

WORKSHOP AGENDA

Board of Mayor and Aldermen

January 30, 2025 @ 5:30 PM

For the February 4, 2025 Regular Meeting @ 7:00 PM

- Call meeting to order.
- Determine quorum.
- Prayer by Vice-Mayor Noe.
- Pledge of Allegiance by Alderman Hobbs.

ORDER OF BUSINESS

1. Approve Minutes: January 2, 2025 Workshop, January 7, 2025 Public Hearing and January 7, 2025 Regular Meeting.
2. Presentations:
 - A. 2025 Best Places to Work in Tennessee - Andrew Patton. (Workshop only.)
3. Public Comment Period.
4. Department Reports:
 - A. Police Department
 - B. Fire Department
 - C. Parks & Recreation Department
 - D. Library
 - E. Finance Department
 - F. Water Treatment Plant

OLD BUSINESS

5. Second Reading - **Ordinance #2024-17** - An Ordinance to Amend Title 20, Chapter 2, Section 20-208 of the La Vergne Municipal Code Regarding Parks and Recreation User Fees.
6. Second Reading - **Ordinance #2024-18** - An Ordinance to Amend the City of La Vergne Fee Schedule for Parks & Recreation User Fees.
7. Second Reading - **Ordinance #2025-01** - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcels 2.00, 5.02 and 14.04, Consisting of Approximately 48.2 Acres, Located at the Northeast Portion of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd. and 480 Stones River Road. From a R-1 (Low Density Residential) and R-2 (Medium Density Residential) Zoning Districts to a C-1 (Government Use) Zoning District. (This received a favorable recommendation from the Planning Commission on November 26, 2024. A public hearing was held on January 7, 2025.)

8. Second Reading - **Ordinance #2025-02** - An Ordinance to Amend Title 1, Chapter 1, Section 1-101 of the La Vergne Municipal Code Regarding the Time and Place of Regular Meetings.

CONSENT AGENDA (All items under the Consent Agenda are deemed to be non-controversial and routine in nature by the governing body. They will be approved by one motion of the governing body. The items on the Consent Agenda will not be discussed.)

9. **Consent Agenda Items:**

- A. Approve or Reject City Bids and Purchases:
 1. NASPO / State Contract Purchase - City Hall Mail Machine Lease with Pitney Bowes.
 2. Bid - Waldron Road Sewer Assessment Zone.
- B. Approve Change Order #3 with Isinguard Construction Group, Inc. for the 2019 Interceptor Improvements Project.
- C. Approve Scope of Work and Professional Services Agreement with GetResQ911 for Police Department Dispatch Staffing Services.
- D. Approve Change Order #6 with Baron Construction, LLC for the Public Works and Community Development Services Facility.
- E. Approve Agreement with Hands on Nashville for Volunteer Management, Recruiting, and Advertising for Stormwater Events.

NEW BUSINESS

10. First Reading - **Ordinance #2025-03** - An Ordinance to Amend Title 2 of the La Vergne Municipal Code Regarding Boards and Commissions, Etc.
11. First Reading - **Ordinance #2025-04** - An Ordinance to Amend Title 1, Chapter 1, Section 1-103 of the La Vergne Municipal Code Regarding the Public Comment Period.
12. First Reading - **Ordinance #2025-05** - An Ordinance to Amend the Fiscal Year 2024-2025 Drug Fund Budget.
13. **Resolution #2025-01** - A Resolution to Amend the Employee Handbook.
14. **Resolution #2025-02** - A Resolution of the City of La Vergne Board of Mayor and Aldermen to Declare Property Owned by the City to be Surplus to the City's Needs and Directing Disposal of the Same.
15. **Appoint or Remove Board / Committee Members:**
 - A. Beautification and Arts Advisory Committee. (One term is vacant.)
 - B. Board of Zoning Appeals. (One term expires 1/31/2025.)
 - C. Construction Board of Adjustment and Appeals. (Two terms expire 1/31/2025.)
 - D. Parks & Recreation Advisory Committee. (Two terms expire 1/31/2025.)

16. First Reading - **Ordinance #2025-06** - An Ordinance to Amend the City of La Vergne Fee Schedule Regarding Impact Fees.
17. Motion to Approve a Non-Binding Letter of Intent Concerning the Proposed Purchase and Sale of the Property Located at 5175 Murfreesboro Road from Guernsey Holdings ZRC Propco LLC.

MAYOR / ALDERMEN COMMENTS

ADJOURN

MINUTES OF THE REGULAR WORKSHOP OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF LA VERGNE, TENNESSEE HELD ON JANUARY 2, 2025, AT LA VERGNE CITY HALL, LA VERGNE, TENNESSEE.

CALL TO ORDER

The January 2, 2025 regular workshop of the Board of Mayor and Aldermen of the City of La Vergne, Tennessee was called to order at 5:30 p.m. at La Vergne City Hall by Mayor Jason Cole.

BOARD MEMBERS PRESENT

Members present: Mayor Jason Cole, Vice-Mayor Steve Noe, Alderman Kara Hobbs, Alderman Carol Haas, and Alderman Graeme Coates

Mayor Cole stated that he would lead the prayer and that Alderman Haas would lead the Pledge of Allegiance at the Regular Meeting on January 7, 2025.

ORDER OF BUSINESS

1. Approve Minutes: December 3 2024 Workshop and December 5, 2024 Regular Meeting.

No action was taken.

2. Presentations:
A. Certificate of Appreciation.

No action was taken.

3. Public Comment Period.

No one spoke.

4. Department Reports:
A. Police Department.
B. Fire Department.
C. Parks & Recreation Department.
D. Library.
E. Finance Department.
F. Water Treatment Plant.

Department reports will be given at the January 7, 2025 regular meeting. No action was

taken.

OLD BUSINESS

5. **First Reading - Ordinance #2024-17 - An Ordinance to Amend Title 20, Chapter 2, Section 20-208 of the La Vergne Municipal Code Regarding Parks and Recreation User Fees.**

Mayor Cole explained the ordinance.

6. **First Reading - Ordinance #2024-18 - An Ordinance to Amend the City of La Vergne Fee Schedule for Parks & Recreation User Fees.**

Mayor Cole explained the ordinance. A discussion ensued. No action was taken.

7. **Second Reading - Ordinance #2024-19 - An Ordinance to Amend the La Vergne Municipal Code by Deleting Title 2, Chapter 5 - Economic Development Advisory Committee.**

Mayor Cole explained the ordinance. No action was taken.

8. **First Reading - Ordinance #2024-20 - An Ordinance to Amend Title 2, Chapter 2, Section 2-202 of the La Vergne Municipal Code Regarding the Duties of the Parks and Recreation Advisory Committee and to Delete Title 2, Chapter 3 of the La Vergne Municipal Code Regarding the Greenway Advisory Committee.**

Mayor Cole explained the ordinance. Alderman Hobbs spoke about her concerns. A discussion ensued.

Parks and Recreation Director David McGowan approached the podium to field questions from the Board.

No action was taken.

9. **Second Reading - Ordinance #2024-21 - An Ordinance to Amend Title 2, Chapter 5, Section 2-504 of the La Vergne Municipal Code Regarding the Powers and Duties of the Library Board and to Delete Title 2, Chapter 4 of the La Vergne Municipal Code Regarding the Historical Preservation Advisory Committee.**

Mayor Cole explained the ordinance. No action was taken.

CONSENT AGENDA

10. Consent Agenda Items:

A. Approve or Reject City Bids and Purchases:

1. Bid - Public Safety Unmanned Aerial System / Drones for the Police Department.
2. Bid - Fire Hose for the Fire Department.
3. Bid - Fireworks Display.
4. Proposal - Evidence Management Software for the Police Department.
5. HGAC Contract Purchase - Fire Department Personal Protective Equipment.
6. Sole Source Purchase - Water Meters / Meter Reading Technology for the Water Department.

B. Approve Fire Department Temporary Training Site Project.

C. Approve Contract with Creative Concrete Solutions for Concrete Needed for the Fire Department Temporary Training Site.

D. Approve Contract with Container Depot for Shipping Containers Needed for the Fire Department Temporary Training Site.

E. Approve Use Agreement with Legacy Homeschool Resource Center.

Mayor Cole explained each item.

Vice-Mayor Noe asked about the lease agreement with Rutherford County. A discussion ensued.

Mayor Cole asked about the Automated License Plate Recognition System. Captain Konrad Kaul explained.

No action was taken.

NEW BUSINESS

11. **First Reading - Ordinance #2025-01 - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcels 2.00, 5.02 and 14.04, Consisting of Approximately 48.2 Acres, Located at the Northeast Portion of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd. and 480 Stones River Road. From a R-1 (Low Density Residential) and R-2 (Medium Density Residential) Zoning Districts to a C-1 (Government Use) Zoning District. (This received a favorable recommendation from the Planning Commission on November 26, 2024. A public hearing will be held at 6:30 p.m. on Tuesday, January 7, 2025.)**

Mayor Cole explained the ordinance. No action was taken.

12. **First Reading - Ordinance #2025-02 - An Ordinance to Amend Title 1, Chapter 1, Section 1-101 of the La Vergne Municipal Code Regarding the Time and Place of Regular Meetings.**

Mayor Cole explained the ordinance. No action was taken.

10. **First Reading - Ordinance #2024-19 - An Ordinance to Amend the La Vergne Municipal Code by Deleting Title 2, Chapter 5 - Economic Development Advisory Committee.**

Mayor Cole explained the ordinance. A discussion ensued.

No action was taken.

13. **Motion to Authorize the Mayor to Execute a Final Settlement Agreement with US Fire Insurance Company Regarding the 24" Water Line Project. (An executive session will be held on Tuesday, January 7, 2025 at 6:00 p.m.)**

Mayor Cole explained the motion. No action was taken.

14. **Appoint or Remove Board / Committee Members:**
- A. **Beautification and Arts Advisory Committee. (One term is vacant.)**
 - B. **Beer Board. (One term expired 12/31/2024.) La Vergne Housing Authority. (One term expired 12/31/2024)**
 - C. **Greenway Advisory Committee. (One term expired 12/31/2024.) Library Board. (Appoint City Council position; FYI - Two terms expire 12/31/24.)**
 - D. **Historical Preservation Advisory Committee (Appoint Council position; one term is vacant: One term expired 12/31.2024).**
 - E. **Library Board. (Two terms expired 12/31/24; Remove one member: Appoint new member.)**
 - F. **Local Emergency Planning Committee.)Four terms expired 12/31/2024.)**
 - G. **Planning Commission. (Two terms is vacant; One term expired 12/31/24.)**
 - H. **Stormwater Appeals and Advisory Board. (Two terms expired 12/31/24.)**
 - I. **FYI – Board of Zoning Appleas. (One term expires 1/31/25.)**
 - J. **FYI – Construction Board of Adjustment and Appeals. (Two terms expire 1/31/25.)**
 - K. **FYI – Parks & Recreation Advisory Committee. (Two terms expire 1/31/25.)**

Mayor Cole explained each committee and board. No action was taken.

15. Discussion – Impact Fees.

Vice-Mayor Noe asked about lowering the commercial retail impact fees.

City Attorney Katie Driver approached the podium and explained that it would need to be adjusted by resolution. She explained that a study should be done to make it compliant via the state. A discussion about the previous impact fee study that the City completed. City Administrator Bruce Richardson made comments about the percentage. City Attorney Evan Cope made comments about the study. A discussion ensued. Vice-Mayor Noe stated he did not want to lower residential or warehouse.

Mayor Cole asked about requesting a new study and if we could decrease road impact fees back down to 50% for a stop gap. Mr. Richardson made comments about the CPI adjustment. A discussion ensued.

Public Works Director Michael Dietz approached the podium to field questions from the Board. He explained that his budget for road improvements is 900K.

Ms. Driver recommended to be able to revise fees, we revise study.

Mr. Cope made comments about the current fees and the comparison of neighboring cities.

A discussion ensued. Mr. Richardson stated that he would contact the engineering firm who did the last study. Alderman Haas asked if we could get the dates from surrounding cities last impact fee study.

MAYOR / ALDERMEN COMMENTS

Alderman Coates made comments about the Board and stated he was looking forward to working with the members.

Alderman Haas wished everyone a Happy New Year.

Vice-Mayor Noe spoke about the Notre Dame football game.

Mayor Cole wished everyone a Happy New Year and reminded everyone about the Martin Luther King, Jr. Day celebration on January 20, 2025.

ADJOURNMENT

There being no further business, Mayor Cole declared the workshop adjourned at 6:25 p.m.

Mayor

City Recorder

Approved: _____

**MINUTES OF THE PUBLIC HEARING OF THE BOARD OF MAYOR AND ALDERMEN
OF THE CITY OF LA VERGNE, TENNESSEE HELD ON JANUARY 7, 2025, AT
LA VERGNE CITY HALL, LA VERGNE, TENNESSEE.**

Call to Order

The January 7, 2025 Public Hearing of the Board of Mayor and Aldermen of the City of La Vergne, Tennessee was called to order at 6:30 p.m. at La Vergne City Hall by Mayor Jason Cole.

Board Members Present

Members present: Mayor Jason Cole, Vice-Mayor Steve Noe, Alderman Carol Haas, Alderman Kara Hobbs, and Alderman Graeme Coates.

ORDER OF BUSINESS

1. **Ordinance #2025-01 - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcels 2.00, 5.02 and 14.04, Consisting of Approximately 48.2 Acres, Located at the Northeast Portion of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd. and 480 Stones River Road. From a R-1 (Low Density Residential) and R-2 (Medium Density Residential) Zoning Districts to a C-1 (Government Use) Zoning District. (This received a favorable recommendation from the Planning Commission on November 26, 2024.)**

No one spoke. The public hearing for this item was declared closed.

ADJOURNMENT

Mayor Cole declared the public hearing adjourned at 6:32 p.m.

Mayor

City Recorder

Approved: _____

MINUTES OF THE REGULAR MEETING OF THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF LA VERGNE, TENNESSEE HELD ON JANUARY 7, 2025, AT LA VERGNE CITY HALL, LA VERGNE, TENNESSEE.

CALL TO ORDER

The January 7, 2025 regular meeting of the Board of Mayor and Aldermen of the City of La Vergne, Tennessee was called to order at 7:00 p.m. at La Vergne City Hall by Mayor Jason Cole.

BOARD MEMBERS PRESENT

Members present: Mayor Jason Cole, Vice-Mayor Steve Noe, Alderman Kara Hobbs, Alderman Carol Haas, and Alderman Graeme Coates

A prayer was led by Mayor Cole and the Pledge of Allegiance was led by Alderman Haas.

ORDER OF BUSINESS

1. Approve Minutes: December 3 2024 Workshop and December 5, 2024 Regular Meeting.

A motion, made by Alderman Haas, seconded by Vice-Mayor Noe, to approve the minutes of the December 3, 2024 Workshop and the December 5, 2024 Regular Meeting, was adopted with all voting AYE.

2. Presentations:
A. Certificate of Appreciation

Mayor Cole presented Executive Assistant Juliet Williams with a certificate of appreciation.

3. Public Comment Period.

No one spoke.

4. Department Reports:
A. Police Department. Deputy Chief Hatcher gave the report for the Police Department.
B. Fire Department. Chief Ronny Beasley gave the report for the Fire Department.

- C. **Parks & Recreation Department.** Mr. David McGowan gave the report for the Parks & Recreation Department.
- D. **Finance Department.** Ms. Danielle Brown gave the report for the Finance Department.
- E. **Water Treatment Plant.** Mr. Danny Campbell gave the report for the Water Treatment Plant.

OLD BUSINESS

5. **First Reading - Ordinance #2024-17 - An Ordinance to Amend Title 20, Chapter 2, Section 20-208 of the La Vergne Municipal Code Regarding Parks and Recreation User Fees.**

A motion was made by Mayor Cole, seconded by Alderman Haas, to approve Ordinance #2024-17, on first reading, was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

6. **First Reading - Ordinance #2024-18 - An Ordinance to Amend the City of La Vergne Fee Schedule for Parks & Recreation User Fees.**

A motion was made by Mayor Cole, seconded by Alderman Haas, to approve Ordinance #2024-18, on first reading, was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

7. **Second Reading - Ordinance #2024-19 - An Ordinance to Amend the La Vergne Municipal Code by Deleting Title 2, Chapter 5 - Economic Development Advisory Committee.**

A motion was made by Alderman Coates, seconded by Alderman Haas, to approve Ordinance #2024-19, on second reading, was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

8. **First Reading - Ordinance #2024-20 - An Ordinance to Amend Title 2, Chapter 2, Section 2-202 of the La Vergne Municipal Code Regarding the Duties of the Parks and Recreation Advisory Committee and to Delete Title 2, Chapter 3 of the La Vergne Municipal Code Regarding the Greenway Advisory Committee.**

A motion was made by Mayor Coates, seconded by Alderman Hobbs, to deny Ordinance #2024-19.

Mayor Cole stated he wanted to bring this back before the board as a proposal to combine the Greenway Advisory Committee with the Beautification and Arts Advisory Committee.

This motion was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

9. **Second Reading - Ordinance #2024-21 - An Ordinance to Amend Title 2, Chapter 5, Section 2-504 of the La Vergne Municipal Code Regarding the Powers and Duties of the Library Board and to Delete Title 2, Chapter 4 of the La Vergne Municipal Code Regarding the Historical Preservation Advisory Committee.**

A motion was made by Mayor Cole, seconded by Alderman Haas, to approve Ordinance #2024-21, on second reading, was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

CONSENT AGENDA

10. **Consent Agenda Items:**

- A. Approve or Reject City Bids and Purchases:**
 - 1. Bid - Public Safety Unmanned Aerial System / Drones for the Police Department.
 - 2. Bid - Fire Hose for the Fire Department.
 - 3. Bid - Fireworks Display.
 - 4. Proposal - Evidence Management Software for the Police Department.
 - 5. HGAC Contract Purchase - Fire Department Personal Protective Equipment.
 - 6. Sole Source Purchase - Water Meters / Meter Reading Technology for the Water Department.
- B. Approve Fire Department Temporary Training Site Project.**
- C. Approve Contract with Creative Concrete Solutions for Concrete Needed for the Fire Department Temporary Training Site.**
- D. Approve Contract with Container Depot for Shipping Containers Needed for the Fire Department Temporary Training Site.**
- E. Approve Use Agreement with Legacy Homeschool Resource Center.**

A motion was made by Alderman Hobbs, seconded by Alderman Coates, to approve the consent agenda as recommended, was adopted with all voting AYE.

NEW BUSINESS

- 11. **First Reading - Ordinance #2025-01 - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcels 2.00, 5.02 and 14.04, Consisting of Approximately 48.2 Acres, Located at the Northeast Portion of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd. and 480 Stones River Road. From a R-1 (Low Density Residential) and R-2 (Medium Density Residential) Zoning Districts to a C-1 (Government Use) Zoning District. (This received a favorable recommendation from the Planning Commission on November 26, 2024.)**

A motion was made by Alderman Haas, seconded by Alderman Coates, to approve Ordinance #2025-01, on first reading, was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

- 12. **First Reading - Ordinance #2025-02 - An Ordinance to Amend Title 1, Chapter 1, Section 1-101 of the La Vergne Municipal Code Regarding the Time and**

Place of Regular Meetings.

A motion was made by Alderman Coates, seconded by Alderman Haas, to approve Ordinance #2025-02, on first reading.

Alderman Hobbs stated her concerns with the public comment period. She requested a formal written protocol regarding the public comment period. A discussion ensued.

The motion was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

13. **Motion to Authorize the Mayor to Execute a Final Settlement Agreement with US Fire Insurance Company Regarding the 24" Water Line Project.**

A motion was made by Alderman Coates, seconded by Vice-Mayor Noe, to approve the authorization of the Mayor to execute a final settlement agreement with US Fire Insurance Company, regarding the 24" Water Line Project.

Vice-Mayor Noe spoke about the motion. Mayor Cole explained that these funds would be deposited in the city budget.

The motion was adopted following a roll-call vote.

Alderman Coates	AYE
Alderman Hobbs	AYE
Alderman Haas	AYE
Vice-Mayor Noe	AYE
Mayor Cole	AYE

14. **Appoint or Remove Board / Committee Members:**

A. Beer Board. Mayor Cole reappointed Dana Blair to the Beer Board.

B. Library Board. A motion, made by Mayor Cole, seconded by Alderman Haas, to remove Lacey Lantz from the Library Board, was adopted with all voting AYE.

A motion, made by Mayor Cole, seconded by Alderman Hobbs, to appoint Carissa Benton, Glenn Grenn, and Alderman Carol Haas, to the Library Board, was adopted with all voting AYE.

- C. **Local Emergency Planning Committee.** Mayor Cole reappointed Chris Clark, Christopher Cunningham, Brian Gaither, and Emily Girard, to the Local Emergency Planning Committee. The Board confirmed the appointments with all voting AYE.
- D. **Planning Commission.** Mayor Cole appointed Tabitha Howard and Mark Molnar to the Planning Commission.
- E. **Stormwater Appeals and Advisory Board.** Mayor Cole appointed Stacey Lanker and Mary Jane Skinner to the Stormwater Appeals and Advisory Board. The Board confirmed the appointments with all voting AYE.

MAYOR / ALDERMEN COMMENTS

Alderman Hobbs reminded everyone to bring their pets and animals inside due to the cold weather. She asked everyone to stay safe.

Alderman Haas asked everyone to be patient with the Public Works staff.

Mayor Cole reminded everyone about the Marin Luther King, Jr. Day celebration, on January 20, 2025. He congratulated Juliet Williams on her certificate and encouraged everyone to be safe during the upcoming snow forecast.

ADJOURNMENT

There being no further business, Mayor Cole declared the workshop adjourned at 7:28 p.m.

Mayor

City Recorder

Approved: _____



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 5. Second Reading - **Ordinance #2024-17** - An Ordinance to Amend Title 20, Chapter 2, Section 20-208 of the La Vergne Municipal Code Regarding Parks and Recreation User Fees.

Department: Parks & Recreation

Presented By: David McGowen

Item Attachments: 1. Ordinance #2024-17

Summary:

This ordinance amends the municipal code for the Parks and Recreation user fees.

Background Information:

Changes made by this ordinance include the following:

- Removed the fees for in-line hockey leagues. We have not had an in-line hockey league in a few years and we are disposing of the walls and bleachers for the in-line hockey rink.
- Renamed the cleaning fee for baseball/softball leagues to a litter fee. This is consistent with what is already in the fee schedule.
- Changed the rental time for the multi-purpose building to be consistent with what was previously approved in the fee schedule
- Adds the ability for nonprofit organizations limited free usage of the multipurpose building and pavilions as long as they meet certain requirements.

Financial Summary:

The main financial impact would be from giving nonprofit organizations limited free use of the multipurpose building and pavilions. The amount of revenues that would be lost are

unknown and are dependent on how many nonprofits rent these facilities throughout the year.

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2024-17

AN ORDINANCE TO AMEND TITLE 20, CHAPTER 2, SECTION 20-208 OF THE LA VERGNE MUNICIPAL CODE REGARDING PARKS AND RECREATION USER FEES.

BE IT ORDAINED by the Board of Mayor and Aldermen of the City of La Vergne, Tennessee that:

SECTION I. Title 20, Chapter 2, Section 20-208 of the La Vergne Municipal Code is hereby amended to read as follows:

Sec. 20-208. Parks and recreation user fees.

User fees for this chapter shall be as follows:

(1) *League use.*

- (a) Baseball/softball leagues: Shall be as set forth in the fee schedule to cover costs of field maintenance, payable at the end of each season.
- (b) Football leagues: Shall be as set forth in the fee schedule to cover costs of field maintenance, payable at the end of each season.

(2) *Baseball/softball tournaments.*

- (a) Full weekend: The tournament fee, as set forth in the fee schedule, shall be per complex per weekend. A weekend is considered no longer than Friday, Saturday and Sunday. If a tournament is rained out completely, a refund will be issued. If a tournament completes a full day, no refund will be given. In order to reserve a complex for a tournament, the fees must be paid no later than two (2) weeks prior to the tournament. There will be a **litter fee, as set forth in the fee schedule,** for excessive litter left by tournament participants.
- (b) Single day: There is a tournament fee, as set forth in the fee schedule adopted with the annual budget per complex for single day tournaments. If a tournament is rained out completely, a refund will be issued. In order to reserve a complex for a tournament, the fees must be paid no later than two (2) weeks prior to the tournament. There will be a **litter fee,** as set forth in the fee schedule, for excessive litter left by tournament participants.

(3) *Field rental.*

- (a) Baseball/softball fields: Shall be as set forth in the fee schedule, per day.
- (b) Football fields: Shall be as set forth in the fee schedule, per day.

