



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801

**BEER BOARD /
CITY COUNCIL MEETING
6:58 P.M. TUESDAY, APRIL 1, 2025
MARYVILLE MUNICIPAL CENTER**

NOTICE: Individuals who wish to speak at council meetings should sign up on the public comment sheets available outside the council chamber. There are sign-up sheets for the following comment periods: public hearings, non-agenda items (Hear Citizens), and existing agenda items. The Mayor will use the sign-up sheets to call upon citizens for comments during the correlating comment period. Please remain seated until called upon to speak.

6:58 P.M. BEER BOARD

1. CONSIDERATION OF A MOTION TO GRANT AN ON/OFF PREMISES BEER PERMIT TO TRI HOP BREWERY, LLC, 25 COURT ST, MARYVILLE, TN 37804.

6:59 P.M BEER BOARD

2. CONSIDERATION OF A MOTION TO GRANT AN OFF-PREMISES BEER PERMIT TO HKR CORPORATION, d/b/a SMOKERS DISCOUNT, 2164 E BROADWAY AVE, MARYVILLE, TN 37801.

Individuals with disabilities who require accommodation for participation in meetings must request accommodation at least 72 hours ahead of the scheduled meeting. Contact the ADA Coordinator, at (865) 273-3430 or email at adainfo@maryville-tn.gov.

Meeting attendees who have difficulty hearing can sign out an assisted listening device prior to the meeting. Please let a member of staff know before the meeting starts to use a device.

Public Comments

7:00 P.M.

CITY COUNCIL

CALL TO ORDER

ROLL CALL

INVOCATION

APPROVAL OF MINUTES

ACCEPTANCE OF AGENDA

HEAR CITIZENS ON NON-AGENDA ITEMS

BUSINESS

1. CONSIDERATION OF AN ORDINANCE ON SECOND READING TO ABANDON A PORTION OF AN ALLEY LOCATED BETWEEN HIGH STREET AND LAMAR STREET IDENTIFIED AS ALLEY #231.
2. CONSIDERATION OF AN ORDINANCE ON SECOND READING AMENDING THE ANNUAL OPERATING BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR FISCAL YEAR 2025.
3. CONSIDERATION OF AN ORDINANCE ON FIRST READING AMENDING ORDINANCE NO. 2021-13 BEING THE CUSTOMER SERVICE POLICY FOR THE CITY OF MARYVILLE.
4. CONSIDERATION OF AN ORDINANCE ON FIRST READING AMENDING THE FY25 ANNUAL OPERATING BUDGET RELATIVE TO SCHOOL FUNDS.
5. CONSIDERATION OF A MOTION TO DECLARE CERTAIN ITEMS AS SURPLUS AND TO AUTHORIZE THEIR DISPOSAL.



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

1. CONSIDERATION OF A MOTION TO GRANT AN ON/OFF PREMISES BEER PERMIT TO TRI HOP BREWERY, LLC, 25 COURT ST, MARYVILLE, TN 37804.

A) Introduction: This is an existing business under new ownership located in the City of Maryville requesting an on/off premise beer permit. The current background investigation revealed that the applicants meet the criteria for the permit.

B) Financial Impact of Action: The City will realize revenue from beer tax and permit fees.

C) Impact of Action on Other Departments/Agencies:

No additional impact other than enforcement of the beer laws.

D) Proposed Action:

Staff recommends approval based on the information provided

Memo

Date: March 12, 2025

To: Sherri Phillips, Niki Freshour

From: Chief Tony Jay Crisp *Tony Jay Crisp*

RE: Beer Permit

Background investigation has been conducted on:

Jeffrey Robert Hooper DOB: 10/04/1981
1341 Hale Street
Maryville, TN 37801

Zachary David DOB: 07/29/1992
3121 Reiley Drive
Maryville, TN 37801

doing business as:

Tri Hop Brewery
205 Court Street
Maryville, TN 37801

Based on these findings I have concluded that the applicant is eligible to be granted a permit at this time pursuant to the City of Maryville Municipal Code.



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

2. CONSIDERATION OF A MOTION TO GRANT AN OFF-PREMISES BEER PERMIT TO HKR CORPORATION, d/b/a SMOKERS DISCOUNT, 2164 E BROADWAY AVE, MARYVILLE, TN 37801.

A) Introduction: This is an existing business under new ownership located in the City of Maryville requesting an off-premise beer permit. The current background investigation revealed that the applicants meet the criteria for the permit.

B) Financial Impact of Action: The City will realize revenue from beer tax and permit fees.

C) Impact of Action on Other Departments/Agencies:

No additional impact other than enforcement of the beer laws.

D) Proposed Action:

Staff recommends approval based on the information provided

Memo

Date: March 12, 2025

To: Sherri Phillips, Niki Freshour

From: Chief Tony Jay Crisp *Tony Jay Crisp*

RE: Beer Permit

Background investigation has been conducted on:

Nimesh M. Patel DOB: 03/25/1973
1121 Stonehenge Dr
Maryville, TN 37803

doing business as:

Smokers Discount (HKR Corporation)
2164 E Broadway Ave
Maryville, TN 37801

Based on these findings I have concluded that the applicant is eligible to be granted a permit at this time pursuant to the City of Maryville Municipal Code.

Maryville, Tennessee
March 4, 2025, 6:59 P.M.

PUBLIC HEARING
AND
REGULAR MEETING

The Maryville City Council convened for a public hearing and regular business meeting on March 4, 2025, at 6:59 p.m. at the Maryville Municipal Center when the following members were present: Mayor Andy White presiding, Councilmembers Sarah Herron, Tommy Hunt, Fred Metz, and Drew Miles. Also present were City Manager Greg McClain, City Recorder Sherri Phillips, and Kizer & Black, Attorneys, PLLC Matthew Haralson. The Mayor declared a quorum to be present.

Thereupon, the Mayor declared the Council in session for a Public Hearing at 6:59 p.m. regarding an ordinance to abandon a portion of an alley located between High Street and Lamar Street identified as Alley #231. After some discussion, the Mayor declared the hearing closed.

Thereupon, it was moved by Councilmember Hunt and seconded by Councilmember Herron to approve the minutes from the February 4, 2025, Council Meeting. On roll call the vote was unanimous.

