

REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
NOVEMBER 11, 2014

REFERENCE VIDEO DATED NOVEMBER 11, 2014

The Board of Mayor and Aldermen of the City of Fayetteville, Lincoln County, Tennessee, met in open, public session at the regular meeting place of said Board in the Municipal Building of said City at 5:00 p.m. on November 11, 2014. Mayor John Ed Underwood, Jr. was present and presiding. The following named Aldermen were present:

Danny Bryant, Marty Pepper, Gwen Shelton, Dorothy Small, Michael Whisenant and Tom Young

Also, present were Scott Collins, City Administrator and Johnny D. Hill, Jr., City Attorney

The prayer was lead by Alderman Pepper and the pledge was lead by Alderman Young

**Approval of Minutes:**

1. Motion was made by Danny Bryant, seconded by Gwen Shelton, to approve the minutes of the October 14, 2014, Public Hearing. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the Public Hearing Minutes approved.

2. Motion was made by Michael Whisenant, seconded by Dorothy Small, to approve the minutes of the October 2014 Meeting. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay

None

Mayor Underwood declared the Minutes approved.

**Reports:**

**Fayetteville/Lincoln Chamber of Commerce:**

Carolyn Denton, the Director, reported that the Chamber just held its annual Membership Banquet, with Sandra Morrison being selected as the new Chamber Board president. Ms. Denton stated that the deadline for the Tennessee Promise Program for high school senior to register was November 1, 2014, with 343 students signing the promise and 58 mentors volunteering for the program. Ms. Denton thanked everyone who volunteered and/or supported the Host of Christmas Past event, with the event being a huge success.

**Fayetteville Main Street:**

Carol Foster, Main Street Director, reported that the Quarterly Tennessee Main Street Meeting was held in Jonesborough, Tennessee. Ms. Foster stated that the "Slaw Burger Festival" will be held on April 18, 2015.

**Fire Report:**

Fire Chief Danny Travis reported that the Fire Department had 77 calls for service, 50 medical calls, 6 accident with injuries.

**Police Report:**

Police Chief Richard Howell reported that there were 151 incidents with 76 arrests, 55 crashes and 69 citations for a total of 1,622 events.

**Recreation Report:**

Ricky Honey, Recreation Director, stated that there is a \$2,000.00 reward for information leading to an arrest, concerning the vandalism of Stone Bridge Park. Mr. Honey reported that the Annual Christmas Parade will be December 6<sup>th</sup> with the theme being Santa's Toyland.

**Public Works:**

Eddie Plunkett, Public Works Director, reported that for the month of October 240 tons of sanitation was picked up, along with 378 tons of brush and 24 tons of leaves.

**Planning and Codes Report:**

Jeff Siefert, Building Inspector, reported for the month of October there were twelve (12) building permits issued for approximately Ninety-Eight Thousand, One Hundred Twenty-Six Dollars (\$98,126.00) in work to be done, with the fees being One Thousand, Nine Hundred Seventy-One Dollars and 35/100 (\$1,971.35).

**Administrator's Report:**

Mr. Collins stated that the Local Parks and Recreation Fund Grant has been awarded to the City. The contract will come from the State Department and work will begin soon. Mr. Collins reported that concrete work, with the Washington Street paving project, will begin tomorrow. Due to savings during the milling of the project, additional improvements will be made such as repairing of a storm drain and repairing of 25 feet of sidewalk.

**Ordinance No. 2014-15:**

Ordinance No. 2014-15, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Building Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-15**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**International Building Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Building Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures in the **City of Fayetteville**; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. **2008-3** of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document, two (2) copies of which are on file in the office of the **Planning and Codes Enforcement Office** of the **City of Fayetteville**, being marked and designated as the *International Building Code*, 2012 edition, including **Appendix Chapters A, B, C, D, E, F, G, H, I, J, and K** as published by the International Code Council, be and is hereby adopted as the Building Code of the **City of Fayetteville**, in the **State of Tennessee** for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 101.1 **City of Fayetteville**  
Section 1612.3 **City of Fayetteville**  
Section 1612.3 **September 19, 2007**  
Section 3412.2 **April 6, 1964**

**Section 3.** That Ordinance No. **2008-3** of the **City of Fayetteville** and all other ordinances or parts of ordinances in conflict herewith is hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 5.** That nothing in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

**Section 8.** Schedule of permit Fees as adopted by Mayor and Alderman of the City of Fayetteville, Ordinance No. **2006-8**.

**Section 9.** Any new **Commercial** structure of 5,000 sq.ft. or greater in area or additions or alteration to any **Commercial building or structures with an improvement of 50% or greater of the appraised tax value shall comply with Section 903.3.1 of the International Building Code.**

ADOPTED THIS 11th DAY OF November, 2014



\_\_\_\_\_  
Scott Collins, City Clerk



\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

Motion was made by Danny Bryant, seconded by Michael Whisenant, to approve Ordinance No. 2014-15. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant and Tom Young

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-16:**

Ordinance No. 2014-16, an ordinance entitled, “An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Plumbing Code”, was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-16**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**International Plumbing Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Plumbing Code*, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the **City of Fayetteville** providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2007-36 of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *International Plumbing Code*, 2012 edition, including Appendix Chapters **B, C, D, E, and F** as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the **City of Fayetteville**, in the **State of Tennessee** regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permit and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Plumbing Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised;

Section 101.1. **City of Fayetteville**

Section 106.6.2. Schedule of permit fees as adopted by the **Mayor and Alderman** of the **City of Fayetteville**, Ordinance No. 2006-8.

Section 106.6.3. 75%, 50%

Section 108.5. \$50.00, \$50.00

Section 305.4.1 4" (101.6 mm), 4" (101.6 mm)

Section 903.1. 12"

**Section 3.** That Ordinance No. 2007-36 of the **City of Fayetteville** and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 5.** That nothing in this ordinance or in the Plumbing Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014



John Ed Underwood, Jr., Mayor



Scott Collins, City Clerk

Motion was made by Dorothy Small, seconded by Gwen Shelton, to approve Ordinance No. 2014-16.  
Upon roll call, the following voted:

Aye

Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young and Dorothy Small

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-17:**

Ordinance No. 2014-17, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The ICC Electrical Code Administration Provision", was considered. Said Ordinance is as follows:



**ORDINANCE NO. 2014-17**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**International Electrical Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *ICC Electrical Code-Administrative Provisions*, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the **City of Fayetteville**; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2007-30, of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the **City of Fayetteville** does ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *National Electrical Code, 2011 edition*, as published by the *National Fire Protection Association*, be and is hereby adopted as the Electrical Code referenced in all the newly adopted ICC Codes referenced as IBC 2012, IRC 2012, IFC 2012, IMC 2012, IEC 2012, IPC 2012, IEBC 2012, IFGC 2012 and the IPMC 2012 for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance as pertaining to the adoption of these codes. The said Electrical Code on file in the office of the **City of Fayetteville** are hereby referenced to, adopted and made a part here of, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 90.4 "The authority having jurisdiction" shall be the State of Tennessee.

**Section 3.** That Ordinance No. 2007-30, of the **City of Fayetteville** entitled **Chapter 3 Electrical Code, Section 12-301, 12-302, 12-303, 12-304, 12-305, 12-306** and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.


**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.


**Section 5.** That nothing in this ordinance or in the Electrical Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk

Motion was made by Gwen Shelton, seconded by Dorothy Small, to approve Ordinance No. 2014-17.  
Upon roll call, the following voted:

Aye

Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small and Michael Whisenant

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-18:**

Ordinance No. 2014-18, an ordinance entitled, “An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Fuel Gas Code”, was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-18**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**International Fuel Gas Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Fuel Gas Code*, regulating and governing fuel gas systems and gas-fired appliances in the **City of Fayetteville** providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2007-34, of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the City of Fayetteville do ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *international Fuel Gas Code*, 2012 edition, including Appendix Chapters **A, B, C and D** as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the **City of Fayetteville**, in the **State of Tennessee** for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 101.1. **City of Fayetteville**

Section 106.6.2. Schedule of permit fees as adopted by **Mayor and Alderman** of the **City of Fayetteville**, Ordinance No. 2006-8.

Section 106.6.3   (2) 75%

Section 106.6.3   (3) 50%

Section 108.4     Code Violation, \$50.00 per day; one (1) day

Section 108.5     Stop Work Orders \$50.00 per day/ \$500.00 per day

**Section 3.** That Ordinance No. 2007-34, of the **City of Fayetteville** entitled and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

**Section 5.** That nothing in this ordinance or in the Fuel Gas Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulation, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_

Scott Collins, City Clerk

Motion was made by Danny Bryant, seconded by Michael Whisenant, to approve Ordinance No. 2014-18. Upon roll call, the following voted:

Aye

Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant and Gwen Shelton

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-19:**

Ordinance No. 2014-19, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Energy Conservation Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-19**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**ICC Energy Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Energy Conservation Code*, regulating and governing energy efficient building enveloped and installation of energy efficient mechanical, lighting and power systems in the **City of Fayetteville**; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2007-33 of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *International Energy Conservation Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Energy Conservation Code of the **City of Fayetteville**, in the **State of Tennessee** for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Conservation Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as it fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are herby revised:

**Section 101.1. City of Fayetteville**

**Section 3.** That Ordinance No. 2007-33 of **City of Fayetteville** and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.