(4) *Facility rental.*

- (a) Multi-purpose building: **12:00 P.M. to 10:00 P.M.** shall be as set forth in the fee schedule. A deposit, as set forth in the fee schedule, shall be required. Deposit will be refunded if renter is in compliance with all reservation policies and procedures.

- (b) Pavilions: 8:00 A.M. to 2:00 P.M. shall be as set forth in the fee schedule; 4:00 P.M. to 10:00 P.M. shall be as set forth in the fee schedule; 8:00 A.M. to 10:00 P.M. shall be as set forth in the fee schedule.

(5) *Use of the Multipurpose Building and Pavilions by Nonprofit Organizations.*

- (a) Eligibility Criteria: To qualify for free use of the multipurpose building and pavilions, a nonprofit organization must meet all the following criteria:

- (i) Nonprofit Status: The organization must provide documentation verifying current 501(c)(3) status or similar nonprofit designation.
- (ii) Community Benefit: The event or activity must directly benefit La Vergne residents through educational, charitable, cultural, or community-building initiatives.
- (iii) Frequency Limit: Each nonprofit organization is eligible for free use up to four (4) times per calendar year to ensure equitable access.
- (iv) Facility Capacity and Schedule: Free use is contingent on the availability of the facility, which will be allocated on a first-come, first-served basis.

- (b) Application Process:

- (i) Submission: Organizations must submit a completed application form to the Parks and Recreation Department no more than six (6) months in advance and no later than thirty (30) days prior to the requested date of use. The application must include proof of nonprofit status and a brief description of the proposed event.
- (ii) First-Come, First-Served Basis: Applications will be processed in the order they are received.
- (iii) Agreement: Approved organizations must sign and abide by the City of La Vergne's use agreement outlining the terms and conditions of facility use.
- (iv) Exclusions: The following events or activities are ineligible for free use of the multipurpose building and pavilions: private parties or personal celebrations; activities that charge admission or solicit funds.
- (v) Organizations that fail to comply with the City's use agreement may forfeit their eligibility for future use.

- (6) *Vendor permits.* There is an annual parks vendor permit fee, as set forth in the fee schedule, to cover the cost of conducting a background check and processing of the application. Parks vendor permits are issued by the department on a per-event basis, however the fee will cover any parks vendor permit applications for up to one (1) year from the initial application. Booth rentals for agriculture vendors or arts and crafts vendors at city sponsored events shall not be required to obtain a park vendor permit. The director shall be allowed to waive park vendor permit fees for city events.

SECTION II. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION III. This Ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

LEGAL STATUS PROVISIONS

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 6. Second Reading - **Ordinance #2024-18** - An Ordinance to Amend the City of La Vergne Fee Schedule for Parks & Recreation User Fees.

Department: Parks & Recreation

Presented By: David McGowen

Item Attachments: 1. Ordinance #2024-18

Summary:

This ordinance will amend the fee schedule for the Parks & Recreation User Fees.

Background Information:

Changes made in this fee schedule ordinance include:

- Adds the provisions for nonprofit organizations for free usage of the multipurpose building and pavilions.
- Changing the fee for the Baseball/Softball Leagues so that it's based on the League User Agreement that is approved by BOMA each year.
- Deleting the fee for the In-Line Hockey League.

Financial Summary:

As stated in the previous ordinance, the main financial impact is from the limited free usage of the multipurpose building and pavilions by nonprofit organizations.

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2024-18

AN ORDINANCE TO AMEND THE CITY OF LA VERGNE FEE SCHEDULE FOR PARKS AND RECREATION USER FEES.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF LA VERGNE THAT:

SECTION I. The Parks and Recreation Department – Facility Rental section of the City of La Vergne Fee Schedule be amended to read as follows:

<u>Name / Purpose of Fee</u>	2024-2025
<u>Parks and Recreation Department</u>	
• <u>Facility rental</u>	
* Multi-Purpose Building	12 p.m. to 10 p.m. \$300 with a \$300 deposit; Nonprofits may receive free use per LMC 20-208(5).
* Pavilions	8 a.m. to 2:00 p.m. \$25; 4 p.m. to 10 p.m. \$25; 8 a.m. to 10 p.m. \$50; Nonprofits may receive free use per LMC 20-208(5).

SECTION II. The Parks and Recreation Department – League Use section of the City of La Vergne Fee Schedule be amended to read as follows:

<u>Name / Purpose of Fee</u>	2024-2025
<u>Parks and Recreation Department</u>	
• <u>League use</u>	
* Baseball/Softball leagues	Fee based on League User Agreement
* Football leagues	\$2,000

SECTION III. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION IV. That this Ordinance take effect February 1, 2025.

LEGAL STATUS PROVISIONS

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 7. Second Reading - **Ordinance #2025-01** - An Ordinance to Amend the City of La Vergne Zoning Ordinance by Changing the Official Zoning Map for Tax Map 14, Parcels 2.00, 5.02 and 14.04, Consisting of Approximately 48.2 Acres, Located at the Northeast Portion of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd. and 480 Stones River Road. From a R-1 (Low Density Residential) and R-2 (Medium Density Residential) Zoning Districts to a C-1 (Government Use) Zoning District. (This received a favorable recommendation from the Planning Commission on November 26, 2024. A public hearing was held on January 7, 2025.)

Department: Planning

Presented By: Bo Logan

Item Attachments: 1. Ordinance #2025-01

Summary:

This is an ordinance to rezone the properties located at the Northeast Portion of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd., and 480 Stones River Road from R-1 and R-2 Zoning to C-1 Zoning.

Background Information:

The applicant is requesting to rezone approximately 48.2 acres from R-1 (Low Density) and R-2 (Medium Density) to C-1 (Government Use District). The properties are located at the Northeast side of the Roundabout on Stones River Road, 1500 East Nir Shreibman Blvd., and 480 Stones River Road. Per the applicant, the purpose of the rezoning is to be able to pursue the development of a civic facility, the Public Works and Community Development Services Facility. There is a possibility of additional city facilities or uses in the future on the remaining portion of the property.

The main zoning in the area is R-1 and R-2. There is residential development along this

entire corridor extending from Murfreesboro Road north to Percy Priest Reservoir. Also, Rutherford County Schools' property is located to the south. The property that borders this site on the east is R-2. Everything else is zoned R-1 (Low Density Residential).

Financial Summary:

N/A

Staff Recommendation:

Staff does not typically give recommendations on whether to approve or deny rezoning requests. This is a decision for the Board of Mayor and Aldermen.

ORDINANCE #2025-01

AN ORDINANCE TO AMEND THE CITY OF LA VERGNE ZONING ORDINANCE BY CHANGING THE OFFICIAL ZONING MAP FOR TAX MAP 14, PARCELS 2.00, 5.02 AND 14.04, CONSISTING OF APPROXIMATELY 48.2 ACRES, LOCATED AT THE NORTHEAST PORTION OF THE ROUNDABOUT ON STONES RIVER ROAD, 1500 EAST NIR SHREIBMAN BLVD. AND 480 STONES RIVER ROAD. FROM A R-1 (LOW DENSITY RESIDENTIAL) AND R-2 (MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICTS TO A C-1 (GOVERNMENT USE) ZONING DISTRICT.

WHEREAS, a request has been made by the City of La Vergne, to rezone property located within the City of La Vergne; and

WHEREAS, the City of La Vergne Planning Commission, on November 26, 2024, made a favorable recommendation to the Board of Mayor and Aldermen that this request be approved.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF LA VERGNE BOARD OF MAYOR AND ALDERMEN THAT:

SECTION 1. That the Zoning Ordinance be and is hereby amended by making certain changes to the Official Zoning Map for the City of La Vergne, by changing the property identified as Tax Map 14, Parcels 2, 5.02 and 14.04 from a R-1 (Low Density Residential) Zoning District and R-2 (Medium Density Residential) Zoning District to a C-1 (Government Use) Zoning District. This property consists of approximately 48.2 acres and is owned by the City of La Vergne who submitted application #ZR-2024-01 for the rezoning of this property, which is attached to and made a part of this ordinance as though copied herein.

SECTION 2. BE IT FURTHER ORDAINED, that the Codes and Planning Department is hereby authorized and directed, upon approval of this Ordinance to cause the change to be made on the Official Zoning Map, as set out in Section 1 of this Ordinance, and to make notation thereon of reference to the date of passage and approval of this Ordinance.

SECTION 3. BE IT FURTHER ORDAINED, that this Ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of the City of La Vergne requiring it.

LEGAL STATUS PROVISIONS

Approved and certified by the Planning Commission:

Chairman

Date

Public Hearing Held: _____

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.

City of La Vergne, Tennessee

5093 Murfreesboro Road, La Vergne, TN 37086 ♦ (615) 793-6295

REZONING REQUEST APPLICATION

For a Rezoning Request, the City of La Vergne **requires** the following:

1. Completion of this application. Please type or print the information in blue or black ink.
2. A map of the property. (See Zoning Ordinance for Specific Details.)
3. A label matrix with a list of Names **and** addresses of all adjacent property owners within 500 feet.
4. A legal description of the property, if available.
5. If the applicant is not the property owner, a letter from the property owner must be attached giving the applicant the authority to request rezoning.
6. A letter summarizing the project proposal, including the proposed usage of the land, reason for the rezoning request and justification for the rezoning request.
7. Payment of a Non-Refundable \$300.00 application fee. (Checks should be made payable to "City of La Vergne")

Request No. ZR-2024-01

(Assigned by the City Recorder)

Date Submitted: October 28, 2024

SECTION 1 - Applicant Information (Any Correspondence from the City will be addressed to the applicant.)

☒ Property Owner ☐ Purchaser of Property ☐ Engineer ☐ Trustee
☐ Architect ☐ Other: _____

Name: City of La Vergne Phone #: 615-793-6295

Business: _____ E-Mail: _____

Address: 5093 Murfreesboro Road Best Way to Contact: _____

City: La Vergne State: TN Zip: 37086 (Mail, E-Mail, Phone)

SECTION 2 - Property Information for the Rezoning Request

Tax Map	Parcel(s)	Current Zoning District	Requested Zoning District	# of Acres	Property Owner
14	2.00	R-1	C-1	22.02	City of La Vergne
14	5.02	R-1 & R-2	C-1	23.99	City of La Vergne
14	14.04	R-1	C-1	2.2	City of La Vergne

*** Reason for Rezoning must be included on an attached sheet.

Project Name: Public Works / CDS Facility

Project Address: 1500 East Nir Shreibman Blvd.

Existing Land Use: Vacant / Public Works/CDS Facility under construction

Proposed Land Use: Public Works / CDS Facility - Future City Facilities or Uses

Total Acreage of Project / Rezoning: 48.2

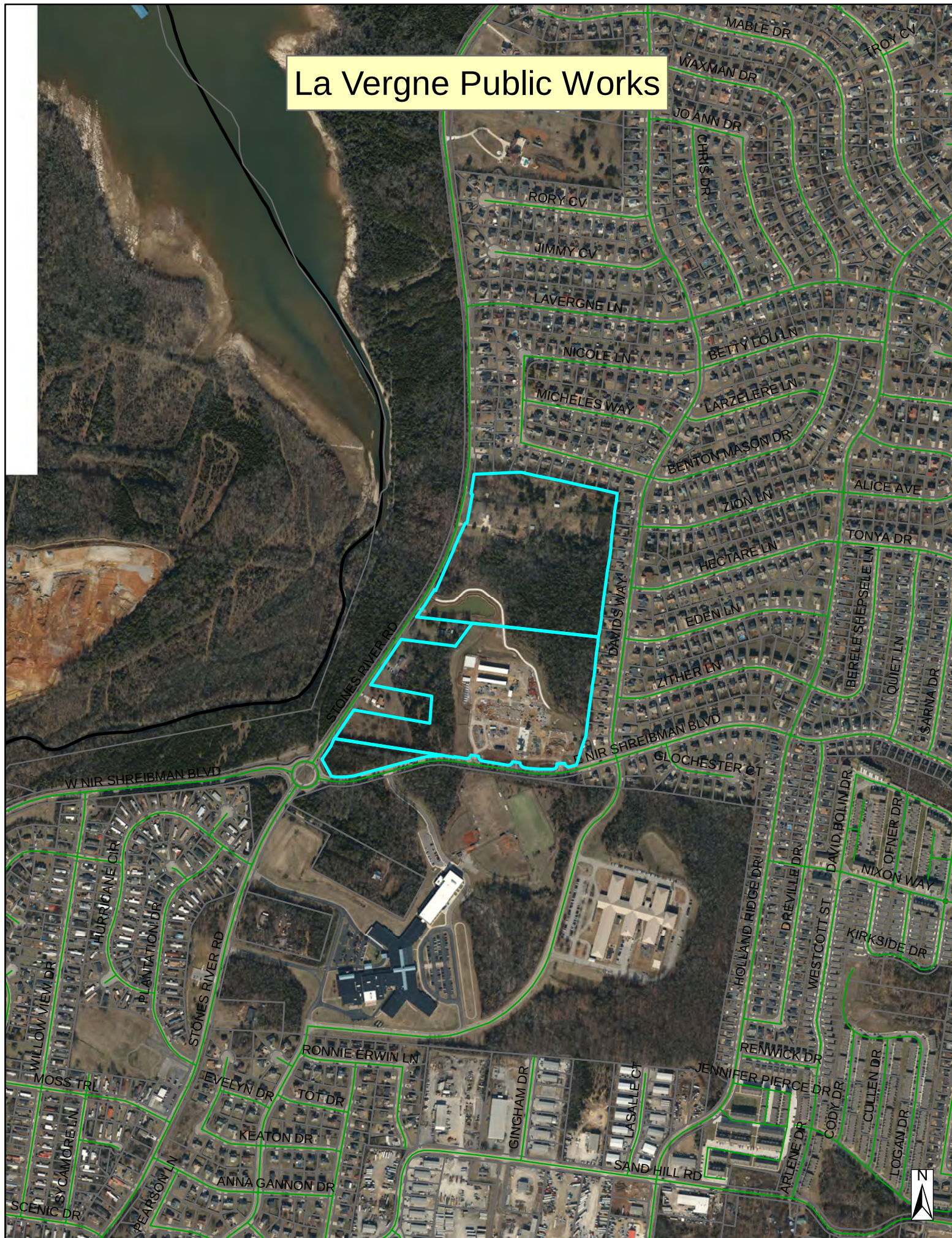
The rezoning process takes approximately three to four months depending on when the application is received by the City. The request must go to the Planning Commission where it receives a recommendation to the Board of Mayor and Aldermen. The Board of Mayor and Aldermen must approve a Rezoning Ordinance on two readings and hold a public hearing before the rezoning request is considered approved.

Applicant's Signature: Jason Ell **Date:** 10/28/24

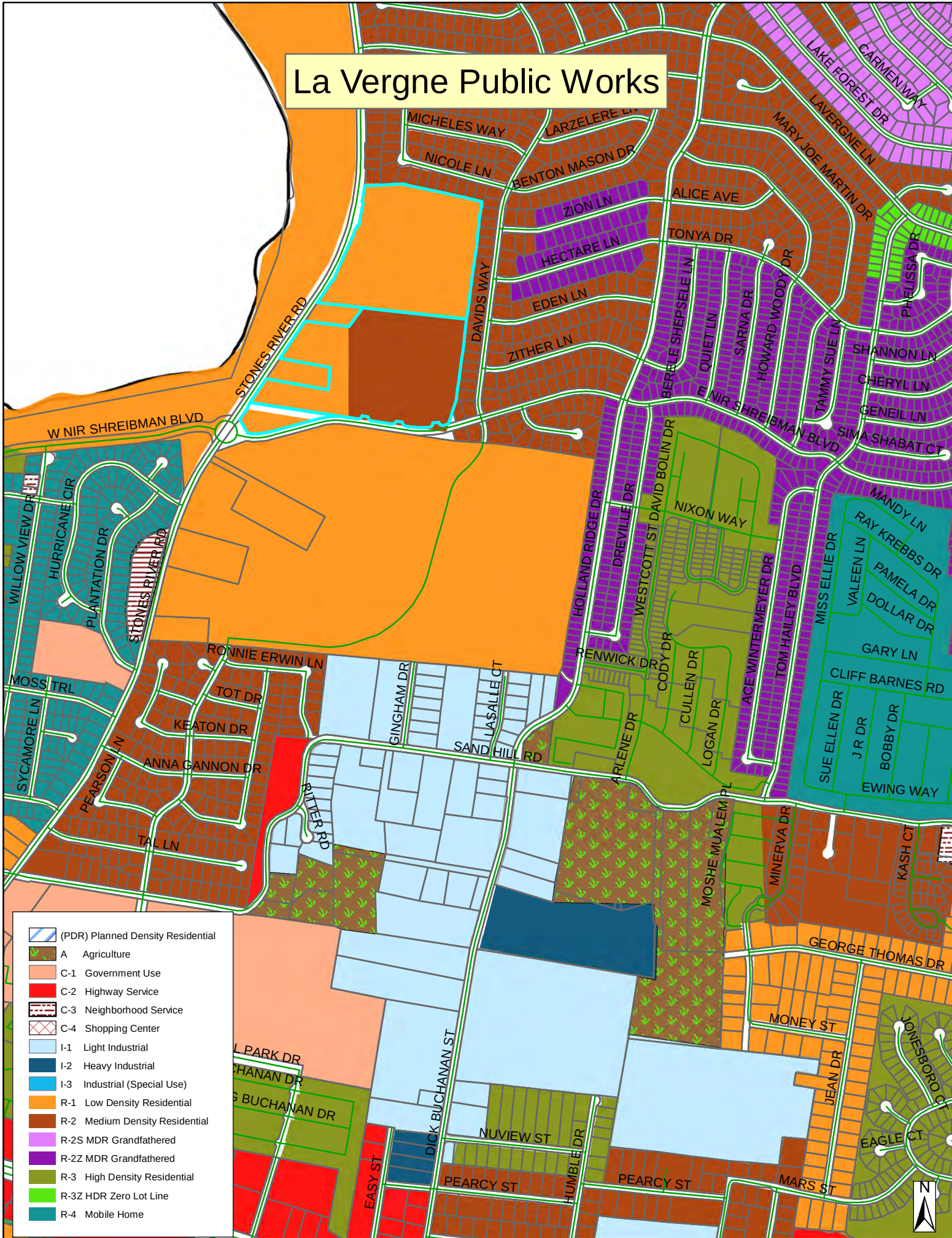
La Vergne Public Works



La Vergne Public Works



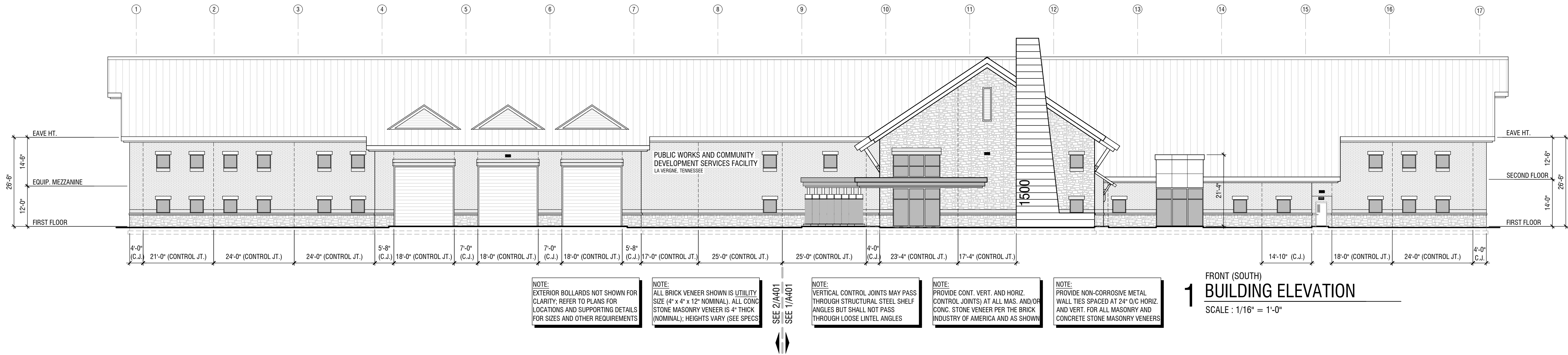
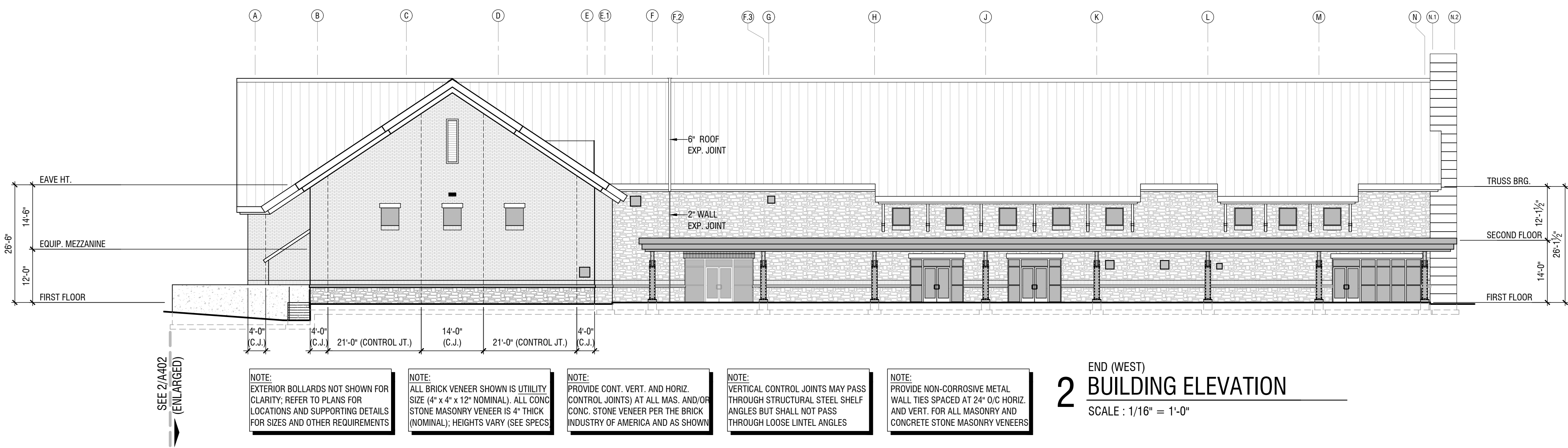
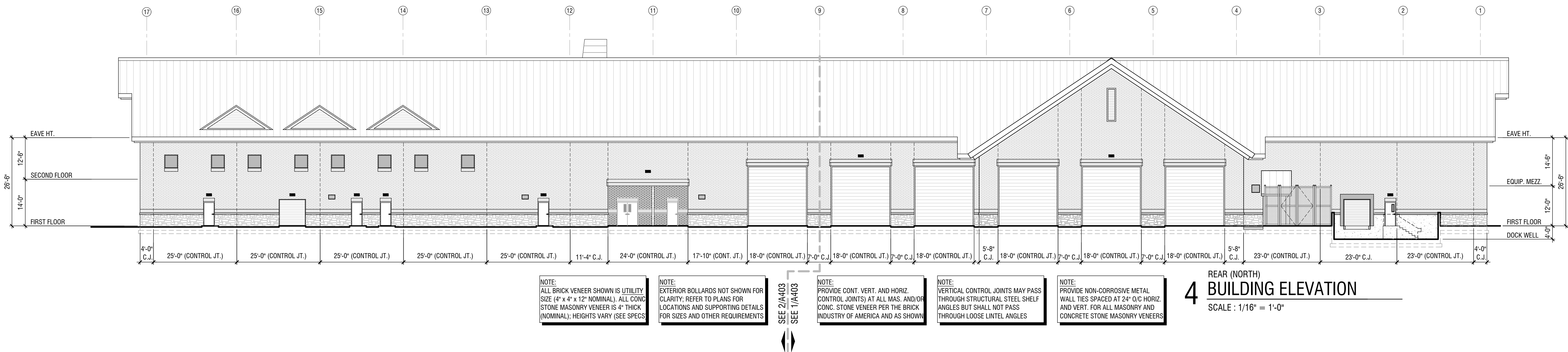
La Vergne Public Works











Lambe+Associates, LLC
architecture • planning • design/build
creative solutions to build on

Lambe + Associates, LLC
106 Mission Court, Suite 303
Franklin, TN 37067
Phone: 615.577.0807
lamb@comcast.net

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Consultants

CIVIL ENGINEER:
Civil & Environmental
Consultants, Inc.

