

**MINUTES OF THE PUBLIC HEARING  
ON PROPOSED ORDINANCE NO. 25-07  
OF THE  
CITY OF ORLINDA, TENNESSEE**

**February 12, 2026**

Orlinda City Hall  
Meeting Room  
7501 Highway 52  
Orlinda, Tennessee

A Public Hearing was held by the Orlinda City Council at 6:00 pm on Thursday, February 12, 2026 in the meeting room located at Orlinda City Hall, 7501 Highway 52, Orlinda, Tennessee.

Council members attending were as follows:

Mayor Tabitha Swearingen  
Vice Mayor Ben Ellis  
Commissioner Jennifer Johnson

Others present included City Manager Tammie Carey, as well as members of the public.

Mayor Tabitha Swearingen called the public hearing to order at 6:05 pm and opened with the purpose for the hearing which was to hear comments from the public regarding ordinance no. 25-07 which amends ordinance #19, the zoning ordinance for Orlinda, Tennessee, to permit and create specific use standards for farm breweries and farm wineries in the City of Orlinda.

Mayor Swearingen stated that we have a long history of farming in Orlinda. The majority of the corporate limits consist of rural, agricultural, residential zoning. This ordinance does not change the current zoning. Farm wineries and farm breweries have always been and are currently allowed in agricultural zoning. Vineyards are farms. They are allowed under the state department of agriculture and they are allowed in Orlinda. This ordinance provides guidelines for the operation of farm wineries or farm breweries in a rural agricultural zone and brings our ordinance, more specifically in line with wine and grape laws in Tennessee.

Mayor Swearingen opened the floor for comments regarding the ordinance.

Mayor Swearingen recognized Wanda Tate. Mrs. Tate stated, "I really didn't want to speak but just wanted to say that we support her and her business and hope it can run the way she wants it to. I think she's going to speak."

Mayor Swearingen recognized Leah Canon. Ms. Canon stated, "the ordinance as it was presented will not allow me to open. I will not be able to produce wine. I will not be able to have any kind of way of promoting the wine. I will not be able to do tasting lectures. So, the

changes in the amendment that need to be made.” Ms. Canon then read the following and later gave a copy to each member of council:

### **NEED FOR AMENDMENTS TO “FARM WINERY ORDINANCE”**

While it is considerate to progress towards the opening of any winery or brewery in creating an ordinance, there are necessary amendments for such an agricultural project to open. The opening of agricultural projects is essential to speciality crops grants for vineyards in the state of Tennessee. Because vineyards are carbon neutral and remove carbon dioxide from the atmosphere, they help to regulate temperatures in a two-acre radius. Additionally, vines are deciduous, therefore the leaves add valuable nutrients such as nitrogen in a two-mile radius. Promoting viticulture and agritourism is good for the planet, the state's economy, keeps agriculture in Ag Index, and is good for the local economy as well in raising property values without raising taxes. It is imperative that an ordinance is written that enables viticulture.

1. It is necessary to **eliminate the word “farm”** from the ordinance, as the actual production of wine, cider or beer is not allowed on a farm according to TABC laws. The production is essential for educational tours and to differentiate between an educational winery or brewery as opposed to a bar. The most common consumption order at a winery is a paddle of six one-ounce pours with a charcuterie plate. Guests are typically encouraged to differentiate between inert vessel or barrel aging. Visuals are intrinsic to comprehension. The median age has disposable incomes, wherein they are not party goers, but rather educated, conscientious consumers. If there isn't a winery onsite, there's nothing to tour. Not allowing wine production on site is intrinsic to success as production facilities are sparse.
2. **Operating hours until 10pm** are industry standard and in keeping with current winery, brewery and distillery zoning laws in Agricultural Zoning Index, set forth nationally, as well as in local zoning laws enacted by Williamson and Montgomery Counties. Further, most pairing events internationally, occur at the dinner hour and it would be peculiar to not be in keeping with industry standards.
3. **Allowing amplified sound until 10pm** is also industry standard. The guidelines for wineries are set forth by the Tennessee Grape and Wine Law 57-3-207, specifically states that wineries under the agricultural zoning must have a minimum of 25 contiguous acres, which would have zero sound impact on neighbors. Amplified sound is necessary for tasting lectures.
4. **Event number be increased from 50 to 99 attendees.** With acreage requirement, with lighting, a fire department turn around and double wide driveway, there are plenty of safety considerations in place and ample parking and no likelihood of adverse neighborhood impact.

