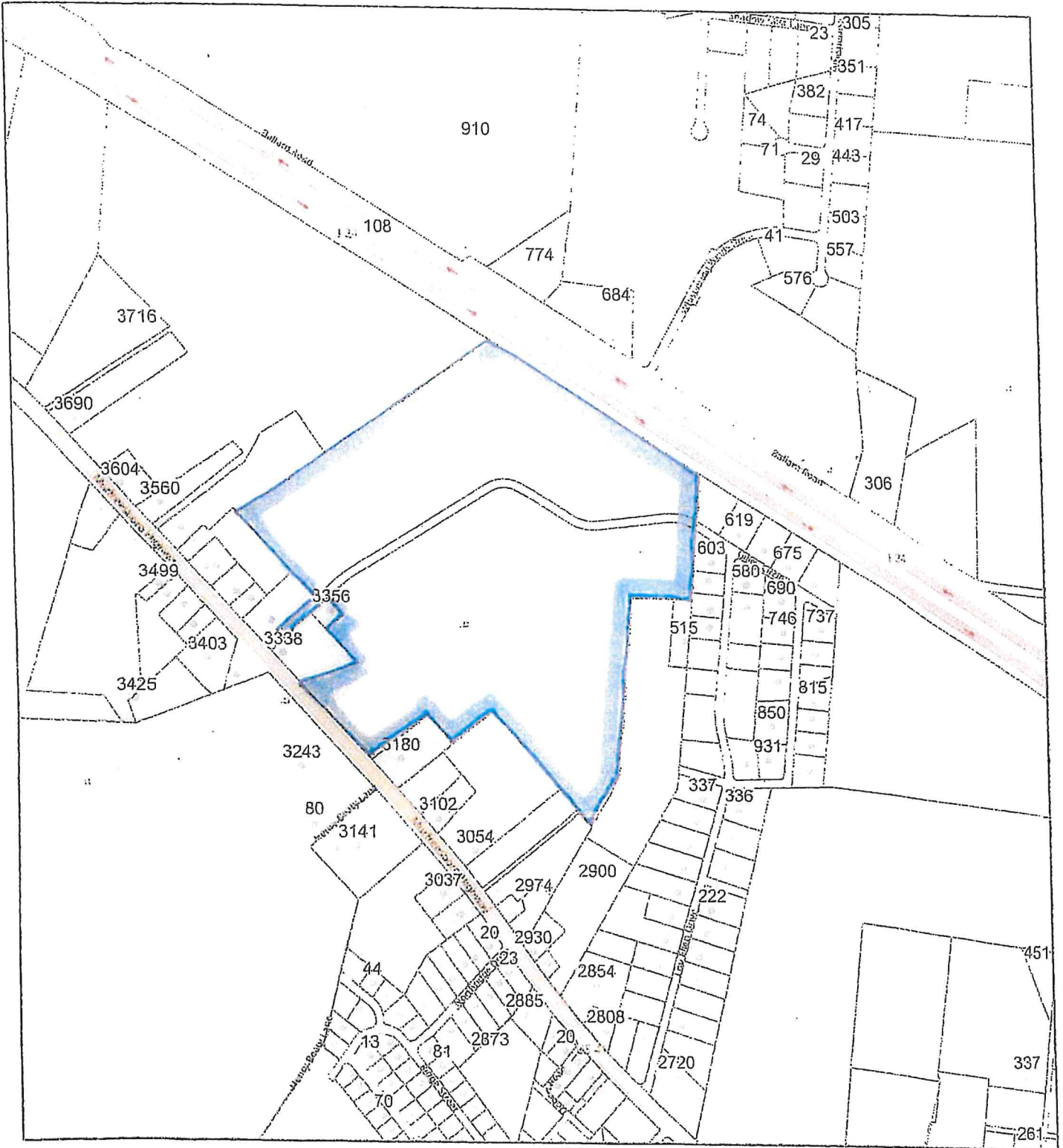
Swanson Developments, L.P has recently purchased and closed on 99 acres on Murfreesboro Hwy previously owned by Robert and Shonta Gilley. (99ac)

It is Swanson's desire to support the Gilley's request to annex and zone (R-4) this property. If you would like to discuss this annexation and zoning, please contact me.



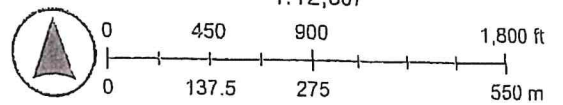
Joe Swanson Jr.  
615-217-0000

# Gilley 99



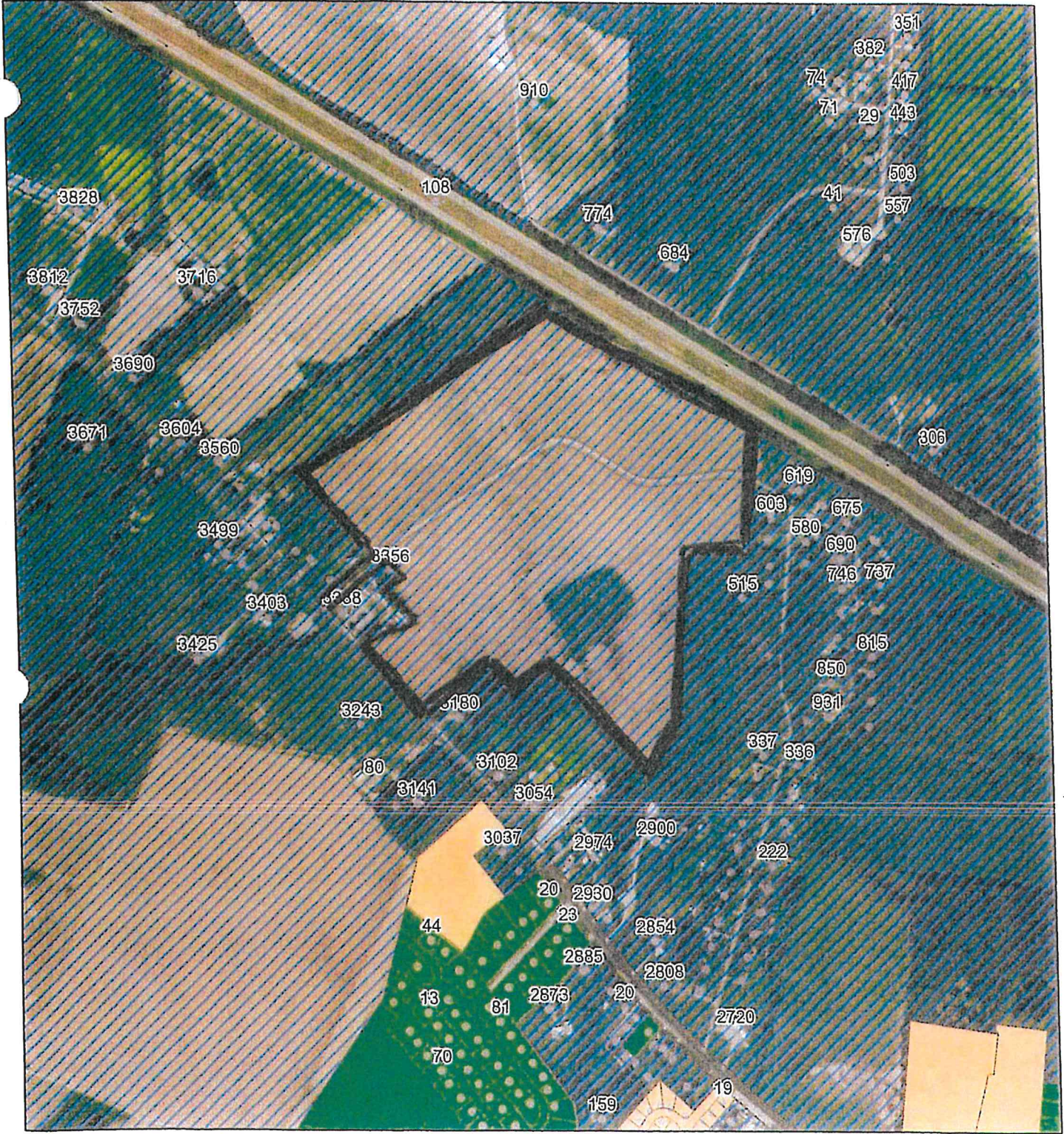
8/29/2024, 9:40:16 AM

-  Coffee Parcels
-  Coffee Addresses
-  Manchester City Limit









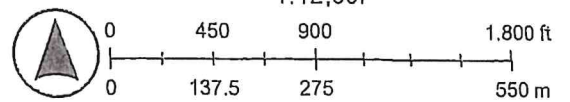


# Gilley



10/16/2024, 2:21:41 PM

-  Coffee Parcels
-  R-4
-  Coffee Addresses
-  Manchester City Limit
-  Manchester Zoning
-  Coffee UGB
-  R-2



Earthstar Geographics

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADDING PROVISIONS TO MANCHESTER MUNICIPAL CODE 4-603 REGARDING ASSISTANT FIRE CHIEF VEHICLE “TAKE HOME” POLICY**

WHEREAS Manchester Municipal Code provides restrictions on city employees taking their vehicles home and outside the city limits; and

WHEREAS the Board of Mayor and Aldermen believes it in the best interest of the City of Manchester that certain regulation should be enacted to allow the Assistant Fire Chief a reasonable vehicle “take home” policy.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that there be an amendment to Title 4-603, after (5) to amend and add the following:

**“(6) The Assistant Fire Chief for Manchester Fire Rescue, for purposes of going to and from work and bona fide city business.**

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: \_\_\_\_\_, 2025

PASSED SECOND AND FINAL READING: \_\_\_\_\_, 2025

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_  
 AN ORDINANCE AMENDING THE BUDGET ORDINANCE  
 FOR FISCAL YEAR 2024-25, ORDINANCE NO. 1726

Be it ordained by the Board of Mayor and Aldermen of the City of Manchester, Tennessee, that the Budget Ordinance for Fiscal Year 2024-2025, Ordinance No. 1726, be amended as follows:

SECTION 1. The available funds for said budget are changed as follows:

	<b>Original Budget</b>	<b>Amended Budget</b>
<u>General Fund</u>		
Local Taxes	6,600,000	7,160,000
Intergovernmental	2,873,684	3,131,570
Charges for Current Services	36,000	54,000
Fines, Forfeitures and Penalties	151,600	169,712
Other Revenues	329,632	290,076
 <u>Recreation Fund</u>		
Charges for Current Services	983,300	510,643
 <u>Sanitation Fund</u>		
Charges for Services	1,487,500	1,636,000
 <u>General Purpose School Fund</u>		
Other Local Revenues	29,500	62,280
State Education Funds	11,453,036	12,398,985
Other Sources	2,899,510	3,744,861
 <u>Cafeteria Fund</u>		
Fund Balance	0	237,475

SECTION 2. The appropriation(s) for the department(s) in the fund(s) is (are) changed as follows:

	<b>Original Budget</b>	<b>Amended Budget</b>
<u>General Fund</u>		
General Government & Buildings	1,069,276	1,169,276
Planning and Zoning	468,938	478,938
Fire Dept	3,096,282	3,189,170
Transfer to General Purpose School	2,612,467	1,858,467
Fund Balance	12,301,290	12,563,379
 <u>Capital Fund</u>		
Land Purchase	0	754,650
 <u>Tourism Fund</u>		
Contractual Services	115,000	133,658
 <u>Drug Fund</u>		
Expenses	57,110	63,110

	<b>Original Budget</b>	<b>Amended Budget</b>
<u>General Purpose School Fund</u>		
Instructional Expenditures	12,073,000	12,818,815
Support Services	155,131	159,619
Health Services	284,737	292,072
Student Support	507,546	594,346
Regular Instruction Program	406,055	421,059
Special Education Program	13,335	348,539
Technology	515,416	529,666
Office of the Superintendent	313,575	324,507
Office of the Principal	877,221	903,742
Operation of the Plant	1,190,685	1,196,520
Maintenance of the Plant	570,414	580,514
Transportation	116,705	116,871
Community Services	112,751	746,347
Capital Outlay	0	243,821
Interest on Debt	50,400	50,463
Indirect Costs	0	6,100
<u>Cafeteria Fund</u>		
Food Service	1,534,488	1,771,963

SECTION 3. Unless indicated in Section 1 above, to the extent required by the new appropriation, funds shall be drawn from the Fund Balance(s) of the Fund(s) as of June 30, 2025.

SECTION 4. The financial plan shall be used as guidance and generally followed in the implementation of this amendment.

SECTION 5. This Ordinance shall take effect from and after its publication, passage and public hearing.

1st Reading \_\_\_\_\_ .  
2nd Reading \_\_\_\_\_ .

\_\_\_\_\_  
Joey Hobbs, Mayor

Attest:

\_\_\_\_\_  
Anthony Burrows, Finance Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO REVISE TITLE 14 CHAPTER 12 OF MANCHESTER  
MUNICIPAL CODE, STORMWATER ORDINANCE**

WHEREAS the City of Manchester regulates stormwater run-off, as set forth in Title 14 Chapter 12 of Manchester Municipal Code; and

WHEREAS the Planning Commission recommended at its meeting and the Board of Mayor and Aldermen of the City of Manchester believes it to be in the best interest of the City to revise the current Stormwater Ordinance to better meet the needs of the Citizens of Manchester.

BE IT THEREFORE ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that Title 14 Chapter 12 of Manchester Municipal Code be revised to delete the current Chapter 12 and replace it with the attached Stormwater Ordinance as written and incorporated herein.

BE IT FURTHER ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MANCHESTER, TENNESSEE that this ordinance shall take effect on and after its publication and passage, the public welfare of the City of Manchester, Tennessee requiring it.

PASSED FIRST READING: \_\_\_\_\_, 2025

PASSED SECOND AND FINAL READING: \_\_\_\_\_, 2025

\_\_\_\_\_  
Joey Hobbs, Mayor

\_\_\_\_\_  
Anthony Burrows, Finance Director

**CITY OF MANCHESTER  
STORMWATER ORDINANCE**

**Section 1. General provisions.**

(1) Purpose

It is the purpose of this ordinance to:

- (a) Protect, maintain, and enhance the environment of the City of Manchester and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's stormwater system and to maintain and improve the quality of the receiving waters into which the stormwater outfalls flow, including, without limitation, lakes, rivers, streams, ponds, wetlands, and groundwater of the city.
- (b) Enable the City of Manchester to comply with the National Pollution Discharge Elimination System permit (NPDES) and applicable regulations, 40 CFR §122.26 for stormwater discharges.
- (c) Allow the City of Manchester to exercise the powers granted in Tennessee Code Annotated §68-221-1105, which provides that, among other powers municipalities have with respect to stormwater facilities, is the power by ordinance to:
  - (1) Exercise general regulation over the planning, location, construction, and operation and maintenance of stormwater facilities in the municipality, whether or not owned and operated by the municipality;
  - (2) Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;
  - (3) Establish standards to regulate the quantity of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality;
  - (4) Review and approve plans and plats for stormwater management in proposed subdivisions or commercial developments;
  - (5) Issue permits for stormwater discharges, or for the construction, alteration, extension, or repair of stormwater facilities;
  - (6) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit;

- (7) Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and
- (8) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether public or private.

(2) Administering Entity

The City of Manchester Codes Department shall administer the provisions of this ordinance.

(3) Right of Entry

The City of Manchester Codes Department, and its designees, shall have the lawful right of entry onto any piece of property within the City of Manchester for the purpose of determining compliance with the provisions of this ordinance. Determining compliance with the provisions of this ordinance may include inspection of construction, commercial, industrial, and municipal facilities, inspection of post construction stormwater controls or other stormwater control structures, investigation of stormwater related complaints, investigation of potential illicit discharges, or any other reasonable purpose that is deemed necessary for the enforcement of this ordinance. Right of entry shall not include entry into any buildings on a property without the notification and acceptance of the building's owner or occupants.

(4) Right to Correct Violations

It is imperative to the stormwater system and to the quality of the receiving streams that illicit discharges, unacceptable non-stormwater discharges, and other stormwater quality violations be eliminated in a timely manner. If after ample notice from the Codes Department, a violation has not been corrected by the owner of the property or facility from which the violation is originating, then the Codes Department may take the necessary measures to have the violation eliminated. All costs associated with the elimination of the violation will be billed back to the owner of the violating property or facility. These costs shall include direct and indirect costs associated with the corrective work.

**Section 2. Definitions.**

For the purpose of this chapter, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; Words used in the present tense shall include the future tense. The word “shall” is mandatory and not discretionary. The word “may” is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster’s Dictionary.

- (1) "*As built plans*" means drawings depicting conditions as they were actually constructed.
- (2) "*Best management practices*" or "BMPs" are physical, structural, and/or managerial practices that, when used singly or in combination, prevent or reduce pollution of water, that have been approved by the City of Manchester, and that have been incorporated by reference into this ordinance as if fully set out therein.
- (3) "*Channel*" means a natural or artificial watercourse with a definite bed and banks that conducts flowing water continuously or periodically.
- (4) "*Chronic Violator*" means any person that repeats violations of the Stormwater Management Ordinance at least three times in a one year period. The violations do not have to appear on the same project but do have to be of a similar nature.
- (5) "*Community water*" means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the City of Manchester.
- (6) "*Contaminant*" means any physical, chemical, biological, or radiological substance or matter in water.
- (7) "*Design storm event*" means a hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility.
- (8) "*Discharge*" means dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.
- (9) "*Easement*" means an acquired privilege or right of use or enjoyment that a person, party, firm, corporation, municipality or other legal entity has in the land of another.
- (10) "*Erosion*" means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by anthropogenic activities or effects.
- (11) "*Erosion and sediment control plan*" means a written plan (including drawings or other graphic representations) that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.
- (12) "*Governing Body*" means the Manchester Board of Mayor and Aldermen
- (13) ~~"Hotspot" (priority area) means an area where land use or activities have the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.~~

- (13) "*Illicit connections*" means illegal and/or unauthorized connections to the municipal separate stormwater system whether or not such connections result in discharges into that system.
- (14) "*Illicit discharge*" means any discharge to the municipal separate storm sewer system that is not composed entirely of stormwater and not specifically exempted under §3(3) or §7(2).
- (15) "*Land disturbing activity*" means any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, and excavation.
- (16) "*Maintenance*" means any activity that is necessary to keep a stormwater facility in good working order so as to function as designed. Maintenance shall include complete reconstruction of a stormwater facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include the correction of any problem on the site property that may directly impair the functions of the stormwater facility.
- (17) "*Maintenance agreement*" means a document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.
- (18) "*Municipal separate storm sewer system (MS4)*" means the conveyances owned or operated by the municipality for the collection and transportation of stormwater, including the roads and streets and their drainage system, catch basins, curbs, gutters, ditches, man-made channels, and storm drains.
- (19) "*National Pollutant Discharge Elimination System permit*" or "*NPDES permit*" means a permit issued pursuant to 33 U.S.C. 1342.
- (20) "*Off-site facility*" means a structural BMP located outside the subject property boundary described in the permit application for land development activity.
- (21) "*On-site facility*" means a structural BMP located within the subject property boundary described in the permit application for land development activity.
- (22) "*Peak-flow*" means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.
- (23) "*Person*" means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

- (24) *"Priority area"* means an area where land use or activities have the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.
- (25) *"Runoff"* means that portion of the precipitation on a drainage area that is discharged from the area into the municipal separate stormwater system.
- (26) *"Sediment"* means solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice and has come to rest on the earth's surface either above or below sea level.
- (27) *"Sedimentation"* means soil particles suspended in stormwater that can settle in stream beds and disrupt the natural flow of the stream.
- (28) *"Soils Report"* means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees.
- (29) *"Stabilization"* means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring.
- (30) *"Stormwater"* means stormwater runoff, snow melt runoff, surface runoff, street wash waters related to street cleaning or maintenance, infiltration and drainage.
- (31) *"Stormwater management"* means the programs to maintain quality and quantity of stormwater runoff to pre-development levels.
- (32) *"Stormwater management facilities"* means the drainage structures, conduits, ditches combined sewers, sewers, and all device appurtenances by means of which stormwater is collected, transported, pumped, treated or disposed of.
- (33) *"Stormwater management plan"* means the set of drawing and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels.
- (34) *"Stormwater runoff"* means flow on the surface of the ground, resulting from precipitation.
- (35) *"Stormwater utility"* means the stormwater utility created by ordinance of the city to administer the stormwater management ordinance, and other stormwater rules and regulations adopted by the municipality.
- (36) *"Structural BMPs"* means devices that are constructed to provide control of stormwater runoff.