STRUCTURAL ENGINEER:
Wallace Design Collective

MECHANICAL ENGINEER:
Harpeth Park Engineering, LLC

ELECTRICAL ENGINEER:
Harpeth Park Engineering, LLC

CITY OF LA VERGNE, TENNESSEE
PUBLIC WORKS AND COMMUNITY
DEVELOPMENT SERVICES FACILITY
1500 E NIR SREIBMAN BOULEVARD
LA VERGNE, TENNESSEE

REV.	date
△	
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△	
△	
△	

L+A Job No. 2110
01.22.23
Building Elevations

A400
sheet



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 8. Second Reading - **Ordinance #2025-02** - An Ordinance to Amend Title 1, Chapter 1, Section 1-101 of the La Vergne Municipal Code Regarding the Time and Place of Regular Meetings.

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: 1. Ordinance #2025-02

Summary:

This is an ordinance that will amend the Municipal Code to change the starting time for Board of Mayor and Aldermen regular meetings to 6:00 p.m.

Background Information:

As discussed previously, this ordinance will change the starting time for regular meetings.

Financial Summary:

Earlier start times will reduce the amount of overtime for hourly employees and reduce the need for meals prior to the meetings.

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2025-02

AN ORDINANCE TO AMEND TITLE 1, CHAPTER 1, SECTION 1-101 OF THE LA VERGNE MUNICIPAL CODE REGARDING THE TIME AND PLACE OF REGULAR MEETINGS.

BE IT ORDAINED by the Board of Mayor and Aldermen of the City of La Vergne, Tennessee that:

SECTION I. Title 1, Chapter 1, Section 1-101 of the La Vergne Municipal Code is hereby amended to read as follows:

Sec. 1-101. Time and place of regular meetings.

The board of mayor and aldermen shall hold regular monthly meetings at **6:00 P.M.** on the first Tuesday of each month at the city hall. If the regular meeting date falls on a holiday or for other valid reasons, the meeting date may be changed with adequate public notice.

SECTION II. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION III. This Ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

LEGAL STATUS PROVISIONS

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 9.A.1. NASPO / State Contract Purchase - City Hall Mail Machine Lease with Pitney Bowes.

Department: Finance

Presented By: Danielle Brown

Item Attachments: 1. Lease Agreement

Summary:

This item will approve a new lease for the mail machine at city hall.

Background Information:

The lease on the current mail machine at city hall will expire in March. This proposed lease is with Pitney Bowes and it is through the NASPO and the State of Tennessee. The state has authorized all municipalities in Tennessee to use this contract. This will be another 60 month lease for the new machine.

Financial Summary:

The new lease amount will be \$1,115.43 per quarter, which is approximately \$54 lower per quarter than what the city is currently paying.

Staff Recommendation:

Staff recommends approval.



NASPO ValuePoint FMV Lease Agreement (Option C)

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Agreement Number

Your Business Information

Full Legal Name of Lessee / DBA Name of Lessee			Tax ID # (FEIN/TIN)		
CITY OF LAVERGNE			471494812		
Sold-To: Address					
5093 MURFREESBORO RD, LA VERGNE, TN, 37086-2706, US					
Sold-To: Contact Name		Sold-To: Contact Phone #		Sold-To: Account #	
FELICIA ANDERSON		6152878645		0011704024	
Bill-To: Address					
5093 MURFREESBORO RD, LA VERGNE, TN, 37086-2706, US					
Bill-To: Contact Name		Bill-To: Contact Phone #		Bill-To: Account #	
FELICIA ANDERSON		6152878645		0011704024	
Bill-To: Email					
fanderson@lavernetn.gov					
Ship-To: Address					
5093 MURFREESBORO RD, LA VERGNE, TN, 37086-2706, US					
Ship-To: Contact Name		Ship-To: Contact Phone #		Ship-To: Account #	
FELICIA ANDERSON		6152878645		0011704024	
PO #					
.					

Your Business Needs

Qty	Item	Business Solution Description
1	SENDPROMAILCENTER	MailCenter
1	1FWW	10lb Interfaced Weighing Feature
1	7W00	MailCenter Meter
1	APAXL	Cost Acctg Accounts Level (100)
1	APKG	SendPro 360 Shipping Feature
1	APSD	145/70 LPM Speed
1	CAABL	Basic Cost Acctg for SP MailCenter
1	F9PG	PowerGuard Service Package
1	HV1P	MailCenter Printer
1	HV96000	MailCenter Weighing Platform
1	HVBB	MailCenter 2000
1	M9SS	USPS Tracking Services
1	ME1C	Meter Equipment - Low
1	MW90007	Drop Stacker

1	MW92705	MailCenter 15in Display
1	NV10	InView TMR Web Acct Bundle Single only
1	NV90	InView Subscription
1	NV90KIT	InView Welcome Kit
1	NV99	InView MMS Base Software
1	NV99KIT	InView Welcome Kit
1	NVMA	InView Dashboard - Single Meter
1	SJM2	SoftGuard - 2000
1	STDsla	Standard SLA-Equipment Service Agreement (for MailCenter)

Your Payment Plan

Initial Term: 60 months	Initial Payment Amount:	
Number of Months	Monthly Amount	Billed Quarterly at*
60	\$ 371.81	\$ 1,115.43

*Does not include any applicable sales, use, or property taxes which will be billed separately.
If the equipment listed above is replacing your current meter, your current meter will be taken out of service once this lease commences.

- ☐ Tax Exempt Certificate Attached
 ☐ Tax Exempt Certificate Not Required

☒ Purchase Power® transaction fees included
 ☐ Purchase Power® transaction fees extra

Your Signature Below

By signing below, you agree to be bound by your State's/Entity's/Cooperative's contract, which is available at <http://www.pb.com/states> and is incorporated by reference. The terms and conditions of this contract will govern this transaction and be binding on us after we have completed our credit and documentation approval process and have signed below. If software is included in the Order, additional terms apply which are either (i) included in your State's contract which is available at <http://www.pb.com/states> or (ii) available by clicking on the hyperlink for that software located at https://www.naspovaluepoint.org/search/?term=pitney+bowes&page_ref=contractors. Those additional terms are incorporated by reference.

NASPO VALUEPOINT CTR058808; 79240

State/Entity's Contract#

Lessee Signature

Print Name

Title

Date

Email Address

Pitney Bowes Signature

Print Name

Title

Date

Sales Information		
Zach Martins	zach.martins@pb.com	
Account Rep Name	Email Address	PBGFS Acceptance



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 9.A.2. Bid - Waldron Road Sewer Assessment Zone.

Department: City Administrator

Presented By: Kyle Brown

Item Attachments: 1. Recommendation and Bid Tab - Waldron Road Sewer Assessment Zone

Summary:

This is an item to award the bid for the Waldron Road Sewer Assessment Zone.

Background Information:

Attached is a letter from John Gahring, Jr. regarding the bid for this project. The recommendation from CTI is to award the bid to Barlow, Inc. with Deductive Alternate Schedule III for a total contract price of \$5,655,449.86.

Financial Summary:

The recommended bid cost is \$5,655,449.86.

Staff Recommendation:

Staff recommends approval.



3354 Perimeter Hill Drive
Suite 140
Nashville, TN 37211
615-834-8300
www.ctiengr.com

Via Email

January 19, 2025

Mr. Bruce Richardson
City Administrator
City of La Vergne, Tennessee
5093 Murfreesboro Road
La Vergne, TN 37086

Subject: City of La Vergne, Tennessee
Waldron Road Sewer Assessment Zone
CTI Project N21003

Dear Mr. Richardson:

The subject project was advertised by the City of La Vergne on November 19, 2024, with bids to be opened on January 7, 2025. CTI also emailed advertisements to several general contractors who regularly perform this type of work. In addition, contract documents were sent to three (3) plans rooms. Two (2) bids were received.

Avenue Grading, Inc. doing business as Barlow, Inc. of Franklin, Tennessee was the lowest bidder with a Total Base Bid of \$5,710,499.86. Barlow, Inc. is properly licensed by the State of Tennessee to perform this work and is currently performing work for the developer of Arbor Ridge. A review of Barlow, Inc.'s references also confirmed their work was of good quality and the employees onsite were very knowledgeable and qualified to perform the work required.

Isinguard Construction Group, Inc. of Carthage, Tennessee, was the next lowest bidder with a Total Bid of \$6,909,414.00. The difference in the Total Bid amounts for the first and second responsive bidders was \$1,198,914.14. Isinguard Construction Group, Inc., is properly licensed by the State of Tennessee to perform this work. Isinguard Construction Group, Inc. is a well-established construction company and qualified to perform this work.

A Deductive Alternate, Schedule III, was included in the Bid Schedule for not installing a cast-in-place emergency storage box and instead repurposing the existing 8-foot diameter well for emergency storage.

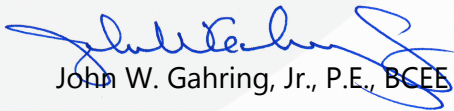
Following a discussion with city personnel, the decision to accept Deductive Alternate Schedule III was made.

CTI recommends that the City of La Vergne award the Waldron Road Sewer Assessment Zone to Barlow , Inc. with Deductive Alternate Schedule III for the total contract price of \$5,655,449.86.

The Bid Tabulation is attached. The Opinion of Probable Construction Cost developed by CTI based on the final design quantities prior to advertising was \$4,358,325.00.

If you have any comments or questions, please do not hesitate to call.

Sincerely,



John W. Gahring, Jr., P.E., BCEE

Attachments

c: Mr. Kyle Brown, PE
Mr. Scott Tatalovich, PE
Mr. Michael Dietz
Ms. Felicia Anderson

**CITY OF LA VERGNE, TENNESSEE
WALDRON ROAD SEWER ASSESSMENT ZONE
BID TABULATION**

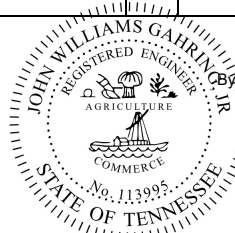
Bid Opening Time: 2:00 P.M. Place: City Hall 5093 Murfreesboro Road La Vergne, TN 37086	Name of Bidder Bid Bond:	Barlow, Inc. Franklin, TN 37067 The Cincinnati Insurance Company	Isinguard Construction Group, Inc. Carthage, TN 37030 Westfield Insurance Company
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BASE BID

Item No.	Description	Estimated Quantity	Unit	Unit Price	Item Total	Unit Price	Item Total
Schedule I - Lump Sum Base Bid					\$ 997,047.77		\$ 827,224.00
	Pump Station						
0	Wet Well Mounted Sewage Pump Station, 8 foot wet well, and piping	1	LS	\$ 997,047.77	\$ 997,047.77	\$ 827,224.00	\$ 827,224.00
Schedule II - Unit Price Base Bid					\$ 4,490,145.03		\$ 6,082,189.00
1	8" PVC, SDR 26, Gravity Sewer	2,804	LF	\$ 194.35	\$ 544,957.40	\$ 323.00	\$ 905,692.00
2	8" DI, Gravity Sewer	2,355		\$ 264.79	\$ 623,580.45	\$ 408.00	\$ 960,840.00
3	10" PVC, SDR 26, Gravity Sewer	2,489	LF	\$ 274.13	\$ 682,309.57	\$ 353.00	\$ 878,617.00
4	10" DI, Gravity Sewer	220		\$ 338.32	\$ 74,430.40	\$ 445.00	\$ 97,900.00
5	12" PVC, SDR 26, Gravity Sewer	140	LF	\$ 344.26	\$ 48,196.40	\$ 362.00	\$ 50,680.00
6	18" PVC, SDR 26, Gravity Sewer	253	LF	\$ 364.53	\$ 92,226.09	\$ 397.00	\$ 100,441.00
7	8" DR21, C900, Force Main	3,420	LF	\$ 123.82	\$ 423,464.40	\$ 216.00	\$ 738,720.00
8	Restrained Joint Ductile Iron Fittings	9,000	LB	\$ 17.09	\$ 153,810.00	\$ 25.00	\$ 225,000.00
9	8" Plug Valve	5	EA	\$ 9,158.99	\$ 45,794.95	\$ 5,656.00	\$ 28,280.00
10	4' - Manhole w/Frame and Casting	38	EA	\$ 8,685.06	\$ 330,032.28	\$ 11,939.00	\$ 453,682.00
11	5' - Manhole w/Frame and Casting	1	EA	\$ 12,268.14	\$ 12,268.14	\$ 14,192.00	\$ 14,192.00
12	Extra for Water Tight Frame	8	EA	\$ 743.20	\$ 5,945.60	\$ 1,277.00	\$ 10,216.00
13	8" Drop Manhole Connection	4	EA	\$ 2,563.95	\$ 10,255.80	\$ 8,520.00	\$ 34,080.00
14	Combination Air Release Valve	4	LS	\$ 17,072.49	\$ 68,289.96	\$ 18,387.00	\$ 73,548.00
15	Sewer Flow Control	1	EA	\$ 9,649.21	\$ 9,649.21	\$ 44,076.00	\$ 44,076.00
16	12" Steel Casing Pipe	160	LF	\$ 371.51	\$ 59,441.60	\$ 290.00	\$ 46,400.00
17	14" Steel Casing Pipe	300	LF	\$ 424.07	\$ 127,221.00	\$ 342.00	\$ 102,600.00
18	27" Steel Casing Pipe	55		\$ 644.13	\$ 35,427.15	\$ 448.00	\$ 24,640.00
19	Connection to Existing Force Main	1	EA	\$ 4,886.43	\$ 4,886.43	\$ 5,273.00	\$ 5,273.00
20	Creek Crossing	7	EA	\$ 16,697.36	\$ 116,881.52	\$ 14,225.00	\$ 99,575.00
21	Meter, Meter Vault, Piping, Valves, and Appurtenances	1	LS	\$ 109,462.55	\$ 109,462.55	\$ 61,741.00	\$ 61,741.00
22	Emergency Storage Tank, Piping, Valve, and Appurtenances	1	LS	\$ 137,997.89	\$ 137,997.89	\$ 44,923.00	\$ 44,923.00
23	Force Main Bypass Connection	1	LS	\$ 24,197.20	\$ 24,197.20	\$ 15,074.00	\$ 15,074.00
	Water						
24	3/4" Water Service	1	LS	\$ 15,381.73	\$ 15,381.73	\$ 3,882.00	\$ 3,882.00
25	Yard Hydrant with 30" Square Concrete Pad	1	LS	\$ 9048.18	\$ 9,048.18	\$ 1,526.00	\$ 1,526.00
26	3/4" Backflow Preventor and Hot Box	1	EA	\$ 10,962.90	\$ 10,962.90	\$ 4,276.00	\$ 4,276.00
	Miscellaneous						
27	Electrical - furnishing all labor, materials, and equipment and appurtenances complete to include backup generator installation	1	LS	\$ 24,197.20	\$ 24,197.20	\$ 217,051.00	\$ 217,051.00
28	Emergency Generator Equipment	1	LS	\$ 93,771.28	\$ 93,771.28	\$ 112,873.00	\$ 112,873.00
29	Generator Pad	1	LS	\$ 7,138.30	\$ 7,138.30	\$ 4,386.00	\$ 4,386.00
30	Site Fencing and Double Gates Coated)	1	LS	\$ 21,544.68	\$ 21,544.68	\$ 71,196.00	\$ 71,196.00
31	Crushed Stone Bedding	625	CY	86.29	\$ 53,931.25	\$ 43.00	\$ 26,875.00
32	Flowable Fill Trench Plug	39	EA	\$ 2121.06	\$ 82,721.34	\$ 2,064.00	\$ 80,496.00
33	Seed and Mulch	17,000	LF	\$ 4.97	\$ 84,490.00	\$ 21.00	\$ 357,000.00
34	Crushed Stone Base Pump Station Site	500	CY	\$ 168.65	\$ 84,325.00	\$ 51.00	\$ 25,500.00
35	Asphalt Repair - Trench Width (Type 6)	215	SY	\$ 129.79	\$ 27,904.85	\$ 417.00	\$ 89,655.00
36	Erosion Prevention and Sedimentation Control	1	LS	\$ 234,002.33	\$ 234,002.33	\$ 71,283.00	\$ 71,283.00
Schedule III - Deductive Alternate For Deletion of Emergency Storage Tank					\$ 55,050.71		\$ 23,988.00
38		1		55050.71	\$ 55,050.71	23988	\$ 23,988.00
Schedule IV - Alternate Site Fence					\$ 64,242.02		\$ 6,390.00
39		1		64242.02	\$ 64,242.02	6390	\$ 6,390.00
Total Base Bid calculated					\$5,487,192.80		\$6,909,413.00
Bid Summary							
Total Schedule I - Lump Sum Bid					\$997,047.77		\$ 827,224.00
Total Schedule II - Unit Price Base Bid					\$4,713,452.09		\$ 6,082,190.00
Total Base Bid					\$5,710,499.86		\$ 6,909,414.00
Total Base Bid less Schedule III					\$5,655,449.86		\$ 6,885,426.00
Total Base Bid less Schedule IV					\$5,774,741.88		\$ 6,915,804.00
Total Base Bid less Schedule III with Schedule IV					\$5,719,691.17		\$ 6,891,816.00

Error in bid unit price item.

I hereby certify that the above is a true and accurate tabulation of bids as received at 2:00 P.M. on Tuesday, January 7, 2025, City Hall, 5093 Murfreesboro Road, La Vergne, Tennessee 37086 for the Waldron Road Sewer Assessment Zone



John W. Gahrning, Jr.
John W. Gahrning, Jr., P.E., BCEE Project Manager
Tennessee License No. 113995
CTI Engineers, Inc.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 9.B. Approve Change Order #3 with Isinguard Construction Group, Inc. for the 2019 Interceptor Improvements Project.

Department: Engineering

Presented By: Gary Lide

Item Attachments: 1. 2019 Interceptor Improvements - Change Order 3

Summary:

This item will approve a change order for the 2019 Interceptor Improvements Project.

Background Information:

Attached is the proposed change order #3 for the above-referenced project. This change order is due to the change in size of pipe and quantity at Dobson Knob. The design required adjustment once the existing sewer was exposed for a more efficient operation.

Financial Summary:

The additional increased construction cost is \$35,104.00. The final contract price is \$2,962,477.00, which is within the \$3,000,000.00 budget.

Staff Recommendation:

Staff recommends approval.



3354 Perimeter Hill Drive
Suite 140
Nashville, TN 37211
615-834-8300
www.ctiengr.com

VIA EMAIL

January 3, 2025

Mr. Bruce Richardson
City Administrator
City of La Vergne, Tennessee
5093 Murfreesboro Road
La Vergne, TN 37086

Subject: City of La Vergne, Tennessee
2019 Interceptor Improvements
CTI Project N19002

Dear Mr. Richardson:

Enclosed for consideration and execution, if acceptable, by the City of La Vergne is Change Order Three (3) for the subject project. This change order is due to the change in size of pipe and quantity at Dobson Knob. The design required adjustment once the existing sewer was exposed for more efficient operation. Additional sewer services were also located that required reconnection. This additional cost to construction is \$35,104.00. The final contract price is \$2,962,477.00 which is within the \$3,000,000.00 budget.

If the City concurs in this change order, please sign, date, and return it to me. If you have any comments or questions, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink that reads "James H. Moore".

James H. Moore P.E.
Project Manager

c: Mr. Kyle Brown, PE, Assistant City Administrator
Mr. Scott Tatalovich, Utilities Engineer
Mr. Michael Dietz, Public Works Director
Mr. David Eatherly, Isinguard Construction Group, Inc.
Mr. John W Gahring, Jr. P.E., BCEE, CTI Engineers

M:CTI:19002/Correspondence/Bruce Richardson Change Order Three (3)

CHANGE ORDER

Order No. 3

Date: 12/30/2024

Agreement Date: _____

NAME OF PROJECT:

OWNER: City of La Vergne, Tennessee

CONTRACTOR: Isinguard Construction Group, Inc

The following changes are hereby made to the Contract Documents:

Change to Contract Price

Original Contract Price \$ 3,000,000.00

Current Contract Price adjusted by previous Change Order \$ 2,926,410.36

The Contract Price due to this Change Order will be

increased/decreased by: \$ 35,104.00

The new Contract Price including this Change Order will be \$ 2,962,477.00

Change to Contract Time

The Contract Time will be increased/decreased by 0 calendar days.

The date for completion of all work will be _____ (date).

Justification

Change in size of pipe and quantity have changed. Due to changes in Dobson Knob Re-design. See Attached.

Accepted by: David R. Eschertzy (Contractor)

Recommended by: James H. Moore (Engineer)

Ordered by: _____ (Owner)

Attachment Number 1 for Change Order 3

Item		Bid Quantity	New Quantity	Increased Quantity	Decreased Quantity	Item Price	Change in Cost
Item No.	Description						
3	15" PVC, SDR 26, Gravity Sewer	353	5		348	\$ 335.00	\$ 116,580.00
17	Connect Existing Sewer to New Manhole	8	9	1		\$ 2,705.00	\$ 2,705.00
18	Connect to Existing Service Line	4	7	3		\$ 2,313.00	\$ 6,939.00
33	18" PVC, SDR 26, Gravity Sewer	0	424	424		\$ 335.00	\$ 142,040.00
	Total of Change Order						\$ 35,104.00



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 9.C. Approve Scope of Work and Professional Services Agreement with GetResQ911 for Police Department Dispatch Staffing Services.

Department: Police

Presented By: Brent Hatcher

Item Attachments: 1. Scope of Work - GetResQ911

Summary:

This is a request to hire a contract dispatcher to support operations of the emergency communications center. Due to the lack of qualified applicants and the amount of time it takes to interview, run the backgrounds, and then train a new dispatcher, we are experiencing staffing shortages and operational inefficiencies that impact our ability to meet customer needs and maintain optimal service levels.

Background Information:

The nation has faced ongoing challenges with hiring qualified 911 dispatchers. There is significant competition in this region for qualified candidates. Emergency services positions, including 911 dispatchers, are often competing against other high-paying, lower-stress roles in the public and private sectors, making it harder to attract talent. The nature of the work exposes dispatchers to traumatic situations, which can lead to high levels of stress and mental health concerns. Recruitment efforts are hindered by the psychological resilience required for the job and the potential long-term impact on mental well-being. The high turnover rate within 911 dispatching roles exacerbates the challenge, as the emotional toll and work-life balance issues often lead to burnout. The job's stress, irregular hours, and demanding nature contribute to a lack of retention, making it harder to fill positions quickly and maintain adequate staffing levels. 911 dispatchers are typically required to meet stringent background check requirements, including criminal history checks and psychological evaluations, which can further narrow the pool of eligible candidates.

Currently, the La Vergne Emergency Communication Center has six full-time communication

specialists and one contract communication specialist. To provide 24/7 double coverage, each full-time dispatcher will need to work 18.5 hours of mandatory overtime per pay period.

This does not account for sick leave or vacation time. This amount of overtime is not healthy for the well-being of the dispatcher, nor is it sustainable long term.

Financial Summary:

Total for one contract dispatcher for six months is \$60,000. \$10,000 is due at contract signing and then it will be a monthly invoice.

Staff Recommendation:

Staff recommends approval.

Scope of Work

Agency Name: **La Vergne Police**

Date: 01/09/25

Agency Address:

Agency Contact/Phone #:

Agency CAD System:

Agency 911 Platform:

Agency Radio System:

Introduction:

getResQ911 LLC will provide the scope of work detailed below for work to be performed by 911 contractors. Details of the agreement, contract duration and associated costs are listed below.

Agreements

Client Responsibilities – include but not limited to the following:

- Day to day management of the Contractor will be the responsibility of the Client.
- Client agrees to provide on-boarding information at least two weeks prior to Contractor start date including the following:
 - o Call taking, CAD Screen Images of Data Entry location.
 - o Local call types
 - o CAD codes/commands.
 - o Radio codes
 - o Agencies dispatched listing.
 - o Appropriate SOP / Policy Documentation
 - o Any additional on-boarding materials deemed necessary or encouraged to learn and understand.
- Adjustments to weekly hours and pay will be communicated in writing to the Company once agreed to by Client and Contractor.
- Adjustments to the weekly hours for each 911 Contractor will be coordinated monthly between Client and Company via a monthly schedule update.
- Union approvals, if required.
- Contractor pay including monthly housing will be paid electronically/ACH to the Company on a monthly basis on the first Wednesday of each month.

911 Contractor Responsibilities – includes but not limited to the following:

- Receive and process 911, non-emergency and administrative calls.
- Enter calls into the Client Computer Aided Dispatch (CAD) system as required by the Client.
- If authorized, leverage the National Law Enforcement Teletype System (NLETS) and the National Crime Information Center (NCIC) to perform required duties.