**Section 5.** That nothing in this ordinance or in the Energy Conservation Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk



Motion was made by Michael Whisenant, seconded by Gwen Shelton, to approve Ordinance No. 2014-19. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-20:**

Ordinance No. 2014-20, an ordinance entitled, “An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Mechanical Code”, was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-20**  
**CITY OF FAYEETEVILLE, TN**

**International Mechanical Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Mechanical Code*, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the **City of Fayetteville**; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. 2007-35, of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *International Mechanical Code*, 2012 edition, including Appendix Chapters A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the **City of Fayetteville**, in the **State of Tennessee** regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised.

**Section 101.1. City of Fayetteville**

Section 106.5.2. Schedule of permit fees as adopted by **Mayor and Alderman** of the **City of Fayetteville**, Ordinance No. 2006-8

Section 106.5.3(2) 75%

Section 106.5.3(3) 50%

Section 108.5 \$50.00, \$500.00

**Section 3.** That Ordinance No. 2007-35 of the **City of Fayetteville** entitled and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.


**Section 5.** That nothing in this ordinance or in the *Mechanical Code* hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk

Motion was made by Dorothy Small, seconded by Gwen Shelton, to approve Ordinance No. 2014-20.  
Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-21:**

Ordinance No. 2014-21, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The Life Safety Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-21**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**Life Safety Code**

**Section**


12-1001. Life Safety Code adopted.

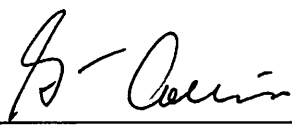
12-1002. Enforcing authority

**12-1001. Life safety code adopted.** Pursuant to authority granted by Tennessee Code Annotated, §§ 6-54-501 to 6-54-509, the Code for Safety to Life From Fire in Buildings and Structures,<sup>2</sup> 2012 edition, as prepared by the National Fire Protection Association is hereby adopted and incorporated by reference as a part of this code. One copy of said code shall be kept on file in the Planning and Codes Enforcement Department for public use, inspection and examination. (1979 Code, § 7-401, modified, as replaced by Ord. #98-11, §1, Nov. 1998; and Ord. #2001-4, March 2001)

**12-1002. Enforcing authority.** The enforcing authority mentioned in said code shall be the building official and the fire chief. (1979 Code, § 7-402, as amended by Ord. #96-2, § 2, Jan. 1996)

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk

Motion was made by Dorothy Small, seconded by Tom Young, to approve Ordinance No. 2014-21. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant and Tom Young

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-22:**

Ordinance No. 2014-22, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Existing Building Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-22**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**ICC Existing Building Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Existing Building Code*, regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, in the **City of Fayetteville**; providing for the issuance of permits and collection of fees therefore; repealing Ordinance No. **2007-31**, of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith. The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *International Existing Building Code*, 2012 edition, including Appendix Chapters **A, B, C as well as Resource A** as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the **City of Fayetteville**, in the **State of Tennessee** for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing building, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 101.1 **City of Fayetteville**

Section 1401.2 **April 6, 1964**

**Section 3.** That Ordinance No. **2007-31**, of **City of Fayetteville** entitled and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.


**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

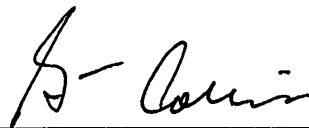
**Section 5.** That nothing in this ordinance or in the Existing Building Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 6.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 7.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk



Motion was made by Gwen Shelton, seconded by Dorothy Small, to approve Ordinance No. 2014-22. Upon roll call, the following voted:

Aye

Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young and Dorothy Small

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-23:**

Ordinance No. 2014-23, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Property Maintenance Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-23**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**International Property Maintenance**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Property Maintenance Code*, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the **City of Fayetteville**; providing for the issuance of permits and collection of fees.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document, one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the **City of Fayetteville**, in the **State of Tennessee** for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of said Property Maintenance Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section 101.1. **City of Fayetteville**

Section 103.5. Schedule of permit fees as adopted by the **Mayor and Alderman** of the **City of Fayetteville**, Ordinance No. 2006-8.

Section 302.4. **12 inches**

Section 304.14. **October 16, 2007, until this ordinance is repealed**

Section 602.3. **October 16, 2007, until this ordinance is repealed**

Section 602.4. **October 16, 2007, until this ordinance is repealed**


**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.


**Section 4.** That nothing in this ordinance or in the *Property Maintenance Code* hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 6.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk

Motion was made by Michael Whisenant, seconded by Dorothy Small, to approve Ordinance No. 2014-23. Upon roll call, the following voted:

Aye

Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small and Michael Whisenant

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-24:**

Ordinance No. 2014-24, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Residential Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-24**  
**CITY OF FAYETTEVILLE, TENNESSEE**

**International Residential Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Residential Code*, regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress in the **City of Fayetteville**; providing for the issuance of permits and collection of fees.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document, two (2) copies of which are on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville**, being marked and designated as the *International Residential Code*, 2012 edition, including Appendix Chapters A, B, C, D, E, F, G, H, I, J, K, M, N, O, P, Q (see *international Building Code* Section R102.5, 2012 edition), as published by the International Code Council, be and is hereby adopted as the Residential Code of the **City of Fayetteville**, in the **State of Tennessee** for regulating and governing the constitution, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as it fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** The following sections are hereby revised:

Section R101.1 **City of Fayetteville**

Section P2603.6.1 4" (101.6 mm), 4" (101.6 mm)

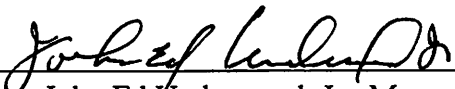
**Section 3.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.


**Section 4.** That nothing in this ordinance or in the Residential Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 5.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 6.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_  
Scott Collins, City Clerk

Motion was made by Dorothy Small, seconded by Gwen Shelton, to approve Ordinance No. 2014-24. Upon roll call, the following voted:

Aye

Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant and Gwen Shelton

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Ordinance No. 2014-25:**

Ordinance No. 2014-25, an ordinance entitled, "An Ordinance Of The City Of Fayetteville Adopting The 2012 Edition Of The International Fire Code", was considered. Said Ordinance is as follows:

**ORDINANCE NO. 2014-25**  
**CITY OF FAYETTEVILLE, TN**

**International Fire Code**

An ordinance of the **City of Fayetteville** adopting the 2012 edition of the *International Fire Code*, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the **City of Fayetteville**; providing for the issuance of permits and collection fees therefore; repealing Ordinance No. 2007-32 of the **City of Fayetteville** and all other ordinances and parts of the ordinances in conflict therewith.

The **Mayor and Aldermen** of the **City of Fayetteville** do ordain as follows:

**Section 1.** That a certain document one (1) copy of which is on file in the office of the **Planning and Codes Enforcement Department** of the **City of Fayetteville** being marked and designated as the *International Fire Code*, 2012 edition, including **Appendix Chapters A, B, C, D, E, F, G, H, I and J** as published by the International Code Council, be and is hereby adopted as the Fire Code of the **City of Fayetteville**, in the **State of Tennessee** regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the **City of Fayetteville** are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

**Section 2.** That the following sections are hereby revised:

Section 101.1 **City of Fayetteville**

Section 109.4 **Violation of Fire Code, \$50.00 each violation per day**

Section 111.4 **not less than \$50.00 or more than \$50.00 per day per violation**

**Section 3.** That the geographic limits referred to in certain sections of the 2012 *International Fire Code* are hereby established as follows:

Section 5504.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): **As approved by the Fire Chief**



Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): **As approved by the Fire Chief**

Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): **As approved by the Fire Chief**

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): **As approved by the Fire Chief**

**Section 4.** That Ordinance No. 2007-32 of **City of Fayetteville** and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

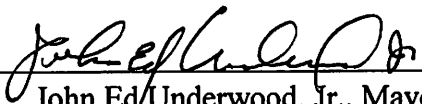
**Section 5.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not reflect the validity of the remaining portions of this ordinance.

**Section 6.** That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**Section 7.** That the **City Administrator** is hereby ordered and directed to cause this ordinance to be published.

**Section 8.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **January 1, 2015** from and after the date of its final passage and adoption.

ADOPTED THIS 11th DAY OF November, 2014

  
\_\_\_\_\_  
John Ed Underwood, Jr., Mayor

  
\_\_\_\_\_

Scott Collins, City Clerk

Motion was made by Gwen Shelton, seconded by Dorothy Small, to approve Ordinance No. 2014-25. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the Ordinance adopted.