Thereupon, it was moved by Councilmember Herron and seconded by Councilmember Miles to accept the agenda. On roll call the vote was unanimous to approve the agenda.

THEREUPON, THE FOLLOWING PROCEEDINGS WERE HAD AND
ENTERED OF RECORD TO-WIT:

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on second reading:

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR FISCAL YEAR 2025.

Thereupon, it was moved by Councilmember Metz and seconded by Councilmember Miles that said ordinance be passed on second reading. On roll call the vote was unanimous. The Mayor declared that said ordinance had been adopted. The ordinance was signed by the Mayor and City Recorder. The Mayor ordered said ordinance numbered 2025-02 and recorded in the Ordinance Book of the City.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on first reading:

AN ORDINANCE TO ABANDON A PORTION OF AN ALLEY LOCATED BETWEEN HIGH STREET AND LAMAR STREET AND DESIGNATED AS ALLEY #231.

Thereupon, it was moved by Councilmember Hunt and seconded by Councilmember Miles that said ordinance be passed on first reading. On roll call the vote was unanimous. Thereupon, The Mayor declared that said ordinance had passed on first reading.

Thereupon, the following captioned ordinance was presented, considered, and placed for passage on first reading:

AN ORDINANCE AMENDING THE ANNUAL OPERATING BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR FISCAL YEAR 2025.

Thereupon, it was moved by Councilmember Metz and seconded by Councilmember Hunt that said ordinance be passed on first reading. On roll call the vote was unanimous. Thereupon, The Mayor declared that said ordinance had passed on first reading.

Thereupon, it was moved by Councilmember Metz and seconded by Councilmember Herron to consider a motion to ratify the emergency purchase of a rewind of a 3000KA transformer. On roll call the vote was unanimous.

Thereupon, it was moved by Councilmember Hunt and seconded by Councilmember Miles to consider a motion to declare certain items as surplus and to authorize their disposal. On roll call the vote was unanimous.

Thereupon, there being no further business, Mayor White adjourned the meeting until the next scheduled meeting unless sooner called by the Mayor or as otherwise provided by law.

Mayor

Attest:

City Recorder



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

1. CONSIDERATION OF AN ORDINANCE ON SECOND READING TO ABANDON A PORTION OF AN ALLEY LOCATED BETWEEN HIGH STREET AND LAMAR STREET IDENTIFIED AS ALLEY #231

A) Introduction: Southern Cross Real Estate, on behalf of the property owner, is requesting abandonment of a portion of alley #231 located between High Street and Lamar Street. City departments have reviewed the alley. Some departments did not recommend closure because of loss of a through-way and access for service vehicles. However, a proposal by the developer to construct a new public right-of-way from the end of the alley to Crawford Street eliminated those concerns by the departments, and the abandonment is recommended.

If abandoned, the applicant will build a public right-of-way from the end of the alley to Crawford St. A survey will be prepared to dedicate the new right-of-way to the City and convey the abandoned portion of the alley to the adjacent property owners. A utility easement will be retained within the abandoned portion for existing electric facilities.

The Maryville Municipal Planning Commission recommended the abandonment at their meeting on February 18, 2025. Staff will report their recommendation at the council meeting.

B) Financial Impact of Action: No financial impact to the City.

C) Impact of Action on Other Departments/Agencies: There will be none with the construction of the new public right-of way.

D) Proposed Action:

- Public Hearing
- Second Reading

ORDINANCE NO. _____

**AN ORDINANCE TO ABANDON A PORTION OF AN ALLEY
LOCATED BETWEEN HIGH STREET AND LAMAR STREET
AND DESIGNATED AS ALLEY #231**

WHEREAS, the City Council of the City of Maryville has determined that it is in the best interest of the city to abandon certain alleys and rights-of-way within Maryville, Tennessee; and;

WHEREAS, the Maryville Planning Commission has reviewed the proposed abandonment of a portion of an alley located between High Street and Lamar Street and identified as Alley #231 on the attached Exhibit; and,

WHEREAS, the Planning Commission has determined that abandonment of the proposed section of right-of-way will not be detrimental to the health, safety and welfare of the general public, and it will be replaced by the new right-of-way;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, as follows:

SECTION 1. That a portion of alley #231 described herein and shown on the attached Exhibit be and hereby is abandoned by the City Council of the City of Maryville, and such property is situated in District 09 of Blount County, Tennessee, and being more particularly described as follows:

Beginning at a point, said point being the northernmost corner of Parcel 022.00 ,as shown on the Blount County Tax Map 058A Group H; thence leaving the northernmost corner of Parcel 022.00 in a southeasterly direction 153 feet, more or less, along the northeastern property line of Parcel 022.00 to a point along the northeastern property line of Parcel 022.00; thence in a northeasterly direction 16 feet, more or less, and crossing Alley #231 to a point, said point being the southernmost corner of Parcel 023.00; thence in a northwesterly direction 157 feet, more or less, along the southwestern property line of Parcel 023.00 to a point, said point being westernmost corner of Parcel 023.00; thence in a southwesterly direction 22 feet, more or less, and crossing Alley #231 to the POINT OF BEGINNING.

SECTION 2. This ordinance shall be effective from and after its final passage, and after the new right-of-way to Crawford St. is constructed and approved, and after a plat has been recorded, dedicating the new right-of-way, conveying the abandoned right-of-way to adjacent property owners, and establishing a utility easement for electric facilities with the abandoned area, the public welfare requiring it.

ADOPTED this _____ day of _____, 2025.