Scope of Work

- Work to the best of their abilities to assimilate into the overall work environment and culture of the organization.
- Contractor agrees to provide two weeks' notice to Client for any work schedule change request.
- Contractor agrees to participate in additional background checks facilitated by the Client, if required.
- Contractor agrees to be or become compliant with the following certifications and training deemed required by the Client during the period of the contract. (check mark the appropriate certifications requested)

- ☐ NCIC Certification
- ☐ EMD, EFD
- ☐ APCO
- ☐ Priority Dispatch
- ☐ Other _____
- ☐ Other _____

Company Responsibilities – include but not limited to the following:

- getResQ911 will provide Contractor resume's, verification of certifications and will provide a National and County Criminal and Credit background check if requested by the Client/Agency.
- getResQ911 and Client agrees to meet (virtually) every thirty days to review status of Contractor job performance and/or any challenges that need to be addressed.
- Logistics coordination with the 911 Contractor.
- Coordinate preboarding materials as outlined and agreed to in the Client Responsibilities section.

PAYMENT SCHEDULE

911 Contractor(s): 1

Name: TBD

Phone #: _____

Start Date at Clients location: _____

Client Address: _____

Point of Contact at Client location: _____

Point of Contact Phone/Email: _____

Scope of Work

Itemized Invoice: 6 Month Option

Item	Description	Hourly rate	Duration	# of contractors	Total
1	911 Contractor	\$50	960 hrs (160/month x 6 months)	1	\$48,000
2	Contractor Monthly Stipend	\$2,000	6 months	1	\$12,000
	Total Contract				\$60,000
	Due at Signing				\$10,000
	(1 st month pay + \$2,000 housing x 1 contractors)				

Monthly invoice will reflect any optional overtime hours per employee in arrears.

This contract may be extended by Change Order.

Overtime and Holiday will be paid at \$75/hr rate.

AUTHORIZING SIGNATURES

Client Signature _____
Client Name _____
Client Title _____
Date _____

getResQ911 Signature _____
getResQ911 Name _____
Date _____



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 9.D. Approve Change Order #6 with Baron Construction, LLC for the Public Works and Community Development Services Facility.

Department: Engineering

Presented By: Gary Lide

Item Attachments: 1. PW_CDS Bldg - Mod 06 - Attachment

Summary:

This is a change order for the construction of the Public Works and Community Development Services Facility.

Background Information:

There are several items in this change order for the construction of this project which are represented by Contractor Requests for Change (RFCs) 46, 49, 50, 51, 53, and 54. They are outlined in the following pages.

Financial Summary:

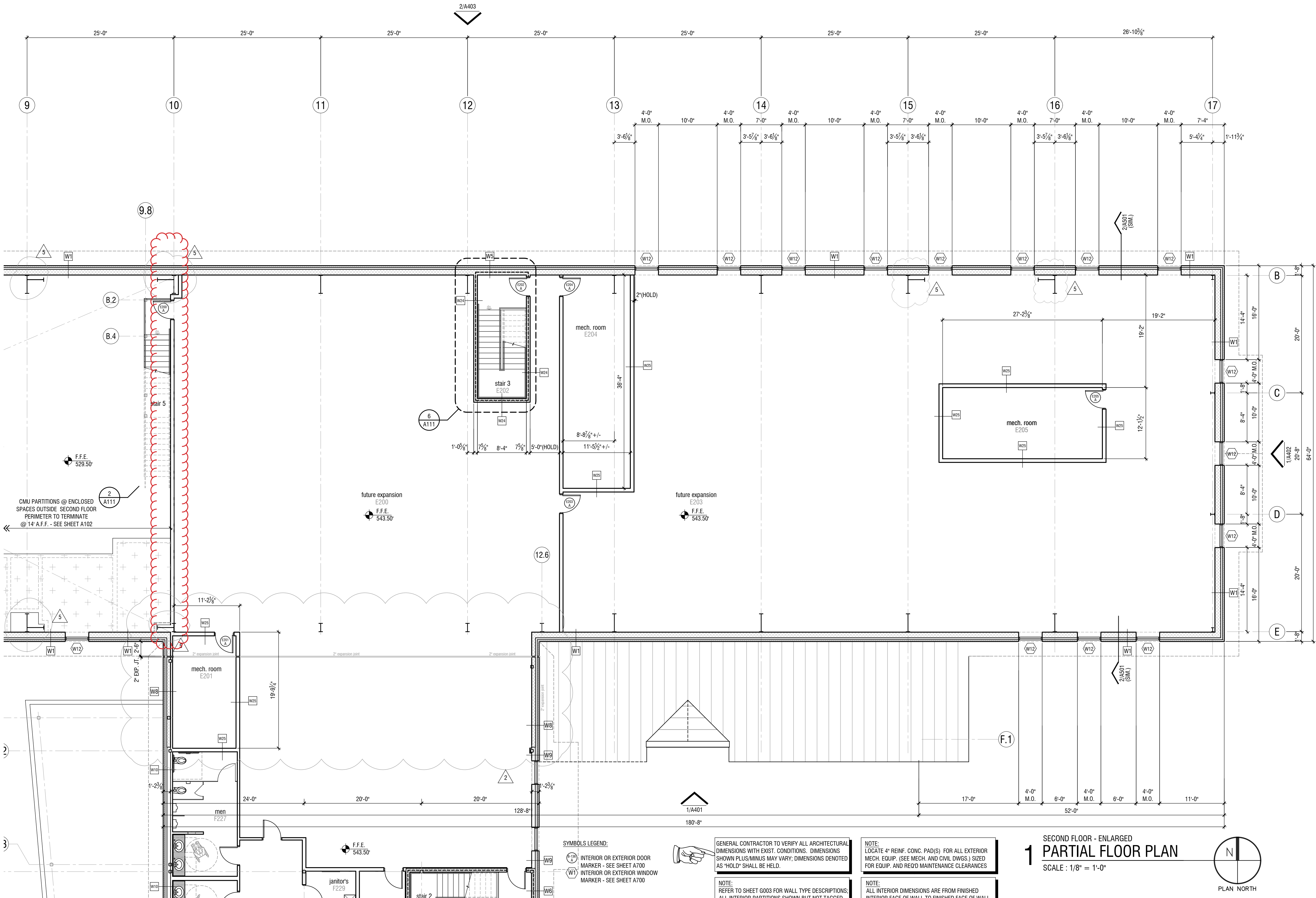
The total cost of these changes will cost \$14,169.57. This is still within the overall project budget.

RFC#	Description	Amount	Recommended Amount	Schedule Impact
46	Extend mezzanine end wall	\$8,246.07	\$8,246.07	None
50	Credit mixing valves not required	-\$3,075.00	-\$3,075.00	None
51	Change two heaters in Area A	\$3,992.89	\$3,992.89	None
54	Water heater circuits	\$5,005.61	\$5,005.61	None
	TOTAL		\$14,169.57	None

Staff Recommendation:

Staff recommends approval.

[illegible]



ARCHITECTURAL GENERAL NOTES

- PERFORM WORK AS REQUIRED FOR PROPER COMPLETION OF THE PROJECT. DO NOT SCALE DRAWINGS - ANY CLARIFICATIONS OR INFORMATION REQUIRED BY THE CONTRACTOR SHALL BE FURNISHED BY THE ARCHITECT UPON REQUEST. CONTRACTOR SHALL SUBMIT ALL REQUESTS FOR CLARIFICATIONS IN WRITING TO THE ARCHITECT.
- THE CONTRACTOR IS REQUIRED TO VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS AT THE SITE PRIOR TO SUBMITTING A BID. THE CONTRACTOR SHALL NOT RECEIVE ADDITIONAL PAYMENT FOR REQUIREMENTS THAT CAN BE INFERRED THROUGH OBSERVATION OF EXISTING SITE CONDITIONS. IF THERE IS A CONFLICT BETWEEN THE DRAWINGS AND EXISTING CONDITIONS, THE ARCHITECT SHALL BE NOTIFIED IMMEDIATELY BEFORE PROCEEDING WITH THE WORK.
- CONSULT WITH THE OWNER FOR EQUIPMENT AND ITEMS NOT SHOWN ON THE DRAWINGS BUT TO BE FURNISHED BY THE OWNER AND INSTALLED BY THE CONTRACTOR UNDER THIS CONTRACT.
- ALL INTERIOR DIMENSIONS ARE FROM FINISHED FACE OF GYP. BD. TO FINISHED FACE OF GYP. BD. (OR FINCH INDICATED) UNLESS NOTED OR DIMENSIONED OTHERWISE. REFER TO ENLARGED PLANS FOR CHASE WALL DIMENSIONS. HOLD ALL GYPSUM BOARD INSTALLATIONS 1/2" FROM TOP OF FINISHED FLOOR (TYP).
- PROVIDE DOUBLE STUDS AND BLOCKING AS REQUIRED TO SUPPORT EQUIPMENT, CASEWORK, GRAB BARS, HANDRAILS, ETC.
- DOORS ARE TO BE INSTALLED WITH JAMBS 6" FROM INSIDE FACE OF PERPENDICULAR FINISHED WALL UNLESS DIMENSIONED OTHERWISE.
- ALL INTERIOR FIRE-RATED PARTITIONS SHALL EXTEND ABOVE THE FINISHED CEILING AND SHALL TERMINATE AT ASSEMBLIES OF GREATER RATING OR THE BOTTOM OF THE ROOF OR FLOOR DECK. NON FIRE-RATED PARTITIONS SHALL NOT PENETRATE RATED PARTITIONS. AT FIRE-RATED AREAS, THE CEILING OR ROOF SYSTEM SHALL BE RATED TO PROVIDE A FIRE-RATED OCCUPIED ENVELOPE.
- ELECTRICAL PANELS, FIRE EXTINGUISHER CABINETS, AND OTHER RECESSED WALL EQUIPMENT OVER 16 SQUARE INCHES ARE TO BE WRAPPED IN GYPSUM BOARD TO MAINTAIN WALL RATINGS WHERE SHOWN.
- GYPSUM BOARD ABUTTING OTHER MATERIALS OR FINISHES IS TO BE FINISHED WITH METAL EDGES. PROVIDE PRESSURE TREATED WOOD AT ALL CONDITIONS ABUTTING CONCRETE, IN NON-TEMPERED SPACES, AND/OR AT BUILDING EXTERIOR.
- GYPSUM BOARD AT STUD FURROUTS IN AREAS WITH FINISHED CEILINGS SHOULD EXTEND 6" MIN. ABOVE FINISHED CEILING, AND BE BRACED WITH DIAGONAL MEMBERS SECURED TO STRUCTURE AT 8'-0" O/C FOR ALL WALLS OR PARTITIONS IN EXCESS OF 12'-0".
- SEE SHEET A700 FOR DOOR AND WINDOW SCHEDULES.
- PROVIDE TACTILE EXIT SIGNS CENTERED 60 INCHES ABOVE FINISHED FLOOR ON WALL NEXT TO LATCH SIDE STATING "EXIT" COMPLYING WITH ICC A117.1 AND NCAC, AT EACH DOOR TO AN EGRESS STAIRWAY, AN EXIT PASSAGEWAY AND EXIT DISCHARGE.

FINISH SCHEDULE

NUMBER	SPACE NAME	FLOOR	BASE	WALL	CEILING	CEILING HEIGHT	REMARKS
E200	FUTURE EXPANSION	SC	--	EXP	ACT	9'-0"	9'-0"
E201	MECHANICAL ROOM	SC	--	EXP	ACT	9'-0"	
E202	STAIR 3	STC	RB	CMU/PT	ACT	9'-0"	
E203	FUTURE EXPANSION	SC	--	EXP	ACT	9'-0"	

FINISH LEGEND

LVT = LUXURY VINYL TILE (VSP)
SC = SEALED CONCRETE
RB = RUBBER BASE
CT = CERAMIC TILE
VCT = VINYL COMPOSITION TILE
GB = GYPSUM BOARD
PC = POLISHED CONCRETE
CZC = CONCRETE (BRUSH FINISH)
MS = MANUFACTURER'S STANDARD FIN.
CMU = CONCRETE MASONRY UNITS
SDT = STATIC DISSIPATIVE TILE
MR = MOISTURE RESISTANT

ACT = ACOUSTIC CEILING TILE
MPS = METAL PANEL SOFFIT
PT = PAINT
EF = EPOXY FLOOR
OPT = CARPET TILE
EXP = EXPOSED
WP = WOOD WALL PANELS
EPXY = EPOXY PAINT
PL = PORCELAIN TILE
STC = STAINED CONCRETE
ACM = ALUM. COMPOSITE PANEL

NOTE:
ALL INTERIOR GYP. BD. INSTALLATIONS ON EXTERIOR WALLS TO UTILIZE 5/8" MOLD AND MOISTURE RESISTANT PAPERLESS GYPSUM PRODUCTS EQUAL TO GEORGIA PACIFIC "DensArmor PLUS", AND 5/8" GEORGIA PACIFIC "DensArmor PLUS FIREGUARD" AT RATED CONDITIONS IF SHOWN ON PLANS. EXTERIOR SHEATHING INSTALLATIONS (IF APPLICABLE) TO UTILIZE MOLD AND MOISTURE RESISTANT PAPERLESS PRODUCTS EQUAL TO GEORGIA PACIFIC "DensArmor PLUS" AND 5/8" GEORGIA PACIFIC "DensArmor PLUS FIREGUARD" AT EXTERIOR RATED WALL CONDITIONS WHERE SHOWN ON PLANS.

- GENERAL CONTRACTOR TO COORDINATE ALL FINISHES WITH OWNER
 - ALL FURNITURE AND EQUIPMENT TO BE OWNER FURNISHED AND INSTALLED BY THE CONTRACTOR (OFE) UNDER THE BASE BID EXCEPT BUILT-INS (SHOWN SHADED ON THE PLANS).
- GENERAL FINISHES NOTE: ALL INTERIOR FINISHES SHALL COMPLY WITH LSC AND IBC FOR GROUP B USE AND S-2 USE IN SPRINKLERED BUILDINGS AS FOLLOWS:
- 8 USE: INTERIOR EXIT STAIRWAYS, INTERIOR EXIT RAMPS, AND EXIT PASSAGEWAYS = CLASS "0", CORRIDORS AND ENCLOSURES FOR EXIT ACCESS STAIRWAYS AND EXIT ACCESS RAMPS = CLASS "0", ROOMS AND ENCLOSED SPACES = CLASS "0"
- 5 USE: INTERIOR EXIT STAIRWAYS, INTERIOR EXIT RAMPS, AND EXIT PASSAGEWAYS = CLASS "0", CORRIDORS AND ENCLOSURES FOR EXIT ACCESS STAIRWAYS AND EXIT ACCESS RAMPS = CLASS "0", ROOMS AND ENCLOSED SPACES = CLASS "0"

NEW WORK PLAN KEYED NOTES

- INSTALL NEW 4" MIN. REINF. CONC. LANDING (80"x72") SLOPED 1/4" FOOT MIN. AWAY FROM BLDG.
- PAINT ALL HANDRAILS AND/OR GUARDRAILS UNLESS NOTED OTHERWISE (FRONT, REAR, TOP, AND BOTTOM)
- PAINT ALL EXPOSED STRUCTURE UNLESS OTHERWISE NOTED
- INSTALL EXISTING EQUIPMENT (RELOCATED FROM CURRENT PW FACILITY)
- INSTALL NEW EQUIPMENT (OWNER PURCHASED/CONTRACTOR INSTALLED)

GENERAL FRAMING AND GYPSUM BOARD NOTES:

REFER TO STRUCTURAL DRAWINGS FOR GENERAL FRAMING MEMBER SIZES.

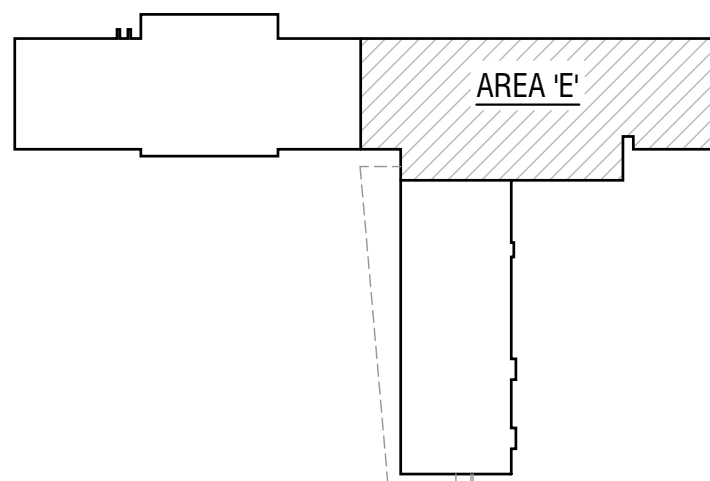
NOTE: 18 AND 20 GA. STUDS SIZES @ 16" O/C ARE AS FOLLOWS:

PARTITIONS UNDER 20'-0" A.F.F. MAY BE 3-5/8" WIDE EXCEPT WHERE NOTED ON PLANS. PARTITIONS OVER 20'-0" A.F.F. TO BE 8" WIDE BASED ON USG HANDBOOK, INTERIOR FRAMING LIMITING HEIGHTS, PAGE 77. PROVIDE ALTERNATE GA. METAL STUDS WHERE SHOWN ON DRAWINGS.

GYPSUM BOARD FINISHES SHALL BE PER SPECIFICATIONS AND AS SPECIFIED IN PUBLICATION GA-214-07 "RECOMMENDED LEVELS OF GYPSUM BOARD FINISHES"

KEY PLAN

SCALE: NOT TO SCALE

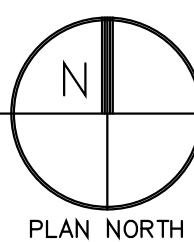


SECOND FLOOR, AREA 'E' SHOWN THIS SHEET. SEE SHEETS A105 AND A107 FOR CONTINUATION

CITY OF LA VERGNE, TENNESSEE
PUBLIC WORKS AND COMMUNITY DEVELOPMENT SERVICES FACILITY
1500 E NIR SHREIBMAN BOULEVARD - LA VERGNE, TN

SECOND FLOOR - ENLARGED 1 PARTIAL FLOOR PLAN

SCALE: 1/8" = 1'-0"



SYMBOLS LEGEND:

- INTERIOR OR EXTERIOR DOOR MARKER - SEE SHEET A700
- INTERIOR OR EXTERIOR WINDOW MARKER - SEE SHEET A700

GENERAL CONTRACTOR TO VERIFY ALL ARCHITECTURAL DIMENSIONS WITH EXIST. CONDITIONS. DIMENSIONS SHOWN PLUS/MINUS MAY VARY; DIMENSIONS DENOTED AS "HOLD" SHALL BE HELD.

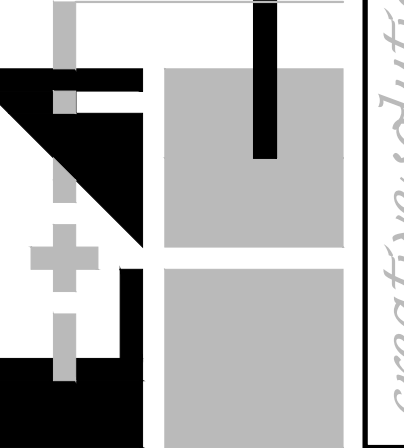
NOTE:
REFER TO SHEET 0003 FOR WALL TYPE DESCRIPTIONS. ALL INTERIOR PARTITIONS SHOWN BUT NOT TAGGED ARE ASSUMED TO BE WALL TYPE #27

NOTE:
LOCATE 4" REINF. CONC. PAD(S) FOR ALL EXTERIOR MECH. EQUIP. (SEE MECH. AND CIVIL DWGS.) SIZED FOR EQUIP. AND REQ'D MAINTENANCE CLEARANCES

NOTE:
ALL INTERIOR DIMENSIONS ARE FROM FINISHED INTERIOR FACE OF WALL TO FINISHED FACE OF WALL (OR INTERIOR FACE OF EXTERIOR WALL) UNO.



Lambe+Associates, LLC
architecture • planning • design/build
creative solutions to build on



Lambe + Associates, LLC
106 Mission Court, Suite 303
Franklin, TN 37067
Phone: 615.771.9801
lambel@comcast.net

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Consultants

CIVIL ENGINEER:
Civil & Environmental
Consultants, Inc.

STRUCTURAL ENGINEER:
Wallace Design Collective

MECHANICAL ENGINEER:
Harpheth Park Engineering, LLC

ELECTRICAL ENGINEER:
Harpheth Park Engineering, LLC

Project

CITY OF LA VERGNE, TENNESSEE
PUBLIC WORKS AND COMMUNITY
DEVELOPMENT SERVICES FACILITY
1500 E NIR SHREIBMAN BOULEVARD
LA VERGNE, TENNESSEE

rev.	date
2	PEMB SUBCONTRACTOR FRAMING PLAN MOD'S FROM ORIGINAL DWGS. 10.12.23
3	PEMB PORTAL FRAME IMPACTS 07.31.24
4	
5	
6	
7	
8	

L + A Job No. 2110
01.22.23

Second Floor
Partial Floor Plan
Area 'E'

A106

sheet

Roy Bruce

From: Hornbuckle Plumbing <info@HORNBUCKLEPLBG.COM>
Sent: Tuesday, November 12, 2024 11:36 AM
To: Roy Bruce
Subject: RE: La Vergne Public Works - Emergency Eye Wash

Roy,

The mixing valves are \$1,025/each x 3 = \$3,075.00 credit
Supplier will accept return with no re-stocking charge.

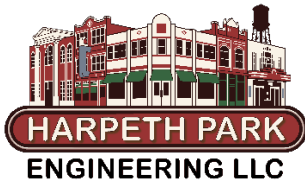
Ernie

Roy Bruce

From: Chris Gresham <Chris@harpethpark.engineering>
Sent: Monday, November 11, 2024 10:50 AM
To: Roy Bruce; Hornbuckle Plumbing
Cc: tlambe@comcast.net; Annie Flanagin; Gary Lide; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com; JB Nease
Subject: RE: La Vergne Public Works - Emergency Eye Wash

Folks,
I vote for the credit in lieu of installation. But it is Gary's call, of course.

E. Christopher Gresham, P.E. | Principal Mechanical Engineer
Harpeth Park Engineering, LLC
Office: (615) 814-6001
Direct: (615) 814-6003
Chris@harpethpark.net



From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Friday, November 8, 2024 2:57 PM
To: Hornbuckle Plumbing <info@HORNBUCKLEPLBG.COM>; Chris Gresham <Chris@harpethpark.engineering>
Cc: tlambe@comcast.net; Annie Flanagin <aflanagin@baronconstructionllc.com>; Gary Lide <glide@laverghnetn.gov>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com; JB Nease <jbnease@baronconstructionllc.com>
Subject: RE: La Vergne Public Works - Emergency Eye Wash

Chris, Tim, Gary,

We need to determine this item once and for all – can you please confirm if you would like the mixing valves to be installed, or a credit in lieu of us installing these?

If you want them installed, we have one that needs to have the hot water figured out as there currently is none in that location.

So my guess would be that the credit would be the way to go and not install any mixing valves since if I recall correctly the water temperature is acceptable for the eye wash stations without adding hot water.

Thank you,
Roy

Please note our mailing address has changed:
Baron Construction, LLC

P.O. Box 264
Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



From: Roy Bruce
Sent: Thursday, October 3, 2024 11:23 AM
To: Hornbuckle Plumbing <info@HORNBUCKLEPLBG.COM>; chris@harpethpark.engineering
Cc: tlambe@comcast.net; Annie Flanagin <aflanagin@baronconstructionllc.com>; Gary Lide <glide@laveragnetn.gov>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com; JB Nease <jbnease@baronconstructionllc.com>
Subject: RE: La Vergne Public Works - Emergency Eye Wash

Chris,

Have you had a chance to look at this, regarding the A111 tire Maintenance room and also the mixing valves?

Thank you,
Roy

Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264
Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



From: Hornbuckle Plumbing <info@HORNBUCKLEPLBG.COM>
Sent: Thursday, October 3, 2024 11:17 AM
To: Roy Bruce <rbruce@baronconstructionllc.com>
Subject: FW: La Vergne Public Works - Emergency Eye Wash

Roy,
Did you get a response on this?
Ernie

From: Hornbuckle Plumbing
Sent: Tuesday, September 24, 2024 8:55 AM
To: Roy Bruce <rbruce@baronconstructionllc.com>
Cc: 'Chris Gresham' <Chris@harpethpark.engineering>
Subject: RE: La Vergne Public Works - Emergency Eye Wash

Roy,

We can increase the cold water to 1" no problem.
Hot water – ½" is available at 2 locations.
The only hot water at the A111 tire maintenance room is an instantaneous heater that will not serve the eye wash. This is the only issue for Chris to address.
I have the mixing valves included in my fixture package.
Can we get clarification from the owner as to whether or not they want or require the mixing valves so we know how to proceed?
If they don't need the mixing valves we can issue a credit or turn them over to the owner for future use.