Vice Mayor Ellis asked Ms. Canon if she had any information to pass along

Mr. Holloman asked if he could have two minutes to speak. Mayor Swearingen stated she thought we should speak with the city's attorney and have his advice before we allow another attorney to address. Mr. Holloman asked if that was something that could be done as he has spoken many times to Doug about the situation. Mayor Swearingen said she was not aware that Mr. Holloman would be attending the hearing and that we have been advised to have no communication directly with an attorney. All communication should be left for attorney to attorney. Mr. Holloman said he was entitled to speak as a member of the public. Mayor Swearingen stated that our public hearings are limited to residents of the City. Mr. Holloman stated that was a violation of Tennessee law.

Ms. Canon handed out copies of an ordinance that Mr. Holloman, Ms. Canon's attorney and Doug Berry, the city's attorney, had reviewed. The documents were:

With the ordinance stating "farm winery" and not "winery", ABC will believe that ordinance is for a "farm winery" and not a winery.

### 1.2 Tennessee Farm Winery

A Farm Winery is a different license requirement and essentially means you can grow your own fruit, but cannot produce the wine yourself. Due to Tennessee's significant agriculture and agritourism industry investment and popularity, this option may be appealing to farmers. This arrangement includes a custom crush contract with a wine producer (e.g. a Bonded Winery).

Many growers start this way if they don't have the capital to produce the wine themselves but know the ins and outs of growing the grapes and already have the land. The process and benefits of a farm winery include:

- \* A farm grows the produce—grapes and/or other fruit—to then be made into wine by a federally permitted, state licensed bonded winery
- \* Wine is then sent back to the farm for sale as typical at a winery, including tastings, etc.
- \* Like a Bonded Winery, a Farm Winery can hold up to two Satellite Facility licenses (see Section 1.2) where they can conduct any business authorized at their Farm Winery
- \* Wine must be made from at least 95% fruit from the farm
- \* There is no production of wine allowed on Farm Winery premises
- \* The Farm Winery can pick up their wine at the production facility
- \* There are not as many financial disclosures required
- \* Alcohol dealer registration is required
- \* No federal permit requirement

Leah planned on April 15. grapes want be ready for 3-5 years.

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(Wine produced from locally grown grapes, tree fruit, or berries has the potential to add 8 to 10 times the value to the crop.)



- b) The maximum number of equine permitted on the property shall not exceed one equine per two acres.
- c) Equestrian facilities shall be designed to include one inside stall for every two animals kept overnight.
- d) The following minimum setbacks shall be provided:
  - i) Outdoor corrals, riding areas, piles of manure, feed, and bedding shall be set back a minimum of 100 feet from the property lines.
  - ii) All roofed structures shall be set back a minimum of 150 feet from the property lines. Run-in sheds shall be set back a minimum of 15 feet from the side and rear property lines and 50 feet from the front property line.
  - iii) Pastures may extend to any property line.
- e) Equestrian facilities shall comply with the Storm Water Management Regulations of Williamson County.
- f) Attendance at special events is limited to 100 people. Events not in conformance with these limitations shall only be permitted in accordance with Section 11.05: Temporary Uses and Structures.
- g) All buildings shall comply with the applicable building code.

**(4) Farm Wineries**

- a) The owner shall obtain all applicable licenses and approvals from any required Local, State or Federal authority including, but not limited to the Tennessee Alcoholic Beverage Commission and the Tennessee Department of Agriculture prior to commencement of winery operations.
- b) The area of the winery site, which may include a single lot or multiple contiguous lots, shall be a minimum of 15 acres.
- c) A minimum of three acres of the winery site shall be utilized and maintained for growing grapes or other crops used in wine production.
- d) The use must comply with the applicable building code and permitting requirements as well as all applicable regulations related to the treatment and disposal of wastewater.
- e) The total floor area of all buildings used for processing/bottling, tasting, sales, wine storage, or office space shall not exceed the following:

Allowable Square Footage for Farm Wineries	
Site Area	Floor Area Allowed
15 to 35 acres	25,000 square feet
36 to 59 acres	37,500 square feet
60 acres or greater	50,000 square feet

- f) All buildings, parking, and loading areas shall be set back a minimum of 100 feet from the property lines, and shall be buffered in accordance with the requirements as established in Article 15: Landscaping and Bufferyards.
- g) Facilities for selling, fermenting, and/or bottling wine shall not be in operation until the on-site vineyard, orchard, or other growing area has been established.