Mayor

ATTEST:

City Recorder

APPROVED AS TO FORM:

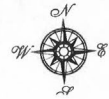
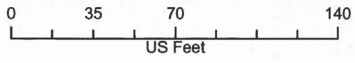
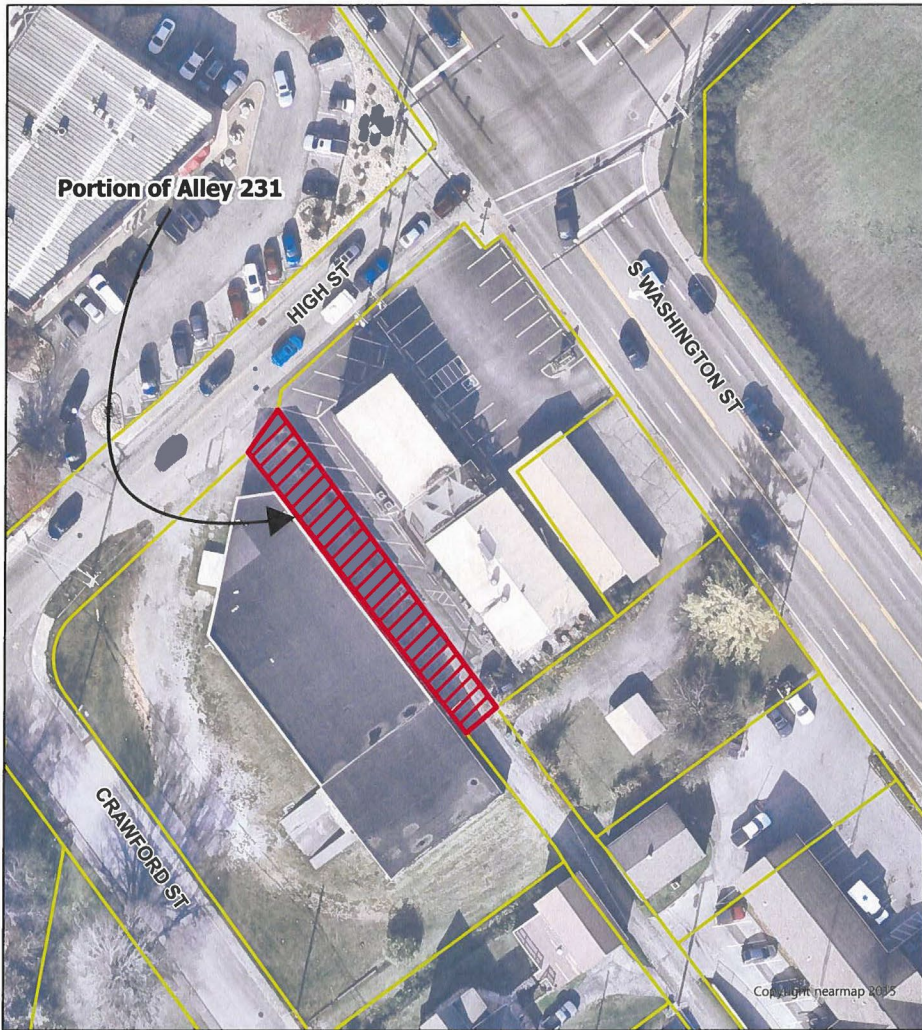
City Attorney

Passed 1st reading on this _____ day of _____, 2025 _____
City Recorder

Passed 2nd reading on this _____ day of _____, 2025 _____
City Recorder

Exhibit:

Proposed Alley Abandonment





CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

2. CONSIDERATION OF AN ORDINANCE ON SECOND READING AMENDING THE ANNUAL OPERATING BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR FISCAL YEAR 2025.

A) **Introduction:** In the course of the fiscal year, certain adjustments to the budget ordinance are necessary.

B) **Financial Impact of Action:** Changes to certain estimated revenues and budgeted appropriations as recommended by Staff.

Appropriation of funds Public Services Radio Replacement \$30,000.
Transfer from General Fund to Capital Project Fund \$1,000,000
Transfer from General Fund to Equipment Replacement Fund \$1,200,000
Transfer from General Fund to State Street Aid \$200,000

C) **Impact of Action on Other Departments/Agencies:** Approval of budget amendment allows for budget revisions as described in attached ordinance.

D) **Proposed Action:** Approval- 2nd Reading

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ANNUAL OPERATING
BUDGET OF THE CITY OF MARYVILLE, TENNESSEE FOR
FISCAL YEAR 2025**

WHEREAS, the budget process is one of the most important activities undertaken by governments for the public welfare with the budget process being used to make program, service and capital decisions and allocate scarce resources to programs, services and capital;

WHEREAS, *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows the governing body to amend the annual budget ordinance in the same manner as any other ordinance may be amended;

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds first be appropriated before being expended and that only funds that are available may be appropriated;

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of their source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds;

WHEREAS, the budget ordinance is the legal document whereby the governing body appropriates funds and thereby gives the legal authority for expenditures of the City as required by state law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, as follows:

SECTION 1. The General Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Use of Fund Balance	\$30,000	
Public Services Radio Replacement		\$30,000
Total Change	\$30,000	\$30,000

The intercommunication radios used by Public Works and Solid Waste Management are failing. New radios will be purchased in the amount of \$100,000. The Public Services departmental budget is short \$30,000 to cover the expense. This amount will be covered by a Use of Fund Balance.

SECTION 2. The General Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Use of Fund Balance	\$1,000,000	
Transfer to Capital Projects		\$1,000,000
Total Change	\$1,000,000	\$1,000,000

In preparation for expense associated with Capital Projects, a transfer to the Capital Projects Fund is required.

SECTION 3. The Capital Project Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Transfer from General Fund	\$1,000,000	
Capital Outlay		\$1,000,000
Total Change	\$1,000,000	\$1,000,000

In preparation for expense associated with Capital Projects, a transfer to the Capital Projects Fund is required.

SECTION 4. The General Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Use of Fund Balance	\$1,200,000	
Transfer to Equipment Replacement Fund		\$1,200,000
Total Change	\$1,200,000	\$1,200,000

In preparation for expense associated with Equipment Replacement, a transfer to the Equipment Replacement Fund is required.

SECTION 5. The Equipment Replacement Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Transfer from General Fund	\$1,200,000	
Capital Outlay		\$1,200,000
Total Change	\$1,200,000	\$1,200,000

In preparation for expense associated with Equipment Replacement, a transfer to the Equipment Replacement Fund is required.

SECTION 6. The General Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Use of Fund Balance	\$200,000	
Transfer to State Street Aid		\$200,000
Total Change	\$200,000	\$200,000

In preparation for expense associated with State Street Aid Repair & Maintenance, a transfer to the State Street Aid Fund is required.

SECTION 7. The Equipment Replacement Fund revenue and appropriation budget will be adjusted as shown below:

	Revenue Amount	Appropriation Amount
Transfer from General Fund	\$200,000	
Repair & Maintenance		\$200,000
Total Change	\$200,000	\$200,000

In preparation for expense associated with State Street Aid Repair & Maintenance, a transfer to the State Street Aid Fund is required.