Ernie

From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Monday, September 23, 2024 11:20 AM
To: Hornbuckle Plumbing <info@HORNBUCKLEPLBG.COM>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; JB Nease <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: FW: La Vergne Public Works - Emergency Eye Wash

Ernie,

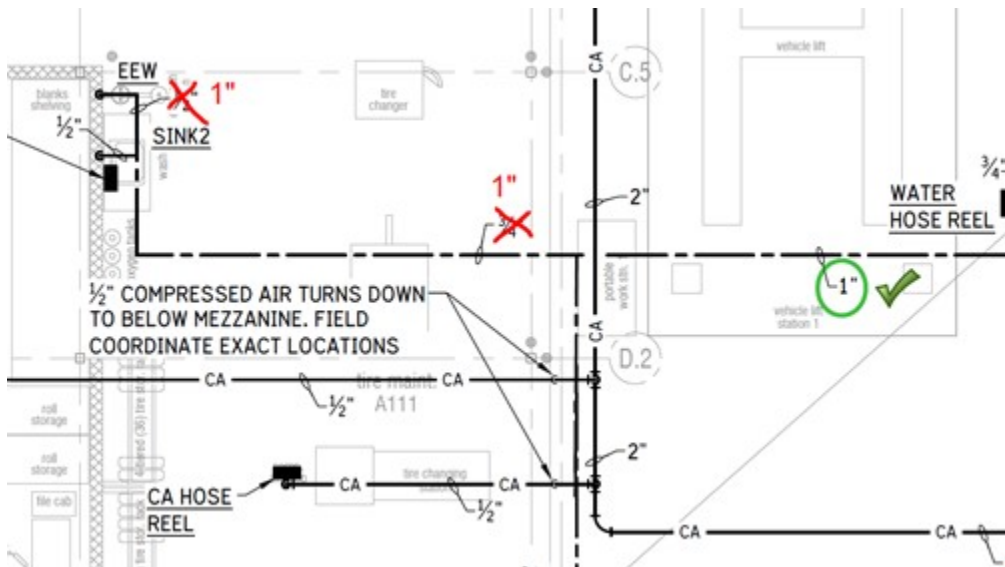
Please see below – additional information regarding the eye wash. Can you confirm the pipe size is correct per Chris Gresham's email below?

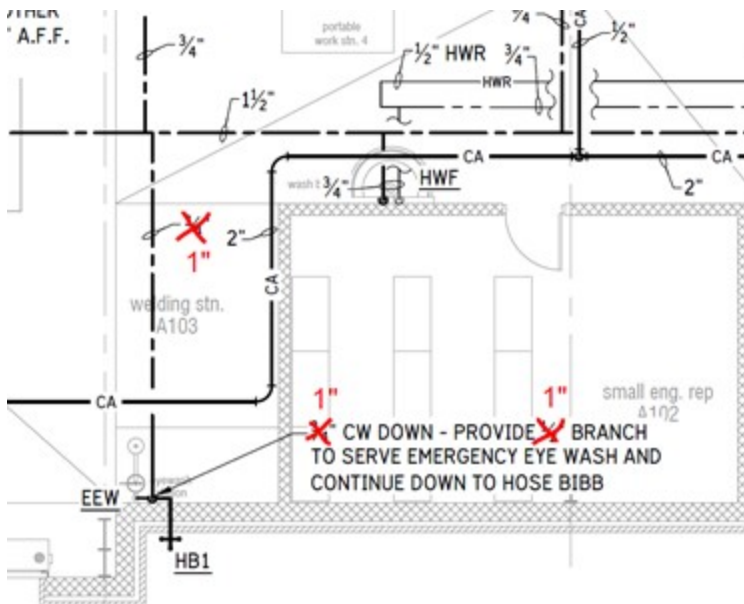
Thank you,
Roy

Please note our mailing address has changed:

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com

From: Chris Gresham <Chris@harpethpark.engineering>
Sent: Monday, September 23, 2024 11:11 AM
To: Roy Bruce <rbruce@baronconstructionllc.com>
Subject: RE: La Vergne Public Works - Emergency Eye Wash





E. Christopher Gresham, P.E. | Principal Mechanical Engineer
 Harpeth Park Engineering, LLC
 Office: (615) 814-6001
 Direct: (615) 814-6003
Chris@harpethpark.net



From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Monday, September 23, 2024 10:27 AM
To: Chris Gresham <Chris@harpethpark.engineering>; tlambe@comcast.net
Cc: Gary Lide <glide@laveragnetn.gov>; Annie Flanagan <aflanagin@baronconstructionllc.com>; JB Nease <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: La Vergne Public Works - Emergency Eye Wash

Chris,

It seems the EEW's on the plumbing plans show cold water only – I just want to confirm that this is correct. Can you confirm for us please?

Thank you,
 Roy

**Please note our mailing address has changed:
 Baron Construction, LLC**

P.O. Box 264
Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



Baron Construction, LLC

11-26-2024

Attention – Roy Bruce

Project Reference – LaVergne Public Works

RE – Change Gas Infrared Heaters to a gas fired unit heaters as per directed by Engineer

Affected – RTH-1 Loading Dock, RTH-2 Tire Maintenance

Due to the low ceiling height of mounting of the infrared heaters we feel that its going to be too hot and to control the heat. Solution to provide a standard gas fired unit heaters to use fan forced hot air to heat the spaces

Cost for (2) Heaters 60,000 BTUH heaters ----- \$ 3,622.00

Installation is already Included in the original HVAC bid

Total Proposed Change Order # 1 ----- \$ 3,622.00

Let me know if this is approved

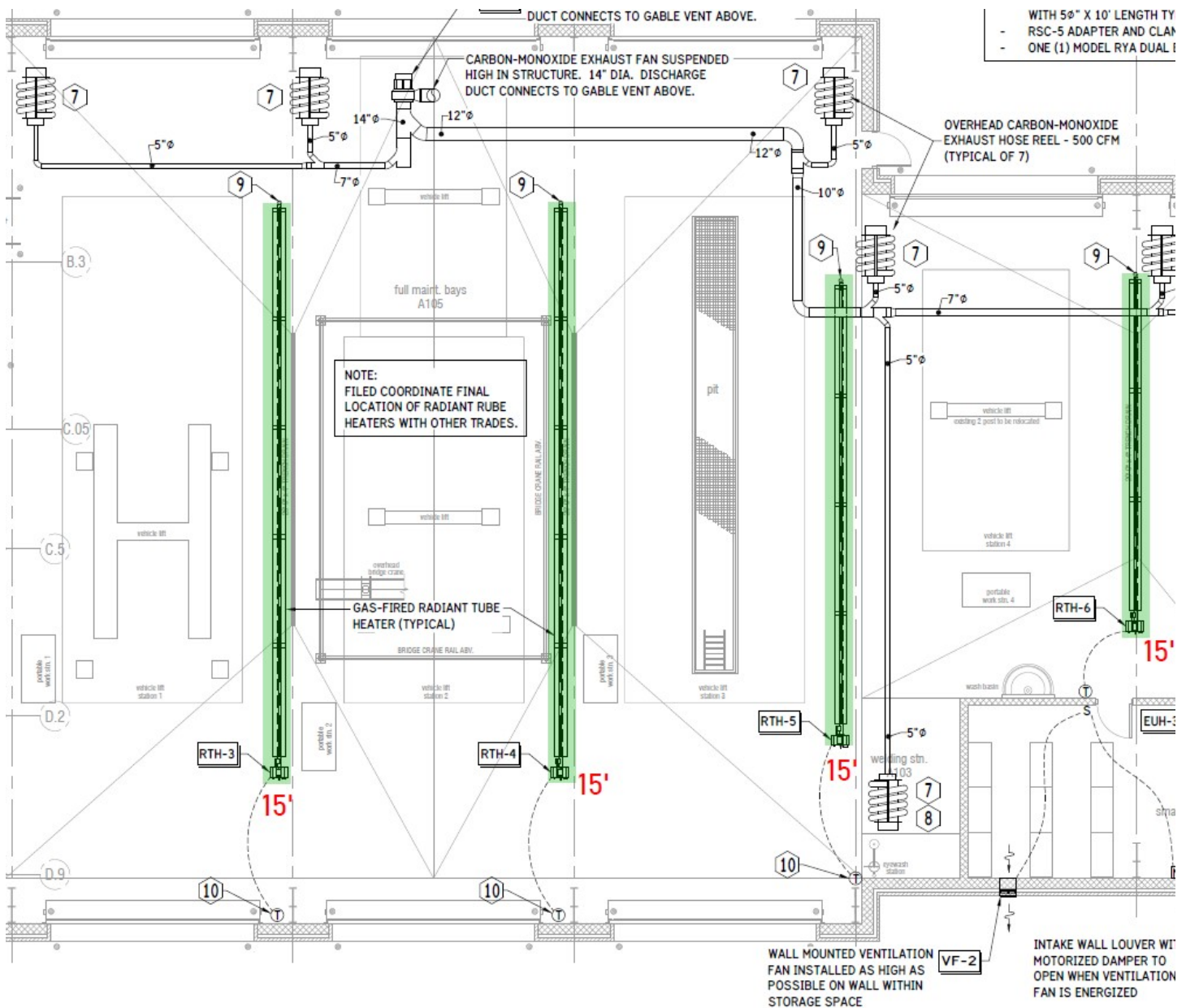


Jeff Owens

Interstate A/C Service

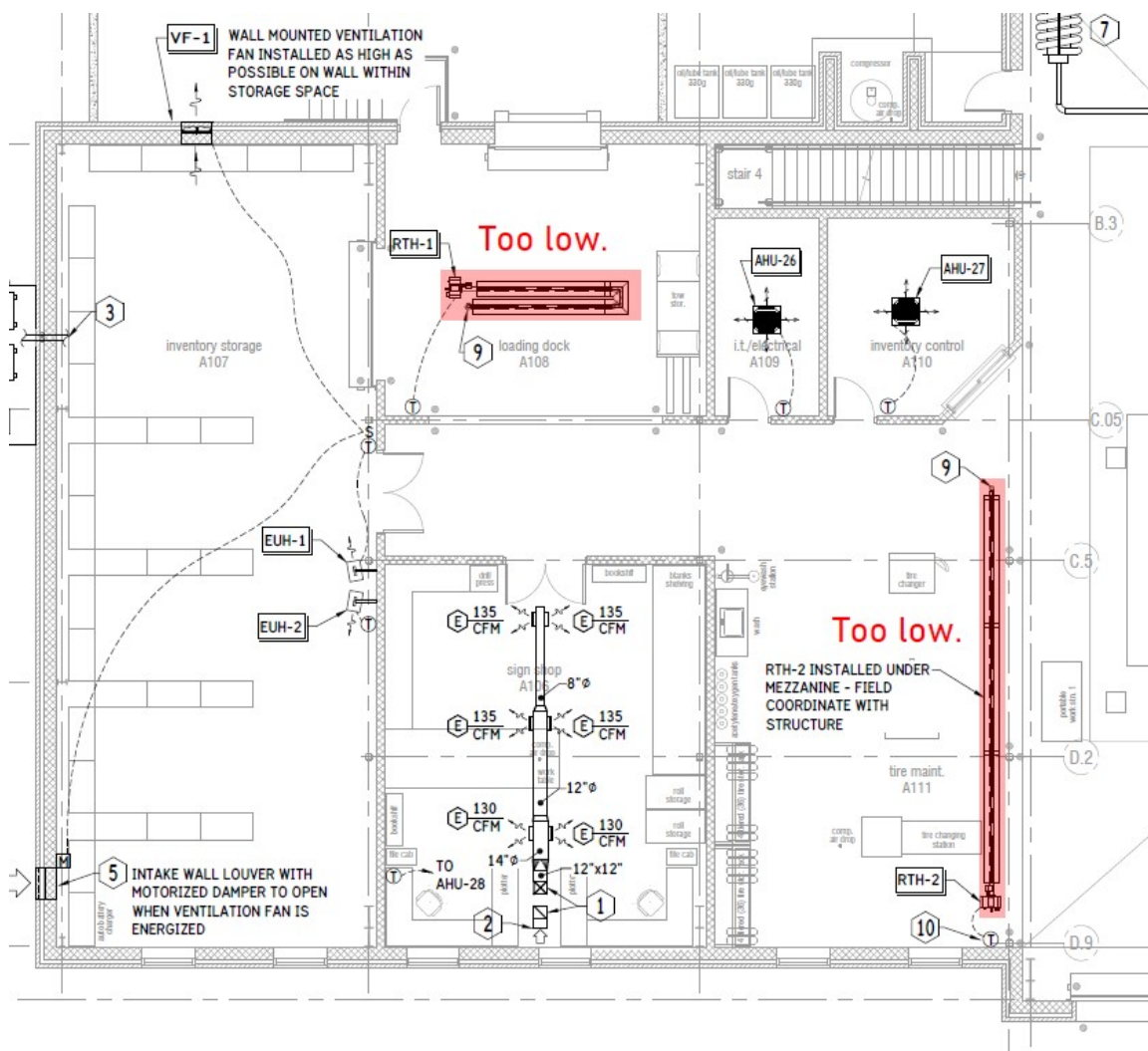
From: Chris Gresham <Chris@harpethpark.engineering>
Sent: Friday, August 16, 2024 4:29 PM
To: Tlambe@Comcast. Net (tlambe@comcast.net)
Cc: Roy Bruce; Tyler Ball
Subject: La Vergne Public Works - Radiant Tube Heaters

Tim,
I met with Roy Bruce (copied) and others today at the job site to review some equipment and ductwork installations.
After seeing the 15 ft height installation of the radiant tube heaters in the shop, I came back to my office and I've been talking with the manufacturer.
The 15 ft high installations in the open shop area are ok as is. So, **Roy**, you can tell the plumbing contractor to move forward with running gas piping to those units. I've highlighted them in green in the image below:



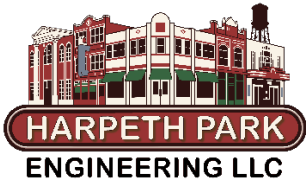
The one I would recommend is made by the same company, but it has a lower heat intensity. Here's a link: https://www.reverberray.com/wp-content/uploads/2018/04/LBDST_DST-Series-Brochure.pdf

Let me know if I can help with anything else.



Chris

E. Christopher Gresham, P.E. | Principal Mechanical Engineer
Harpeth Park Engineering, LLC
Office: (615) 814-6001
Direct: (615) 814-6003
Chris@harpethpark.net



[illegible]



A & S Electric, Inc.

80 Cleveland Street
Nashville, TN 37207
615 - 244- 9560 Fax 254 - 4618

State Lic. #20026
Expires: 5/31/2024.
Classification: E, CE
Limit: UNLIMITED
Metro Lic. #415
Murfreesboro Lic.#0165

DATE: October 31, 2024
ATTN: Baron Construction
RE: La Vergne Public Works
1500 E Nir Shreibman Blvd.
La Vergne, TN

Dear Roy Bruce,

We appreciate the opportunity to provide the following quotation for the above referenced project. Our proposal is based upon the E drawings, Add. 2, RFI responses dated on 8/16/22 provided by Baron Construction.

Ceiling Lighting Total: \$2,000

ITEMS INVOLVED:

9	Fixtures
1	Labor

PROJECT MANAGER'S SPECIFICATIONS:

- All light fixtures located in a drop ceiling are to have a minimum of (2) wire per fixture installed by the ceiling contractor.
- The above total sum has been calculated and the time schedule agreed upon based upon the current prices and availability of materials and labor, considering anticipated impacts from the COVID-19 pandemic, and any governmental action, disruptions in the supply of labor or materials or other impacts related thereto and that A&S Electric has taken or will take all reasonable measures to protect against excessive price increases and delays, such as early purchasing of materials where appropriate and feasible. A&S Electric shall not be responsible for any additional cost associated with changes in the aforementioned conditions, as they are out of our control. A&S Electric shall advise the contractor when conditions change and impacts our contract price.

EXCLUSIONS:

1. EXCLUDE: The repair of existing code deficiencies (if any) is not included in the above total sum quotation.
2. EXCLUDE: Main Switchboard, Generator/ Transformer / electrical equipment pads.
3. EXCLUDE: Any Utility Charges.
4. EXCLUDE: Parking (to be provided by GC)
5. EXCLUDE: Concrete Encasement
6. EXCLUDE: Painting of any kind
7. EXCLUDE: Gravel (included for primary & secondary power only)
8. EXCLUDE: Rock Excavation
9. EXCLUDE: Furnishing big ass fans and controls
10. EXCLUDE: Work from C section to road SE corner shown on E101. (no information provided)
11. EXCLUDE: J hooks, phone/data/tv/camera parts, wiring, and/or terminations.
12. EXCLUDE: All Pads on site shown on site print.
13. EXCLUDE: F/A PIV Connection, Conduit, and/or Termination.
14. EXCLUDE: Fuel Tank Work
15. EXCLUDE: Wage work
16. EXCLUDE: Seismic
17. EXCLUDE: Background check
18. EXCLUDE: X-Ray of Floors
19. EXCLUDE: Pole bases.
20. EXCLUDE: Hauling off of spoils.
21. EXCLUDE: Backfill of any kind. (gravel backfill in primary included in above total sum)
22. EXCLUDE: Cutting of concrete / asphalt.
23. EXCLUDE: Forming / furnishing of concrete.
24. EXCLUDE: Patching of any kind. (concrete / asphalt/ walls / ceilings / roof / etc.)
25. EXCLUDE: Furnishing/Installation of any low voltage cabling. (unless add alt is taken)
26. EXCLUDE: Any type of bonds.
27. EXCLUDE: Dumpster Fees.
28. EXCLUDE: Engineered stamped drawings / BIM
29. EXCLUDE: Surveying.

TERMS AND CONDITIONS:

Our quotation is valid for thirty (30) days from date of receipt.

Upon acceptance of our quotation, the following terms and conditions will apply:

- Amounts billed will be due within thirty (30) days of invoice.
- Project will be billed on a percentage-of-completion basis.
- All work is to be completed during A & S Electric's normal working hours which are Monday through Friday, 7:00a.m. to 3:30p.m. unless agreed upon in writing.
- The handling or disposal of contaminated or hazardous material is not included in the above quotation.
- Seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic, and buyer shall not be entitled to any damages resulting thereof.

Thank you for considering A & S Electric Inc., for your electrical requirements. Please contact our office if you have any questions or comments concerning the above proposal.

Sincerely,

A & S Electric, Inc.

WE PROPOSE to furnish labor and material --- complete in accordance with above specifications, and subject to conditions found on both sides of this agreement, for the sum of:
Payment to be made as follows: _____

ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Respectfully Submitted,

Payment will be made as outlined above.

Date of Acceptance _____

By _____

By _____

Project Manager

A & S ELECTRIC, INC.

By:  _____

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Shaun Smith

Roy Bruce

From: Tyler Ball <tyler@harpethpark.engineering>
Sent: Wednesday, October 30, 2024 1:37 PM
To: Roy Bruce; tlambe@comcast.net
Cc: Annie Flanagin; 'Gary Lide'; JB Nease; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Roy,

Specification for Luminaire Type "AS":

Type = AS

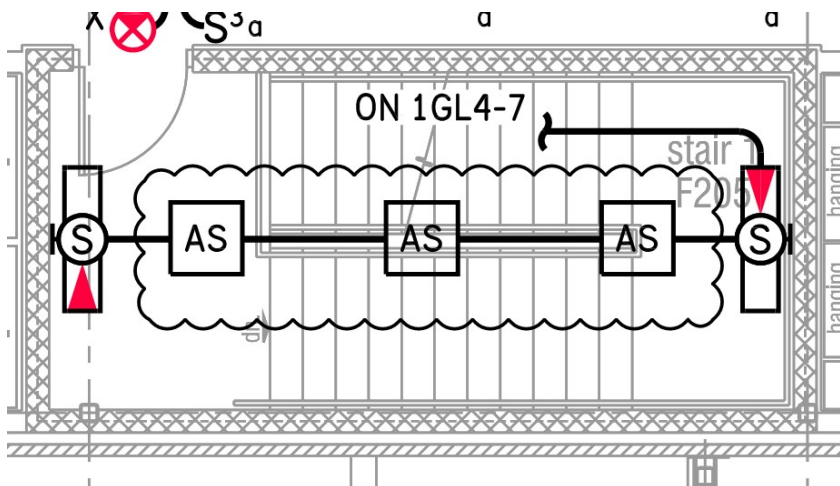
Description = Surface-Mount Backlit Panel (no more than 1.5" depth from ceiling)

Performance = 41 Watts, 3500 Lumens, 3500K, 90 CRI

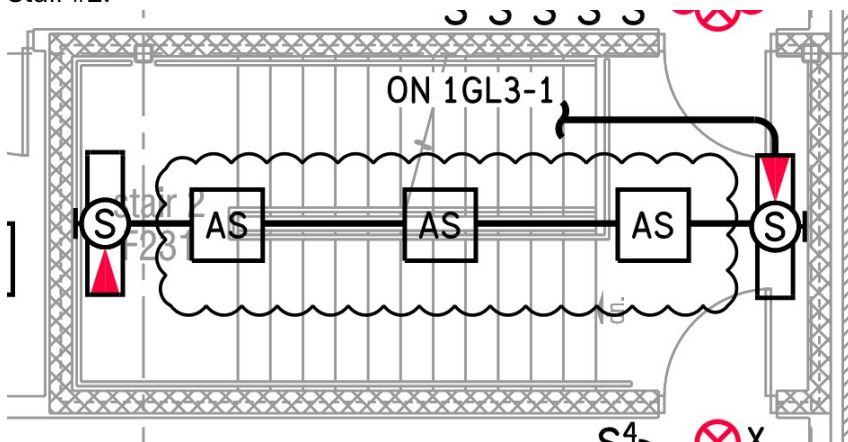
Specification = Metalux – 22MMS-L3C3-UNV

Link to Cut-Sheet = <https://www.cooperlighting.com/api/assets/v1/file/CLS/content/metalux-mms-multimount-selectable-panel-specsheet/Metalux-MMS-Multi-Mount-Selectable-Panel-spec-sheet.pdf>

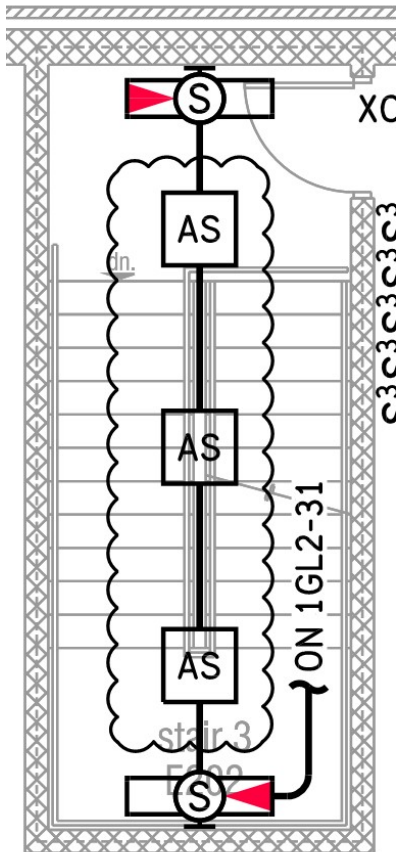
Stair #1:



Stair #2:

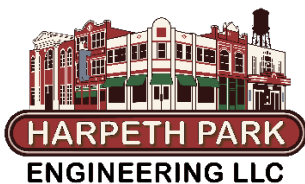


Stair #3:



Thanks,

Tyler Ball, P.E. | Principal Electrical Engineer
 Harpeth Park Engineering, LLC
 Office: (615) 814-6001
 Direct: (615) 814-6011
Tyler@harpethpark.net



From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Wednesday, October 30, 2024 12:43 PM
To: tlambe@comcast.net; Tyler Ball <tyler@harpethpark.engineering>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Tim,

It seems the best bet in that case is for us to go with the low profile fixtures. I'll get submittal information over ASAP so we can get underway

Thank you,
Roy

Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264
Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



From: tlambe@comcast.net <tlambe@comcast.net>
Sent: Wednesday, October 30, 2024 12:30 PM
To: Roy Bruce <rbruce@baronconstructionllc.com>; 'Tyler Ball' <tyler@harpethpark.engineering>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developpm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Roy,

I'm good with either an exposed hard (rated) ceiling with lighting or a rated hard ceiling with a non-rated lay-in below with standard 2x2 light fixtures.

If the former, I would prefer the low-profile 1-1/2" fixtures.

Tim

From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Wednesday, October 30, 2024 12:09 PM
To: tlambe@comcast.net; 'Tyler Ball' <tyler@harpethpark.engineering>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developpm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Tim,

From discussing with A&S, it doesn't sound like either option is going to be much of an issue. If we are changing fixtures we would need to get submitted and approved right away since we don't want to run into an issue with the time but that said 2x2 fixtures are typically quick ship items.