**Resolution No. R-14-08:**

Resolution No. R-14-08, a resolution entitled, "A Resolution To Locally Approve Request For Passage Of General Law By The 109<sup>th</sup> General Assembly", was considered. Said Resolution is as follows:

**CITY OF FAYETTEVILLE  
RESOLUTION NO. R-14-08**

**A RESOLUTION TO LOCALLY APPROVE REQUEST FOR PASSAGE OF  
GENERAL LAW BY THE 109<sup>th</sup> GENERAL ASSEMBLY.**

**WHEREAS**, the City of Fayetteville periodically petitions the General Assembly for changes to portions of law for the welfare of our citizenry; and


**WHEREAS**, the City of Fayetteville recognizes the need for additional revenue to fund the current retention and the future development of tourism and economic development.

**NOW THEREFORE, BE IT RESOLVED**, by the Board Of Mayor and Aldermen for the City Of Fayetteville that a request be made of Senator Jim Tracy and of Representative Pat Marsh to sponsor legislation before the 109<sup>th</sup> General Assembly that authorizes the City of Fayetteville Board of Mayor and Alderman to consider enacting a Hotel/Motel Tax; and furthermore, to authorize Mayor John Ed Underwood, Jr., to execute all necessary action to obtain approval to enact a 5% or less Hotel/Motel tax for the use of funding tourism and economic development for the City of Fayetteville.

Passed and so ordered this 11th day of November, 2014, by unanimous vote of the entire Board of Mayor and Aldermen.

  
John Ed Underwood, Jr., Mayor

ATTEST:

  
\_\_\_\_\_  
Scott Collins, City Administrator

Motion was made by Danny Bryant, seconded by Gwen Shelton, to approve Resolution No. R-14-08. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay

None

Mayor Underwood declared the Resolution adopted.

**Resolution No. R-14-09:**

Resolution No. R-14-09, a resolution entitled, "A Resolution Authorizing The Issuance Of Not To Exceed Two Million In Aggregate Principal Amount Of General Obligation Bonds Of The City Of Fayetteville, Tennessee", was considered. Said Resolution is as follows:

The Board of Mayor and Aldermen of the City of Fayetteville, Tennessee, met in regular session on November 11, 2014, at 5:00 p.m. at the Municipal Building, East Side Public Square, Fayetteville, Tennessee, with the Honorable John Ed Underwood, Jr., Mayor, presiding.

The following Aldermen were present:

The following Aldermen were absent:

There were also present Gregory Scott Collins, City Administrator/City Clerk, Tonya Steelman, Finance Director/Assistant City Clerk, and John Hill, Jr., City Attorney.

After the meeting was duly called to order, the following resolution was introduced by \_\_\_\_\_, seconded by \_\_\_\_\_ and after due deliberation, was adopted by the following vote:

AYE:

NAY:

Section 1. Authority. The bonds authorized by this resolution are issued pursuant to Sections 9-21-101 et seq., Tennessee Code Annotated, as amended, and other applicable provisions of law.

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

WHEREAS, it is the intention of the Governing Body to adopt this Resolution for the purpose of authorizing not to exceed \$2,000,000 in aggregate principal amount of its General Obligation Bonds, in one or more series, providing for the issuance, sale and payment of said bonds, establishing the terms thereof and the disposition of proceeds therefrom and providing for the levy of a tax for the payment of principal thereof, premium, if any, and interest thereon.

WHEREAS, an Initial Resolution proposing the issuance of not to exceed \$2,000,000 in aggregate principal amount of General Obligation Bonds, the proceeds of which shall be used for the purposes set forth above, was adopted by the Governing Body on October 14, 2014, and, together with the statutory notice required by Section 9-21-206, Tennessee Code Annotated, as amended, will be published as required by law; and

WHEREAS, the Board of Mayor and Aldermen (the "Governing Body") of the Municipality hereby determines that it is necessary and desirable to issue General Obligation Bonds of the Municipality to provide the funds necessary to finance, in whole or in part, (i) construction, renovation, repair, improvement and equipping of a law enforcement facility and other public buildings; (ii) the acquisition of vehicles and equipment, including but not be limited to public works vehicles and equipment, public safety vehicles and equipment, computer hardware and software and other technological equipment; (iii) the acquisition of land for public facilities, preservation of open space, drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads, bridges, sidewalks, and public buildings; (iv) the construction, improvement, renovation and equipping of drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads, bridges, sidewalks, and public buildings and facilities; (v) acquisition of all property real and personal, appurtenant thereto, or connected with such capital projects and construction of related infrastructure; (vi) payment of legal, fiscal, administrative, architectural and engineering costs incident thereto; (vii) reimbursement to the Municipality for funds previously expended for any of the foregoing; and (viii) payment of costs incident to the issuance and sale of such bonds; and

WHEREAS, pursuant to Sections 9-21-101, et seq., Tennessee Code Annotated, as amended, municipalities in Tennessee are authorized through their respective governing bodies to issue and sell bonds of said municipalities to finance public works projects; and

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,000,000 IN AGGREGATE PRINCIPAL AMOUNT, IN ONE OR MORE SERIES, OF GENERAL OBLIGATION BONDS OF THE CITY OF FAYETTEVILLE, TENNESSEE, MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS.

**Section 2. Definitions.** The following terms shall have the following meanings in this resolution unless the text expressly or by necessary implication requires otherwise:

(a) "Bonds" shall mean not to exceed \$2,000,000 in aggregate principal amount of General Obligation Bonds of the Municipality, to be dated their date of delivery, with such series designation and such other dated date as the Mayor shall determine pursuant to Section 8 hereof;

(b) "Book-Entry Form" or "Book-Entry System" means a form or system, as applicable, under which physical bond certificates in fully registered form are issued to a Depository, or to its nominee as Registered Owner, with the certificate of bonds being held by and "immobilized" in the custody of such Depository, and under which records maintained by persons, other than the Municipality or the Registration Agent, constitute the written record that identifies, and records the transfer of, the beneficial "book-entry" interests in those bonds;

(c) "Code" means the Internal Revenue Code of 1986, as amended, and all regulations promulgated thereunder;

(d) "Debt Management Policy" means the Debt Management Policy adopted by the Governing Body as required by the State Funding Board of the State of Tennessee;

(e) "Depository" means any securities depository that is a clearing agency under federal laws operating and maintaining, with its participants or otherwise, a Book-Entry System, including, but not limited to, DTC;

(f) "DTC" means The Depository Trust Company, a limited purpose company organized under the laws of the State of New York, and its successors and assigns;

(g) "DTC Participant(s)" means securities brokers and dealers, banks, trust companies and clearing corporations that have access to the DTC System;

(h) "Financial Advisor" means Cumberland Securities Company, Inc.;

(i) "Governing Body" means the Board of Mayor and Aldermen of the Municipality;

(j) "Municipality" means the City of Fayetteville, Tennessee;

(k) "Projects" means (i) construction, renovation, repair, improvement and equipping of a law enforcement facility and other public buildings; (ii) the acquisition of vehicles and equipment, including but not be limited to public works vehicles and equipment, public safety vehicles and equipment, computer hardware and software and other technological equipment; (iii) the acquisition of land for public facilities, preservation of open space, drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads, bridges, sidewalks, and public buildings; (iv) the construction, improvement, renovation and equipping of drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads bridges, sidewalks and public buildings and facilities; (v) acquisition of all property real and personal, appurtenant thereto, or connected with such capital projects and construction of related infrastructure; and (vi) payment of legal, fiscal, administrative, architectural and engineering costs incident thereto; and

(k) "Registration Agent" means Regions Bank, Nashville, Tennessee, or any successor designated by the Governing Body.

Section 3. Findings of the Governing Body; Compliance with Debt Management Policy. It is hereby found and determined by the Governing Body as follows: In conformance with the directive of the State Funding Board of the State of Tennessee, the Municipality has heretofore adopted its Debt Management Policy. The Governing Body hereby finds that the issuance and sale of the Bonds, as proposed herein, is consistent with the Municipality's Debt Management Policy.

Section 4. Authorization and Terms of the Bonds.

(a) For the purpose of providing funds to finance the cost of the Projects, to reimburse the Municipality for funds previously expended for the Projects, if any, and to pay the costs incident to the issuance and sale of the Bonds, there is hereby authorized to be issued General Obligation Bonds, in one or more series, of the Municipality in the aggregate principal amount of not to exceed \$2,000,000. The Bonds shall be issued in fully registered, book-entry form (except as otherwise provided herein), without coupons, shall be known as "General Obligation Bonds, Series 2014" and shall be dated their date of issuance, or such other series designation and dated date as shall be determined by the Mayor pursuant to Section 8 hereof. Subject to adjustments permitted pursuant to Section 8 hereof, the Bonds shall bear interest at a rate or rates not exceeding 5% per annum, payable semi-annually on June 1 and December 1 in each year, commencing June 1, 2015. Subject to adjustments permitted in Section 7 hereof, the Bonds shall be issued initially in \$5,000 denominations or integral multiples thereof, as shall be requested by the purchaser thereof, and shall mature on June 1 of each year, subject to prior optional redemption as hereinafter provided, either serially or through mandatory redemption, in the years and amounts provided in Exhibit A attached hereto.