- h) Farm wineries shall comply with the Storm Water Management Regulations of Williamson County.
- i) The following accessory uses and activities are permitted in conjunction with a farm winery:
  - i) Where otherwise permitted by State or Federal law and regulation, on-premise consumption (wine tasting) and the sale of wine and wine-related products. The aggregate total floor area for such sales and consumption shall not exceed 4,000 square feet.
  - ii) Daily tours shall be permitted between 9:00 a.m. and 10:00 p.m.
  - iii) Attendance at special events is limited to 250 people. These may include wine appreciation/education seminars, non-profit benefits, weddings, and similar events conducted for the purpose of marketing wine. Outdoor events shall be completed during daylight hours. Events not in conformance with these limitations shall be permitted only in accordance with Section 11.05: Temporary Uses and Structures.
- j) All buildings shall comply with the applicable building code.

**(B) RESIDENTIAL USES**

**(1) Congregate Independent Living Centers**

- a) The proposed use shall require Major Site Plan approval by the Planning Commission (See Article 6: Minor and Major Site Plans.)
- b) The minimum lot area shall be 10 acres.
- c) The maximum gross residential density shall be 7.5 dwelling units per acre.
- d) If the dwelling units are attached, the principal buildings shall be set back a minimum of 60 feet from all property lines. If the dwelling units are detached, the minimum setbacks shall be those of the applicable zoning district.

**(2) Conservation Subdivisions**

The application shall demonstrate compliance with all the requirements of this Ordinance as they relate to the applicable zoning district and the standards of Article 12: Conservation Subdivision Standards.

**(3) Mobile Homes**

- a) Unit must meet all lot requirements of the applicable zoning district.
- b) Unit must have steps to each doorway and must provide deck area of four feet by four feet for the front door, and three feet by three feet for all other doors.
- c) All steps and decks must provide handrails and guardrails a minimum of 32 inches high.
- d) Step risers must be a maximum of eight inches high and platforms must be at least nine inches wide.
- e) The frame, wheels, crawl space, storage areas, and utility connections of all mobile homes shall be concealed from view by skirting made of durable all-weather construction material that is consistent with the exterior of the mobile home. Installation of the skirting must be completed within 60 days of the placement of the mobile home on the stand. No obstruction shall be permitted that impedes the inspection of plumbing and electrical facilities.

ORDINANCE 2025-07

**TO BE ENTITLED: AN ORDINANCE TO AMEND ORDINANCE #20, THE ZONING ORDINANCE FOR ORLINDA, TENNESSEE, AS ADOPTED ON JANUARY 25, 1994, AND AMENDED FROM TIME TO TIME (HEREINAFTER "THE ZONING ORDINANCE") TO PERMIT AND CREATE SPECIFIC USE STANDARDS FOR FARM BREWERIES AND WINERIES IN THE CITY OF ORLINDA.**

WHEREAS, the Board of Commissioners ("Board") of the City of Orinda ("City") finds it to be in the public interest to update and amend the Zoning Ordinance to accommodate the agricultural and economic development of the region; and

WHEREAS, the Board recognizes the growing interest in farm wineries and farm breweries as means of promoting local agriculture, agritourism, and economic diversification; and

WHEREAS, it is necessary to adopt specific guidelines and standards for the location, development, and operation of wineries and breweries in such a way as to preserve the rural character of the City and to ensure the public, health, safety, and welfare;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Orinda, Tennessee, as follows:

SECTION I: ARTICLE IV, SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS shall be amended to add a new Section 4.110 DEVELOPMENT STANDARDS FOR WINERIES AND FARM BREWERIES, which shall read as follows:

A. Definitions. The following words, terms, and phrases, when used in this Article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