- (37) *"Surface water"* includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.
- (38) *"TDEC"* means the Tennessee Department of Environment and Conservation, Division of Water Resources.
- (39) *"Watercourse"* means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.
- (40) *"Watershed"* means all the land area that contributes runoff to a particular point along a waterway.

**Section 3. Land disturbance permits.**

(1) When Required

(a) Every person will be required to obtain a land disturbance permit from the City of Manchester in the following cases:

- (1) Land disturbing activity disturbs one (1) or more acres (acre = 43,560 sq. ft.) of land;
- (2) Land disturbing activity of less than one (1) acre of land if such Activity is part of a larger common plan of development that affects one (1) or more acre of land; such as a lot in a subdivision
- (3) Land disturbing activity of less than one (1) acre of land, if the activity requires a building permit to be completed (unless otherwise determined by the Codes Department)
- (4) Land disturbing activity of less than one (1) acre of land, if in the discretion of the Codes Department such activity poses a potential threat to the MS4 or Waters of the State.

Anyone that is planning to conduct Land Disturbing Activity of less than one (1) [Included numerical value] acre shall contact the Codes Department to determine whether or not a permit will be required for the specific project.

(2) Building Permit

No building permit shall be issued until the applicant has obtained a land disturbance permit where the same is required by this ordinance.

(3) Exemptions

The following activities are exempt from the permit requirement:

- (a) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
  - (b) Existing nursery and agricultural operations conducted as a permitted main or accessory use.
  - (c) Any logging or agricultural activity that is consistent with an approved farm conservation plan or a timber management plan prepared or approved by state or federal agency.
- (4) Application for a Land Disturbance Permit
- (a) Each application shall include the following:
    - (1) Name of applicant; The applicant shall be the owner of the property on which the project is located. The Permit may be issued to a designated agent of the property owner, but the designated agent must submit a statement from the property owner stating that the Department may issue permits to the agent on the owner's behalf.
    - (2) Business or residence address of applicant;
    - (3) Name, address and telephone number of the owner of the property of record in the office of the assessor of property;
    - (4) Address and legal description of subject property including the tax reference number and parcel number of the subject property;
    - (5) Name, address and telephone number of the contractor and any subcontractor(s) who shall perform the land disturbing activity and who shall implement the erosion and sediment control plan;
    - (6) A statement indicating the nature, extent and purpose of the land disturbing activity, including the size of the area for which the permit shall be applicable and a schedule for the starting and completion dates of the land disturbing activity.
    - (7) Where the property includes a sinkhole, the applicant shall obtain from the Tennessee Department of Environment and Conservation appropriate permits.
    - (8) The applicant shall obtain from any other state or federal agency any other appropriate environmental permits that pertain to the property. However, the inclusion of those permits in the application shall not foreclose the City of Manchester from imposing additional development requirements and conditions, commensurate with this ordinance, on the development of property covered by those permits.

- (b) Each application shall be accompanied by:
    - (1) a sediment and erosion control plan as described in §4(5).
    - (2) a stormwater management plan as described in §4(4), providing for stormwater management during the land disturbing activity and after the activity has been completed. Small residential permits will not require a stormwater management plan.
    - (3) Each application for a land disturbance permits shall be accompanied by payment of land disturbance permit and other stormwater management fees, which shall be set by resolution or ordinance.
- (5) Review and Approval of Application.
- (a) The City of Manchester Codes Department will review each application for a land disturbance permit to determine its conformance with the provisions of this ordinance. Within **thirty (30) [Included numerical spelling]** days after receiving an application, the City of Manchester shall provide one of the following responses in writing:
    - (1) Approval of the permit application;
    - (2) Approval of the permit application, subject to such reasonable conditions as may be necessary to secure substantially the objectives of this ordinance, and issue the permit subject to these conditions; or
    - (3) Denial of the permit application, indicating the reason(s) for the denial.
  - (b) If the City of Manchester has granted conditional approval of the permit, the applicant shall submit a revised plan that conforms to the conditions established by the Codes Department, within **seven (7) [Included numerical spelling]** days of receipt of the conditional approval. However, the applicant shall be allowed to proceed with his land disturbing activity so long as it conforms to conditions established by the Codes Department.
  - (c) No development plans will be released until the land disturbance permit has been approved.

(6) Permit Duration

Every land disturbance permit shall expire and become null and void if substantial work authorized by such permit has not commenced within one hundred eighty (180) calendar days of issuance. The work authorized by such permit shall not be suspended or abandoned at any time after the work is commenced but shall be carried through to completion. A suspension of work for one hundred eighty (180) calendar days, without prior notification and approval, shall result in the nullification of the permit and potential forfeiture of bonds. The permittee is still responsible for

stabilization of any land disturbance activities if the permit is nullified due to extended suspension of work. Once the permit is nullified, the permittee will be required to submit a new application to be able to complete the project, and may be subject to additional permit application fees.

(7) Pre-Construction Conference

A pre-construction conference will be mandatory for all priority construction activities. Priority construction activities will include the following:

- (a) Construction activities discharging directly into, or immediately upstream of, waters the state recognizes as impaired (for siltation) or high quality
- (b) Construction activities that will result in the disturbance of **five (5) [Included numerical spelling]** acres or more of property
- (c) All non-residential construction activities
- (d) Any other construction activities that the Codes Department deems should be considered a priority construction activity

The Codes Department may, at its discretion, require a pre-construction conference for any construction activity, regardless of whether or not the activity is classified as a priority construction activity.

(8) Notice of Construction.

The applicant must notify the City of Manchester Codes Department ten (10) working days in advance of the commencement of construction. Regular inspections of the stormwater management system shall be conducted by the Codes Department. All inspections shall be documented and written reports prepared that contain the following information:

- (1) The date and location of the inspection;
- (2) Whether construction is in compliance with the approved Stormwater management plan;
- (3) Variations from the approved construction specifications;
- (4) Any violations that exist.

Copies of the inspection reports will be maintained at the Manchester Codes Department.

(9) Performance Bonds.

- (a) The City of Manchester may, at its discretion, require the submittal of a performance security or performance bond prior to issuance of a permit in order to ensure that the stormwater practices are installed by the permit holder

as required by the approved stormwater management plan. The amount of the installation performance security or performance bond shall be the total estimated construction cost of the structural BMPs approved under the permit plus any reasonably foreseeable additional related costs, e.g., for damages or enforcement. The performance security shall contain forfeiture provisions for failure to complete work specified in the stormwater management plan. The applicant shall provide an itemized construction cost estimate complete with unit prices which shall be subject to acceptance, amendment or rejection by the Codes Department. Alternatively the City of Manchester shall have the right to calculate the cost of construction estimates.

- (b) The performance security or performance bond shall be released in full only upon submission of as-built plans and written certification by a registered professional engineer licensed to practice in Tennessee that the structural BMP has been installed in accordance with the approved plan and other applicable provisions of this ordinance. The City of Manchester will make a final inspection of the structural BMP to ensure that it is in compliance with the approved plan and the provisions of this ordinance. Provisions for a partial pro-rata release of the performance security or performance bond based on the completion of various development stages can be made at the discretion of the Codes Department.

#### **Section 4. Stormwater System Design and Management Standards**

##### **(1) Construction Phase Standards**

- (a) Design Criteria – The City of Manchester adopts all design storm and special conditions as referenced in the current TN Construction General Permit (CGP) for Stormwater Discharges from construction activities. All criteria and requirements of the Tennessee General Permit for Stormwater Discharges from construction activities not specifically addressed in this ordinance shall be required by this ordinance. If a requirement of this ordinance conflicts with a requirement of the Tennessee General Permit, the more stringent of the two requirements shall apply.
- (b) The City of Manchester adopts as its stormwater design and best management practices (BMP) manual the following publications, which are incorporated by reference in this ordinance as if fully set out herein:
  - (1) TDEC Sediment and Erosion Control Manual, latest edition
  - (2) TN Permanent Stormwater Management & Design Guidance Manual, latest edition

These manuals include a list of acceptable BMPs including the specific design performance criteria and operation and maintenance requirements for each stormwater practice. The manual may be updated and expanded from time to time, at the discretion of the governing body of the municipality, upon the

recommendation of the Codes Department, based on improvements in engineering, science, monitory and local maintenance experience. Stormwater facilities that are designed, constructed and maintained in accordance with these BMP criteria will be presumed to meet the minimum water quality performance standards.

- (c) If sediment escapes the construction site, off-site accumulations of sediment that have not reached a stream must be removed at a frequency sufficient to minimize offsite impacts (e.g., fugitive sediment that has escaped the construction site and has collected in street must be removed so that it is not subsequently washed into storm sewers and streams by the next rain and/or so that it does not pose a safety hazard to users of public streets). Sediment that has reached a stream shall be reported to the Codes Department as soon as it is discovered. No attempts to remove sediment from a stream shall be made without prior approval. Appropriate arrangements will need to be made to enter private property for the purpose of removing sediment accumulations.
  - (d) Sediment should be removed from sediment traps, silt fences, sedimentation ponds, and other sediment controls as necessary, and must be removed when design capacity has been reduced by **fifty percent (50%) [Added numerical spelling and symbol]**.
  - (e) Offsite material storage areas (including overburden and stockpiles of dirt) used solely by the permitted project are considered a part of the project and shall be addressed in the Stormwater Management Plan.
  - (f) Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than **ten (10) [Included numerical spelling]** calendar days prior to grading or earth moving unless the area is seeded and/or mulched or other temporary cover is installed.
  - (g) Clearing and grubbing must be held to a minimum necessary for grading and equipment operation.
  - (h) Erosion and sediment control measures must be in place and functional before earth moving operations begin and must be constructed and maintained throughout the construction period. Temporary measures that may hamper construction activity may be removed at the beginning of the work day, but must be replaced at the end of the work day.
  - (i) Construction erosion control calculations for slopes having a grade of **twenty percent (20%) [Revised order and added percentage symbol]** or greater and a length longer than twenty (20) feet for the applicable design storm event.
- (2) Permanent Stormwater Quantity Standards