(b) Subject to adjustments permitted in Section 8 hereof, Bonds maturing on or before June 1, 2021 shall mature without option of prior redemption and Bonds maturing June 1, 2022 and thereafter, shall be subject to redemption prior to maturity at the option of the Municipality on June 1, 2021 and thereafter, as a whole or in part at any time at the redemption price of par plus accrued interest to the redemption date.

If less than all of the Bonds within a single maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or

(ii) if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

(c) Pursuant to Section 8 hereof, the Mayor of the Municipality is authorized to sell the Bonds, or any maturities thereof, as term bonds ("Term Bonds") with mandatory redemption requirements corresponding to the maturities set forth herein or as determined by the Mayor of the Municipality. In the event any or all the Bonds are sold as Term Bonds, the Municipality shall redeem Term Bonds on redemption dates corresponding to the maturity dates set forth in Exhibit A, in aggregate principal amounts equal to the maturity amounts established pursuant to Section 7 hereof for each redemption date, as such maturity amounts and dates may be adjusted pursuant to Section 8 hereof, at a price of par plus accrued interest thereon to the date of redemption. The Term Bonds to be redeemed within a single maturity shall be selected in the manner described in subsection (b) above.



At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such mandatory redemption date, the Municipality may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and canceled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the Municipality on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The Municipality shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.

(d) Notice of call for redemption, whether optional or mandatory, shall be given by the Registration Agent on behalf of the Municipality not less than twenty (20) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for redemption of any of the Bonds for which proper notice was given. The notice may state that it is conditioned upon the deposit of moneys in an amount equal to the amount necessary to effect the redemption with the Registration Agent no later than the redemption date ("Conditional Redemption"). As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the Municipality nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant or Beneficial Owner will not affect the validity of such redemption. The Registration Agent shall mail said notices as and when directed by the Municipality pursuant to written instructions from an authorized representative of the Municipality (other than for a mandatory sinking fund redemption, notices of which shall be given on the dates provided herein) given at least forty-five (45) days prior to the redemption date (unless a shorter notice period shall be satisfactory to the Registration Agent). From and after the redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and if notice has been duly provided as set forth herein. In the case of a Conditional Redemption, the failure of the Municipality to make funds available in part or in whole on or before the redemption date shall not constitute an event of default, and the Registration Agent shall give immediate notice to the Depository or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

(e) The Registration Agent is hereby authorized and directed to maintain Bond registration records with respect to the Bonds, to authenticate and deliver the Bonds as provided herein, either at original issuance or upon transfer, to effect transfers of the Bonds, to give all notices of redemption as required herein, to make all payments of principal and interest with respect to the Bonds as provided herein, to cancel and destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer, to furnish the Municipality at least annually a certificate of destruction with respect to Bonds canceled and destroyed, and to furnish the Municipality at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds.

The Mayor is hereby authorized to execute and the City Administrator/City Clerk is hereby authorized to attest such written agreement between the Municipality and the Registration Agent as they shall deem necessary and proper with respect to the obligations, duties and rights of the Registration Agent. The payment of all reasonable fees and expenses of the Registration Agent for the discharge of its duties and obligations hereunder or under any such agreement is hereby authorized and directed.

(f) The Bonds shall be payable, both principal and interest, in lawful money of the United States of America at the main office of the Registration Agent. The Registration Agent shall make all interest payments with respect to the Bonds by check or draft on each interest payment date directly to the registered owners as shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by depositing said payment in the United States mail, postage prepaid, addressed to such owners at their addresses shown on said Bond registration records, without, except for final payment, the presentation or surrender of such registered Bonds, and all such payments shall discharge the obligations of the Municipality in respect of such Bonds to the extent of the payments so made. Payment of principal of and premium, if any, on the Bonds shall be made upon presentation and surrender of such Bonds to the Registration Agent as the same shall become due and payable. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed of twelve (12) months of thirty (30) days each. In the event the Bonds are no longer registered in the name of DTC, or a successor Depository, if requested by the Owner of at least \$1,000,000 in aggregate principal amount of the Bonds, payment of interest on such Bonds shall be paid by wire transfer to a bank within the continental United States or deposited to a designated account if such account is maintained with the Registration Agent and written notice of any such election and designated account is given to the Registration Agent prior to the record date.

(g) Any interest on any Bond that is payable but is not punctually paid or duly provided for on any interest payment date (hereinafter "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such Defaulted Interest shall be paid by the Municipality to the persons in whose names the Bonds are registered at the close of business on a date (the "Special Record Date") for the payment of such Defaulted Interest, which shall be fixed in the following manner: the Municipality shall notify the Registration Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment, and at the same time the Municipality shall deposit with the Registration Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Registration Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons entitled to such Defaulted Interest as in this Section provided. Thereupon, not less than ten (10) days after the receipt by the Registration Agent of the notice of the proposed payment, the Registration Agent shall fix a Special Record Date for the payment of such Defaulted Interest which Date shall be not more than fifteen (15) nor less than ten (10) days prior to the date of the proposed payment to the registered owners. The Registration Agent shall promptly notify the Municipality of such Special Record Date and, in the name and at the expense of the Municipality, not less than ten (10) days prior to such Special Record Date, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner at the address thereof as it appears in the Bond registration records maintained by the Registration Agent as of the date of such notice. Nothing contained in this Section or in the Bonds shall impair any statutory or other rights in law or in equity of any registered owner arising as a result of the failure of the Municipality to punctually pay or duly provide for the payment of principal of, premium, if any, and interest on the Bonds when due.

(h) The Bonds are transferable only by presentation to the Registration Agent by the registered owner, or his legal representative duly authorized in writing, of the registered Bond(s) to be

transferred with the form of assignment on the reverse side thereof completed in full and signed with the name of the registered owner as it appears upon the face of the Bond(s) accompanied by appropriate documentation necessary to prove the legal capacity of any legal representative of the registered owner. Upon receipt of the Bond(s) in such form and with such documentation, if any, the Registration Agent shall issue a new Bond or the Bond to the assignee(s) in \$5,000 denominations, or integral multiples thereof, as requested by the registered owner requesting transfer. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the notice calling such Bond for redemption has been made, nor to transfer or exchange any Bond during the period following the receipt of instructions from the Municipality to call such Bond for redemption; provided, the Registration Agent, at its option, may make transfers after any of said dates. No charge shall be made to any registered owner for the privilege of transferring any Bond, provided that any transfer tax relating to such transaction shall be paid by the registered owner requesting transfer. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the Municipality nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bonds shall be overdue. The Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in any authorized denomination or denominations.

(i) The Bonds shall be executed in such manner as may be prescribed by applicable law, in the name, and on behalf, of the Municipality with the manual or facsimile signature of the Mayor and with the official seal, or a facsimile thereof, of the Municipality impressed or imprinted thereon and attested by the manual or facsimile signature of the City Clerk.

(j) Except as otherwise provided in this resolution, the Bonds shall be registered in the name of Cede & Co., as nominee of DTC, which will act as securities depository for the Bonds. References in this Section to a Bond or the Bonds shall be construed to mean the Bond or the Bonds that are held under the Book-Entry System. One Bond for each maturity shall be issued to DTC and immobilized in its custody. A Book-Entry System shall be employed, evidencing ownership of the Bonds in authorized denominations, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants pursuant to rules and procedures established by DTC.

Each DTC Participant shall be credited in the records of DTC with the amount of such DTC Participant's interest in the Bonds. Beneficial ownership interests in the Bonds may be purchased by or through DTC Participants. The holders of these beneficial ownership interests are hereinafter referred to as the "Beneficial Owners." The Beneficial Owners shall not receive the Bonds representing their beneficial ownership interests. The ownership interests of each Beneficial Owner shall be recorded through the records of the DTC Participant from which such Beneficial Owner purchased its Bonds. Transfers of ownership interests in the Bonds shall be accomplished by book entries made by DTC and, in turn, by DTC Participants acting on behalf of Beneficial Owners. SO LONG AS CEDE & CO., AS NOMINEE FOR DTC, IS THE REGISTERED OWNER OF THE BONDS, THE REGISTRATION AGENT SHALL TREAT CEDE & CO., AS THE ONLY HOLDER OF THE BONDS FOR ALL PURPOSES UNDER THIS RESOLUTION, INCLUDING RECEIPT OF ALL PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS, RECEIPT OF NOTICES, VOTING AND REQUESTING OR DIRECTING THE REGISTRATION AGENT TO TAKE OR NOT TO TAKE, OR CONSENTING TO, CERTAIN ACTIONS UNDER THIS RESOLUTION.