SECTION 4. That the provisions of this Ordinance shall be effective from and after its final passage, the public welfare requiring it.

ADOPTED this _____ day of _____, 2025.

Mayor

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st reading on this _____ day of _____, 2025 _____
City Recorder

Passed 2nd reading on this _____ day of _____, 2025 _____
City Recorder



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

3. CONSIDERATION OF AN ORDINANCE ON FIRST READING AMENDING ORDINANCE NO. 2021-13 BEING THE CUSTOMER SERVICE POLICY FOR THE CITY OF MARYVILLE.

A) Introduction: Customer Service Policy describes the services and procedures necessary for the effective management of the utilities and their operations while following regulations established by governing authorities. It is also necessary to update the policy as procedures change. The updates include:

Fee updates to establish consistency among services; redaction of manual read policy; eliminating customer deposits; updating business hours

B) Financial Impact of Action: Minimal updates in fees & charges

C) Impact of Action on Other Departments/Agencies: n/a

D) Proposed Action:
Staff recommends passage of ordinance
1ST Reading

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND ORDINANCE NO. 2021-13 BEING
THE CUSTOMER SERVICE POLICY FOR THE CITY OF
MARYVILLE**

WHEREAS, it is necessary to modify the customer service policy to ensure that customer accounts are effectively and efficiently managed; and

WHEREAS, the City Council must adopt a customer service policy to be enforced in a fair and equitable manner;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE, as follows:

SECTION 1. That the City of Maryville Customer Service Policy be adopted as attached.

SECTION 2. That this ordinance take effect from and after its final passage, the public welfare requiring it.

MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1st reading this _____ day of _____, 2025 _____

City Recorder

Passed 2nd reading this _____ day of _____, 2025 _____

City Recorder



CUSTOMER SERVICE POLICY

Introduction

The City of Maryville Utilities (“COMU”) serves as provider of water and wastewater utilities within the incorporated City limits and certain service areas outside of the incorporated area. In addition, COMU provides electric services as a distributor of power purchased from the Tennessee Valley Authority (“TVA”).

The COMU’s goal is to provide excellent service to its Customers. This document describes the Customer Service Policy that is necessary to effectively manage the Utilities and their operations as well as follow regulations established by governing authorities.

Payment Hours

The COMU accepts payments with the following times for each method of payment.

1. In person: Payments may be made during the hours of 7:30 am and 4:30 pm at 400 W. Broadway.
2. Drop Box: Payments may be made at any time of day or night. However, payments must be placed in the drop box, located at City Hall, 400 W. Broadway prior to 4:00 pm to receive current day processing. After 4:00 pm all payments will be processed with the next business day’s transactions.
3. Web Payments and IVR (Integrated Voice Response): Payments (credit card and electronic check) may be made 24 hours a day, 7 days a week. Typically, payments are credited to the customer’s account within 24 hours, but COMU asks customer(s) to allow 48 hours before due date to ensure payment is posted on time. Electronic checks may take up to 3 days to debit customer’s bank account.

In order to restore service due to non-payment after 4:30 pm, Customers must contact the overtime crews to re-establish service. If an overtime crew is called out, the Customer will be responsible for any associated charges and additional fees. The electric overtime crew will be dispatched to restore service for both water and electric service. However, if the electric overtime crew experiences problems associated with water service, and a water overtime crew is dispatched, the Customer will be charged an additional fee to restore water service. These charges become due and payable immediately. Failure to pay these charges may result in the discontinuation of services. Electric Service after-hours can be contacted at (865) 983-8722. Water service after-hours can be contacted at (865) 982-7990.

In order to avoid penalties or late fees, payments must be received by COMU prior to, or on, the due dates that are outlined on the associated bill. Postmarks are not an acceptable measurement of the time payment was received.

Information to Customers

Information is available for the purpose of conservation, fairness, and communication between COMU and its Customers.

1. The COMU will make available to all Customers upon application for service and anytime upon request, information related to:
 - a. Current service practice policy;
 - b. Current rates applicable to such Customer and a written and/or oral explanation of the rate schedule.
2. Upon request a Customer will receive a statement of such Customer's monthly kWh and/or gallon consumption for the prior 12- month period. There is no charge for this service.
3. Requests for information or questions regarding this policy may be made in person at any office of COMU, by phone, by mail, or on COMU's website at www.maryvillegov.com.
4. Customers shall be notified of the availability of rate schedules, governing policy such as those established by TVA, and consumption information by the most practical combinations of:
 - a. a message printed on COMU's bills;
 - b. public displays in the office where bills are paid;
 - c. public service announcements on local radio stations periodically;
 - d. advertisements in local newspapers periodically;
 - e. on COMU's website.
5. Customers shall be notified of any proposed significant changes in rates and/or policy at least 30 days prior to implementation of such change by the most practical combinations of:
 - a. mail;
 - b. newspaper advertisement;
 - c. public service announcements;
 - d. displays in the office where bills are paid;
 - e. on COMU's website.

Utility Outage

To report a utility outage, contact the Automated Outage Report Line (865) 983-8722. Water Service after-hours can be contacted at (865) 982-7990.

Meter Tests

COMU will, at its own expense, make periodic tests and inspections of its meters to maintain a high standard of accuracy. COMU will make additional tests or inspections of its electric and water meters at the Customer's request as described below.

Electric meter tests have a standard testing fee as referenced in Appendix A and Customer must pay this prior to additional meter testing. If test shows that the meter is accurate within two percent (2%), slow or fast, no adjustment will be made in the Customer's bill. If the test shows the meter to be in excess of two percent (2%), slow or fast, an adjustment shall be made in Customer's bill over a period of not over 30 days prior and the cost of conducting the test will be credited by COMU.

Water meter tests have a standard testing fee as referenced in Appendix A and Customer must pay this prior to meter testing. If a meter registers in excess of any standardized accuracy limits as disclosed in the adopted Water and Sewer Rules and Regulations, an adjustment will be made by COMU and the cost of conducting the test will be credited by COMU.

Limitations of Liability

COMU's liability shall not extend beyond the Customer's delivery point. The delivery point for residential electric shall be defined as the point at which COMU's facility connects with the Customer's facility and further being defined as: at Customer owned weatherhead for overhead service and at source side of terminal of meter pan for underground service. For other points of delivery, refer to the Electric Department's Rules and Regulations. The delivery point for water and sewer service shall be defined as the point at which the COMU's facility connects with Customer owned service lines.