Unless granted a waiver or judged by the Codes Department to be exempt, the following performance criteria shall be addressed for stormwater management at all commercial, industrial, and residential subdivision sites:

- (a) Hydraulic capacity of existing and proposed storm water conveyance structures, culverts, and channels located on the site and off-site (two structures downstream) shall be capable of conveying the peak flow rate calculated from the design storm event referenced below: [Recommend reclassifying city's streets... e.g. Hwy 41 as major arterial]
- (1) Twenty-five (25) year design storm – Residential areas, minor street cross-culverts.
  - (2) Fifty (50) year design storm - Major drainage channels (existing “blue-line” or intermittent streams), collector and minor arterial street culverts.
  - (3) One hundred (100) year design storm – Major arterial street culverts
  - (4) One hundred (100) year design storm – Any drainage infrastructure required to prevent flooding of an insurable structure and/or other personal property
  - (5) One hundred (100) year design storm – Any drainage infrastructure required to prevent exacerbation of an existing flooding issue
- (b) Hydraulic capacity of proposed storm sewer systems shall be capable of conveying the peak flow rate calculated from the design storm event referenced below:
- (1) Ten (10) year design storm – Conduits upstream of roadway sags
  - (2) Twenty-five (25) year design storm – Conduits at roadway sags or downstream of roadway sags
  - (4) One hundred (100) year design storm – Any storm sewer system required to prevent flooding of an insurable structure and/or other personal property
  - (5) One hundred (100) year design storm – Any storm sewer system required to prevent exacerbation of an existing flooding issue
- (c) Stormwater spread in public roadways shall be limited to a maximum of eight (8) feet when evaluated at the peak flow rate calculated from the ten (10) year design storm event.

- (d) Hydrologic Procedure Selection shall be in accordance with the following methods and associated limitations:
- (1) The **Rational Method** is the preferred method for peak design flow calculations and is subject to the following limitations:
    - a. Only peak design flows can be estimated;
    - b. Time of concentration,  $t_c$ , is greater than or equal to 5 minutes and less than or equal to 30 minutes ( $5 \text{ minutes} \leq t_c \leq 30 \text{ minutes}$ );
    - c. Drainage area,  $DA \leq 100$  acres; and,
    - d. The most recent Intensity-Duration-Frequency (IDF) data for the City of Manchester as listed in the National Weather Service's NOAA Atlas 14 database shall be used.
  - (2) The **NRCS TR-55 Method** may be used for peak design flow calculations and is the only method allowable for the development of drainage area hydrographs, detention routing calculations, and other time-volume dependent calculations. This method is subject to the following limitations:
    - a. Design storm = NRCS Type II 24-hour distribution;
    - b. Time of concentration,  $t_c$ , of  $0.1 \text{ hour} \leq t_c \leq 2 \text{ hours}$ ;
    - c. Drainage area,  $DA \leq 640$  acres (1 square mile);
    - d. Unit hydrograph shape factor of 484;
    - e. Use of the 1986 version of TR-55 in place of the 1975 procedures; and,
    - f. The most recent rainfall data for the City of Manchester as listed in the National Weather Service's NOAA Atlas 14 database shall be used.
  - (3) The **U.S. Geological Survey (USGS) regional regression equations** may be used for peak design flow calculations and are subject to the limitations published by the USGS and shown in the Tennessee Department of Transportation (TDOT) Drainage Manual.

- (4) If special circumstances arise where the methods described above are not appropriate for design and/or analysis, alternate method(s) may be allowed and are subject to approval by the City Engineer.
- (e) All components of proposed and existing stormwater conveyance infrastructure shall be designed and analyzed in accordance with the following requirements:
- (1) Channels and pipes shall be designed and analyzed using the Mannings Formula. Roadway and/or gutter spread shall also be analyzed using the Mannings Formula. Appropriate Mannings values shall be utilized and are subject to approval by the City Engineer.
  - (2) Curb inlets and area drains shall be designed and analyzed in accordance with the procedures outlined in the Hydraulic Engineering Circular No. 22 (HEC-22) – Urban Drainage Design Manual, latest edition, as published by the U.S. Department of Transportation Federal Highway Administration. Bypass flow from upstream inlets shall be considered in the design and analysis of downstream inlets.
  - (3) Storm sewer systems shall be designed so that the structures do not surcharge and open channel flow conditions are maintained in all conduits when conveying the design peak flow rate.
  - (4) The design and analysis of culverts and conduits shall consider inlet and outlet conditions.
  - (5) The headwater depth shall be evaluated at the inlet end of all conduits and culverts. Conduits and culverts shall be sized to maintain a maximum headwater elevation of one (1) foot below the roadway edge of pavement at the peak flow rate for the design storm event and one (1) foot below the finished grade elevation at the exterior of buildings and other structures during the peak flow rate calculated from the one hundred (100) year storm event.
  - (6) Conduits and culverts shall be designed to maintain a minimum velocity of 2 feet per second at the peak design flow rate.
- (f) Drainage sub-areas shall be delineated and shown for each drainage structure, culvert, inlet, area drain, site discharge point, detention pond, etc. for which drainage calculations must be performed. The permanent hydrologic data shall be documented for each sub-area including total land area, appropriate curve number or runoff co-efficient, time of concentration as calculated using the NRCS TR-55 method, and total runoff for the two (2), five (5), ten (10), twenty-five (25), and one-hundred (100) year storm events using an appropriate method. Appropriate runoff coefficients, curve numbers, and Mannings coefficients for time of concentration calculations shall be used and are subject to approval by the City Engineer.
- (g) Detention pond inflow/outflow calculations and hydrographs for the two (2), five (5), ten (10), twenty-five (25), and one hundred (100) years storm events shall be performed and documented. Detention calculations shall include stage-storage calculations, elevation-discharge calculations, inflow and outflow hydrograph development, routing calculations, and discharge

calculations. A one (1) foot minimum freeboard shall be maintained for the two (2), five (5), ten (10), twenty-five (25) design storm events in the detention basin design. The design shall ensure post-development discharge rates do not exceed pre-development discharge rates for the two (2), five (5), ten (10), and twenty-five (25) year storm events. The maximum design storm for which detention is required is the twenty-five (25) year storm. The design shall ensure that the post-development discharge for the one hundred (100) year design storm can be managed safely by the detention facility, incorporating spillways as necessary, but not necessarily equaling pre-development discharge rates.

- (h) Net pre-construction and post construction runoff at all site discharge points resulting from the two (2), five (5), ten (10), twenty-five (25), and one-hundred (100) year storm events shall be determined using an appropriate method. Runoff velocities shall also be determined.
- (i) Stormwater discharges to critical areas with sensitive resources (i.e., shellfish beds, endangered species, swimming areas, water supply reservoirs) may be subject to additional performance criteria, or may need to utilize or restrict certain stormwater management practices, at the discretion of the Codes Department.
- (j) To protect stream channels from the degradation, specific channel protection criteria shall be provided as prescribed in the BMP manual and/or the Manchester Subdivision Regulations.
- (k) Stormwater discharges from "hot spots" [Hot spot still used although omitted from definitions of ordinance; recommend replacing term or redefining hot spot in term list] may require the application of specific structural BMPs and pollution prevention practices. In addition, stormwater from a hot spot land use may not be infiltrated unless some type of pretreatment is implemented.
- (l) Prior to or during the site design process, applicants for land disturbance permits shall consult with the Codes Department to determine if they are subject to additional stormwater design requirements.

(3) Permanent Stormwater Quality Standards

Generally, any development that is required to comply with the Stormwater Quantity Standards listed above will also be required to comply with the Stormwater Quality Standards listed below:

- (a) New development and redevelopment projects must be designed to reduce pollutants to the Maximum Extent Practicable (MEP), as set forth herein. For design purposes, total suspended solids (TSS) may be used as the indicator for the reduction of pollutants.

- (b) Stormwater Control Measures (SCMs) must be designed to provide full treatment capacity within **seventy-two (72) hours [Included numerical spelling]** following the end of the preceding rain event for the life of the new development or redevelopment project. SCMs shall generally be as described in the TN Permanent Stormwater Management & Design Guidance Manual. However, other SCMs will be considered if their successful implementation in other jurisdictions can be demonstrated to the satisfaction of the Department.
- (c) The water quality treatment design storm is the 1-year, 24-hour storm event, as defined by Precipitation-Frequency Atlas of the United States, Atlas 14, Volume 2, Version 3.0, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Weather Service, Hydrometeorological Design Studies Center, Silver Springs, Maryland or its digital product equivalent. The water quality treatment volume (WQTV) is a portion of the runoff generated from impervious surfaces at a new development or redevelopment project by the design storm, as set forth below. Uncontaminated roof runoff may be excluded from the WQTV if it can be demonstrated to the satisfaction of the Department that the roof runoff will be uncontaminated. Barring proof, roof runoff shall be assumed to be contaminated. SCMs must be designed, at a minimum, to achieve an overall treatment efficiency of **eighty percent (80%) [Included numerical spelling]** TSS removal from the WQTV. The quantity of the WQTV depends on the type of treatment provided, as established in the following table:

Water Quality Treatment Volume and the Corresponding SCM Treatment Type for the 1-year, 24-hour design storm		
SCM Treatment Type	WQTV	Notes
Infiltration, evaporation, transpiration, and/or reuse	Runoff generated from the first inch of the design storm	Examples include, but are not limited to, bioretention, stormwater wetlands, and infiltration systems.
Biologically active filtration, with an underdrain	Runoff generated from the first 1.25 inches of the design storm	To achieve biologically active filtration, SCMs must provide minimum of 12 inches of internal water storage <b>[Recommend including some examples e.g. GAC (granular activated carbon), slow sand filtration]</b>
Sand or gravel filtration, settling ponds, extended detention ponds, and wet ponds	Runoff generated from the first 2.5 inches of the design storm or the first 75% of the design storm, whichever is less	Examples include, but are not limited to, sand filters, permeable pavers, and underground gravel detention systems. Ponds must provide forebays

		comprising a minimum of 10% of the total design volume. Existing regional detention ponds are not subject to the forebay requirement.
Hydrodynamic separation, baffle box settling, other flow-through manufactured treatment devices (MTDs), and treatment trains using MTDs	Maximum runoff generated from the entire design storm	Flow-through MTDs must provide an overall treatment efficiency of at least 80% TSS reduction.