So (my opinion) it seems to be a question of what is acceptable i.e. aesthetically pleasing / to your liking

Thank you,
Roy

Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264
Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



From: Roy Bruce
Sent: Wednesday, October 30, 2024 8:05 AM
To: tlambe@comcast.net; 'Tyler Ball' <tyler@harpethpark.engineering>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnase@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

I've sent to A&S Electric – I will need them to weigh in and let us know but will get back to y'all asap!

Thank you,
Roy

Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264

Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



From: tlambe@comcast.net <tlambe@comcast.net>
Sent: Wednesday, October 30, 2024 8:04 AM
To: 'Tyler Ball' <tyler@harpethpark.engineering>; Roy Bruce <rbruce@baronconstructionllc.com>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developpm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Thanks, Tyler!

Roy, do either of these options work for you? There's always the third option we discussed yesterday...a non-rated fixture in a 2x2 lay-in ceiling hung below the rated ceiling.

Tim

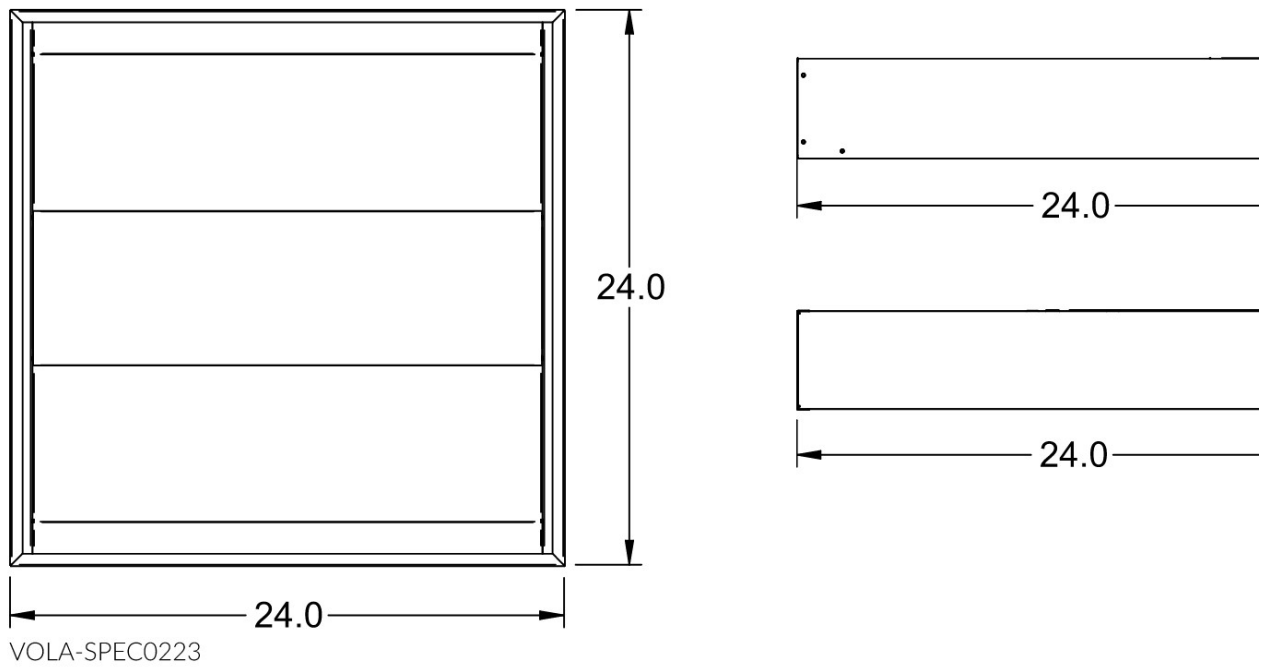
From: Tyler Ball <tyler@harpethpark.engineering>
Sent: Tuesday, October 29, 2024 4:55 PM
To: tlambe@comcast.net; 'Roy Bruce' <rbruce@baronconstructionllc.com>
Cc: 'Annie Flanagin' <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; 'JB Nease' <jbnease@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developpm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Tim,

From a lighting standpoint, I reckon that the only areas that need adjusting are the (3) stairwells. We have a couple of options:

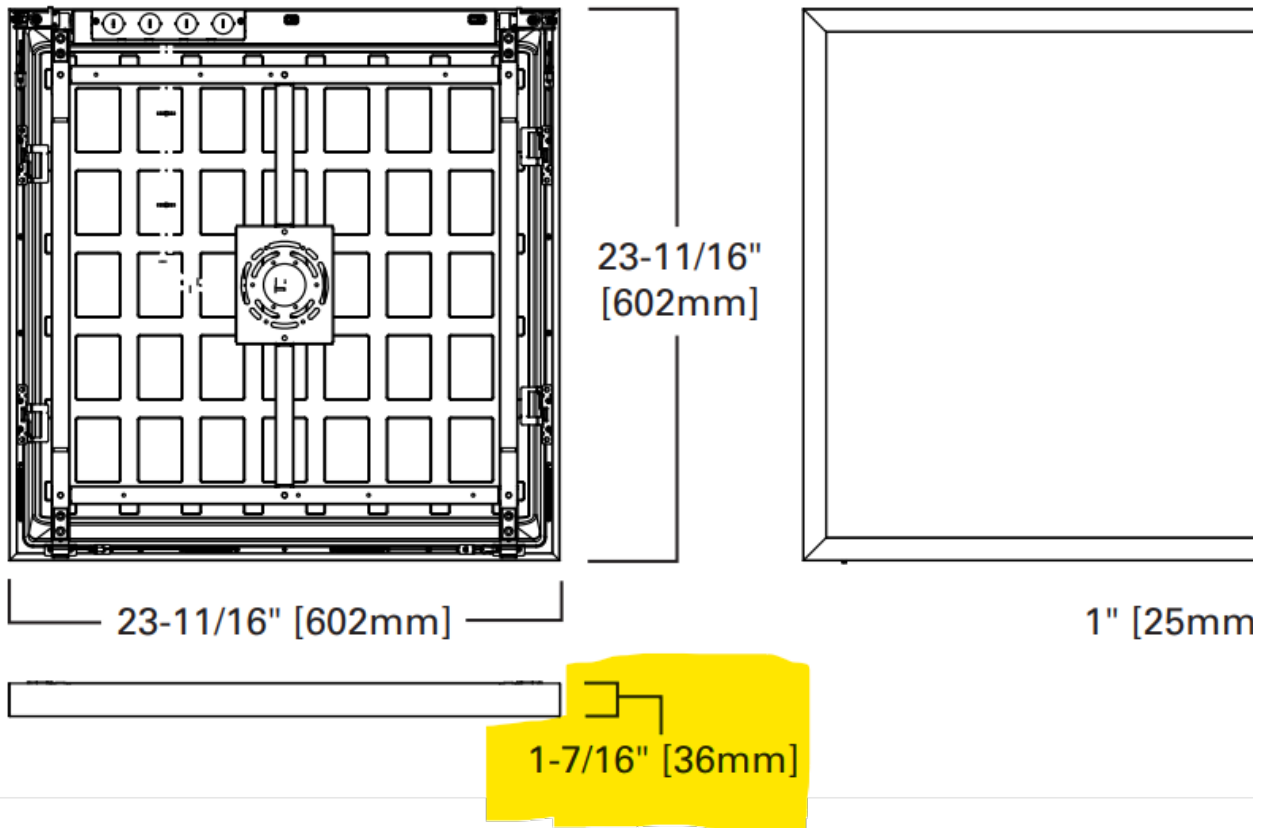
- 1) We can still use a type "A" 2'x2' fixture with a surface-mount kit.
 - a. It would be the same type and quantity of lights, except there would be a surface-mounting kit instead of having recessed fixtures.
 - b. The downside to this is that the surface-mount kit is 4.4" in depth (from the ceiling). It looks bulky.

Surface Mount Housing



- 2) We can provide surface-mount flat panels instead of type “A” lights.
 - a. Spec.: <https://www.cooperlighting.com/api/assets/v1/file/CLS/content/metalux-mms-multimount-selectable-panel-specsheet/Metalux-MMS-Multi-Mount-Selectable-Panel-spec-sheet.pdf>
 - b. These would only be around 1.5” in depth from the ceiling, which is more aesthetically pleasing.

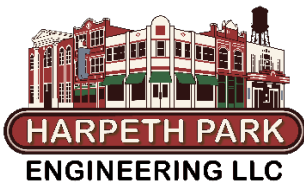
2' x 2'



Let me know what you think.

Thanks,

Tyler Ball, P.E. | Principal Electrical Engineer
Harpeth Park Engineering, LLC
Office: (615) 814-6001
Direct: (615) 814-6011
Tyler@harpethpark.net



From: tlambe@comcast.net <tlambe@comcast.net>
Sent: Tuesday, October 29, 2024 8:54 AM
To: 'Roy Bruce' <rbruce@baronconstructionllc.com>
Cc: 'Annie Flanagan' <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; 'JB Nease' <jbnase@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com; Tyler Ball <tyler@harpethpark.engineering>
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Tyler,

See email string immediately below....can you please address Roy's question?

We are talking about the lighting in the 1-hour rated ceilings at the mechanical rooms (*C116, E201, E204, and E205*) and *all 3 stairwells*. If I'm not mistaken, we were doing lay-in acoustic ceilings below the rated ceiling at the *stairwells* so they wouldn't need to be rated for 1-hour. On the mechanical rooms, we have hard ceilings at around 12' AFF for the 3 rooms upstairs, and exposed floor/ceiling in the downstairs mech room.

Thanks!
Tim

From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Tuesday, October 29, 2024 8:24 AM
To: tlambe@comcast.net
Cc: Annie Flanagan <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnase@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Tim,

Due to accessibility (or lack thereof) we are proceeding with the three layers of drywall.

However this raises another question – the lights that are spec'd for those areas. Can you advise how we should handle the light fixtures at the rated ceilings? Do we need to change to a surface mounted option?

Thank you,
Roy

***Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264
Brentwood, TN 37024***

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com



From: tlambe@comcast.net <tlambe@comcast.net>
Sent: Monday, October 28, 2024 12:56 PM
To: Roy Bruce <rbruce@baronconstructionllc.com>
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; 'Gary Lide' <glide@laveragnetn.gov>; JB Nease <jbnese@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developpm@procoretech.com
Subject: RE: La Vergne PW - Rated Ceilings at Stairs, Elevator

Roy,

All are 1-hour rated.

For installations non-accessible from the top of the enclosure, you can use UL design I504 which would allow up to 8" metal joists at 16" o/c (for up to 14' spans) with three layers of 5/8" Type X ([Gold Bond® XP® Fire-Shield®](#)) gypsum board on the underside of the framing.

Or

For installations where the top of the enclosure is accessible, you could use UL design U465 which utilizes 3-5/8" studs at 16" o/c (which would need to be upgraded to 8" studs due to spans) with 1 layer 5/8" Type 'X' gyp board each side.

Hope this helps.

Tim

From: Roy Bruce <rbruce@baronconstructionllc.com>
Sent: Monday, October 28, 2024 10:12 AM
To: tlambe@comcast.net
Cc: Annie Flanagin <aflanagin@baronconstructionllc.com>; Gary Lide <glide@laveragnetn.gov>; JB Nease <jbnese@baronconstructionllc.com>; com-inbound-city-of-la-vergne-public-works--community-developpm@procoretech.com
Subject: La Vergne PW - Rated Ceilings at Stairs, Elevator

Tim,

Just to confirm, what rated assembly do the ceilings at the stairs and elevator need?

Thank you,
Roy

***Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264
Brentwood, TN 37024***

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:

101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com





2305 La Vergne Public Works &CDSF
La Vergne, TN

RFC 54

Water Heater Circuits. Instantaneous Water Heater in Break Room C118
had no circuit shown on drawings and had to be added. WH2 at Janitor
Closet C128 had 30amp circuit installed per plans but required 50amp

1/16/2025

COST CATEGORY / ITEM	UNIT PRICE	QUANTITY	TOTALS	NOTES
Water Heater Circuits				
Instantaneous Water Heater at Break Room C118	\$ 2,640.65	1.00	\$ 2,640.65	Add circuit for the instantaneous water heater at Break Room C118 by the dish washer, which was not shown on electrical drawings and required a circuit be provided
Upgrade Water Heater Circuit at Janitor Closet C128	\$ 1,900.00	1.00	\$ 1,900.00	Provided 30amp circuit per drawings, water heater required 50amp which required upgrading feeders, wire, breaker
SUBTOTAL			\$ 4,540.65	

Subtotal	\$	4,540.65	
Indirect	\$	181.63	4%
Fee	\$	283.34	6%
TOTAL	\$	5,005.61	



State Lic. #20026
Expires: 5/31/2024.
Classification: E, CE
Limit: UNLIMITED
Metro Lic. #415
Murfreesboro Lic.#0165

DATE: December 13, 2024
ATTN: Baron Construction
RE: La Vergne Public Works
1500 E Nir Shreibman Blvd.
La Vergne, TN

Dear Roy Bruce,

We appreciate the opportunity to provide the following quotation for the above referenced project. Our proposal is based upon the updated E302, E303 and E707 based on RCF-1 provided on 10/1/2024.

Add Instahot in Break Room Total Sum: \$2,640.65

PROJECT MANAGER'S SPECIFICATIONS:

- All light fixtures located in a drop ceiling are to have a minimum of (2) wire per fixture installed by the ceiling contractor.
- The above total sum has been calculated and the time schedule agreed upon based upon the current prices and availability of materials and labor, considering anticipated impacts from the COVID-19 pandemic, and any governmental action, disruptions in the supply of labor or materials or other impacts related thereto and that A&S Electric has taken or will take all reasonable measures to protect against excessive price increases and delays, such as early purchasing of materials where appropriate and feasible. A&S Electric shall not be responsible for any additional cost associated with changes in the aforementioned conditions, as they are out of our control. A&S Electric shall advise the contractor when conditions change and impacts our contract price.

EXCLUSIONS:

1. EXCLUDE: The repair of existing code deficiencies (if any) is not included in the above total sum quotation.
2. EXCLUDE: Main Switchboard, Generator/ Transformer / electrical equipment pads.
3. EXCLUDE: Any Utility Charges.
4. EXCLUDE: Parking (to be provided by GC)
5. EXCLUDE: Concrete Encasement
6. EXCLUDE: Painting of any kind
7. EXCLUDE: Gravel (included for primary & secondary power only)
8. EXCLUDE: Rock Excavation
9. EXCLUDE: Furnishing big ass fans and controls
10. EXCLUDE: Work from C section to road SE corner shown on E101. (no information provided)
11. EXCLUDE: J hooks, phone/data/tv/camera parts, wiring, and/or terminations.
12. EXCLUDE: All Pads on site shown on site print.
13. EXCLUDE: F/A PIV Connection, Conduit, and/or Termination.
14. EXCLUDE: Fuel Tank Work
15. EXCLUDE: Wage work
16. EXCLUDE: Seismic
17. EXCLUDE: Background check
18. EXCLUDE: X-Ray of Floors
19. EXCLUDE: Pole bases.
20. EXCLUDE: Hauling off of spoils.
21. EXCLUDE: Backfill of any kind. (gravel backfill in primary included in above total sum)
22. EXCLUDE: Cutting of concrete / asphalt.
23. EXCLUDE: Forming / furnishing of concrete.
24. EXCLUDE: Patching of any kind. (concrete / asphalt/ walls / ceilings / roof / etc.)
25. EXCLUDE: Furnishing/Installation of any low voltage cabling. (unless add alt is taken)
26. EXCLUDE: Any type of bonds.
27. EXCLUDE: Dumpster Fees.
28. EXCLUDE: Engineered stamped drawings / BIM
29. EXCLUDE: Surveying.

TERMS AND CONDITIONS:

Our quotation is valid for thirty (30) days from date of receipt.

Upon acceptance of our quotation, the following terms and conditions will apply:

- Amounts billed will be due within thirty (30) days of invoice.
- Project will be billed on a percentage-of-completion basis.
- All work is to be completed during A & S Electric's normal working hours which are Monday through Friday, 7:00a.m. to 3:30p.m. unless agreed upon in writing.
- The handling or disposal of contaminated or hazardous material is not included in the above quotation.
- Seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic, and buyer shall not be entitled to any damages resulting thereof.

Thank you for considering A & S Electric Inc., for your electrical requirements. Please contact our office if you have any questions or comments concerning the above proposal.

Sincerely,

WE PROPOSE to furnish labor and material --- complete in accordance with above specifications, and subject to conditions found on both sides of this agreement, for the sum of:

Payment to be made as follows: _____

ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Respectfully Submitted,

Payment will be made as outlined above.

Date of Acceptance _____

By _____

By _____

Project Manager

A & S ELECTRIC, INC.

By:  _____

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Shaun Smith



State Lic. #20026
Expires: 5/31/2024.
Classification: E, CE
Limit: UNLIMITED
Metro Lic. #415
Murfreesboro Lic.#0165

DATE: January 6, 2025
ATTN: Baron Construction
RE: La Vergne Public Works
1500 E Nir Shreibman Blvd.
La Vergne, TN

Dear Roy Bruce,

We appreciate the opportunity to provide the following quotation for the above referenced project. Our proposal is based upon the updated E302, E303 and E707 based on RCF-1 provided on 10/1/2024.

Upgrade Hot Water Heater Feeders, Wire, Breaker Total Sum: \$1,900.00

PROJECT MANAGER'S SPECIFICATIONS:

- All light fixtures located in a drop ceiling are to have a minimum of (2) wire per fixture installed by the ceiling contractor.
- The above total sum has been calculated and the time schedule agreed upon based upon the current prices and availability of materials and labor, considering anticipated impacts from the COVID-19 pandemic, and any governmental action, disruptions in the supply of labor or materials or other impacts related thereto and that A&S Electric has taken or will take all reasonable measures to protect against excessive price increases and delays, such as early purchasing of materials where appropriate and feasible. A&S Electric shall not be responsible for any additional cost associated with changes in the aforementioned conditions, as they are out of our control. A&S Electric shall advise the contractor when conditions change and impacts our contract price.

EXCLUSIONS:

1. EXCLUDE: The repair of existing code deficiencies (if any) is not included in the above total sum quotation.
2. EXCLUDE: Main Switchboard, Generator/ Transformer / electrical equipment pads.
3. EXCLUDE: Any Utility Charges.
4. EXCLUDE: Parking (to be provided by GC)
5. EXCLUDE: Concrete Encasement
6. EXCLUDE: Painting of any kind
7. EXCLUDE: Gravel (included for primary & secondary power only)
8. EXCLUDE: Rock Excavation
9. EXCLUDE: Furnishing big ass fans and controls
10. EXCLUDE: Work from C section to road SE corner shown on E101. (no information provided)
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26. EXCLUDE: Any type of bonds.
27. EXCLUDE: Dumpster Fees.
28. EXCLUDE: Engineered stamped drawings / BIM
29. EXCLUDE: Surveying.

TERMS AND CONDITIONS:

Our quotation is valid for thirty (30) days from date of receipt.

Upon acceptance of our quotation, the following terms and conditions will apply:

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- Project will be billed on a percentage-of-completion basis.
- All work is to be completed during A & S Electric's normal working hours which are Monday through Friday, 7:00a.m. to 3:30p.m. unless agreed upon in writing.
- The handling or disposal of contaminated or hazardous material is not included in the above quotation.
- Seller shall not be responsible for any failure to perform, or delay in performance of, its obligations resulting from the COVID-19 pandemic or any future epidemic, and buyer shall not be entitled to any damages resulting thereof.

Thank you for considering A & S Electric Inc., for your electrical requirements. Please contact our office if you have any questions or comments concerning the above proposal.

Sincerely,

WE PROPOSE to furnish labor and material --- complete in accordance with above specifications, and subject to conditions found on both sides of this agreement, for the sum of:

Payment to be made as follows: _____

ACCEPTED. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Respectfully Submitted,

Payment will be made as outlined above.

Date of Acceptance _____

By _____

By _____

Project Manager

A & S ELECTRIC, INC.

By:  _____

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Shaun Smith

Roy Bruce

From: Roy Bruce
Sent: Monday, November 11, 2024 11:01 AM
To: tlambe@comcast.net
Cc: tyler@harpethpark.engineering; chris@harpethpark.engineering; Annie Flanagan; JB Nease; Jim Hunter; com-inbound-city-of-la-vergne-public-works--community-developm@procoretech.com
Subject: La Vergne Public Works - Dishwasher / water heater in breakroom C118

Tim,

There is an instantaneous water heater shown on plumbing drawings but not on electrical, at breakroom C118 by the dishwasher. So as it stands right now, there is not a circuit for that water heater. Can you please confirm how we are to proceed? The plumbing drawings only show a cold water feed to the room, but the electrical does not show anything for a water heater.

This will be critical, our casework guy is mobilizing to start on site tomorrow.

Thank you,
Roy

Please note our mailing address has changed:
Baron Construction, LLC
P.O. Box 264
Brentwood, TN 37024

Roy Bruce
Project Manager
Baron Construction, LLC
Temporary Address:
101 Westpark Dr, Ste 320
Brentwood, TN 37027
Mobile: 629.214.5690
Office: 615.690.7770 ext. 1008
rbruce@baronconstructionllc.com
www.baronconstructionllc.com





ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 9.E. Approve Agreement with Hands on Nashville for Volunteer Management, Recruiting, and Advertising for Stormwater Events.

Department: Stormwater

Presented By: Gary Lide

Item Attachments: 1. Hands On Community Partner Program Agreement

Summary:

This is an agreement with Hands On Nashville to provide our volunteer management and to help with recruiting and advertising our stormwater events.

Background Information:

This is our annual renewal of our partnership agreement with Hands on Nashville. Our budget allocates funds for stormwater outreach and education. This agreement helps us to recruit and manage volunteers using their network for our stormwater events like stream clean-ups, rain garden plants, and tree plantings. We have partnered with Hands On Nashville for the last three years.

Financial Summary:

The fee has been waived for 2025.

Staff Recommendation:

Staff recommends approval.

COMMUNITY PARTNER PROGRAM AGREEMENT

Hands On, powered by United Way of Greater Nashville, builds capacity for its partners by providing volunteer-management technology, strategy, consulting, and recruitment.

COMPLIMENTARY PARTNERSHIP

There will be no membership fee for this partnership for the 2025 partnership cycle ending on 12/31/2025. Hands On reserves the right to rescind this complimentary partnership early if circumstances dictate.

TO REGISTER AS A HANDS ON COMMUNITY PARTNER, ORGANIZATIONS MUST:

- Be designated by the IRS as a 501(c)(3) nonprofit or faith-based organization with a profile on GivingMatters.com; OR a school, government agency, hospital, hospice or senior living facility.
- Have liability insurance that covers volunteers.
- Not withhold services based on membership or religious affiliation/participation.
- Not be a political campaign.

GENERAL POSTING POLICY

- Partners understand that all submission approvals may take up to three business days. Hands On recommends submitting opportunities at least **14 days** prior to the volunteer need.
- Hands On will only post/promote activities featuring a volunteer component. We are unfortunately unable to promote general invitations to events or activities.

Hands On does not recruit or refer volunteers to:

- Work with private individuals independent of an agency.
- Engage in political campaigns and partisan activities.
- Make direct financial asks as part of fundraising activities.
- Activities that require participants or volunteers to profess or adhere to specific religious beliefs or practices as a requirement for participation.

USE OF TECHNOLOGY

- All Partner staff using HandsOn Connect, Hands On's volunteer and project management system, must be trained within 60 days.
- Licenses to use HandsOn Connect will be granted to individuals you designate to represent your agency that have participated in HandsOn Connect training.
- Hands On recommends that each Community Partner have a minimum of two licensed and trained HandsOn Connect users at your organization.
- There is no sharing of licenses/logins to HandsOn Connect and HON.org; organizations must notify Hands On of licensed staff departures and/or of new staff to be trained.

LIABILITY POLICY & INSURANCE REQUIREMENTS

- The partner organization agrees to accept all liability for volunteer events and activities hosted by the partner. Volunteer injuries, property damage, or any other damages arising from volunteer engagement through the Hands On website is the sole responsibility of the partner agency, and the partner agency agrees to waive related all liability for Hands On.

LIABILITY POLICY & INSURANCE REQUIREMENTS CONT.

- The partner will provide a Certificate of Commercial Insurance with a carrier rated A- or better by A.M. Best evidencing:
 - Minimum coverage amounts of \$1 million per occurrence and \$1 million aggregate for commercial general liability and \$1 million commercial auto.
 - List Hands On, 2525 Perimeter Place, Suite 121, Nashville, TN 37214 as an additional named insured and provide 30 days written notice of cancellation to additional insureds.
 - Waiver of subrogation in favor of Hands On for Commercial General Liability, Commercial Auto, and/or Worker's Compensation.
 - Insurance to be written on a primary and non-contributory basis.