1. Agricultural Promotional Event: An event related to the education and marketing of wine or craft beer to consumers, including winemaker dinners, release parties, and membership gatherings, typically limited to 99 attendees.
2. Boutique Facility: A winery with annual production of fewer than 2,500 cases or a farm brewery with production of fewer than 200 barrels.
3. Farm Brewery: A facility that produces fewer than 15,000 barrels per year and grows necessary ingredients (e.g., hops) on-site.
4. Large Winery: A winery with annual production of 20,000 cases or more.
5. Small Winery: A winery with annual production of fewer than 20,000 cases.
6. Public Tasting: Wine or beer sampling offered to the general public.
7. Special Event: Events exceeding 99 people, where the agricultural focus is secondary (e.g., weddings, fundraisers, etc.).
8. Temporary Outdoor Event: A limited-duration event primarily held outdoors.

9. Tasting Facility: A designated area for sampling and retail sales of products made on-site.

B. Zoning and Parcel Requirements.

1. Zoning Districts: Wineries and farm breweries are permitted in the Rural Agricultural or RA district only.
2. Minimum Parcel Size: A minimum of fifteen (15) acres is required for any winery or farm brewery.

C. Facility Requirements

1. Building and Use Standards. All buildings used for processing, tasting, storage, and sales shall comply with commercial building code standards, including ADA compliance. A certificate of occupancy must be clearly displayed in any building or structure accessible to the public.
2. Setbacks and Buffers. All buildings, parking, and loading areas shall maintain a 100-foot setback from all property lines. The location of buildings, parking, loading areas and setbacks, as well as landscaping and buffers, shall be depicted on a site plan and reviewed and approved by the planning commission.
3. Waste Management. Waste management must comply with local, state, and federal regulations for wastewater and stormwater treatment and disposal.

D. Operational Regulations

1. Licensing. The owner shall obtain all applicable licenses and approvals from any required local, state or federal authority including, but not limited to, the Tennessee Alcoholic Beverage Commission and the Tennessee Department of Agriculture, prior to commencement of operations.
2. Building Area Limits. To the extent not in conflict with applicable state regulation, the total floor area of all buildings used for processing, bottling, tasting, sales, storage, or office space shall not exceed the following:

Site Area	Floor Area Allowed
15 to 35 acres	25,000 square feet
36 to 59 acres	37,500 square feet
60 acres or greater	50,000 square feet

3. Tasting and Sales: Tasting rooms may not exceed 4,000 square feet for on-site consumption and retail sales of wine, beer, or merchandise. Only products produced, vinted, cellared, or bottled by the operator may be sold or served. Only products or merchandise related to or that complements the wine or beer experience may be sold

E. Events and Promotional Activities

1. Daily Tours. Permitted during daylight hours.
  2. Agricultural Promotional Events. Limited to 99 people, except where otherwise approved under a Special Event permit as issued by the Orlinda City Council.
  3. Special Events. Limited to 250 people per event. May include weddings, educational seminars, nonprofit benefits, and similar gatherings related to wine promotion. Outdoor events must conclude by 10:00 p.m.. Events exceeding these limits require approval by the Orlinda City Council.
  4. Sound Restrictions. Amplified sound is prohibited outdoors after 10:00 p.m..
- F. Signage. One (1) on-premises sign that is visible from the public right of way, not to exceed four (4) square feet, is permitted. Additional signage not visible from the public right of way is permitted.

G. Compliance with Rules and Regulations. Wineries and breweries must comply with all applicable building and fire codes, City stormwater management regulations, regulations related to public health, safety, and sanitation, and any additional conditions imposed under Robertson County or the State of Tennessee, as applicable.

H. Severance Clause. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of ordinance.

**SECTION II: BE IT FINALLY ORDAINED** by the City of Orlinda, Tennessee, that this ordinance shall take effect immediately upon its passage on second and final reading, the health, safety, and welfare of the citizens of the City of Orlinda requiring it.

ATTEST:

CITY OF ORLINDA, TENNESSEE:

\_\_\_\_\_  
HANNAH WALLACE  
City Clerk

\_\_\_\_\_  
TABITHA SWEARINGEN  
Mayor

PLANNING COMMISSION REVIEW: \_\_\_\_\_

PASSED FIRST READING: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

PASSED SECOND READING: \_\_\_\_\_

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City Manager Tammie Carey left the room to call City Attorney Doug Berry. He was unable to be reached during the meeting.