Payments of principal, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid by the Registration Agent directly to DTC or its nominee, Cede & Co. as provided in the Letter of Representation relating to the Bonds from the

(m) In case any Bond shall become mutilated, or be lost, stolen, or destroyed, the Municipality, in its discretion, shall issue, and the Registration Agent, upon written direction from the

(1) The Registration Agent is hereby authorized to authenticate and deliver the Bonds to original purchaser, upon receipt by the Municipality of the proceeds of the sale thereof and to authenticate and deliver Bonds in exchange for Bonds of the same principal amount delivered for transfer upon receipt of the Bond(s) to be transferred in proper form with proper documentation as hereinabove described. The Bonds shall not be valid for any purpose unless authenticated by the Registration Agent by the manual signature of an officer thereof on the certificate set forth herein on the Bond form.

(k) The Registration Agent is hereby authorized to take such action as may be necessary from time to time to qualify and maintain the Bonds for deposit with DTC, including but not limited to, wire transfers of interest and principal payments with respect to the Bonds, utilization of electronic book-entry data received from DTC in place of actual delivery of Bonds and provision of notices with respect to Bonds registered by DTC (or any of its designees identified to the Registration Agent) by overnight delivery, courier service, telegram, telecopy or other similar means of communication. No such arrangements with DTC may adversely affect the interest of any of the owners of the Bonds, provided, however, that the Registration Agent shall not be liable with respect to any such arrangements it may make pursuant to this section.

If the Bonds are sold to a single purchaser that certifies that it does not intend to re-offer the Bonds to the public, then the Registration Agent may deliver fully registered Bonds to the purchaser without utilizing the Book-Entry System and the form of the Bond in Section 5 hereof shall be so conformed.

THE MUNICIPALITY AND THE REGISTRATION AGENT SHALL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO ANY DTC PARTICIPANT OR ANY BENEFICIAL OWNER WITH RESPECT TO (i) THE BONDS; (ii) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DTC PARTICIPANT; (iii) THE PAYMENT BY DTC OR ANY DTC PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS; (iv) THE DELIVERY OR TIMELINESS OF DELIVERY BY DTC OR ANY DTC PARTICIPANT OF ANY NOTICE DUE TO ANY BENEFICIAL OWNER THAT IS REQUIRED OR PERMITTED UNDER THE TERMS OF THIS RESOLUTION TO BE GIVEN TO BENEFICIAL OWNERS, (v) THE SELECTION OF BENEFICIAL OWNERS TO RECEIVE PAYMENTS IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE BONDS; OR (vi) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC, OR ITS NOMINEE, CEDE & CO., AS OWNER.

In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the Municipality determines that the continuation of the Book-Entry System of evidence and transfer of ownership of the Bonds would adversely affect their interests or the interests of the Beneficial Owners of the Bonds, the Municipality shall discontinue the Book-Entry System with DTC. If the Municipality fails to identify qualified securities depository to replace DTC, the Municipality shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully registered Bonds to each Beneficial Owner.

Municipality and the Registration Agent to DTC (the "Letter of Representation"). DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners. The Municipality and the Registration Agent shall not be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants.

Municipality, shall authenticate and deliver, a new Bond of like tenor, amount, maturity and date, in exchange and substitution for, and upon the cancellation of, the mutilated Bond, or in lieu of and in substitution for such lost, stolen or destroyed Bond, or if any such Bond shall have matured or shall be about to mature, instead of issuing a substituted Bond the Municipality may pay or authorize payment of such Bond without surrender thereof. In every case the applicant shall furnish evidence satisfactory to the Municipality and the Registration Agent of the destruction, theft or loss of such Bond, and indemnity satisfactory to the Municipality and the Registration Agent; and the Municipality may charge the applicant for the issue of such new Bond an amount sufficient to reimburse the Municipality for the expense incurred by it in the issue thereof.

Section 5. Source of Payment. The Bonds shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality. For the prompt payment of principal of, premium, if any, and interest on the Bonds, the full faith and credit of the Municipality are hereby irrevocably pledged.

Section 6. Form of Bonds. The Bonds shall be in substantially the following form, the omissions to be appropriately completed when the Bonds are prepared and delivered:

(Form of Face of Bond)

REGISTERED  
Number \_\_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF TENNESSEE  
COUNTY OF LINCOLN  
CITY OF FAYETTEVILLE  
GENERAL OBLIGATION BOND, SERIES 2014

Interest Rate:

Maturity Date:

Date of Bond:

\_\_\_\_\_, 2014

CUSIP No.:

Registered Owner:

Principal Amount:

FOR VALUE RECEIVED, the City of Fayetteville, a municipal corporation lawfully organized and existing in Lincoln County, Tennessee (the "Municipality") hereby promises to pay to the registered owner hereof, hereinabove named, or registered assigns, in the manner hereinafter provided, the principal amount hereinabove set forth on the maturity date hereinabove set forth [(or upon earlier redemption as set forth herein)], and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on said principal amount at the annual rate of interest hereinabove set forth from the date hereof until said maturity date [or redemption date,] said interest being payable on [June 1, 2015], and semi-annually thereafter on the first day of June and December in each year until this Bond matures [or is redeemed]. Both principal hereof and interest hereon are payable in lawful money of the United States of America at the principal corporate trust office of Regions Bank, Nashville, Tennessee, as registration and paying agent (the "Registration Agent"). The Registration Agent shall make all interest payments with respect to this Bond on each interest payment date to the registered owner hereof shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by check or draft mailed to such owner at such owner's address shown on said Bond registration records, without, except for final

payment, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the Municipality to the extent of the payments so made. Any such interest not so punctually paid or duly provided for on any interest payment date shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such defaulted interest shall be payable to the person in whose name this Bond is registered at the close of business on the date (the "Special Record Date") for payment of such defaulted interest to be fixed by the Registration Agent, notice of which shall be given to the owners of the Bonds of the issue of which this Bond is one not less than ten (10) days prior to such Special Record Date. Payment of principal of [and premium, if any,] on this Bond shall be made when due upon presentation and surrender of this Bond to the Registration Agent.

Except as otherwise provided herein or in the Resolution, as hereinafter defined, this Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds of the series of which this Bond is one. One Bond for each maturity of the Bonds shall be issued to DTC and immobilized in its custody, or a custodian of DTC. The Registrar is a custodian and agent for DTC and the Bonds will be immobilized in its custody. A book-entry system shall be employed, evidencing ownership of the Bonds in \$5,000 denominations, or multiples thereof, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants, as defined in the Resolution, pursuant to rules and procedures established by DTC. So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the Municipality and the Registration Agent shall treat Cede & Co., as the only owner of the Bonds for all purposes under the Resolution, including receipt of all principal and maturity amounts of [, premium, if any,] and interest on the Bonds, receipt of notices, voting and requesting or taking or not taking, or consenting to, certain actions hereunder. Payments of principal[, and] interest, [and redemption premium, if any,] with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid directly to DTC or its nominee, Cede & Co. DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners, as defined in the Resolution. Neither the Municipality nor the Registration Agent shall be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants. In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the Municipality determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect its interests or the interests of the Beneficial Owners of the Bonds, the Municipality may discontinue the book-entry system with DTC. If the Municipality fails to identify another qualified securities depository to replace DTC, the Municipality shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully registered Bonds to each Beneficial Owner. Neither the Municipality nor the Registration Agent shall have any responsibility or obligations to any DTC Participant or any Beneficial Owner with respect to (i) the Bonds; (ii) the accuracy of any records maintained by DTC or any DTC Participant; (iii) the payment by DTC or any DTC Participant of any amount due to any Beneficial Owner in respect of the principal or maturity amounts of and interest on the Bonds; (iv) the delivery or timeliness of delivery by DTC or any DTC Participant of any notice due to any Beneficial Owner that is required or permitted under the terms of the Resolution to be given to Beneficial Owners, (v) the selection of Beneficial Owners to receive payments in the event of any partial redemption of the Bonds; or (vi) any consent given or other action taken by DTC, or its nominee, Cede & Co., as owner.

[Bonds of the issue of which this Bond is one maturing on or before [June 1, 2020], shall mature without option of prior redemption and Bonds maturing [June 1, 2021] and thereafter, shall be subject to redemption prior to maturity at the option of the Municipality on [June 1, 2020] and thereafter, as a whole or in part at any time at the redemption price of par plus accrued interest to the redemption date.