In accordance with the TVA operating rules, COMU is not liable for lightning, power surges, low voltage, high voltage, loss of power or other temporary abnormal system conditions that are caused by weather, long term equipment failures or other causes not due to direct negligence by COMU or its employees. The Customer shall be responsible for purchasing and installing any devices required to protect the Customer's equipment from any temporary abnormal system condition that may occur occasionally.

Customer Charge

A Customer charge, as adopted by the applicable Rate Schedule, will be applied to all classes of service for supplying service. This Schedule is available on request and at www.maryvillegov.com/customer-service.

Security Lights

If an existing utility pole is not available, a Customer will be charged a pole rental fee plus the monthly rate for usage. If an existing utility pole can be utilized, no monthly pole rental charge will be necessary. In order to recover the initial costs of providing the service, a Customer is required to pay a minimum of 12 months of service regardless of their continuance as a Customer of COMU. Any unutilized portion of the 12 month period will be collected on the final billing.

Application for Service

Each prospective Customer desiring service is required to sign a standard application form before service is supplied. The standard application form requires information pertaining to the receipt of adequate identification. Also, a copy of a Customer's rental agreement or lease must be provided if the service location is not owner occupied. Service will not be supplied to an applicant who does not (1) sign the required form, (2) provide adequate photo identification, and (3) provide the required rental documents for properties that are not owner occupied (if applicable). All applications completed prior to 12:00 noon, will have service connected the same business day. After 12:00 noon, service will be connected the following business day. A current Customer that has been disconnected for non-payment, account has been finalized and deposit applied to their delinquent account becomes a new Customer requiring applicable re-connection fees, a new deposit, and any past due balance if reapplying for service.

For commercial Customers located within the Maryville City limits, requests for name change, ownership change or new service requires contact with the City of Maryville Electrical Inspector at (865) 273-3517 prior to processing application. The Inspector must authorize any release for service. Commercial Customers with a demand in excess of 1,000 kW will be required to sign an additional Power Contract.

Denial of Service

Upon application for new service, COMU may deny service due to previously unpaid utility bills under an Applicant's current or past utility contracts with the City as long as the bill or bills at issue were not timely disputed by the Customer. Such denial of service on this basis will not occur for an existing Customer.

COMU shall deny service if it is determined that service would be a potential hazard to the health, safety, and welfare of our Customers.

When service is being furnished to an occupant of premises under contract and such contract is not in the occupant's name, COMU reserves the right to impose the following conditions on the right of the Customer to discontinue service under such a contract:

1. Written notice of the Customer's desire for such service to be discontinued may be required.
2. COMU may require that the service continue for a period not to exceed three (3) days landlord/tenant account during which time the Customer would be responsible to COMU for all charges for such service. During such three (3) day period or thereafter, the occupant of the premises to which service has been ordered disconnected by the Customer, other than the occupant, may be allowed by COMU to enter into a contract for service in the occupant's own name if the occupant is deemed to comply with COMU's rules and regulations with respect to his or her own application for service.

Deposit-Residential Customers

- ~~1. Deposit policies are to be applied without regard to race, color, creed, gender, age, national origin, or marital status.~~
- ~~2. Customers who receive a "green check" designation from ONLINE Utility Exchange will not be required to provide a deposit. Customers who receive a "red x" will be required to provide a deposit. The deposit amount required is listed in Appendix A and should not exceed the class average of no more than twice the highest monthly bill. COM reserves the right to adjust deposits as needed.~~
- ~~3. An existing Customer, who wants to transfer service to another location and does not have an excellent payment history with COMU will be required to pay a deposit. An excellent payment history is defined as having no more than one late penalty in the past 12 months.~~
- ~~4. If account is terminated before one year of service, deposit held will be applied to any outstanding balance due COMU and any remaining balance refunded to Customer.~~
- ~~5. All residential deposits will be accounted for and credited to the account after twelve (12) months of continuous service. The deposit balance is subject to review by COMU and the customer.~~

Deposits will not be required for residential accounts.

Deposit-Commercial Customers

1. Deposit policies are to be applied without regard to race, color, creed, gender, age, national origin, or marital status.
2. A deposit is required of any Commercial Customer before service will be supplied. The amount required should not exceed twice the highest monthly bill for billing location where billing history exists. For new customers at locations where no billing history exists, the monthly bill will be estimated based on anticipated energy demand and load for customer.
- ~~3. Upon termination of service, any outstanding balance due COMU will be paid in full~~

- from the deposit funds and then the balance, if any, shall be paid to the Customer.
3. All commercial deposits will be accounted for and credited to the account after twelve(12) months of continuous service. The deposit balance is subject to review by COMU and the customer.
 - ~~4. COMU does not accept surety bonds. An irrevocable letter of credit from a financial institution may be acceptable; however, this should be discussed in advance with the Collection Technician at (865) 273-3462.~~

Methods of Payment

Acceptable methods of payment during normal business hours are cash, check, money order or cashier's check. Credit cards are also acceptable methods of payment. VISA, MasterCard, and Discover ~~and American Express~~ are accepted.

Billing

1. Bills will be rendered monthly and shall be paid at the office of COMU or through the various other methods listed under "Payment Hours".
2. Failure to receive a bill will not release Customer from payment obligation.
3. The due date for payment of the bill will be at least 15 days for all cycles from the day the bill is mailed to the Customer.
4. Payments made after the due date will be subject to a late payment charge of 5 percent
5. A one-time courtesy adjustment of late fee per account may be allowed.
6. If the COM is unable to obtain access during regular business hours to read meters or if for any other reason correctly registered consumption cannot be obtained, the COM reserves the right to render an estimated bill to the customer on the basis of the best available information available.