### Treatment Train Calculations

#### 1. Treatment Train Using MTDs

Treatment trains using MTDs must provide an overall treatment efficiency of at least **eighty percent (80%) [Included numerical spelling]** TSS reduction utilizing the following formula:

$$R = A + B - (A \times B) / 100 \text{ Where:}$$

R = total TSS percent removal from application of both SCMs,  
A = the TSS percent removal rate applicable to the first SCM,  
and  
B = the TSS percent removal rate applicable to the second SCM.

TSS removal rates for MTD must be evaluated using industry-wide standards. TSS removal rates for other SCMs must be from published reference literature.

#### 2. Treatment Trains Not Using MTDs

Treatment trains using infiltration, evaporation, transpiration, reuse, or biologically active filtration followed by sand or gravel filtration, settling ponds, extended detention ponds or wet ponds may subtract the treated WQTV of the upstream SCMs from the WQTV of the downstream SCMs.

The WQTV may be reduced by **twenty percent (20%) [Included numerical spelling]** for a new development or redevelopment project that meets either of the following conditions and by **fifty percent (50%) [Included numerical spelling]** for a project that meets both conditions:

1. Redevelopment projects (including, but not limited to, brownfield redevelopment);
2. Vertical density (floor to area ratio of at least 2, or at least 18 units per acre).

(d) Stormwater Mitigation

In a case where the entire WQTV cannot be treated on site to the MEP, then an off-site stormwater mitigation site may be proposed. The mitigation site must be located within the same USGS 12-digit hydrologic unit code watershed as the new development or redevelopment project. The mitigation site must treat a minimum of 1.5 times the portion of the WQTV not treated on the development site. The City of Manchester maintains the right to determine on a case-by-case basis whether or not a proposed mitigation site and measures serve as a benefit to both the development and the city. Therefore, proposed mitigation plans should be brought to the attention of the city review staff at the earliest point possible in the development planning process.

(4) Stormwater Management Plan Requirements

The stormwater management plan shall include sufficient information to allow the Codes Department to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, and the effectiveness and acceptability of the measures proposed for managing stormwater generated at the project site. In most cases, the Storm Water Pollution Prevention Plan (SWPPP) prepared in compliance with the TNCGP will suffice as the Stormwater Management Plan. To accomplish this goal the stormwater management plan shall include the following:

- (a) Topographic Base Map: A 1" = 100' topographic base map of the site. Topography shall extend a minimum of 100 feet beyond the limits of the proposed development, if specifically required. Base map shall indicate:
  - (1) Existing surface water drainage including streams, ponds, culverts, ditches, sink holes, wetlands; and the type, size elevation, etc., of nearest upstream and downstream drainage structures;
  - (2) Current land use including all existing structures, location of utilities, Roads, and easements;
  - (3) All other existing significant natural and artificial features;
  - (4) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading;
  - (5) Proposed structural BMPs;

- (6) A written description of the site plan and justification of proposed changes in natural conditions may also be required.
- (b) Calculations: As described above for stormwater quantity and quality standards.
- (c) Soils information: If a stormwater management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure. If stormwater control measures are not dependent on soils characteristics then only the soils data used to determine runoff characteristics of the property shall be submitted.
- (d) Long-Term Maintenance Plan: The design and planning of all stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. As such, a Long-Term Maintenance Plan shall be prepared and submitted for a post-construction permanent stormwater quantity and quality control measures to be implemented on a project. The Long-Term Maintenance Plan shall include specific details about the necessary maintenance and necessary inspections of the facility. An inspection checklist and frequency shall be made part of the Plan. The Plan shall be written as a guidance document for owners that may not be familiar with the specific workings of the control structure. These plans will identify the parts or components of a stormwater management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan. A permanent elevation benchmark shall be identified in the plans to assist in the periodic inspection of the facility, if appropriate.
- (e) Landscaping Plan: The applicant must present a detailed plan for management of vegetation at the site after construction is finished, including who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved. Where it is required by the BMP, this plan must be prepared by a registered landscape architect licensed in Tennessee.
- (f) Maintenance Easements: The applicant must ensure access to the site for the purpose of inspection and repair by securing all the maintenance easements needed. These easements must be binding on the current property owner and all subsequent owners of the property and must be properly recorded in the land record.

(g) Maintenance Agreement:

(1) The owner of property to be served by an on-site stormwater management facility must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owner and all subsequent property owners.

(2) The maintenance agreement shall:

(a) Assign responsibility for the maintenance and repair of the stormwater facility to the owner of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation. For this reason, the facility shall be located on one property and not on multiple lots.

(b) It shall also grant permission to the city to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained. Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter and other debris, the cutting of grass, grass cuttings and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other stormwater facilities. It shall also provide that the property owner shall be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the BMP manual.

(c) Provide that maintenance needs must be addressed in a timely manner, on a schedule to be approved by the Codes Department.

(d) Provide that if the property is not maintained or repaired within the prescribed schedule, the Codes Department shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the City of Manchester cost of performing the maintenance shall be a lien against the property.

(h) Sediment and Erosion Control Plans: The applicant must prepare a sediment and erosion control plan for all construction activities that complies with §4(5) below.

(i) Drainage Easements: Drainage easements are required for all stormwater structures and all storm drainage conveyances. Drainage easements are meant to ensure conveyance of stormwater from one property to the next. Drainage structures such as pipes that are placed on private property shall be placed on one property rather than directly on a property line. The drainage easement

containing the pipe may cross the property line. Maintenance of structures or conveyances within drainage easements is the responsibility of the property owner.

(5) Sediment and Erosion Control Plan Requirements

The sediment and erosion control plan shall accurately describe the potential for soil erosion and sedimentation problems resulting from land disturbing activity and shall explain and illustrate the measures that are to be taken to control these problems. The length and complexity of the plan is to be commensurate with the size of the project, severity of the site condition, and potential for off-site damage. The plan shall also conform to the requirements found in the BMP manual, and shall include at least the following:

- (a) Project Description – Briefly describe the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required.
- (b) A topographic map with contour intervals of no more than five (5) feet showing present conditions and proposed contours resulting from land disturbing activity.
- (c) All existing drainage ways, including intermittent and wet-weather. Include any designated floodways or flood plains.
- (d) A general description of existing land cover. Individual trees and shrubs do not need to be identified.
- (e) Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be submitted separately. The plan must include the sequence of implementation for tree protection measures.
- (f) Approximate limits of proposed clearing, grading and filling.
- (g) Approximate flows of existing stormwater leaving any portion of the site.
- (h) A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.
- (i) Location, size and layout of proposed stormwater and sedimentation control improvements.

- (j) Proposed drainage network.
- (k) Proposed drain tile or waterway sizes.
- (l) Approximate flows leaving site after construction and incorporating water run-off mitigation measure. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting stormwater off-site; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off-site, etc.
- (m) The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins or retention facilities or any other structural BMP's.
- (n) Specific remediation measures to prevent erosion and sedimentation run-off. Plans shall include detailed drawing of all control measures used; stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.
- (o) Specific details for: the construction of rock pads, wash down pads, and settling basins for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the Codes Department. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work day by machine, broom or shovel to the satisfaction of the Codes Department. Failure to remove the sediment, soil or debris shall be deemed a violation of this ordinance.
- (p) Proposed structures; location (to the extent possible) and identification of any proposed additional buildings, structures or development on the site.
- (q) A description of on-site measures to be taken to recharge surface water into the ground water system through infiltration.
- (r) The erosion control plan shall identify water quality buffer zones that must be established adjacent to all streams, including intermittent streams. The water quality buffer zone shall consist of a setback from the top of the water body's bank of undisturbed vegetation, including trees, shrubs and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of native vegetation bordering streams, ponds, wetlands, springs, reservoirs or lakes, which exists or is established to protect those water bodies. Stormwater

discharges should enter the buffer zone as sheet flow, not as concentrated flow, where site conditions allow.

Water quality riparian buffers must have the following minimum widths:

	Average buffer width (feet)	Minimum buffer width (feet)	Notes
Waters with available parameters for siltation and habitat alteration or unassessed waters	30	15	The criteria for the width of the buffer zone can be established on average width basis at a project, as long as the minimum width of the buffer zone is more than the required minimum width at any measured location. If the development site encompasses both sides of a stream, buffer averaging can be applied to both sides, but must be applied independently.
Exceptional Tennessee Waters or waters with unavailable parameters for siltation or habitat alteration	60	30	

The predominant vegetation within the minimum buffer width area should be trees. The remaining riparian buffers may be composed of herbaceous cover or infiltration based SCMs. If the buffer zone is not composed of primarily trees at the time of development, the buffer zone may be allowed to establish tree cover naturally or trees may be planted to allow better control of the type and timing of tree establishment.

In subdivision developments, buffer zones shall be designated as open space and shall not be considered a part of any individual residential lots. For non-subdivision developments, such as commercial developments, a drainage easement shall be established for the buffer zone. The easement will stipulate that no disturbance can take place without applying for and receiving written approval from the Codes Department.

(6) Changes to the Stormwater Management Plan and/or Erosion and Sedimentation Control Plan

Any significant changes to the Stormwater Management Plan and/or Erosion and Sedimentation Control Plan after approval of the same shall require resubmittal of plans to the Codes Department for subsequent approval. Work shall not continue on any portion of the plan requiring modification or on areas of the plan that are dependent upon the modifications until the modifications have been approved. Work that is not related to the modifications being made may continue during the re-approval process. Any work performed that is not in strict accordance with the approved plans is performed at the contractor's risk. It shall not be assumed that changes to the plans will automatically be approved even if they have already been constructed.

Significant plan changes do not include the location of temporary sedimentation controls. Adjustment to the exact location of temporary sedimentation controls, to better comply with the intent of the erosion and sedimentation control plan, does not require prior approval or resubmittal of plans. Significant changes include, but are not limited to, those that would change the runoff calculations, those that would require changes to the permanent stormwater structures or controls, and those that would require additional permanent stormwater structures or controls.