If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be designated by the Board of Mayor and Aldermen of the Municipality. If less than all the principal amount

of the Bonds of a maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the amount of the interest of each DTC Participant in the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or

(ii) if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

Subject to the credit hereinafter provided, the Municipality shall redeem Bonds maturing \_\_\_\_\_ on the redemption dates set forth below opposite the maturity dates, in aggregate principal amounts equal to the respective dollar amounts set forth below opposite the respective redemption dates at a price of par plus accrued interest thereon to the date of redemption. DTC, as securities depository for the series of Bonds of which this Bond is one, or such Person as shall then be serving as the securities depository for the Bonds, shall determine the interest of each Participant in the Bonds to be redeemed using its procedures generally in use at that time. If DTC, or another securities depository is no longer serving as securities depository for the Bonds, the Bonds to be redeemed within a maturity shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall select. The dates of redemption and principal amount of Bonds to be redeemed on said dates are as follows:

<u>Final</u> <u>Maturity</u>	<u>Redemption</u> <u>Date</u>	<u>Principal Amount</u> <u>of Bonds</u> <u>Redeemed</u>
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**\*Final Maturity**

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such redemption date, the Municipality may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and canceled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the Municipality on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The Municipality shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.]

Notice of call for redemption, whether optional or mandatory, shall be given by the Registration Agent on behalf of the Municipality not less than twenty (20) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for redemption of any of the Bonds for which proper notice was given. The notice may state that it is conditioned upon the deposit of moneys in an amount equal to the amount necessary to effect the redemption with the Registration Agent no later than the redemption date ("Conditional Redemption"). As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant or Beneficial Owner will not affect the validity of such redemption. The Registration Agent shall mail said notices as and when directed by the Municipality pursuant to written instructions from an authorized representative of the Municipality (other than for a mandatory sinking fund redemption, notices of which shall be given on the dates provided herein) given at least forty-five (45) days prior to the redemption date (unless a shorter notice period shall be satisfactory to the Registration Agent). From and after the redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and if notice has been duly provided as set forth herein. In the case of a Conditional Redemption, the failure of the Municipality to make funds available in part or in whole on or before the redemption date shall not constitute an event of default, and the Registration Agent shall give immediate notice to the Depository or the affected Bondholders that the redemption did not occur and that the Bonds called for redemption and not so paid remain outstanding.

This Bond is transferable by the registered owner hereof in person or by such owner's attorney duly authorized in writing at the principal corporate trust office of the Registration Agent set forth on the front side hereof, but only in the manner, subject to limitations and upon payment of the charges provided in the Resolution, as hereafter defined, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and interest rate for the same aggregate principal amount will be issued to the transferee in exchange therefor. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the Municipality nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bond shall be overdue. Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in authorized denomination or denominations, upon the terms set forth in the Resolution. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular Record Date or Special Record Date and ending on the corresponding interest payment date of such Bond[, nor to transfer or exchange any Bond after the notice calling such Bond for redemption has been made, nor during a period following the receipt of instructions from the Municipality to call such Bond for redemption].

This Bond is one of a total authorized issue aggregating \$\_\_\_\_\_ and issued by the Municipality for the purpose of providing funds to finance, in whole or in part, (i) construction, renovation, repair, improvement and equipping of a law enforcement facility and other public buildings; (ii) the acquisition of vehicles and equipment, including but not be limited to public works vehicles and equipment, public safety vehicles and equipment, computer hardware and software and other technological equipment; (iii) the acquisition of land for public facilities, preservation of open space, drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads, bridges, sidewalks, and public buildings; (iv) the construction, improvement, renovation and



equipping of drainage systems, parks, parking facilities, recreation facilities, rights-of-way, highways, streets and roads bridges, sidewalks and public buildings and facilities; (v) acquisition of all property real and personal, appurtenant thereto, or connected with such capital projects and construction of related infrastructure; (vi) payment of legal, fiscal, administrative, architectural and engineering costs incident thereto; (vii) reimbursement to the Municipality for funds previously expended for any of the foregoing; and (viii) payment of costs incident to the issuance and sale of the Bonds of which this Bond is one, pursuant to Sections 9-21-101 et seq., Tennessee Code Annotated, as amended, and pursuant to a resolution duly adopted by the Board of Mayor and Aldermen of the Municipality on the 11<sup>th</sup> day of November, 2014 (the "Resolution")..

This Bond is payable from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality. For the prompt payment of principal of, [premium, if any,] and interest on this Bond, the full faith and credit of the Municipality are irrevocably pledged.

This Bond and the income therefrom are exempt from all present state, county and municipal taxes in Tennessee except (a) inheritance, transfer and estate taxes, (b) Tennessee excise taxes on interest on the Bond during the period the Bond is held or beneficially owned by any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee, and (c) Tennessee franchise taxes by reason of the inclusion of the book value of the Bond in the Tennessee franchise tax base of any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee.

It is hereby certified, recited, and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Bond exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the Municipality, does not exceed any limitation prescribed by the constitution and statutes of the State of Tennessee.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by its Mayor with his [manual or] [facsimile] signature and attested by its City Clerk/ with his [manual or] [facsimile] signature under an [impression or] facsimile of the corporate seal of the Municipality, all as of the date hereinabove set forth.

CITY OF FAYETTEVILLE

BY: \_\_\_\_\_  
Mayor

(SEAL)

ATTESTED:

\_\_\_\_\_  
City Clerk

Transferable and payable at the  
principal corporate trust office of:

Regions Bank  
Nashville, Tennessee

Date of Registration: \_\_\_\_\_

This Bond is one of the issue of Bonds issued pursuant to the Resolution hereinabove described.

REGIONS BANK  
Registration Agent

By: \_\_\_\_\_  
Authorized Representative

#### FORM OF ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns, and transfers unto \_\_\_\_\_, whose address is \_\_\_\_\_ (Please insert Social Security or Federal Tax Identification Number \_\_\_\_\_) the within Bond of the City of Fayetteville, Tennessee, and does hereby irrevocably constitute and appoint \_\_\_\_\_, attorney, to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by a member firm of a Medallion Program acceptable to the Registration Agent.

*[End of Bond Form]*

Section 7. Levy of Tax. The Municipality, through its Governing Body, shall annually levy and collect a tax upon all taxable property within the corporate limits of the Municipality, in addition to all other taxes authorized by law, sufficient to pay principal of, premium, if any, and interest on the Bonds when due, and for that purpose there is hereby levied a direct annual tax in such amount as may be found necessary each year to pay principal of, premium, if any, and interest coming due on the Bonds in said year. Principal, premium, if any, and interest falling due at any time when there are insufficient funds from this tax levy on hand shall be paid from the current funds of the Municipality and reimbursement therefor shall be made out of the taxes hereby provided to be levied when the same shall have been

collected. The tax herein provided may be reduced to the extent of any appropriations from other funds, taxes and revenues of the Municipality to the payment of debt service on the Bonds.

**Section 8. Sale of Bonds.** (a) The Bonds shall be offered for public sale, in one or more series, as required by law at a price of not less than ninety-nine percent (99%) of par exclusive of original issue discount, and accrued interest, if any, as a whole or in part, from time to time, as shall be determined by the Mayor in consultation with the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or either of them, and the Financial Advisor. The Bonds shall be sold at public sale by physical delivery of bids or by electronic bidding by means of an Internet bidding service as shall be determined by the Mayor in consultation with the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or either of them, and the Financial Advisor. The Mayor is authorized to award the Bonds to the bidder whose bid results in the lowest true interest cost to the Municipality, provided the rate or rates on none of the Bonds exceeds 5% per annum. The award of the Bonds by the Mayor to the lowest bidder shall be binding on the Municipality, and no further action of the Governing Body with respect thereto shall be required.

(b) The Mayor, in consultation with the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or either of them, and the Financial Advisor, is further authorized with respect to Bonds, or any emission thereof:

(1) change the dated date of the Bonds, to a date other than the date of issuance of the Bonds;

(2) change the designation of the Bonds, or any series thereof, to a designation other than "General Obligation Bonds" and to specify the series designation of the Bonds, or any series thereof;

(3) change the first interest payment date on the Bonds or any series thereof to a date other than June 1, 2015, provided that such date is not later than twelve months from the dated date of such series of Bonds;

(4) adjust the principal and interest payment dates and the maturity amounts of the Bonds, or any series thereof, provided that (A) the total principal amount of all series of the Bonds does not exceed the total amount of Bonds authorized herein; and (B) the final maturity date of each series shall not exceed the twentieth fiscal year following the fiscal year of such series;

(5) adjust or remove the Municipality's optional redemption provisions of the Bonds including, but limited to, making the Bonds non-callable or making the first optional redemption date earlier than set forth herein, provided that the premium amount to be paid on Bonds or any series thereof does not exceed two percent (2%) of the principal amount thereof;

(6) sell the Bonds, or any series thereof, or any maturities thereof as Term Bonds with mandatory redemption requirements corresponding to the maturities set forth herein or as otherwise determined by the Mayor, as he shall deem most advantageous to the Municipality; and

(7) to cause all or a portion of the Bonds to be insured by a bond insurance policy issued by a nationally recognized bond insurance company if such insurance (a) is determined to be advantageous to the Municipality and such premium to be paid by the Municipality or (b) is requested and paid for by the winning bidder of the Bonds, or any series thereof, and to enter into

an agreement with such bond insurance company with respect to such bond insurance on terms not inconsistent with the provisions of this resolution.