SAFETY & SIGNUPS

- Hands On makes no warranties or guarantees that postings on its website will result in volunteer signups. Our team will gladly assist you in crafting a compelling service opportunity and provide relevant advice on ways to increase recruitment.
- The partner agrees to accurately describe volunteer activities and refrain from substantial changes to the activities that volunteers are asked to assist with.
- Hands On makes no warranties or guarantees that volunteers who express interest in a project fit the partner's suitability criteria. Partners should provide any screening necessary to ensure the safety of other volunteers and program participants, particularly if volunteers are working with vulnerable populations.
- The partner organization agrees to provide adequate safety training, supervision, and proper tools and equipment. The partner must ensure that volunteers have sufficient personal protective equipment, either by providing such or requiring volunteers to bring required equipment. Hands On can potentially assist the partner in requesting PPE through another partner, with sufficient notice.
- The partner agrees to inform Hands On of any incidents requiring professional medical attention that involve volunteers recruited through the portal.

OUR COMMITMENT TO INCLUSION

- Hands On is committed to developing our organization and programs to reflect our belief that our community is powered by people of all ages, races, ethnicities, skin tones, ages, sexes, genders, sexualities, national origin, religions, abilities, and socioeconomic statuses engaging in service together. Partners agree to join Hands On in its commitment to non-discrimination.
- Hands On does partner with both religious institutions and government entities, as well as nonprofit organizations. Partners seeking membership must not withhold services based on membership or religious affiliation/participation. Any projects listed on hon.org must benefit the community and not discriminate based on religious belief or affiliation. Activities not appropriate for Hands On volunteers include proselytizing, any direct religious activity, or political campaigning.
- Hands On may waive partnership fees following disasters, public health crises, or to align with Hands On's strategic initiatives. Complimentary Partners are still required to share a COI and sign the Hands On partnership agreement, accepting these nondiscrimination policies prior to posting.

AGREEMENT AND SIGNATURE

By signing below, I affirm that I/we have read and understand the Hands On Community Partnership Agreement, and agree to abide by this policy in order to uphold our responsibility in Partnership.

ORGANIZATION NAME

AUTHORIZED REPRESENTATIVE

DATE



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 10. First Reading - **Ordinance #2025-03** - An Ordinance to Amend Title 2 of the La Vergne Municipal Code Regarding Boards and Commissions, Etc.

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: 1. Ordinance #2025-03

Summary:

This is an ordinance to amend Title 2 of the La Vergne Municipal Code that includes some chapter and section renumbering, changes to the public comment period section, and combines the Greenway Advisory Committee and the Beautification and Arts Advisory Committee.

Background Information:

Changes to the boards and committees sections has been discussed for the last two months. This is a culmination of the requested changes by the Board of Mayor and Aldermen. Changes made by this ordinance include:

1. Making changes to Section 2-107 regarding the public comment period. This adds another venue to allow the public to sign up to speak at boards and committees that are required by state law to provide this opportunity. Staff will create a form on the city's website to allow anyone to sign up to speak by 12:00 p.m. on the day of the meeting in question. This also still requires the paper sign-up sheet to be provided up to 15 minutes prior to the meeting in question.
2. Adding the duties of the Greenway Advisory Committee to the duties of the Beautification and Arts Advisory Committee in Section 2-502, which combines the two committees. The Greenway Advisory Committee will no longer exist following passage of this ordinance.
3. Cleaning up the chapter and section numbering to make everything flow as it should

in the title.

Financial Summary:

N/A

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2025-03

AN ORDINANCE TO AMEND TITLE 2 OF THE LA VERGNE MUNICIPAL CODE REGARDING BOARDS AND COMMISSIONS, ETC.

BE IT ORDAINED by the Board of Mayor and Aldermen of the City of La Vergne, Tennessee that:

SECTION I. Title 2 of the La Vergne Municipal Code is hereby amended to read as follows:

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER 1 IN GENERAL

Sec. 2-101. Applicability.

Unless specified otherwise, the following shall apply to the boards and committees located in this title.

Sec. 2-102. Membership.

Members shall be appointed from the general constituency without regard to location of such member's residence within the City of La Vergne to include, to the extent reasonably possible, the broadest representation of people involved with or interested in the various and diverse aspects of that board or committee, having backgrounds, experience, talents and expertise in the areas of responsibility for that board or committee that would be beneficial to the city. One (1) member shall be appointed from the board of mayor and aldermen. The alderman appointed shall serve as chairman of the board or committee.

Sec. 2-103. Appointment, terms of office and vacancies.

Members shall be appointed by the mayor and confirmed by the board of mayor and aldermen, and shall serve at the pleasure of the board. Members shall be appointed for a four (4) year term. Members shall be eligible for re-appointment. In case of any vacancies on the committee, vacancies shall be filled for the unexpired term.

Members shall vacate their membership by resignation or by removal by the board of mayor and aldermen. Members may be removed by the board of mayor and aldermen at the request of the chairman of the board or committee and the department head responsible for that board or committee, if the member is absent from two (2) or more scheduled meetings in a row. The alderman appointed to serve as chairman shall vacate the chairmanship by resignation, upon departure from the board of mayor and aldermen, or by removal by the board of mayor and aldermen.

Sec. 2-104. General administration.

- (1) At its first meeting of each year, the board or committee shall elect a vice-chairman from among the members of the board or committee.
- (2) It shall be the duty of the chairman to preside over all meetings of the board or committee. The vice-chairman shall preside at all meetings where the chairman is absent. A majority of the members of the board shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any recommended action.
- (3) The board or committee shall not have any authority over employees of the city, the city's budget or property of the city, but shall act solely as an advisory committee. The board or committee shall determine their own schedule for meetings, keeping of minutes, and other details of the board or committee's functions. The city administrator or his designee will provide the necessary staff support for work of the board or committee and shall act as the liaison to the city government on the behalf of the board or committee.

Sec. 2-105. Compensation.

The members of the board or committee shall serve without compensation, but may be reimbursed for reasonable and necessary expenses after approval by the city administrator.

Sec. 2-106. Order of business.

At each meeting of a board or committee in this chapter that consists of two (2) or more members, with the authority to make decisions for or recommendations to a public body on policy or administration, the following order of business shall be observed unless dispensed with by the chairperson with no objections of the members present:

- (1) Call to order by chairperson.
- (2) Determination of quorum.
- (3) Approval of minutes.
- (4) Public comment period.
- (5) Old business.
- (6) New business.
- (7) Adjournment.

Sec. 2-107. Public comment period.

A public comment period shall be conducted to provide the public with the opportunity to comment on matters that are germane to the items on the agenda for the meeting in question during meetings of any public body of the City of La Vergne consisting of two (2) or more members,

with the authority to make decisions for or recommendations to a public body on policy or administration. Any person wishing to address the board or committee shall make such request by either: 1.) placing their name, address and the topic of their comments on a sign-in sheet provided for that purpose no later than fifteen (15) minutes prior to the beginning of the meeting in question; or, 2.) completing the online public comment form no later than 12:00 p.m. on the day of the meeting in question. Subject to applicable law and Robert's Rules of Order, Newly Revised, each person permitted to speak during the public comment period may be allowed a maximum of three (3) minutes to speak, however the public comment period shall not last longer than thirty (30) minutes. To the extent that there are ascertainable opposing viewpoints among the persons registered to speak at the meeting in question, the chairperson may recognize those persons to speak in an order that allows opposing viewpoints to be heard to the extent doing so is practicable. The board or committee shall not be asked to answer any questions or asked to comment on the topic presented, but will take all comments presented under advisement.

CHAPTER 2 PARKS AND RECREATION ADVISORY COMMITTEE

Sec. 2-201. Creation and membership.

There shall be a Parks and Recreation Advisory Committee of the City of La Vergne (hereinafter referred to as "the committee") which shall serve as the advisory board of the parks and recreation program activities subject to the actions and policies of the board of mayor and aldermen.

The committee shall be constituted as a body of seven (7) members. One (1) member shall be appointed from each of the following general recreation constituencies without regard to the location of such member's residence within the City of La Vergne:

- (1) Primary and elementary age children;
- (2) Teen age children;
- (3) Young and middle age adults; and
- (4) Senior citizens.

Two (2) members shall be appointed from the general constituency without regard to the location of such member's residence within the City of La Vergne.

Sec. 2-202. Duties of the committee.

The committee shall act as the advisory committee for future planning of recreation, ongoing programs, special events, and other matters related to leisure services for the citizens. The committee shall recommend needed maintenance and physical improvements as needed in parks and recreation. The committee shall also submit periodic reports to the governing board.

CHAPTER 3 LOCAL EMERGENCY PLANNING COMMITTEE

Sec. 2-301. Creation and membership.

There shall be a Local Emergency Planning Committee of the City of La Vergne, (hereinafter referred to as "the committee") which shall serve as an advisory committee, subject to the actions and policies of the board of mayor and aldermen.

There shall be twenty-two (22) members of the committee who shall be appointed by the mayor and confirmed by the board of mayor and aldermen, and who shall serve at the pleasure of the mayor and board. Two (2) members shall be appointed from the La Vergne Fire Department. Two (2) members shall be appointed from the La Vergne Police Department. One (1) member shall be appointed from the La Vergne Rescue Unit. Two (2) members shall be appointed from the La Vergne Public Works Department. Two (2) members shall be appointed from Rutherford County Public Entities. One (1) member shall be appointed from the La Vergne Finance Department. One (1) member shall be appointed from the water treatment plant. One (1) member shall be the city administrator. One (1) member shall be an environmental specialist. One (1) member shall be from the La Vergne Codes Department. One (1) member shall be from the American Red Cross. One (1) member shall be the parks and recreation director. One (1) member shall be from the information technology department. One (1) member shall be from the stormwater department. Three (3) members shall be appointed from La Vergne organizations or businesses that are required to file Tier II Emergency and Hazardous Chemical Reports. One (1) member shall be appointed by the mayor from the board of aldermen.

If the appointed member cannot attend a meeting or workshop, the agency or department may send a representative to act as a proxy in the appointed member's place.

Sec. 2-302. Role of the committee.

The committee is created to assist the board of mayor and aldermen and to advise the board in connection with issues and programs involving emergency services which may include:

- (1) Development, implementation and evaluation of the city's emergency plan;
- (2) Make recommendations for additional resources needed in an emergency;
- (3) Complete a comprehensive emergency response plan that addresses the following:
 - (a) Identification of facilities used during evacuation situations.
 - (b) Methods and procedures for response.
 - (c) Recommend a community emergency coordinator if the mayor does not wish to serve in this position.
 - (d) Implementation of the incident commander system.
 - (e) Evacuation plans.
 - (f) Descriptions of emergency equipment and facilities in the community and a listing of persons responsible for the equipment and facilities.
 - (g) Procedures for public notification.
 - (h) Training programs.

- (i) Responsible for pulling all emergency programs together for the betterment of the community.
- (j) Work to establish more grants for emergency operations.
- (4) Work with City of La Vergne staff, committees and other city/community based groups, as directed by the board of mayor and aldermen, on emergency management issues.

CHAPTER 4 LA VERGNE LIBRARY BOARD

Sec. 2-401. Library board established.

There is hereby established a library board which shall consist of seven (7) members, who shall serve without compensation.

Sec. 2-402. Appointment and tenure of members; filling of vacancies.

Three (3) members of the library board shall be appointed by the board of mayor and aldermen for one (1) year terms, two (2) for two (2) year terms, and two (2) for three (3) year terms, and their successors for a term of three (3) years. Not more than one (1) member of the board of mayor and aldermen shall serve on this board. Not more than five (5) of the members shall be of the same sex. All members shall be residents of or employed by the City of La Vergne. Vacancies in the library board occurring otherwise than by normal expiration of a term shall be filled by the board of mayor and aldermen for the unexpired portion of the term.

Sec. 2-403. Removal from office and filling of vacancies therefrom.

Members of the library board serve at the pleasure of the board of mayor and aldermen and may be removed from office by majority vote of the board of mayor and aldermen with or without cause. Members may be removed by the board of mayor and aldermen at the request of the chairman of the board or committee and the library director, if the member is absent from two (2) or more scheduled meetings in a row.

Sec. 2-404. Powers and duties of library board.

The members of the library board shall organize by electing officers and adopting bylaws and regulations. The board shall direct all the affairs of the library, including appointment of a librarian who shall direct the internal affairs of the library, and such assistants or employees as may be necessary. Such board may make and enforce rules and regulations and establish branches of travel service at its discretion. Such board may receive donations, devises and bequests to be used by it directly for library purposes. The library board shall furnish to the state library agency such statistics and information as may be required, and shall make annual reports to the board of mayor and aldermen and any and all such other reports as required by law. Annually, the library board shall submit a budget in conformance with the charter and ordinances of the City of La Vergne to the city administrator who shall forward same to the board of mayor and aldermen. All city tax funds and appropriate fees for library purposes, whether raised by bonds or taxation, shall be held by the city treasurer or appropriate designee. Such funds may be disbursed when properly drawn upon by

vouchers or requisitions. Proceeds from the sale of surplus books by the library may be credited to such special fund in the discretion of the library board. All library accounts of every character and kind shall be audited annually by or under the supervision and direction of the board of mayor and aldermen.

The library board shall also assist the board of mayor and aldermen in connection with issues and programs involving the preservation of the city's history which may include:

- (1) Facilitate cooperation and coordination with various community groups and neighborhoods on historic preservation issues;
- (2) Make recommendations to the board of mayor and aldermen and to city staff for programs in which the city could or should participate to help preserve the city's past, which programs may be in cooperation with any appropriate private, public, civic or community agency, group or association of or in the city, county, state or federal government;
- (3) Recommend ways and means of obtaining private, local, county, state or federal funds and other participation for the preservation of historical projects within the city;
- (4) Work with City of La Vergne staff, committees and other city/community based groups, as directed by the board of mayor and aldermen, on historical preservation issues and projects.

Sec. 2-405. Use of library.

The La Vergne public library shall be free to the inhabitants and residents of the city; however, the board may, in its discretion, extend the privilege and facilities of the library to persons residing outside the city upon such terms as it may deem proper. The library board shall have power to make and enforce rules providing penalties for loss of or injury to library property.

CHAPTER 5 BEAUTIFICATION AND ARTS ADVISORY COMMITTEE

Sec. 2-501. Creation and membership.

There shall be a Beautification and Arts Advisory Committee, (hereinafter referred to as "the committee") which shall serve as an advisory board, subject to the actions and policies of the board of mayor and aldermen.

The committee shall be constituted as a body of seven (7) members. One (1) member shall be appointed from the board of mayor and aldermen. The appointed board member shall serve as the chairman of the committee. Five (5) members shall be appointed from the general constituency without regard to the location of such member's residence within the City of La Vergne. One (1) member shall be appointed from the general constituency without regard to the location of such member's residence within Rutherford County.

Sec. 2-502. Role of the committee.

The purpose of the committee is to advise and assist the City of La Vergne, its elected officials, citizens and staff, and serve as an advocate in the city's decision-making process for artistic and cultural activities; seasonal programs and decorating; general city beautification, and greenway projects, which may include:

- (1) Annually establish committee goals and objectives and request annual funding to the board of mayor and aldermen, through the budget process, for inclusion into the annual budget.
- (2) Recommend innovative artistic, cultural and beautification programs and events for citizens and the city.
- (3) Recommend beautification of city buildings, special events and programs during holidays.
- (4) Serve as the judges for annual beautification awards.
- (5) Serve as the selection committee for pieces of art/items proposed for display in the public areas of city buildings and assist staff in the placement of these pieces of art.
- (6) The committee shall also act as the advisory committee for future planning of the greenway projects, ongoing programs, special events, and other matters related to the greenway system. The committee shall recommend needed maintenance and physical improvements as needed for the greenway program. The committee shall also submit periodic reports to the governing board.

SECTION II. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION III. That this Ordinance take effect forthwith upon its final passage, the public welfare requiring it.

LEGAL STATUS PROVISIONS

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 11. First Reading - **Ordinance #2025-04** - An Ordinance to Amend Title 1, Chapter 1, Section 1-103 of the La Vergne Municipal Code Regarding the Public Comment Period.

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: 1. Ordinance #2025-04

Summary:

This is an ordinance that amends the public comment period section of the La Vergne Municipal Code for the Board of Mayor and Aldermen workshops and meetings.

Background Information:

This ordinance makes changes to Section 1-103 regarding the public comment period. This adds another venue to allow the public to sign up to speak at the Board of Mayor and Aldermen workshops and meetings as required by state law. Staff will create a form on the city's website to allow anyone to sign up to speak by 12:00 p.m. on the day of the meeting in question. This also still requires the paper sign-up sheet to be provided up to 15 minutes prior to the meeting in question.

Financial Summary:

N/A

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2025-04

AN ORDINANCE TO AMEND TITLE 1, CHAPTER 1, SECTION 1-103 OF THE LA VERGNE MUNICIPAL CODE REGARDING THE PUBLIC COMMENT PERIOD.

BE IT ORDAINED by the Board of Mayor and Aldermen of the City of La Vergne, Tennessee that:

SECTION I. Title 1, Chapter 1, Section 1-103 of the La Vergne Municipal Code is hereby amended to read as follows:

Sec. 1-103. - Public comment period.

A public comment period shall be conducted during meetings of the board of mayor and aldermen. Any person wishing to address the board shall make such request by either: 1.) placing their name, address and the topic of their comments on a sign-in sheet provided for that purpose no later than fifteen (15) minutes prior to the beginning of the meeting in question; or 2.) completing the online public comment form no later than 12:00 p.m. on the day of the meeting in question. Subject to applicable law and Robert's Rules of Order, Newly Revised, each person permitted to speak during the public comment period may be allowed a maximum of three (3) minutes to speak, however the public comment period shall not last longer than thirty (30) minutes. To the extent that there are ascertainable opposing viewpoints among the persons registered to speak at the meeting in question, the Mayor may recognize those persons to speak in an order that allows opposing viewpoints to be heard to the extent doing so is practicable. The board of mayor and aldermen shall not be asked to answer any questions or asked to comment on the topic presented, but will take all comments presented under advisement.

SECTION II. Each section, subsection, paragraph, sentence and clause of this ordinance is hereby declared to be separable and severable. The validity of any section, subsection, paragraph, sentence or clause shall not be effected by the invalidity of any other portion of this ordinance, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted herefrom.

SECTION III. This Ordinance shall take effect upon publication after its final passage in a newspaper of general circulation, the public welfare requiring it.

LEGAL STATUS PROVISIONS

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 12. First Reading - **Ordinance #2025-05** - An Ordinance to Amend the Fiscal Year 2024-2025 Drug Fund Budget.

Department: Finance

Presented By: Danielle Brown

Item Attachments: 1. Ordinance #2025-05

Summary:

This is an ordinance to amend the Fiscal Year 2024-2025 Drug Fund Budget.

Background Information:

This ordinance will allocate funds in the Drug Fund to allow the Police Department to purchase replacement ballistic vests for the SWAT Team. These funds were originally budgeted in the FY 2023-2024 budget, but the funds were not spent during the year. The board must reallocate all funds each year and during the last budget process, we were not aware that the funds would not be spent before June 30th.

If approved on first reading, the actual purchase will be placed on the March meeting for approval. The purchase is not being approved by this ordinance.

Financial Summary:

The budget amendment is for \$35,000. The cost of the ballistic vests is \$34,249.45.

Staff Recommendation:

Staff recommends approval.

ORDINANCE #2025-05

AN ORDINANCE TO AMEND THE FISCAL YEAR 2024-2025 DRUG FUND BUDGET.

BE IT ORDAINED By the Board of Mayor and Aldermen of the City of La Vergne
as follows:

The 2024-2025 Budget is hereby amended for the **Drug Fund** by providing for:

Increased Expenditures for account number:

123-42179-312	Small Items of Equipment	\$	35,000
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Decrease Fund Balance:

123-37840	Transfer from Fund Balance	\$	35,000
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**THIS ORDINANCE SHALL TAKE EFFECT FROM AND AFTER THE DATE OF FINAL
PASSAGE, THE PUBLIC WELFARE REQUIRING IT.**

LEGAL STATUS PROVISIONS

Approved by the Mayor and Board of Aldermen:

1st Reading

Jason Cole, Mayor

2nd Reading

ATTEST:

Bruce E. Richardson, City Recorder

Published in the Murfreesboro Post on _____.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 13. **Resolution #2025-01** - A Resolution to Amend the Employee Handbook.

Department: Human Resources

Presented By: Andrew Patton

Item Attachments: 1. Resolution #2025-01

Summary:

This is our annual review of changes and additions to the City of La Vergne Employee Handbook

Background Information:

This revision of the Employee handbook features the following changes of note:

- Definition of Immediate Family: added parents-in-law, step-grandparents, step-brother, and step-sister. Deleted the term "current" in front of parents and grandparents.
- Section 5.2 - Clarified process for resignation. Added recoupment of funds clause and exit interview information.
- Section 7.13 - Changed the comp time policy for regular non-exempt employees from a max of 40 hours to a max of 80 hours. Added comp time policy for exempt-hourly firefighters to be able to accumulate a max of 96 hours of time.
- New Section 8.4 - Hybrid (Remote/In Office) Work Policy.
- Section 8.9 - Personal Appearance - Re-worded dress code to allow jeans in everyday wear for non-uniform employees. Added specifics related to the condition of jeans and the expectations of business casual for meetings with vendors, clients, or citizens.
- Section 9.1 and 9.2 - Complete re-write and update to the Discrimination and Sexual Harassment sections.

- Section 9.3 E - Re-write and refresh of the retaliation section.
- Section 10.11 - Update to the FMLA section on eligibility
- New Section 10.20 - Direct Leave Donations - allows employees to make a donation of time directly to a specific employee through the human resource department.
- New Section 11.3 - Defining short-term disability benefits.
- New Section 11.4 - Defining long-term disability benefits.
- Section 16.1 - Updating process for attendance using Dayforce clocks

Financial Summary:

No financial impact

Staff Recommendation:

Staff recommends approval

RESOLUTION #2025-01

A RESOLUTION TO AMEND THE EMPLOYEE HANDBOOK

WHEREAS, the Board of Mayor and Aldermen of the City of La Vergne determined that the Employee Handbook needed to be updated in order to establish a safe, efficient and cooperative working environment; to establish the responsibilities and level of performance expected of all city employees; and to explain benefits provided to city employees; and

WHEREAS, the La Vergne Municipal Code requires that the Board of Mayor and Aldermen approve any amendments to the Employee Handbook by resolution; and

WHEREAS, the adoption of an amended Employee Handbook is deemed to be in the best interest of the city.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of La Vergne that:

Section 1. The Employee Handbook attached hereto as Exhibit A is hereby adopted and approved.

Section 2. All prior versions of the City's Personnel Rules and Regulations and any amendments thereto are hereby superseded and rescinded.

Section 3. This resolution shall take effect immediately, the public welfare requiring it.

Resolved this 4th day of February, 2025.

CITY OF LA VERGNE, TENNESSEE

Mayor

ATTEST:

City Recorder

EXHIBIT A

CITY OF LA VERGNE



Employee Handbook

Effective: February 5, 2025

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CHAPTER 1 - GENERAL PROVISIONS

1.1 EMPLOYEE HANDBOOK

The City of La Vergne Employee Handbook, adopted by resolution, is applicable to all employees of the City of La Vergne whose activities and functions are subject to the control and direction of the Board of Mayor and Aldermen.

This Handbook and all other City Handbooks do not bestow any additional rights to employees regarding employment or employment benefits. This Handbook is not part of a contract, and no employee has any contractual right to the matters set forth herein.

This will serve as notice to all employees that the employment relationship may be terminated by either the City or the employee at any time for any reason.

All employees are “at will” and the city is an “at will” employer under Tennessee law. The City reserves the right to change any and all such policies, practices, and procedures in whole or in part at any time, with or without notice to employees.

This Employee Handbook shall be made available to all employees. Regular employees will receive a copy of the regulations upon employment. Any employee who desires to review the regulations can find the latest version on the Employee Information Portal.