## **Section 5. Post Construction.**

### (1) As Built Plans.

All applicants are required to submit actual as built plans for any structures located on-site after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be sealed by a registered professional engineer licensed to practice in Tennessee. A final inspection by the Codes Department is required before any performance security or performance bond will be released. The Codes Department shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all BMP's have been made and accepted by the Codes Department.

### (2) Landscaping and Stabilization Requirements.

- (a) Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall be revegetated according to a schedule approved by the Codes Department. The following criteria shall apply to revegetation effort:
- (1) Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until such time as the cover crop is established over ninety percent (90%) of the seeded area.
  - (2) Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.
  - (3) Any area of revegetation must exhibit survival of a minimum of seventy-five percent (75%) of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum seventy-five percent (75%) survival for one (1) year is achieved.
  - (4) Approved sedimentation controls must be maintained until stabilization efforts have been completed (seeding and mulching,

sodding, paving, or gravelling). Where sedimentation controls are in the way of stabilization efforts, they may be removed, but they must be reinstalled at the end of the day if the stabilization efforts are not completed by the end of the day. Where a bond is issued for stabilization efforts, sedimentation controls must be maintained until the stabilization efforts are completed.

- (b) In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.
- (3) Inspection of Stormwater Management Facilities

Periodic inspections of facilities shall be performed as provided for in §6(3).

- (4) Records of Installation and Maintenance Activities

Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation of the stormwater facility, and of all maintenance and repairs to the facility, and shall retain the records for at least **five (5) [included numerical spelling]** years. These records shall be made available to the Codes Department during inspection of the facility and at other reasonable times upon request.

- (5) Failure to Meet or Maintain Design or Maintenance Standards

If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this ordinance, the City of Manchester, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the City of Manchester shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have **fourteen (14) [included numerical spelling]** days to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the Codes Department may take necessary corrective action. The cost of any action by the City of Manchester under this section shall be charged to the responsible party.

## **Section 6. Existing Locations and Developments**

- (1) Requirements for all Existing Locations and Developments

Adoption of this ordinance shall in no way relieve the owners of existing stormwater structures of their responsibilities under previous grading or stormwater ordinances.

Existing locations and developments shall comply with the provisions of this ordinance to the extent necessary to protect the existing stormwater system and Waters of the State. The Codes Department shall have the right to require owners of existing stormwater structures to comply with the post construction maintenance and repair provisions of this ordinance, or any other provisions as may be deemed necessary to maintain the integrity of the stormwater system.

The following requirements shall apply to all locations and development at which land disturbing activities have occurred previous to the enactment of this ordinance:

- (a) Denuded areas must be vegetated or covered under the standards and guidelines specified in the BMP manual and on a schedule acceptable to the Codes Department.
  - (b) Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.
  - (c) Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc., to prevent erosion.
  - (d) Trash, junk, rubbish, etc. shall be cleared from drainage ways.
- (2) Requirements for Existing Problem Locations

The City of Manchester shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problem affecting such locations and developments, and the specific actions required to correct those problems. The notice shall also specify a reasonable time for compliance.

(3) Inspection of Existing Facilities

The City of Manchester may, to the extent authorized by state and federal law, establish inspection programs to verify that all stormwater management facilities, including those built before as well as after the adoption of this ordinance, are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspection; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the municipality's NPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPs.

(4) Corrections of Problems Subject to Appeal

Corrective measures imposed by the stormwater utility under this section are subject to appeal under §12 of this ordinance.

## **Section 7. Illicit Discharges**

### (1) Scope

This section shall apply to all water generated on developed or undeveloped land entering the municipality's separate storm sewer system.

### (2) Prohibition of Illicit Discharges

No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of stormwater. The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited except as described as follows:

- (a) Uncontaminated discharges from the following sources:
  - (1) Water line flushing or other potable water sources,
  - (2) Landscape irrigation or lawn watering with potable water,
  - (3) Diverted stream flows,
  - (4) Rising ground water,
  - (5) Groundwater infiltration to storm drains,
  - (6) Pumped groundwater,
  - (7) Foundation or footing drains,
  - (8) Crawl space pumps,
  - (9) Air conditioning condensation,
  - (10) Springs,
  - (11) Non-commercial washing of vehicles,
  - (12) Natural riparian habitat or wet-land flows,
  - (13) Swimming pools (if dechlorinated to less than one PPM chlorine),
  - (14) Fire fighting activities, and
  - (15) Any other uncontaminated water source.
- (b) Discharges specified in writing by the Codes Department as being necessary to protect public health and safety.
- (c) Dye testing is an allowable discharge if the Codes Department has so specified in writing.

### (3) Prohibition of Illicit Connections

- (a) The construction, use, maintenance or continued existence of illicit connections to the separate municipal storm sewer system is prohibited.

- (b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(4) Reduction of Stormwater Pollutants by the Use of Best Management Practices

Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMP's necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

(5) Notification of Spills

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in illicit discharges or pollutants discharging into stormwater, the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the Codes Department in person or by telephone or facsimile no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the Codes Department within three (3) business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 5 years.

## **Section 8. Priority Areas**

**Priority Areas** are those areas where land use or activities have the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. It shall be a violation of this Ordinance for **priority areas** to contaminate stormwater runoff in any manner that would violate any water quality standards existing within this Ordinance or within any State and/or Federal documents or regulations. **Priority areas** may include industrial facilities, certain commercial facilities, large commercial parking areas, and other facilities designated by the Codes Department as having the potential to contaminate stormwater runoff from their ongoing activities. Certain **priority areas** will be regulated by the Manchester Codes Department as follows:

- (1) Industrial and Commercial Properties

All industrial and commercial properties within Manchester shall be prohibited from introducing contaminants into the stormwater system or into waters of the state. To achieve compliance with this requirement, industrial and commercial properties must comply with all applicable local, state, and federal stormwater permitting requirements. For industrial activities this means compliance with the Tennessee Multi Sector Industrial Permit and all of its provisions, including the development and maintenance of a site specific Stormwater Pollution Prevention Plan (SWPPP) and all monitoring requirements. If the industrial activity is eligible for the No-Exposure Certification rather than permit coverage, due to not having any industrial activities exposed to stormwater, then that certification must be obtained and kept current.

(2) Auto Repair and Supply Shop Requirements

(a) Written Management Plan

Auto repair shops, auto supply shops, and other auto related facilities that use or collect oils or other automobile fluids shall prepare a written plan outlining the best management practices that will be utilized to minimize impacts from their establishment to the quality or quantity of waters discharged to the Manchester MS4. The written plan shall be submitted to the Codes Department within **ninety (90) [Included numerical spelling]** days of notification by the Department of the necessity of the Plan. The plan shall be maintained on file at the establishment.

At a minimum, the plan shall address the following topics:

- (1) Methods used to minimize the amount of liquids and greases placed in dumpsters or compactors
- (2) Methods used to keep rain water out of dumpsters
- (3) Methods used to keep leaks and other wastewaters from dumpsters and compactors from entering the storm sewer system
- (4) Procedures used to contain all automotive fluids prior to use or disposal
- (5) Schedule for inspection of dumpsters, compactors, and oil/fluid storage areas for leaks or stains and inspection of dumpster and compactor area for litter
- (6) Provisions for the immediate replacement of leaking dumpsters, compactors, or fluid storage containers.
- (7) Details of contracts or arrangements with outside vendors who collect waste oils or other fluids for disposal. Details shall include the name of the vendor, the final disposal or treatment location for the fluids, the method of disposal or treatment of the fluids, and the frequency of pick-up from the facility.

(b) Best Management Plan Implementation

Within 180 days of the completion of the written plan, all best management practices required to eliminate impacts to the stormwater system shall be in place and fully implemented.

(c) Training

Within **sixty (60) [Included numerical spelling]** days of the completion of the written plan, all employees shall be trained on the requirements of the plan and the proper procedures for complying with the plan. Training shall be repeated at least annually or anytime significant changes are made to the plan. Training records that indicate the topics covered and the individuals who were trained shall be maintained at the facility as a part of the written plan.

(d) Sanitary Sewer Connections

New or additional sanitary sewer connections that are needed to comply with the requirements of this ordinance shall be installed under the approval and direction of the Manchester Water and Sewer Department.

(3) Restaurant and Grocery Store Requirements

(a) Written Management Plan

Restaurants, grocery stores, and other food preparation facilities shall prepare a written plan outlining the best management practices that will be utilized to minimize impacts from their establishment to the quality or quantity of waters discharged to the Manchester MS4. For existing facilities, the written plan shall be submitted to the Codes Department within **ninety (90) [Included numerical spelling]** days of notification by the Department of the necessity of the Plan. For new facilities, the plan shall be submitted to the Codes Department as part of the initial Stormwater Management Plan. The plan shall be maintained on file at the establishment.

At a minimum, the plan shall address the following topics:

- (1) Methods used to minimize the amount of liquid placed in dumpsters or compactors
- (2) Methods used to keep rain water out of dumpsters
- (3) Methods used to keep leaks and other wastewaters from dumpsters and compactors from entering the storm sewer system
- (4) Procedure used to make sure all waste is contained in dumpsters and compactors
- (5) Schedule for inspection of dumpsters and compactors for leaks or stains and inspection of dumpster and compactor area for litter
- (6) Provisions for the immediate replacement of leaking dumpsters and compactors

- (7) Methods used to keep all washwaters from equipment cleaning areas from entering the storm sewer system
- (b) Best Management Plan Implementation

Within **one hundred eighty (180) [Included numerical spelling]** days of the completion of the written plan, all best management practices required to eliminate impacts to the stormwater system shall be in place and fully implemented.
- (c) Training

Within **sixty (60) [Included numerical spelling]** days of the completion of the written plan, all employees shall be trained on the requirements of the plan and the proper procedures for complying with the plan. Training shall be repeated at least annually or anytime significant changes are made to the plan. Training records that indicate the topics covered and the individuals who were trained shall be maintained at the facility as a part of the written plan.
- (d) Sanitary Sewer Connections

New or additional sanitary sewer connections that are needed to comply with the requirements of this ordinance shall be installed under the approval and direction of the Manchester Water and Sewer Department.