(b) The Mayor, in consultation with the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or either of them, and the Financial Advisor, is authorized to sell the Bonds, or any series thereof, simultaneously with any other bonds or notes authorized by resolution or resolutions of the Governing Body. The Mayor is further authorized to sell the Bonds, or any series thereof, as a single issue of bonds with any other bonds with substantially similar terms authorized by resolution or resolutions of the Governing Body, in one or more series as he shall deem to be advantageous to the Municipality and in doing so, the Mayor is authorized to change the designation of the Bonds to a designation other than "General Obligation Bonds"; provided, however, that the total aggregate principal amount of combined bonds to be sold does not exceed the total aggregate principal amount of Bonds authorized by this resolution or bonds authorized by any other resolution or resolutions adopted by the Governing Body.

(c) The Mayor, in consultation with the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or either of them, and the Financial Advisor, is authorized to award the Bonds, or any series thereof, in each case to the bidder whose bid results in the lowest true interest cost to the Municipality, provided the rate or rates on the Bonds does not exceed 5% per annum. The award of the Bonds by the Mayor to the lowest bidder shall be binding on the Municipality, and no further action of the Governing Body with respect thereto shall be required. The form of the Bond set forth in Section 8 hereof, shall be conformed to reflect any changes made pursuant to this Section 8 hereof.

(d) The Mayor, the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or any of them, are authorized to cause the Bonds, in book-entry form (except as otherwise permitted herein), to be authenticated and delivered by the Registration Agent to the successful bidder and to execute, publish, and deliver all certificates and documents, including an official statement and closing certificates, as they shall deem necessary in connection with the sale and delivery of the Bonds. The Mayor is hereby authorized to enter into a contract with the Financial Advisor, for financial advisory services in connection with the sale of the Bonds and to enter into a contract with Bass, Berry & Sims PLC to serve as bond counsel in connection with the Bonds.

(e) No Bonds shall be issued until publication of the Initial Resolution in a newspaper of general circulation in the Municipality and the passage of twenty (20) days from the date of publication thereof,

Section 9. Disposition of Bond Proceeds. The proceeds of the sale of the Bonds shall be disbursed as follows:

(a) accrued interest, if any, shall be deposited to the appropriate fund of the Municipality to be used to pay interest on the Bonds on the first interest payment date following delivery of the Bonds; and

(b) the remainder of the proceeds of the sale of the Bonds shall be paid to the Finance Director/Assistant City Clerk to be deposited with a financial institution regulated by the Federal Deposit Insurance Corporation or similar or successor federal agency in a special fund known as the 2014 Construction Fund (the "Construction Fund"), or such other designation as shall be determined by the Mayor, in consultation with the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or either of them, to be kept separate and apart from all other funds of the Municipality. The funds in the Construction Fund shall be disbursed solely to pay the costs of the Projects (or reimburse the

Municipality for the prior payment thereof), including necessary legal, accounting, engineering, architectural and fiscal expenses, printing, engraving, advertising and similar expenses, administrative and clerical costs, rating agency fees, Registration Agent fees, bond insurance premiums (if any) and other necessary miscellaneous expenses incurred in connection with the Projects, and the costs of issuance and sale of the Bonds. Moneys in the Construction Fund shall be invested as directed by the City Clerk/Finance Director in such investments as shall be permitted by applicable law and the earnings thereon may either be retained in the Construction Fund and used for the same purposes as all other funds in the Construction Fund or paid to the debt service fund to be used to pay interest on the Bonds, as the Mayor, in consultation with the Finance Director/Assistant City Clerk, shall determine.

**Section 10. Official Statement.** The Mayor, the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or any of them, working with the Financial Advisor, are hereby authorized and directed to provide for the preparation and distribution, which may include electronic distribution, of a Preliminary Official Statement describing the Bonds. After bids have been received and the Bonds have been awarded, the Mayor, the City Administrator/City Clerk and the Finance Director/Assistant City Clerk, or any of them, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this resolution as are necessary or desirable to complete it as a final Official Statement for purposes of Rule 15c2-12(e)(3) of the Securities and Exchange Commission. The Mayor, the City Administrator/City Clerk, and the Finance Director/Assistant City Clerk, or any of them, shall arrange for the delivery to the successful bidder on the Bonds of a reasonable number of copies of the Official Statement within seven (7) business days after the Bonds have been awarded for delivery, by the successful bidder on the Bonds, to each potential investor requesting a copy of the Official Statement and to each person to whom such bidder and members of his bidding group initially sell the Bonds.

The Mayor, the City Administrator/City Clerk, the Finance Director/Assistant City Clerk, or any of them, are authorized, on behalf of the Municipality, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12(b)(1), except for the omission in the Preliminary Official Statement of certain pricing and other information allowed to be omitted pursuant to such Rule 15c2-12(b)(1). The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has been deemed in final form as of its date by the Municipality except for the omission in the Preliminary Official Statement of such pricing and other information.

No final Official Statement shall be required if the Bonds are sold to a purchaser that certifies that it does not intend to re-offer the Bonds to the public.

**Section 11. Tax Matters.** The Municipality recognizes that the purchasers and owners of each series of the Bonds will have accepted them on, and paid therefor a price that reflects, the understanding that interest thereon is excludable from gross income for purposes of federal income taxation under laws in force on the date of delivery of such Bonds. In this connection, the Municipality agrees that it shall take no action which may cause the interest on any Bonds to be included in gross income for federal income taxation. It is the reasonable expectation of the Governing Body of the Municipality that the proceeds of the Bonds will not be used in a manner which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, and to this end the said proceeds of each series of the Bonds and other related funds established for the purposes herein set out shall be used and spent expeditiously for the purposes described herein. The Governing Body further covenants and represents that in the event it shall be required by Section 148(f) of the Code to pay any investment proceeds of the Bonds to the United States government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Bonds from becoming taxable. The Mayor, the City Administrator/City Clerk, and the Finance

Director/Assistant City Clerk, or any of them, are authorized and directed to make such certifications in this regard in connection with the sale of the Bonds as any or all of them shall deem appropriate, and such certifications shall constitute a representation and certification of the Municipality. Following the issuance of the Bonds, the Finance Director/Assistant City Clerk is directed to administer the Municipality's Federal Tax Compliance Policies and Procedures with respect to the Bonds.

Section 12. Discharge and Satisfaction of Bonds. If the Municipality shall pay and discharge the indebtedness evidenced by any of the Bonds in any one or more of the following ways, to wit:

(a) By paying or causing to be paid, by deposit of sufficient funds as and when required with the Registration Agent, the principal of and interest on such Bonds as and when the same become due and payable;

(b) By depositing or causing to be deposited with any trust company or financial institution whose deposits are insured by the Federal Deposit Insurance Corporation or similar federal agency and which has trust powers (an "Agent"; which Agent may be the Registration Agent) in trust or escrow, on or before the date of maturity or redemption, sufficient money or Federal Obligations, as hereafter defined, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay or redeem such Bonds and to pay interest thereon when due until the maturity or redemption date (provided, if such Bonds are to be redeemed prior to maturity thereof, proper notice of such redemption shall have been given or adequate provision shall have been made for the giving of such notice);

(c) By delivering such Bonds to the Registration Agent, for cancellation by it;

and if the Municipality shall also pay or cause to be paid all other sums payable hereunder by the Municipality with respect to such Bonds, or make adequate provision therefor, and by resolution of the Governing Body instruct any such Escrow Agent to pay amounts when and as required to the Registration Agent for the payment of principal of and interest on such Bonds when due, then and in that case the indebtedness evidenced by such Bonds shall be discharged and satisfied and all covenants, agreements and obligations of the Municipality to the holders of such Bonds shall be fully discharged and satisfied and shall thereupon cease, terminate and become void.

If the Municipality shall pay and discharge the indebtedness evidenced by any of the Bonds in the manner provided in either clause (a) or clause (b) above, then the registered owners thereof shall thereafter be entitled only to payment out of the money or Federal Obligations deposited as aforesaid.