Billing

- ~~1. Bills will be rendered monthly and shall be paid at the office of COMU or through the various other methods listed under "Payment Hours".~~
- ~~2. Failure to receive a bill will not release Customer from payment obligation.~~
- ~~3. The due date for payment of the bill will be at least 15 days for all cycles from the day the bill is mailed to the Customer.~~
- ~~4. Payments made after the due date will be subject to a late payment charge of 5 percent~~
- ~~5. A one time courtesy adjustment of late fee per account may be allowed.~~
- ~~6. If the COM is unable to obtain access during regular business hours to read meters or if for any other reason correctly registered consumption cannot be obtained, the COM reserves the right to render an estimated bill to the customer on the basis of the best available information available.~~

Collection and Termination Procedures

Whenever practical, the following process will be followed to discontinue service. However, this process may be modified as long as the intent of notification remains intact and is deemed to be more efficient in the administration of providing utility services and receiving utility payments:

1. A monthly bill will be sent to the address provided by the Customer. A notice that service is subject to termination for non-payment will be printed on the monthly bill if there is a balance carried forward from previous month.
2. A courtesy letter for first time late Customers will be mailed 20 days after due date.
3. Written notice of termination ("Final Notice Before Disconnection of Service") including rights and remedies will be mailed to Customer at least 5 days prior to the scheduled date of termination and will include all amounts due. For billing disputes, contact Customer Service at 865-273-3456.
4. If Customer does not make payment of all outstanding charges, notify COMU of a billing dispute, or make other acceptable arrangements by the last date of termination, COMU will proceed on schedule with termination.
5. Hearings on disputed bills will be held by appointment between the office hours of ~~87:300~~ am and 4:30 pm by an appointment with the staff member designated by the Director of Financial Services.
6. A Customer requesting a hearing has the right to examine records pertaining to that Customer's service.

7. The hearing will be conducted by the staff member designated by the Director of Financial Services. After hearing the evidence, a written decision will be promptly provided to the Customer.

8. A Customer may appeal the decision of the designee of the Director of Financial Services. In such case the Director of Financial Services will hear the evidence and render a decision in writing and shall promptly provide the Customer a copy of such final decision.
9. The Customer has the right to a post termination hearing under the above procedures within 2 business days following such termination.
10. Discontinuance of service shall not release the Customer from liability for service already received or from liability for payment that thereafter becomes due under the minimum bill provisions or other provisions of the Customer's contract.
11. A standard reconnection fee will be required for reconnection after termination for non-payment during normal business hours.- After-hours a service fee will apply and payments will be accepted next business day only in the form of cash, credit card, cashier check, or money order.
12. If COMU terminates the Customer's service for non-payment due to a returned check, a re-connection fee will apply plus any and all check fees. Full payment of all past due amounts and applicable fees owed to COMU must be received in order to restore service. After the third returned check, COMU will not accept a check from the Customer for the next 12 month period.
13. A Returned Check/Draft Fee will be assessed to a Customer's account for each returned bank draft. After the third returned draft, the Customer will no longer be eligible to participate in the Bank Draft Program.
14. For a Customer with hardship or other extenuating circumstances, special counseling is available. When requested by the Customer, COMU may arrange to extend payment a week from last day to pay before disconnection of service. The Customer is allowed to have 3 extensions within a 12 month period as long as the Customer pays by the date stated on agreement and past due balance and all applicable fees are paid in full. If any agreement is paid with a returned check, no future agreements are allowed for the following 12 month period.
15. COMU evaluates weather conditions daily at www.weather.com for Maryville, TN 37801, and in the event that the forecasted temperature is not forecasted to exceed 20 degrees/ Fahrenheit (F) or is forecasted to exceed 100 degrees (F) for heat, on that day, COMU will not disconnect service for non-payment. During such events where service is extended due to weather conditions, the service extension shall not extend past the extreme weather condition or past the customer's next due date, whichever date comes first.
16. For nonpayment of a bill in cases of documented medical hardship, such as oxygen, life support systems or dialysis machines, with a written order, Appendix C, from a Tennessee medically licensed physician, COMU will postpone disconnection procedures and install a delimiter device on Customer's meter for no longer than 7 days. COMU limits the number of times this provision may be invoked to three times per year per location/Customer. This provision does not apply to CPAP machines.

Service underpayments or overpayments

If the COMU determines a Customer has been incorrectly billed for utility services, then such incorrect billing shall be adjusted for either overbilling or under billing. After a determination of overbilling or underbilling for services has been made by COMU, an adjustment for overbilling or

underbilling shall be for any known or unknown causes which result in incorrect bills for utility services including but not limited to incorrect constants, failure of current and potential transformer or meter equipment, failure of any other related equipment, improper billing procedures, and any other causes which result in incorrect billing for services to the Customer. The period of adjustment for any overbilling or underbilling shall be based upon the period of time during which said overbilling or underbilling occurred subject *only to the applicable period of limitations under state law TCA § 28-3-301*.

Leak Adjustment Policy

In order to qualify for a leak adjustment, a Customer with permanent service must apply for the leak adjustment by certifying that they have experienced a leak and have had it fixed within their internal water distribution system. Only one adjustment will be allowed every 12 months and any adjustment will only affect a maximum of three separate billings. A leak adjustment may be made for temporary service at the discretion of the Utility Director.

Water Bill

If a Customer experiences a leak in their internal water distribution system, the water portion of the bill will be adjusted to a level that is equal to the annual average monthly bill, plus fifty percent (50%) of the difference between the actual bill and the average bill. If data is unavailable for ~~the previous~~ the previous 12 month period, the system-wide average residential water bill will be used.

Sewer Bill

If a Customer experiences a leak in their internal water distribution system, the sewer portion of the bill will be adjusted to the annual average only when the leakage **does not** enter the sewer collection system.

For Commercial or new Customer, adjustments must be based on actual usage. If no history is available, six months of usage must be established before an adjustment can be calculated.

Theft of Service

When theft of service is suspected, COMU personnel will visit the premises and evaluate the situation. If it appears a meter has been tampered with, Maryville Police Department will be notified. If the Customer's meter has been tampered with the service will be disconnected and the account immediately closed. All past due, current due, applicable fees, additional deposits and tampering related costs must be paid or acceptable arrangements made before service will be reconnected. COMU reserves the right to refer all meter tampering and theft of service cases to the Attorney General's Office for possible prosecution under Tennessee Law. Any theft of service fees adopted by COMU rate schedule will be applied to all accounts, as appropriate.