## **Section 9. General Prohibitions**

### (1) Blockage of Watercourses or Drains

It shall be unlawful for any person to dump refuse or solid waste of any nature (including grass clippings, leaves, brush, garbage, scrap, or any other refuse) into a stream, ditch, storm sewer, or any other drain within the city or to place such refuse or solid waste or cause such refuse or solid waste to be placed in a manner in which it is likely to enter into any stream, ditch, storm sewer, or other drain either by natural or other means. It shall further be unlawful for any person to cause or allow any obstruction of any nature whatsoever (landscaping, driveways, fill, etc.) of any watercourse or flow of water either by natural or manmade means. It shall be unlawful to block a watercourse or drain by constructing a fence over the drain in any manner that restricts flow or that can catch debris, thus restricting flow.

### (2) Dumping

It shall be unlawful for any person to dump any liquid waste into any stream, ditch, storm sewer, or any other drain or in any location where it is likely to enter any stream, ditch, storm sewer, or other drain either by natural or other means. Liquid waste may include automotive fluids, wash waters, cleaning fluids, solvents, or any other liquids that could be toxic or otherwise detrimental to the receiving stream or storm sewer system.

### (3) Alteration of Watercourses of Drains

It shall be unlawful for any person to cause, permit, or allow the alteration of any stream, ditch, storm sewer or any other drain without written approval from the Public Works Department and the acquisition of any State Permits that may be necessary for the performance of the alterations. Alterations may include, but are not limited to, a change in direction of flow, the addition of a structure such as a culvert or a bridge, or a change in size of a channel or pipe.

(4) Unpermitted Discharge

It shall be unlawful for any person to discharge stormwater to any stream, ditch, storm sewer or any other storm drain within the city without first obtaining the required State Permit coverage as described below:

- (a) Construction sites that disturb one acre of land or more or are part of a larger common plan of development must apply for coverage under the Tennessee General Permit for Stormwater Discharges from Construction Activity.
- (b) Industrial facilities must apply for coverage under the Tennessee Stormwater Multi-Sector General Permit for Industrial Activities or the Certificate of No Exposure, if applicable.

(5) Contamination of Stormwater

It shall be unlawful for any industrial, commercial, or residential properties, including but not limited to restaurants, auto repair shops, auto supply shops, and large commercial parking areas, to contaminate stormwater runoff. All numerical or visual effluent limitations set by State permits or regulations shall apply under the provisions of this ordinance.

(6) Construction Site Waste

It shall be unlawful for construction site operators to discard waste, including building materials, concrete truck washout, chemicals, litter, sanitary waste, or any other potential pollutants in a manner that may cause adverse impacts to water quality. This requirement applies to all construction site operators, regardless of whether or not the site was required to obtain a Land Disturbance Permit for the construction activity.

**Section 10. Enforcement**

(1) Enforcement Authority

The Codes Department shall have the authority to issue notices of violation and citations, and to impose the civil penalties provided in this section.

(2) Notification of Violation

(a) Written Notice of Violation

Whenever the Codes Department finds that any permittee or any other person discharging stormwater has violated or is violating this ordinance or a permit or order issued hereunder, the Department may serve upon such person written notice of the violation. Within a time specified in the notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the Department. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

(b) Show Cause Hearing

The Department may order any person who violates this ordinance or permit or order issued hereunder, to show cause why proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing.

(c) Administrative [Corrected spelling error] Order

When the Department finds that any person has violated or continues to violate this ordinance or a permit or order issued thereunder, he may issue an order to the violator directing that, following a specific time period, adequate structures, devices, be installed or procedures implemented and properly operated. Orders may also contain such requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practice.

(d) Stop Work Orders

When the Department finds that any person has violated or continues to violate this ordinance or any permit or order issued hereunder, the Department may issue an order to stop all work on the project until all such violations have been corrected and the Department has approved the corrections, thus allowing work to proceed on the project.

## **Section 11. Penalties**

(1) Violations

Any person who shall commit any act declared unlawful under this ordinance, who violates any provision of this ordinance, who violates the provisions of any permit

issued pursuant to this ordinance, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the City of Manchester shall be guilty of a civil offense.

(2) Penalties

Under the authority provided in Tennessee Code Annotated §68-221-1106, the municipality declares that any person violating the provisions of this ordinance may be assessed a civil penalty by the City of Manchester of not less than fifty dollars (\$50.00) and not more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

(3) Measuring Civil Penalties

In assessing a civil penalty, the Codes Department will follow the provisions of the Enforcement Response Plan (ERP) and will utilize the scoring system outlined in the ERP to set the dollar amount of the penalty. As outlined in the ERP, the Department may consider the following factors when determining the amount of the penalty:

- (a) The harm done to the public health or the environment;
- (b) Whether the civil penalty imposed will be substantial economic deterrent to the illegal activity;
- (c) The economic benefit gained by the violator;
- (d) The amount of effort put forth by the violator to remedy this violation;
- (e) Any unusual or extraordinary enforcement costs incurred by the municipality;
- (f) The amount of penalty established by ordinance or resolution for specific categories of violations; and
- (g) Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.

(4) Recovery of Damages and Costs

In addition to the civil penalty in subsection (2) above, the municipality may recover;

- (a) all damages proximately caused by the violator to the municipality, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this ordinance, or any other actual damages caused by the violation.
- (b) The costs of the municipality's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this ordinance.

(5) Other Remedies

The municipality may bring legal action to enjoin the continuing violation of this ordinance, and the existence of any other remedy, at law or equity, shall be no defense to any such actions.

(6) Remedies Cumulative

The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one (1) or more of the remedies set forth herein has been sought or granted.

(7) Chronic Violators

The Codes Department must enforce at a higher level against chronic violators. This higher level of enforcement shall include increased penalty amounts and more frequent inspections, as specified in the Enforcement Response Plan. The Department shall also have the ability to enforce other disincentives against chronic violators, such as the refusal to issue additional permits when the violator has unresolved enforcement issues with the Department.

## **Section 12. Appeals**

Pursuant to Tennessee Code Annotated §68-221-1106(d), any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this ordinance may appeal said penalty or damage assessment to the stormwater board of appeals.

(1) Stormwater Board of Appeals

The Stormwater Board of Appeals shall consist of three (3) [Revised error] members, to be recommended by the Codes Department and appointed by the Governing Body. Each member must be a resident of the City of Manchester. Each member shall be appointed to a term of three years, with the first terms to be staggered as follows: one (1) member appointed to a one (1) year term, two (2) members appointed to two (2) year terms, and two (2) members appointed to three (3) year terms. The Stormwater Board of Appeals shall meet as needed. Members of the Board may serve additional terms as appointed by the Governing Body.

The Stormwater Board of Appeals is hereby authorized to hear and decide appeals of any order, decision or ruling of the Codes Department or it's designee issued pursuant to these regulations. Following the hearing on an application for appeal, the Stormwater Board of Appeals may affirm, reverse, modify, or remand for more information, the order, decision or ruling of the Codes Department or it's designee. In no event shall the Stormwater Board of Appeals issue a decision that in any way conflicts or contradicts these regulations or any other federal, state, or local laws or regulations relating to stormwater, wastewater, zoning, or planning. The Stormwater Board of Appeals may not modify the amount of civil penalties, as set by the Enforcement Response Plan.

(2) Appeals to be in Writing

The appeal shall be in writing and filed with the municipal recorder or clerk within fifteen (15) days after civil penalty and/or damage assessment is served in any manner authorized by law.

(3) Public Hearing

Upon receipt of an appeal, the stormwater board of appeals shall hold a public hearing within thirty (30) Days. Ten (10) days prior notice of the time, date, and location of said hearing shall be published in a daily newspaper of general circulation. Ten (10) days notice by registered mail shall also be provided to the aggrieved party, such notice to be sent to the address provided by the aggrieved party at the time of appeal. The decision of the municipality's stormwater board of appeals shall be final.

(3) Appealing Decisions of the Municipality's Stormwater Board of Appeals

Any alleged violator may appeal a decision of the municipality's governing body pursuant to the provisions of Tennessee Code Annotated, title 27, chapter 8.

**Section 13. Fee Schedule**

(1) Permit Review and Inspection Fees

A fee shall be assessed for each Land Disturbance and Stormwater Protection Permit as set forth in the following table:

<u>DISTURBED ACREAGE</u>	<u>RESIDENTIAL</u>	<u>COMMERCIAL/INDUSTRIAL</u>
0.01 - 0.99	\$200	\$500
1.00 – 4.99	\$300	\$700
5.00 – 14.99	\$500	\$1,000
15.00 – 29.99	\$800	\$1,600
30.00 or more	\$1,500	\$3,000

Adjusted pricing and Realigned to fix issue of cut off of titles

The review and inspection fees are based on acreage to be disturbed during the construction of the project. If a proposed acreage of disturbance is not provided, the fee will be based on the total project acreage.

(2) Stormwater User's Fee

The Governing Body shall have the authority to impose, by resolution, on each and every developed property in the city a stormwater user's fee. Prior to establishing or amending user's fees, the municipality shall advertise its intent to do so by publishing

notice in a newspaper of general circulation in the city at least thirty (30) days in advance of the meeting of the municipality's governing body which shall consider the adoption of the fee or its amendment.

If the Governing Body chooses to impose a stormwater user's fee, it shall be based on the establishment of an Equivalent Residential Unit (ERU). The ERU shall be the average square footage of a detached single-family residential property. The City Board shall have the discretion to determine the source of the data from which the ERU is established.

(a) Property Classifications

For purposes of determining the stormwater user's fee, all properties in the city are classified into one of the following classes:

(1) Single-family residential property;

(2) Other developed property;

(b) Single Family Residential Fee

The municipality's governing body finds that the intensity of development of most parcels of real property in the municipality classified as single family residential is similar and that it would be excessively and unnecessarily expensive to determine precisely the square footage of the improvements (such as buildings, structures, and other impervious areas) on each such parcel. Therefore, all single family residential properties in the city shall be charged a flat stormwater management fee, equal the base rate, regardless of the size of the parcel or the improvements.

(c) Other Developed Property Fee

The fee for other developed property (non-single family residential property) in the municipality shall be set by dividing the total square footage of impervious area of the property by one ERU and then multiplying that factor by the base rate for one ERU. The impervious surface area for other developed property is the square footage for the buildings and other improvements on the property. The minimum stormwater management fee for other developed property shall equal the base rate for single-family residential property.