Except as otherwise provided in this Section, neither Federal Obligations nor moneys deposited with the Registration Agent pursuant to this Section nor principal or interest payments on any such Federal Obligations shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal, premium, if any, and interest on said Bonds; provided that any cash received from such principal or interest payments on such Federal Obligations deposited with the Registration Agent, (A) to the extent such cash will not be required at any time for such purpose, shall be paid over to the Municipality as received by the Registration Agent and (B) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable, be reinvested in Federal Obligations maturing at times and in amounts sufficient to pay when due the principal, premium, if any, and interest to become due on said Bonds on or prior to such redemption date or maturity date thereof, as the case may be, and interest earned from such reinvestments shall be paid over to the Municipality, as received by the Registration Agent. For the purposes of this Section, Federal Obligations shall mean direct obligations of, or obligations, the principal of and interest on which are guaranteed by, the United States of America, or any agency thereof, obligations of any agency or instrumentality of the United States or any other

obligations at the time of the purchase thereof are permitted investments under Tennessee law for the purposes described in this Section, which bonds or other obligations shall not be subject to redemption prior to their maturity other than at the option of the registered owner thereof.

Section 13. Reasonably Expected Economic Life. The "reasonably expected economic life" of the Projects within the meaning of Sections 9-21-101 et seq., Tennessee Code Annotated, is greater than twenty-one (21) years. In no event shall the term of any Bond exceed the reasonably expected economic life of the Projects financed by the proceeds of such Bond.

Section 14. Qualified Tax-Exempt Obligations. The Mayor is hereby authorized to designate the Bonds as "qualified tax-exempt obligations," within the meaning of Section 265 of the Internal Revenue Code of 1986, as amended, to the extent the Bonds may be so designated and to the extent not "deemed designated".

Section 15. Continuing Disclosure. The Municipality hereby covenants and agrees that it will provide annual financial information and material event notices if and as required by Rule 15c2-12 of the Securities Exchange Commission for the Bonds. The Mayor is authorized to execute at the Closing of the sale of the Bonds, an agreement for the benefit of and enforceable by the owners of the Bonds specifying the details of the financial information and material event notices to be provided and its obligations relating thereto, if any. Failure of the Municipality to comply with the undertaking herein described and to be detailed in said closing agreement, shall not be a default hereunder, but any such failure shall entitle the owner or owners of any of the Bonds to take such actions and to initiate such proceedings as shall be necessary and appropriate to cause the Municipality to comply with their undertaking as set forth herein and in said agreement, including the remedies of mandamus and specific performance.

Section 16. Resolution a Contract. The provisions of this resolution shall constitute a contract between the Municipality and the registered owners of the Bonds, and after the issuance of the Bonds, no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner until such time as the Bonds and interest due thereon shall have been paid in full.

Section 17. Reimbursement. It is reasonably expected that the Municipality will reimburse itself for certain expenditures made by it in connection with the Projects by issuing the Bonds. This resolution shall be placed in the minutes of the Governing Body and shall be made available for inspection by the general public at the office of the Governing Body. This resolution constitutes a declaration of official intent under Treas. Reg. §1.150-2.

Section 18. Separability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 19. Repeal of Conflicting Resolutions and Effective Date. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

*[signature page follows]*

Adopted and approved this 11<sup>th</sup> day of November, 2014.

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Mayor

ATTEST:

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City Clerk



STATE OF TENNESSEE )

COUNTY OF LINCOLN )

I, Gregory Scott Collins, certify that I am the duly qualified and acting City Clerk of the City of Fayetteville, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of the governing body of the Municipality held on November 11, 2014, that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to an amount not to exceed \$2,000,000 General Obligation Bonds of said Municipality.

WITNESS my official signature and seal of said Municipality this \_\_\_\_ day of November, 2014.

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City Clerk

(SEAL)

13601297.1

EXHIBIT A

ESTIMATED AMORTIZATION SCHEDULE

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
06/30/2015			16,250.00	16,250.00	16,250.00
06/30/2016			65,000.00	65,000.00	65,000.00
06/30/2017	80,000.00	3.250%	65,000.00	145,000.00	145,000.00
06/30/2018	80,000.00	3.250%	62,400.00	142,400.00	142,400.00
06/30/2019	85,000.00	3.250%	59,800.00	144,800.00	144,800.00
06/30/2020	85,000.00	3.250%	57,037.50	142,037.50	142,037.50
06/30/2021	90,000.00	3.250%	54,275.00	144,275.00	144,275.00
06/30/2022	90,000.00	3.250%	51,350.00	141,350.00	141,350.00
06/30/2023	95,000.00	3.250%	48,425.00	143,425.00	143,425.00
06/30/2024	95,000.00	3.250%	45,337.50	140,337.50	140,337.50
06/30/2025	100,000.00	3.250%	42,250.00	142,250.00	142,250.00
06/30/2026	105,000.00	3.250%	39,000.00	144,000.00	144,000.00
06/30/2027	105,000.00	3.250%	35,587.50	140,587.50	140,587.50
06/30/2028	110,000.00	3.250%	32,175.00	142,175.00	142,175.00
06/30/2029	115,000.00	3.250%	28,600.00	143,600.00	143,600.00
06/30/2030	115,000.00	3.250%	24,862.50	139,862.50	139,862.50
06/30/2031	120,000.00	3.250%	21,125.00	141,125.00	141,125.00
06/30/2032	125,000.00	3.250%	17,225.00	142,225.00	142,225.00
06/30/2033	130,000.00	3.250%	13,162.50	143,162.50	143,162.50
06/30/2034	135,000.00	3.250%	8,937.50	143,937.50	143,937.50
06/30/2035	140,000.00	3.250%	4,550.00	144,550.00	144,550.00
	2,000,000.00		792,350.00	2,792,350.00	

13601297.1

Motion was made by Danny Bryant, seconded by Marty Pepper, to approve Resolution No. R-14-09. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant and Tom Young

Nay

None

Mayor Underwood declared the Resolution adopted.

**Humane Society Grant:**

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to allow for the Humane Society to apply for the grant to be used for the removal of cages and renovations. Upon roll call, the following voted:

Aye

Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young and Dorothy Small

Nay

None

Mayor Underwood declared the motion approved.

**Lincoln County Assessor of Property Invoices:**

Motion was made by Danny Bryant, seconded by Dorothy Small, to approve the payment of the Lincoln County Assessor of Property invoices as a budget amendment and for this to be allotted as a yearly budget item. Upon roll call, the following voted:

Aye

Gwen Shelton, Marty Pepper, Danny Bryant, Tom Young, Dorothy Small and Michael Whisenant

Nay

None

Mayor Underwood declared the motion approved.

**Fayetteville City School System Cafeteria Budget Amendment:**

Motion was made by Michael Whisenant, seconded by Dorothy Small, to approve the Fayetteville City School System 2015 Cafeteria Budget Amendment #1. Upon roll call, the following voted:

Aye

Marty Pepper, Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant and Gwen Shelton

Nay

None

Mayor Underwood declared the motion approved.

**Fayetteville City School System General Education Budget Amendment:**

Motion was made by Dorothy Small, seconded by Gwen Shelton, to approve the Fayetteville City School System 2014 General Education Budget Amendment #4. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the motion approved.

**TDOT Multimodal Grant Application:**

Motion was made by Michael Whisenant, seconded by Dorothy Small, to apply for the TDOT Multimodal Grant. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay

None

Mayor Underwood declared the motion approved.

**CDBG Grant – Fire Truck Grant:**

Motion was made by Gwen Shelton, seconded by Dorothy Small, to approve the application for the CDBG Grant to be used to help with the purchasing of a future fire truck. Upon roll call, the following voted:

Aye

Danny Bryant, Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton and Marty Pepper

Nay

None

Mayor Underwood declared the motion approved.

**Parade Permit – Christmas Parade:**

Motion was made by Gwen Shelton, seconded by Michael Whisenant, to approve the parade permit for the Annual Christmas Parade on December 6, 2014. Upon roll call, the following voted:

Aye

Tom Young, Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper and Danny Bryant

Nay  
None

Mayor Underwood declared the motion approved.

**FPU-Water Project Monies:**

For a matter of information only, Fayetteville Public Utilities will file form CT-0253 with the State of Tennessee regarding RUS Phase 2 Loan in the amount of Four Million, Nine Hundred Eighty Thousand Dollars (\$4,980,000.00). The loan was closed on October 15, 2014. FPU will also receive additional money in the form of a grant totaling One Million, Four Hundred Thirty-Seven Thousand Dollars (\$1,437,000.00). The total amount of money to be received for this phase is Six Million, Four Hundred Seventeen Thousand Dollars (\$6,417,000.00).

**Holiday:**

Motion was made by Danny Bryant, seconded by Gwen Shelton, to give all employees an extra holiday day-off, either the day before Christmas or the day after Christmas, for 2014 only. Upon roll call, the following voted:

Aye

Dorothy Small, Michael Whisenant, Gwen Shelton, Marty Pepper, Danny Bryant and Tom Young

Nay

None

Mayor Underwood declared the motion approved.

Motion was made, seconded, and unanimously adopted to adjourn.

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Mayor

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City Clerk