Mayor Swearingen shared that in the Planning & Zoning Commission meeting and in previous meetings that have been held, it was identified that in the zoning we currently have, it was desired that it be a farm winery so that the difference is a farm winery would grow its own grapes or other fruit then sent to a winery where the product is made then it is brought back to the farm winery where it can be sold, tastings can be held at the farm winery, and other events that Ms.

Canon was referring to. You could sell at retail, sealed containers of wine made from the produce of the vineyard, orchard or fruit garden and items related to or incidental to the consumption or dispensing or storage of wine on the premise; offer on the premise single servings of wine with or without charge as tastings of each wine sample. She stated one thing that has been talked about is the similarity of a farmer growing a product and selling it on the farm. What a farm winery cannot do is sell product that is not made from what is on their farm. Commissioner Johnson stated that you have to sell what you grow. Mayor Swearingen said there are some other things but the biggest thing is that it can't be produced here and the fruit is sent somewhere else to be processed.

Commissioner Johnson asked if she was wanting to produce the wine on the farm. Ms. Canon stated "yes, I can get grapes right now."

Mayor Swearingen stated there are also permit issues. No permits have been obtained for structures that have been built on the property as it was presented as ancillary to ag. A certificate of occupancy cannot be granted because building permits were never obtained. It was presented that it was not going to be occupied.

Commissioner Johnson asked Ms. Canon if she wanted to buy grapes from someone else to begin making wine. Ms. Canon said, "right, until I can produce grapes because it takes three to five years so I'm already licensed and bonded by TTB. The federal has already seen my drawings for the garage, they've seen my patio. Kevin gave me the building permit for the patio/pergola." Mayor Swearingen said a permit was never granted to build a pergola and we have also been told by TABC that it would be difficult to produce wine in a structure connected to a house. We've also been told that two separate permits have been denied. One by TABC and one by the Department of Agriculture.

Commissioner Johnson started through the list of items that Ms. Canon requested be changed on the ordinance. It was requested that the word "farm" be removed. There was discussion about the hours of operation. City Manager Carey noted that the Williamson County ordinance allows for operation to 10:00 pm. Amplified sound was discussed and there were concerns expressed for the neighbors that live behind the property as it is a residential area. Carey stated that the original ordinance stated until 10:00 pm and the planning commission made the change to daylight hours. Council agreed that could be changed. Carey noted that Ms. Canon's request regarding the number in attendance be changed to 100. The ordinance being discussed states 100 as requested by the planning commission.

Willis Jepson, a citizen in the audience, asked "how does this negatively affect the City of Orlinda?" Mayor Swearingen said the purpose of the ordinance is, first of all, we want to keep everything in ag zoning to keep the focus on agriculture. That is the whole purpose of this. We do have a winery. Our focus is to keep ag, ag. This is what is currently allowed in that zoning so for anything to be changed it would ultimately require a change of zoning to commercial for this area. That's what would have to happen for a different type of winery to open. It would need to be changed to a commercial zone. The property was zoned agriculture when Ms. Canon purchased the property. The zoning has not been changed. Nothing has been added or taken away from the property. According to agriculture laws, this is what is allowed under farming.