Rates and Charges for Services

Rates and Charges for Electric, Water and Sewer Services are located in the applicable Rate Schedule. A copy of the current Rate Schedule is available upon request during the business hours of ~~7:38:00~~ am to 4:30 pm. They are also available at www.maryvillegov.com/customer-service. Such requests may be given made in person or by calling (865) 273-3456.

Rates and Charges for Electric, Water and Sewer Services are established upon adoption by the Maryville City Council. One exception to this policy is the adoption of a monthly fuel rate charge

as adjusted by the Tennessee Valley Authority (TVA). Such charges shall be automatically adopted and included in the Electric Rate Schedule as no additional proceeds are received by COMU.

Appendix A ~~Deposits:~~

Schedule of Fees

~~Electric Residential — \$200.00~~

~~Electric Commercial — Shall not exceed twice the highest monthly bill Water — \$ 25.00~~

~~Sewer — \$ 25.00~~

Other Fees and/or Service Charges:

~~Electric—~~

Installation of electric service drop	\$25.00
Connection/transfer/meter change out	\$50.00
Utility reconnection during business hours	\$50.00
Utility after-hours reconnection	\$400.00
Electric cut-loose at weatherhead	\$50.00
Utility meter test	\$25.00
Security light pole installation service	\$150.00
Returned check/draft	\$20.00
Meter test fee*	\$25.00
Monthly Manual Read (per meter)*	\$20.00

Installation of service drop	\$ 25.00
Connection/transfer/Meter Change out	\$ 20.00
Monthly manual read	\$ 20.00
Reconnection during business hours	\$ 5040.00
After hours reconnection	— \$400.00
Cut Off service order	\$ 10.00
Cut loose at weatherhead	\$150.00
Meter test	\$ 2510.00
Security light pole installation service	\$100.00
Returned check/draft	\$ 20.00

~~Water—~~

Connection/transfer/Meter change out	\$ 20.00
Monthly manual read	\$ 20.00
Reconnection during business hours	\$ 40.00
After hours reconnection service call	\$ 70.00
Cut Off service order	\$ 10.00
Water service replacement inspection	\$ 30.00
Sewer service replacement inspection	\$ 30.00
Meter test	\$ 10.00
Returned check/draft fee	\$ 20.00

*Program ended 12/31/24

Theft of Service Fees:

Utility Usage fee	<u>(Highest 12 month bill/30days) times number of days meter was</u>
-------------------	--

	<u>disconnected</u>
<u>Electric Cut seal fee</u>	<u>\$25.00</u>
<u>Utility Damage fee</u>	<u>At Cost</u>
<u>Diversion/Tampering Fee</u>	<u>\$400.00</u>

÷

~~Electric—~~

~~Energy fee—(Highest 12-month bill/30days) times number of days meter was disconnected. Cut seal fee—\$25.00~~

~~Damage fee—\$35.00/hr.~~

~~Power Diversion fee—regular hours \$150.00, after hours \$220.00 Water & Sewer—~~

~~Usage Fee—(Highest 12-month bill/30days) times number of days meter was disconnected.~~

~~Inspection Fee—\$30.00~~

~~Damage Fee—\$35.00/hr.~~

~~Service Diversion fee—regular hours \$70.00, after hours \$110.00 Hydrant Usage Theft—~~

~~Tampering Fee—\$250.00~~

~~Inspection Fee\$ 30.00~~

~~Damage Fee—\$ 35.00/hr.~~

~~Service Diversion fee—regular hours \$70.00, after hours \$110.00~~ All charges are subject to appropriate sales tax.

Appendix B

Phone Numbers

<u>Customer Service</u>	<u>(865) 273-3456</u>
<u>Utility outage- Automated Outage Report Line</u>	<u>(865) 983-8722</u>
<u>Water service after-hours</u>	<u>(865) 982-7990</u>
<u>Electrical Inspector</u>	<u>(865) 273-3517</u>
<u>Collection Technician</u>	<u>(865) 273-3462</u>
<u>Customer Service Supervisor</u>	<u>(865) 273-3465</u>

Customer Service	(865) 273-3456
Utility outage- Automated Outage Report Line	(865) 983-8722
Water service after-hours	(865) 982-7990
Electrical Inspector	(865) 273-3517
Collection Technician	(865) 273-3462
Customer Service Supervisor	(865) 273-3465



Appendix C
CITY OF MARYVILLE UTILITIES
408 W BROADWAY AVE
MARYVILLE, TN 37801

CERTIFICATE OF MEDICAL EMERGENCY

The City of Maryville Utilities Customer Service Policy states the following: *For nonpayment of a bill in cases of documented medical hardship, such as oxygen requirement, life support systems or dialysis machines, with a written medical emergency form completed by a medical doctor or nurse practitioner licensed to practice in the state of Tennessee certifying that the disconnection of electric service would create a life-threatening medical situation for the customer or other permanent resident of the customer's household, City of Maryville Utilities will postpone disconnection procedures and install a delimiter device on Customer's meter for no longer than seven (7) days. City of Maryville Utilities limits the number of times this provision may be invoked to three (3) times in a twelve (12) month period per location/Customer. This provision does not apply to CPAP machines.*

Customer Name _____

Service Location _____

Number and Street _____

City _____ State _____ Zip _____ Phone No. (_____) _____

City of Maryville Utility Account No. _____

Customer SSN _____ or Customer Driver's License No. _____

Person's Name in Household with Medical Condition _____

Relationship to Customer Name Listed Above _____

Customer's Signature

Date

STATEMENT OF LICENSED PHYSICIAN

By my signature, given below, I certify that my records indicate that _____ who is currently under my care, resides at the above referenced household. I further certify that the discontinuance of electric utility service to this household would create a medical emergency and possible death.