(d) Base Rate

The governing body of the municipality shall establish the base rate for one ERU. The base rate shall be calculated to insure adequate revenues to fund the costs of stormwater management and to provide for the operation, maintenance, and capital improvements of the stormwater system in the city. The base rate will be calculated by dividing the necessary annual revenues for

funding the program by the total number of ERUs, as determined by the Codes Department, and then dividing by twelve (12) [Included numerical spelling] months to make the base rate a monthly value.

(e) Adjustments to Stormwater User's Fee

The Department shall have the right on its own initiative to adjust upward or downward the stormwater user's fee with respect to any property, based on the approximate percentage on any significant variation in the volume or rate of stormwater, or any significant variation in the quality of stormwater, emanating from the property, compared to other similar properties. In making determinations of the similarity of property, the Department shall take into consideration the location, geography, size, use, impervious area, stormwater facilities on the property, and any other factors that have a bearing on the variation. Under no circumstances shall a stormwater fee be adjusted to the point that it is below the base rate for one ERU unless the person requesting the adjustment can demonstrate that they do not discharge any stormwater to the MS4 system, in which case the stormwater fee shall be waived.

(f) Property Owner to Pay Stormwater User's Fee

For each property for which a stormwater fee is assessed, the stormwater fee shall be paid by the owner of the property. This person shall be designated as the user of the stormwater system.

(g) Stormwater User's Fee Payment

Payment of the stormwater user's fee shall be made in person or by mail along with the bill to which it is attached. The due date of the stormwater fee shall be as indicated on the bill. The municipality shall be entitled to recover legal fees incurred in collecting delinquent stormwater fees.

(h) Appeal of Fees

Any person who disagrees with the calculation of the stormwater user's fee, as provided in this ordinance, or who seeks a stormwater user's fee adjustment based upon stormwater management practices, may appeal such fee determination to the Codes Department. The appeal shall be filed in writing and shall state the grounds for the appeal. The Department may request additional information from the appealing party. Based upon the information provided by the Department and the appealing party, the Department shall make a final calculation of the stormwater user's fee. The Department shall notify the appealing party, in writing, of its decision.

CITY OF MANCHESTER  
CITIZEN PARTICIPATION FORM  
OFFICE 931-728-4652

Email: [mayor@cityofmanchestertn.com](mailto:mayor@cityofmanchestertn.com)

The City of Manchester relies heavily upon citizen participation on the Boards and Commissions that help Manchester serve its residents. The assistance received from the groups greatly assists the City in making Manchester a better place to live.

We greatly encourage citizen participation in serving on one of the Boards or Commissions listed below. If you feel you could devote sufficient time, please volunteer for your selected Board or Commission. Please complete the form and return to the Board of Mayor and Aldermen, City Hall, 200 West Fort Street, Manchester, TN 37355. Email form to [mayor@cityofmanchestertn.com](mailto:mayor@cityofmanchestertn.com).

Please circle the Board or Commission that you wish to serve:

Planning and Zoning Commission

Recreation Commission

ADA Compliance Committee

Tourism Commission

Health, Education, & Housing Facility Board

Stormwater/Building Codes Board of Appeals

Manchester Public Building Authority

Other \_\_\_\_\_

Water & Sewer Commission

Manchester Housing Authority

Duck River Utilities Commission

Historic Zoning Commission

Greater Manchester Economic Development Board

Coffee County Industrial Board (City Seat)

Coffee County 911 Board (City Seat)

Name: MITCH UMBARGER

Home Phone: N/A Business Phone: 931-723-3300

Cell Phone: 931-247-4414 Email Address: MITCHUMBARGER@GMAIL.COM

Address: 342 JACK THOMAS DRIVE

Education: COLLEGE/REAL ESTATE Occupation: REALTOR/AUCTIONEER

Are you: ( ) Manchester resident (  ) Elector in Manchester (  ) Manchester Business Owner

(  ) Coffee County Resident (  ) Elector in Coffee County ( ) Coffee County Business Owner

Why do you want to serve on the Board or Commission circled above?

AS A LIFE LONG RESIDENT OF MANCHESTER I AM COMMITTED TO SMART GROWTH IN OUR COMMUNITY

Have you served on a Board or Commission before? If yes, please specify.

G MEDB

Dates of Service: CURRENTLY

Signature: Mitch Umbarger

Date: 3-7-2025

\*Please return by mail, email, or deliver to Mayor's Office at City Hall

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ADA Compliance Committee

Tourism Commission

Health, Education, & Housing Facility Board

Stormwater/Building Codes Board of Appeals

Manchester Public Building Authority

Other \_\_\_\_\_

Water & Sewer Commission

Manchester Housing Authority

Duck River Utilities Commission

Historic Zoning Commission

Greater Manchester Economic Development Board

Coffee County Industrial Board (City Seat)

Coffee County 911 Board (City Seat)

Name: Casandra Toombs

Home Phone: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address: \_\_\_\_\_ Manchester

Education \_\_\_\_\_<sup>business</sup> Occupation: Payroll and Benefits Specialist (State of TN)

Are you:  Manchester resident ( ) Elector in Manchester ( ) Manchester Business Owner

( ) Coffee County Resident ( ) Elector in Coffee County ( ) Coffee County Business Owner

Why do you want to serve on the Board or Commission circled above?

I am interested in the rate of growth in Manchester and planning for that future growth.

Have you served on a Board or Commission before? If yes, please specify.

No

Dates of Service: \_\_\_\_\_

Signature: Casandra Toombs

Date: 2-28-2025

**\*Please return by mail, email, or deliver to Mayor's Office at City Hall**

**CITY OF MANCHESTER  
CITIZEN PARTICIPATION FORM  
OFFICE 931-728-4652**

**Email: [mayor@cityofmanchestertn.com](mailto:mayor@cityofmanchestertn.com)**

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**Please circle the Board or Commission that you wish to serve:**

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*Recreation Commission*

*ADA Compliance Committee*

*Tourism Commission*

*Health, Education, & Housing Facility Board*

*Stormwater/Building Codes Board of Appeals*

*Manchester Public Building Authority*

*Other* Regional Planning Commission

*Water & Sewer Commission*

*Manchester Housing Authority*

*Duck River Utilities Commission*

*Historic Zoning Commission*

*Greater Manchester Economic Development Board*

*Coffee County Industrial Board (City Seat)*

*Coffee County 911 Board (City Seat)*

Name: Daniel Payton Harris

Home Phone: N/A Business Phone: N/A

Cell Phone: \_\_\_\_\_ Email Address: dpharris@cityofmanchester.com

Address: 100 Ramsey Rd Manchester, TN 37355

Education: CCCHS / Bethel University Occupation: CNC Machinist/Programmer

Are you: ( ) Manchester resident ( ) Elector in Manchester ( ) Manchester Business Owner

(x) Coffee County Resident ( ) Elector in Coffee County ( ) Coffee County Business Owner

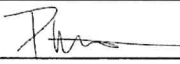
Why do you want to serve on the Board or Commission circled above?

I want to become more involved in my community, I have a very large range of interests including government & economics. I think I can offer a unique perspective, I'm 25 and very dedicated to making positive change.

Have you served on a Board or Commission before? If yes, please specify.

No

Dates of Service: N/A

Signature: 

Date: 2/17/2025

**\*Please return by mail, email, or deliver to Mayor's Office at City Hall**

**City of Manchester**  
**Board of Mayor and Alderman**  
**Beer Board Agenda**  
**May 6, 2025**

Immediately Following the Mayor and Aldermen Board Meeting

**Call the Meeting to Order:**

**Approval of Agenda:**

**Citizen Comments:**

**Application(s):**

1. **Special Event Beer Permit:** Name of Applicant Renee Haggard; Name of Business: Common John Brewing Co.; Business Address 210 Woodbury Hwy, Manchester, TN 37355; Event Location: Rotary Park; Date 6-7-25; Beginning Time of Beer Sales: 2 pm and Ending Time of Beer Sales 10 pm.

**Adjournment:**

[www.cityofmanchestertn.com](http://www.cityofmanchestertn.com)  
LIVE STREAMING <https://www.youtube.com/@CityOfManchesterTennessee>

# City of Manchester "Special Event" Beer Permit Application

The application fee of \$105.00 (\$75 for beer permit and \$30 for a background check if required) is non-refundable.  
The application must be filed fifteen (15) days prior to the next Beer Board meeting.

**COPY**

ALL INFORMATION MUST BE FILLED IN BY APPLICANT FOR APPROVAL

Good for on-premises consumption only.

Special Event Permit Application has been completed:  Yes  No

Beginning Date of Beer Sales: 6/7/2025

Ending Date of Beer Sales: 6/7/2025

Beginning Time of Beer Sales: 2:00pm

Ending Time of Beer Sales: 10:00pm

Event Location: (Be very specific.) ROTARY PARK

Name of Applicant RENEE HAGGARD Phone # 931-247-5932

Applicant's Address 3149 BAINS ROAD HILLSBORO TN 37342

Applicant's Date of Birth \_\_\_\_\_ Applicant's Social Security # \_\_\_\_\_

\*\*Please provide copy of Photo ID with application.

All addresses of Applicant in the last 5 years N/A

Name of Business COMMON JOHN BREWING CO Phone # 931-954-5387  
(Please provide copy of Business License.)

Business Address 210 WOODBURY HWY, MANCHESTER, TN 37355

Previous Name of Business N/A

Name and Address of Property Owner CITY OF MANCHESTER (PERMIT FROM REC CTR)  
If property is being leased, a copy of the lease agreement will need to be submitted with this application. Or, permit from Recreation Center.)

Names, addresses and phone numbers of any persons, firms, corporations or associations having any ownership interest in the business.  
LE BRON HAGGARD, 1661 TAYLOR RD, MANCHESTER 931.409.0630  
RENEE HAGGARD, 3149 BAINS RD, HILLSBORO 931.247.5932

If the event is held in an outside location, how will the area designated for alcohol consumption be marked, i.e., boundary tape, temporary fencing or etc.?  
SIGNAGE & BOUNDARY TAPE BY EVENT ORGANIZERS

By what means will you have in place to enforce the boundaries, i.e., members of the organization, private security or etc.?  
MEMBERS OF ORGANIZATION

Applicant Signature Renee Haggard

Date: 4-22-2025