Savannah Wright, a citizen in the audience, asked if it can be rezoned. Mayor Swearingen responded that it could be if Council was willing to rezone commercial. Wright then stated she understood that the desire is to keep Orlinda a farming community and that she comes from a farm background. She understands that Ms. Canon wants to keep it a farm based, agricultural business but for her to do that she has to become an established business and it takes five to seven years for her plants to be established. Wright said she feels like this is a good opportunity because it has agricultural roots, and didn't understand why it was an issue to rezone it for commercial use. Mayor Swearingen responded that no request has been made to rezone the property for commercial use. Commissioner Johnson stated that there had been a request to rezone a portion of the property. Mayor Swearingen explained that a request was made to rezone a garage as a winery. It was not requested to rezone it commercial. She also said that you can't rezone a portion of a building, you have to rezone the entire parcel of land. Wright asked if the zoning rule was an Orlinda rule or a state rule. City Manager Carey stated that it was planning and zoning. She explained that if you look at a property you will see a line around the parcel where the property boundaries are. That entire parcel maintains a zoning classification. Carey said she thinks where the concern comes in, is bringing in a product not produced on that land is looked at as more of a commercial venture. She used examples of Bernard Farms and Hancock Family Farms stating both are ag related, both are on farms, both with family farm histories but they chose to sell products that were not manufactured or grown on their property, therefore, they had to rezone that property where those are being sold to commercial. So it's hard for Council to look at somebody and say "you can keep yours ag and you can bring in product from another state or somewhere else." She went on to say that she understood the rules for a winery are different than a farm winery according to TABC and understand that the winery license under TABC does allow you to bring in wine that is not produced on your property. It is the Planning Commission and Council's decision to keep the word "farm" in the ordinance to ensure it is not commercial and it is in ag zone.

Sherry Link, a citizen in the audience, asked "how did the flour mill operate because they weren't producing their own product. They were getting it from someplace else." City Manager Carey responded that it is zoned commercial business. She said everything around the four way stop is zoned business.

Jason Holloman left the room to try to call City Attorney Doug Berry. When he returned he said he was unable to reach Mr. Berry and had to leave a message.

Mayor Swearingen then indicated that council is ready to move forward with this matter and to "go ahead."

Mayor Swearingen then recognized Ms. Canon's attorney, Jason Holloman, to speak.

Holloman, representing Mrs. Canon stated he wanted to ask for a 1-2 meeting deferral and that the council, their attorney as well as Holloman and his client, Mrs. Canon have a workshop to have more direct engagement to discuss these time-place manner conditions. Holloman stated that he recognized the commission's goal to have agricultural use and it is not Canon's desire to

bring in out-of-state or out-of county grapes to produce wine, but in the beginning it takes a while to ramp up the amount of grapes that can be grown on site and over time that will evolve. He stated Arrington brings in out of town grapes and Williamson County allows for this and he does not think they are asking for anything different from what Williamson County has allowed.

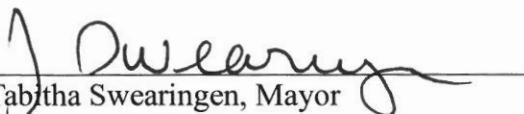
Holloman stated that he and his client would certainly be amenable to some period of time to allow that to ramp up and after a certain period of time perhaps change the processing of wine from off-site to onsite. The type of machinery/mechanisms are really commercial uses in that regard, and have a lot more heavier uses in agriculture. "Whether we call it farm winery or don't, what's important to us is that there be an allowance to bring some off-site grapes on at least in the beginning and then hopefully some throughout to supplement what is produced onsite, not in lieu of, but to supplement and then, that there be the ability to actually make the wine on site. Holloman stated he and his client understand that there are state requirements, those all will have to be navigated regardless of what the council does here and then related to this to quote Mrs. Canon, "it is customary that there are tasting-related events". Holloman stated that he felt some of the concerns he and his client had regarding people have been addressed and there would be a willingness to have some discussion about 10 o'clock versus dark and that dark can be problematic as it is an ever shifting time and one can get into a real enforcement issue versus when you have a hard set time.


In closing, Holloman made the following remarks, "I think you've got one person right now in your city that wants to open a winery. I don't think it makes sense to pass an ordinance that you don't have anybody else that is looking to do this. You do have this one person. I know there's been some conflict and some emotion here, but I would like to see us perhaps defer, sit down, and have some calm reasonable conversation about how we could get together on something that maybe doesn't work entirely for my client but at least works with as many obstacles as we can. I know that you have a winery, I think you want to support that use here. I think that it is good for your community, I think that it will bring people to your community in a positive way. I would just ask that we do not rush forward with this, there's no reason to, and to defer and have some more conversation about how we could figure this out together."

No additional comments were made.

#### ADJOURNMENT

At 6:39 pm Mayor Swearingen adjourned the hearing.

  
Tabitha Swearingen, Mayor  
City of Orlinda, Tennessee

  
Tammie Carey, City Manager  
City of Orlinda, Tennessee