Signed _____ Date _____

Print Name _____ Phone No. (_____) _____

State of TN License No. _____

NOTE: THE ABOVE STATEMENT DOES NOT IN ANY WAY REMOVE THE OBLIGATION TO PAY

Appendix C
FOR SERVICES RECEIVED OR TO BE RECEIVED FROM CITY OF MARYVILLE UTILITIES

~~Appendix D~~

~~Manual Read Policy~~

~~This policy provides a choice for those who do not wish to have an Advanced Metering Infrastructure (AMI) meter installed at their residence.~~

~~It is the policy of the City of Maryville that any customer who wishes to not participate in the Advanced Metering Infrastructure (AMI) can do so by completing the Manual Read Agreement and paying the electric and / or water Meter Change Out fee according to the Schedule of Fees, Appendix A, of the Customer Service Policy.~~

~~The City of Maryville will charge a Monthly Manual Read fee according to the Schedule of Fees, Appendix A, applied to the customer's monthly statement for the City of Maryville to manually read the meter/meters each month.~~

~~If fees are unpaid, the City of Maryville will reinstall an AMI meter at the customer's location and all disconnect policies will apply.~~

~~*To be eligible, customers must not have tampered with the electric service in a fraudulent or unauthorized manner.~~

Appendix E



Manual Read Agreement

CUSTOMER INFORMATION
Name on Account:
Mailing Address:
Service Address:
Phone#:
Account#:
Location#:

City of Maryville utilizes AMI metering. This agreement provides a choice for those who do not wish to have an AMI meter installed at their service location.

The following charges apply for this option:

~~___ Electric Meter Change Out Fee of \$20.00 must be paid at City of Maryville Municipal Building.~~

~~___ Water Meter Change Out Fee of \$20.00 must be paid at City of Maryville Municipal Building.~~

~~___ Monthly Manual Read Electric Fee of \$20.00 will be applied to your monthly statement.~~

~~___ Monthly Manual Read Water Fee of \$20.00 will be applied to your monthly statement.~~

~~I agree that I am a named, authorized customer on the account listed above. Further, I am indicating that I do not want an AMI meter(s) and agree to the Electric and/or Water Meter Change Out Fee and the Monthly Manual Read fees as they apply. I understand that if fees are unpaid or if meter is tampered with, an AMI meter will be reinstalled at my location, and that all disconnect policies will apply.~~

X _____
Customer Signature

~~*To be eligible, customers must not have tampered with the electric service in a fraudulent or unauthorized mann~~



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

4. CONSIDERATION OF AN ORDINANCE ON FIRST READING AMENDING THE FY25 ANNUAL OPERATING BUDGET RELATIVE TO SCHOOL FUNDS.

A) Introduction:

On June 24, 2024, City Council adopted Ordinance 2024-13 establishing the FY 2025 Annual Operating Budget for Maryville City Schools effective July 1, 2024. *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows the governing body to amend the annual budget ordinance in the same manner as any other ordinance may be amended.

B) Financial Impact of Action:

The FY25 revenue and appropriation for General Purpose Schools increased by \$1,516,917 from \$73,252,819 to \$74,769,736.

The increase in General Purpose revenue is due to the recent Special Session of the General Assembly which awarded \$17 million to districts in which 50% or more of the schools received a letter grade A, and a new grant for school safety (COPS).

The amended FY 2025 Maryville City Schools annual budget is increased by \$1,516,917 from \$78,467,819 to \$79,984,736 for all funds. *Federal Funds are approved for separate projects by the TN department of Education.

C) Impact of Action on Other Departments/Agencies:

The FY25 budget amendment was approved by the Maryville City Schools Board of Education on March 24, 2025.

D) Proposed Action:

Approval by the Council of the City of Maryville upon reading.

1st Reading

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FY25 ANNUAL OPERATING BUDGET RELATIVE TO SCHOOL FUNDS.

WHEREAS, the budget process is one of the most important activities undertaken by governments for the public welfare with the budget process being used to make program, service and capital decisions and allocate scarce resources to programs, services and capital;

WHEREAS, *Tennessee Code Annotated* Title 6 Chapter 56 Section 208 allows the governing body to amend the annual budget ordinance in the same manner as any other ordinance may be amended;

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds first be appropriated before being expended and that only funds that are available may be appropriated;

WHEREAS, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of their source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds;

WHEREAS, the budget ordinance is the legal document whereby the governing body appropriates funds and thereby gives the legal authority for expenditures of the City as required by state law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARYVILLE, TENNESSEE as follows:

SECTION 1: General Purpose Schools anticipated revenues and appropriations will be increased by \$1,516,917 to maintain a balanced budget as required by *Tennessee Code Annotated* Title 9 Chapter 1 Section 116.

Increased/Decreased for FY25:	REVENUE	APPROPRIATION
Tuition	\$50,000	\$50,000
Contributions & Gifts	50,000	50,000
Other Local Revenues	10,000	10,000
TISA (outcomes)	92,178	92,178
TISA (on behalf)	120,000	120,000
Driver Education	2,000	2,000
Other State Education Funds	1,201,000	1,201,000
Other St Funds (Public Sc Sec Grant)	(230,000)	(230,000)
Paid Parental Leave	114,000	114,000
Other State Revenues (PPL)	(100,000)	(100,000)
COPS Grant	207,739	207,739
Total Change	\$ 1,516,917	\$ 1,516,917

The increase in General Purpose revenue is due to the recent Special Session of the General Assembly which awarded \$17M to districts in which 50% or more of the schools received a letter grade A, and a new grant for school safety (COPS).

SECTION 2: That the provisions of the Ordinance shall be effective from and after its final passage, the public welfare requiring it.

ADOPTED this _____ day of _____, 2025.

Mayor

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Passed 1ST reading on this _____ day of _____, 2025. _____

City Recorder

Passed 2nd reading on this _____ day of _____, 2025. _____

City Recorder



CITY OF MARYVILLE
400 West Broadway
Maryville, TN 37801
(865) 273-3401

AGENDA ITEM BACKGROUND

5. CONSIDERATION OF A MOTION TO DECLARE CERTAIN ITEMS AS SURPLUS AND TO AUTHORIZE THEIR DISPOSAL.

A) **Introduction:** Consideration of a motion to declare certain items as surplus and to authorize their disposal.

B) **Proposed Action:** Council is requested to consider a motion to declare certain items as surplus. The following vehicles listed are no longer needed due to the vehicle replacement program and we respectfully request they are deemed surplus property.

1. 2011 SCARAB 18BD-540-RT C15 ACert S/N 0045, Asset#784
2. Real property: Located on West Broadway Avenue, aka "Grassy Knoll" – Vacant Lot – Total Land Units: 0.11 - (Ctrl Map: 057D Group: D Parcel 014.00 047I H 006.00)

C) **Financial Impact of Action:** The sale of the vehicle would be returned to the original funds source from which the items were obtained.

D) **Staff Recommendation:** Staff recommends approval.