1.2 PURPOSE

The purpose of this Employee Handbook is to implement a system of personnel administration, which provides consistent, impartial, and effective policies and procedures for employees of the City of La Vergne, Tennessee. This Employee Handbook shall apply to all employees of the City of La Vergne without regard to *race, color, religion, gender or gender identity, age, national origin, disability, military status, genetic information, communication with an elected public official, exercise of free speech made as a citizen as a matter of public concern*, refusal to participate in or remain silent about illegal activities, exercise of a statutory constitutional right or any right under clear public policy, political affiliation, or any other basis protected by law. The City will provide reasonable accommodation to qualified individuals with a disability unless the accommodation poses an undue hardship to the City.*

** Whether an employee’s speech addresses a matter of public concern is determined by the assessment of the content, form, and context of a given statement. If the employee speaks pursuant to his/her official duties (performing a task he/she was paid to perform); and/or the speech was not a matter of public concern; and/or his/her free speech interests are not sufficient to outweigh the City’s interest(s) in promoting efficiency in delivery of public services an employee may not expect free speech protection(s).*

1.3 AUTHORITY FOR PERSONNEL FUNCTION

The authority and responsibility for administering the personnel function within the City of La Vergne are governed by the City Charter and applicable provisions of the Municipal Code. These rules shall be administered by the Mayor or his/her designated representative under the direction of the Board of Mayor and Aldermen.

1.4 POSITIONS COVERED

A. Applicability

The Personnel Regulations will apply to all employees unless otherwise stated, and as described in Section 1.4(B), below. Temporary, seasonal, and part-time employees are subject to all regulations but do not have access to insurance benefits, leave accrual, holiday pay, or retirement benefits.

B. Non-Covered Positions

The Personnel Regulations will not apply to the City Attorney, members of the Board of Mayor and Aldermen, City Judge, appointed members of boards and committees, volunteer personnel and professional consultants and contractors unless otherwise agreed to in writing between the City and the individual or entity and approved by the Board of Mayor and Aldermen.

1.5 RESPONSIBILITIES

A. Board of Mayor and Alderman

The Board of Mayor and Aldermen is responsible for the appointment of the City Administrator, establishment of overall policy guidelines for the operation of City government including adoption of the Personnel Regulations and amendments thereto, development and adoption of an annual fiscal budget.

B. City Administrator

The City Administrator is the Chief Administrative Officer for the City of La Vergne. The City Administrator is hired and serves at the pleasure of the Board of Mayor and Aldermen. He or she is responsible to the Board of Mayor and Aldermen for the proper operations of all City functions. The responsibilities of the City Administrator include enforcement and application of all laws, provisions of the City Charter and Municipal Code, and acts of the Board of Mayor and Aldermen, including but not limited to the Personnel Regulations and pay classification plan. The City Administrator is also responsible for implementation of additional rules, policies, and procedures, which may be necessary for the proper operation of the City or its various departments, provided that such rules and procedures are consistent with the Personnel Regulations adopted by the Board of Mayor and Aldermen.

C. Department Heads and Supervisors

Department Heads and supervisors are responsible for the administration and enforcement of the Personnel Regulations for employees in their respective program areas.

D. Human Resources Department

The Human Resources Department responsibility and functions regarding the administration of the personnel regulations shall include, but not be limited to, the development and presentation of personnel regulations and recommended amendments consistent with proper employment practices to the City Administrator for consideration and presentation to the Board of Mayor and Aldermen. The Human Resources Department shall also provide technical assistance to Department Heads and supervisors on the interpretation and application of the Personnel Regulations. The City Administrator and the Department Heads should seek the input and facilitate the involvement of the Human Resources Department in employment decisions, including decisions regarding implementation of the rules set forth in this Handbook.

1.6 PERSONNEL RECORDS

A. Personnel File

The Personnel File is the official record of employment for employee(s) and is the property of the City of La Vergne. The Personnel File will be maintained in a secure manner by the Human Resources Department. The Personnel File for each employee may contain, but not be limited to the following information: 1) personnel action forms noting position and wage information; 2) performance evaluation forms and other documentation related to an employee's job performance; 3) employment documentation including application and resume, employee data sheet, and income tax deduction forms; 4) outside employment forms 5) official commendations, training and education records including certificates and diplomas; 6) complete documentation pertaining to all disciplinary matters and corrective actions. *[Note: Information relative to grievance proceedings and harassment and other complaints will be retained separately.]*

B. Medical Records

Medical information obtained from the city-provided medical examinations are the property of the City of La Vergne. Inquiries will be maintained in a secured file system separate from an employee's official personnel record. Information may include, but not be limited to the following: benefit documentation such as health insurance and retirement forms, fitness for duty examinations, drug testing results, medical information related to leaves of absence, inoculation records, etc. These documents will be maintained in a secured file system that is not open for public inspection. Worker's Compensation documents will be maintained in the same medical file system under separate cover. These procedures are in accordance with the confidentiality requirements of the Health Insurance Portability and Protection Act (HIPAA), Americans with Disabilities Act (ADA), Family Medical Leave Act (FMLA), and rules and regulations of the Equal Employment Opportunity Commission (EEOC).

C. Public Access

Inquiries for detailed employment information or a public inspection of employee records shall be made in writing and should be directed to the Director of Human Resources who will then forward them to the appropriate departments. Employee records, except for employee health records and documents covered by applicable privileges, are open for public inspection in accordance with Tennessee Law.

Police Department Records and Reports may be exempt by reason of certain regulations, and all requests will be reviewed by the Chief of Police on a case-by-case basis and will comply with Tennessee Law. All public records requested shall be promptly provided unless it is not practicable, and then the City shall: make the record available in 7 business days; deny the request in writing or furnish the requestor a completed records request response form stating the time reasonably necessary to produce the record or information.

Confidential information will be redacted out of any personnel files that are requested for inspection, as per Tennessee Law. Adequate time will be allotted to allow for redaction of such information as allowed by law. All requests will be completed promptly, and in a responsive and timely manner.

In all such matters, the employee will be notified within seventy-two (72) hours of the records request. Exceptions may be made to release limited general information, such as the following: (a) Employment dates; (b) Position held; and (c) Location of job site.

CHAPTER 2 - DEFINITIONS

Absence Without Leave - Any absence for which a leave request was either not made or denied.

Anniversary Date - The most recent date of appointment to, or employment in, a full-time position used to determine seniority. The Anniversary date will change upon the employee's move to a different position or promotion as needed in relation to the classification plan, within the City.

Application - The electronic application form used to apply for positions with the City of La Vergne.

Appointing Authority - The Department Head, Director of Human Resources or City Administrator.

Appointment - The offer to, and acceptance by, a person of a position with the City upon approval of the City Administrator.

At-Will Employer - The authority of the employer under Tennessee State law which means that an employer may legally hire, fire, suspend or discipline any employee at any time and for any reason, good or bad, with or without cause or for no reason at all, as long as the motivation for the action does not violate any law.

Authorized Representative - A person or persons possessing authority, authorized, and delegated by the immediate superior, who has the authority and power to delegate such authority.

Certification - Endorsement as meeting required minimum standards.

Classification - The act of grouping positions into classes with regard to: (1) duties and responsibilities; (2) requirements as to education, knowledge, experience, and ability; and (3) physical and sensory requirements. Classification allows an arrangement of positions whereby equal pay is given for substantially equal responsibility and authority.

Compensatory Time - Time off from work in lieu of monetary payment for overtime worked.

Continuous Service - The most recent period of employment with the City without a break in service as evidenced by separation from the City payroll and Personnel records.

Counseling/Coaching - These are opportunities to address employee performance, contributions, goals and or plans in a one-on-one situation. Employees who are experiencing performance related challenges are provided sessions in a non-disciplinary mode to alter or change their behavior. However, if the behavior does not improve these can be a pre-cursor to more formal disciplinary actions. Employees who are at or above expected performance levels are given feedback to encourage greater contributions, additional possibilities, and new or more focused initiatives.

Demotion - Involuntary or Voluntary assignment of an employee from one position to another which has a lower rate of pay. Results in reduction in pay when a result of disciplinary action.

Department - The primary organizational unit which is under the immediate charge of a Department Head and designated in budget documents.

Dismissal - A type of disciplinary action which separates an employee from the City of La Vergne payroll.

Division - A group, unit or shift within a department.

Eligibility List - A document consisting of those applicants who are eligible for a vacant position as established by the Human Resources Department.

Eligible - A person who has successfully met required qualifications for a particular position.

Employee - An individual who is legally employed by the City and is compensated through the City payroll for his/her services. Individuals or groups compensated on a fee basis are not included.

Employee Development – Internal and external professional and academic programs for the purpose of improving the quality of service of the employee and developing an employee for advancement opportunities.

Employment Date - The original date of appointment to, or employment, in a position.

Examination - The process of testing, evaluating, or investigating the efficiency, fitness and qualifications of applicants and employees.

Exempt Employee - Employees that are exempt from the overtime and recordkeeping requirements of the Fair Labor Standards Act and Title 29, Part 541, of the Code of Federal Regulations. Exempt employees are typically compensated on a non-fluctuating salaried basis.

Full-time Employee - An employee working more than 30 hours a week or 130 hours a month on average. Employees who will be working full-time should be offered benefits based on the company's Waiting Period.

Immediate Family - Includes present spouse, parents, step-parents, parents-in-law, grandparents, step-grandparents, grandparents-in-law, foster parents, children, step-children, brother step-brother, sister, step-sister, brother-in-law and sister-in-law of the employee, grandchildren, legally adopted children, children taken in the home to raise under a properly executed court order, cousins and those blood relatives of the employee that are verifiably living in the home and dependent upon the employee for care whose relationship may be determined by the City Administrator. Proof of these relationships may be required.

In Good Standing – Not subject to pending or current disciplinary action and otherwise in compliance with the policies, protocols, and standards of conduct set forth in the Employee Handbook.

Insubordination – Disobedience and/or disrespectful language or conduct to authority including elected officials.

Incivility - Low-intensity deviant behavior with ambiguous intent to harm the target. Uncivil behaviors are characteristically rude and discourteous, displaying a lack of regard for others.

Job Description - A written document describing the essential functions of a job, additional functions, minimum qualifications, ADA requirements and key performance indicators.

Layoff - A reduction in force or a dismissal of employee(s) from his/her job(s) because of tightened budgetary constraints or work shortage (not due to poor performance or misconduct).

Leader – One who is responsible for managing, overseeing and/or supervising employees and/or projects within the City.

Management - A person appointed to a position that either directs, manages and/or supervises a department and/or employees within that department.

Nepotism - Employment, promotion or showing favoritism of a family member.

On Call - Being available to be called to work at a designated place for a designated period. On call time shall be compensated in accordance with the requirements of the FLSA and federal regulations set forth in 29 CFR, Part 553.221.

Overtime - Time actually worked by an employee that is more than forty (40) hours per 7-day work week. Overtime must be authorized in advance and will be compensated in accordance with the requirements of the FLSA. Different rules may apply to emergency service workers.

Part-time Employee - A person employed on a continuous basis to fill a position who regularly works less than 30 hours a week or 130 hours a month on average.

Pay Class - Specific pay rates having a relationship to one another to which all full-time positions are assigned.

Pay Rate - A specific dollar amount, expressed as an annual rate, monthly rate, weekly rate, or hourly rate, as shown in the pay plan.

Personal Relationships - A relationship between individuals who have or have had close connections formed by emotional bonds and interactions. These types of relationships can be of romantic, sexual, dating and intimate nature.

Personnel File / Records - An official file which is maintained by the Human Resources Department for each employee and generally consists of such items as application or resume for employment, records of transfers, promotions, demotions, reinstatements, reclassification, changes in pay, performance evaluations, and disciplinary actions.

Position - Any office or employment, whether occupied or vacant, full-time, or part-time, consisting of a group of essential functions, additional functions and responsibilities legally assigned or delegated to one individual by competent, appropriate authority.

Promotion - Assignment of an employee from one position to another which has a greater level of responsibility and a higher maximum rate of pay.

Provisional Employee - An employee filling a position where no regular position exists in the City budget and/or where the principal source of funds is grant funds provided from a source outside the City government.

Rank - The order in which an applicant's name appears on an eligible list based on the individual's composite score in the evaluation process.

Re-Classification - A classification action of a position by classifying it upward, downward or to a different type of position based on sufficient changes in the kind, difficulty or responsibility of work assigned to the position.

Removal - Disciplinary action taken where an employee is listed in unpaid status for a period as deemed necessary by the Department Head and/or City Administrator.

Resignation - Separation from the employment of the City of La Vergne at the request of the employee.

Retention List - A list of qualified applicants for a job posting may be held for a period of no more than one hundred and eighty (180) days following the closing of the previously posted position.

Seniority - The status of an employee acquired by continuous service with time-in-grade/position which may be considered in the granting of benefits, promotions and making reductions in the work force by lay-off.

Separation - Any type of action whereby an employee is removed from the City of La Vergne payroll.

Service Awards - Award presented to an employee in recognition of faithful service rendered to the citizens of the City of La Vergne, or an award given for a period of continued service.

Standard Operating Procedures - Administrative policies and procedures established by the Department Head and approved by the City Administrator; specific to the operation of the individual department; shall be consistent with, but not be synonymous with, these rules and regulations.

Supervisory Employee - A supervisory employee is an individual having authority to perform one or more of the following: recommend hire, transfer, suspend, layoff, recall, promote, demote, discharge, assign, reward, discipline employees or responsibility to direct them, or to adjust his/her grievances. The exercise of such foregoing authority is not of a mere routine or clerical nature but requires the use of independent judgment. These individuals may or may not be exempt from overtime in accordance with Title 29, Part 541 of the Code of Federal Regulations (see Exempt Employee).

Suspension - An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee. Depending on the misconduct, an employee may be given a minor or major suspension which has different levels of disciplinary action. Suspension may be paid or unpaid at the discretion of the City.

Temporary Employee - An employee holding a position other than full-time which is of a temporary, seasonal, casual or emergency nature or for such limited time as is specified by the City Administrator. This employee is not eligible for paid vacation, sick leave, or holiday pay. Time spent as a temporary, seasonal, casual or emergency employee does not count in the years of service computation.

Take-Home Vehicle - For this policy, the term "take-home" refers to assigned 24-Hour vehicles.

Termination - Separation of an employee's service by resignation, layoff, disability, death, retirement, or dismissal.

Time in Class - Calculated from the date of employment in a specific job or the date of advancement or promotion to another rank or position. (See also, Seniority).

Transfer - Assignment of an employee from one position to another. Transfers can take place within a department, between departments, between positions of the same pay range, between positions of the same class or between positions of a different class and may result in a reduction or a freeze of pay. Transfers may be considered at the employee's request or made at the discretion of management.

Vacancy - An unoccupied budgeted position within the City of La Vergne.

Volunteer Worker – Someone who is willing to work without getting paid or compensated. Any volunteer arrangements will be conducted in compliance with the requirements of the FLSA.

Workday - The scheduled number of hours an employee is required to work per day. The workday shall be computed on an eight (8) or ten (10) hour basis, except for emergency service workers, unless otherwise specified by the City Administrator.

Work Review Status - A new employee appointed to a regular classified position, or an employee promoted who is required to successfully serve a specific work status review/trial period as provided in these rules for a period to be determined by the performance of the employee. These positions, as all positions are subject to the At-Will Status.

Work Week - The number of hours regularly scheduled to be worked during any seven (7) consecutive days; usually for 40 hours, with special provisions made in those departments requiring additional work shifts or work hours, including for emergency service workers. The City Administrator shall have the authority to establish other work periods where permitted under the FLSA regulations.

CHAPTER 3 - RECRUITMENT AND EMPLOYMENT

3.1 EQUAL EMPLOYMENT OPPORTUNITY

It is the obligation and policy of the City of La Vergne to provide equal opportunity employment to all employees and applicants for employment. No person will be discriminated against in employment because of race, color, religion, sex, age, national origin, disability, genetic information, military status, refusing to participate in or remain silent about illegal activities exercising a statutory or constitutional right or any right created by a clear public policy, or any other basis protected by law. The City of La Vergne will provide reasonable accommodations to qualified disabled individuals, as well as reasonable accommodations based on genuinely held religious beliefs, unless the accommodation would pose an “undue hardship” on the City.

This policy applies to all terms, conditions, and privileges of employment and all policies of the City, including hiring, placement, training, employee development, promotion, transfer, compensation, benefits, grievances, layoffs, termination, and retirement.

3.2 JOB ANNOUNCEMENTS

Department Heads who need to fill a job opening should contact Human Resources to begin the recruitment process. The Human Resources Department will prepare and publicize job announcements to bring notice of vacancies to as many qualified persons as possible.

A. Internal Posting

Notice of vacant regular positions may be distributed to some or all departments for posting on employee bulletin boards, posting via email or for circulation among employees within that department. Notice of regular vacancies will be posted until the position is filled.

B. Public Advertisement

Applicants shall be recruited from a geographic area as wide as necessary and for a period sufficient to ensure that qualified applicants are obtained for City Service. When deemed necessary, the Human Resources Department and the Department Head will determine what forms of media to extend the advertisement. The advertisement may also include the City website along with the local government cable channel. The determination for this type of advertisement will be based on, but not be limited to position, skill requirement, and the level of response from other means of recruitment. The vacancy will be posted until the position is filled.

C. Referrals by Employees

Current employees are eligible to receive a referral bonus if the city hires an applicant that they have referred to work for the city. All active full-time employees whose referrals meet all the criteria below will be eligible to receive the bonus. The referral bonus will be \$100.00, which will be paid through your paycheck between 30-60 days after your referred candidate passes the minimum time employed threshold. Only one referral bonus will be paid out per candidate. HR will contact the candidate if multiple parties are listed for selection of which employee recommended the position first. Bonuses are subject to applicable taxes.

1. Employee Criteria.
 - a) You are an active employee at the time the bonus is processed.
 - b) You are not in a Recruiting job function. For example: Recruiter, Recruiting Coordinator, or Recruiting Manager.

- c) You are not a participant in your referral candidate's interview process or the hiring decision. For example: Department Head, Participant in the applicant screening or interview panel.
- 2. Candidate Criteria.
 - a) The candidate is hired to a full-time position with the City of La Vergne.
 - b) The candidate is not hired to a seasonal job.
 - c) The candidate has started compensated work for the City of La Vergne within six (6) months of your referral.
 - d) The candidate is employed by the City of La Vergne for a minimum of 30 days.
 - e) The candidate has not been referred by another employee within six (6) months of your referral, or by an outside staffing agency.
 - f) The candidate is not active in the recruiting process, including under review by a recruiter, interviewing, or in offer stages at the time of your referral.
 - g) The candidate is not or was not employed by the City of La Vergne within six (6) months prior to your referral.

3.3 APPLICATION PROCESS

A. Application Acceptance

Any candidate for employment must submit an electronic application in order to be considered for hiring. Applications for employment will only be accepted for announced vacancies. A candidate must submit a new application for each position of interest.

B. Application Retention

Applications will not remain active once a position has been filled. Applications will be stored according in accordance with the requirements of the City's document retention policy, and applicable state and federal law.

3.4 ELIGIBILITY

A. Recruitment

Individuals will be recruited from a geographic area as wide as necessary to ensure obtaining well-qualified applicants for various types of employment positions. Recruitment, therefore, will not be limited to residents of the City of La Vergne.

B. Nepotism

No member of an immediate family as defined in the Definitions Section can supervise members of their immediate family, regardless of the chain of command. This does not preclude employment of immediate family members under other lines of supervision. If the city cannot reasonably transfer one of the family members to another department, and the family members can't decide which one will leave voluntarily, the employee in the more junior position will be subject to separation of employment or assignment.

C. Personal Relationships

If a personal, romantic, or intimate relationship is established between two or more employees post-hire, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the Human Resource Department in writing. When a conflict or potential conflict arises due to the relationship affecting employment, the city reserves the right to make all employment

decisions in the best interest of the city. Failure to do so could result in disciplinary action up to and including termination of employment.

3.5 REJECTION OF APPLICANTS

A. Rejection of Applicants

An applicant may be removed from consideration for reasons that may include, but are not limited to the following:

1. The application was not filed within the specified time or was not filed on the prescribed form or did not follow the prescribed procedures to apply.
2. The applicant does not possess the established qualifications.
3. The applicant has established an unsatisfactory employment or personnel record as evidenced by reference check of such nature as to demonstrate unsuitability for employment.
4. The applicant falsely answered any question on the application, has made false statements of any material fact, or has practiced deception in his/her application.
5. The applicant uses illegal drugs or inappropriately uses or abuses legal drugs or intoxicants.
6. Criminal history, including felony convictions and convictions of misdemeanors involving moral turpitude, may bar employment, depending on the nature and gravity of the offense, the time that has passed since the conviction and the nature of the job held or sought.
7. The applicant does not reply to an e-mail inquiry within five (5) days or does not return a telephone inquiry within two (2) days or fails to accept appointment within the time prescribed in the offer.
8. The applicant was previously in the City's service and was removed or resigned while not in good standing.

B. Notification

All applicants that are disqualified or not chosen will be notified by the Human Resources Department.

3.6 TESTING, EXAMINATIONS AND MEDICAL EVALUATIONS

A. Recruitment by Examination

All appointments in the City's service shall be made according to merit and fitness and may be subject to testing, examinations, and medical evaluations. This shall fairly and impartially test those matters relevant to the capacity and fitness of the applicant to efficiently discharge the duties of the post to be filled.

B. Types of Tests

The tests held to establish eligibility and fitness for any class may consist of one or more of the following parts as determined by the Human Resources Department in conjunction with the Department Head. Any combination of the following selection techniques, or others which may be appropriate, may be utilized:

1. **Written Test** - When required, shall include a written demonstration designed to show the applicant's familiarity with the knowledge involved in the class of positions to which he/she is seeking appointment.

2. **Oral Test** - When required, shall include a personal interview where the ability to deal with others, to meet the public, and/or other personal qualifications are to be evaluated. An oral interview may also be used in examinations where a written test is unnecessary or impractical.
3. **Performance Test** - When required, shall involve performance tests that would aid in determining the ability, physical agility, and skills of applicants to perform the essential functions of the job.
4. **Polygraph Test** -When deemed necessary, shall encompass a series of examinations employing a polygraph device to assess the veracity of the applicant's responses to specific inquiries. This process is intended to evaluate the honesty and integrity of the applicant in relation to their personal history, qualifications, and suitability for the position. The examination will be conducted in a controlled environment by a trained and certified polygraph examiner. The outcome of the polygraph test will be considered along with other assessments to determine the applicant's overall fitness for the role.
5. **Psychological Test** - When required, shall include any test to determine if the applicant is free from any disorder, as set forth in the current edition of the *Diagnostics and Statistical Manual of Mental Disorders*, which would, in the professional judgment of the examiner, impair the subject's ability to perform any essential function of the job.
6. **Training and Experience** - When required, shall be obtained, and evaluated from statements of education and experience contained in the application form or from such supplementary data as may be required.

C. Fitness for Duty/Medical Evaluations

Following a conditional offer of employment, every prospective full-time employee may be given a pre-employment physical evaluation by a clinic or doctor's office designated by the City of La Vergne. The purpose of this evaluation is to determine if the employee meets the necessary physical fitness standards of the position for which they were selected. Part-time, seasonal, or temporary employees may be subject to medical evaluation as determined by the Department Head with concurrence from the Human Resources Department. All safety sensitive positions will also be subject to passing a pre-employment drug screen. The cost of these medical evaluations will be paid for by the City.

Employees not covered by the Family Medical Leave Act ("FMLA") may also be required to have a medical evaluation on other occasions when it is job-related and consistent with business necessity.

3.7 OFFER NEGOTIATIONS

The City Administrator, with the approval of the Mayor, shall be authorized to negotiate Offers of Employment for exempt level positions. Items such as wages and / or benefits may be negotiated to recruit the most qualified applicant.

CHAPTER 4 - APPOINTMENTS

4.1 GENERAL PROVISIONS

Department Heads, in collaboration with the Human Resources Department, are responsible for the selection and appointment of personnel. The Human Resources Department will comprehensively review potential candidates through background, credit, and reference checks, as well as pre-employment physical and drug screenings. While Department Heads initiate the selection, they must get approval from both Human Resources and the City Administrator. However, the final decision rests with the Mayor or their appointed designee.

4.2 REGULAR APPOINTMENT

An individual appointed to a budgeted City position who has passed the required tests can be designated as a regular City employee. This appointment requires endorsements from the Department Head and/or Human Resources, with the City Administrator's approval. However, the final decision lies with the Mayor or their chosen representative. ***Employment is considered "At Will" and employment may be terminated at any time WITH or WITHOUT cause, as allowed by law.***

4.3 TEMPORARY AND SEASONAL APPOINTMENTS

Temporary and seasonal appointments are made for seasonal or occasional work that typically requires less than continuous year-round service. Individuals on temporary appointments, including provisional, are not eligible for benefits such as vacation leave, sick leave, holiday pay, health insurance, retirement benefits and the grievance process. Employees in a temporary or part-time position are eligible to apply for any vacant position through the in-house recruitment and electronic application process. Appointment to a temporary or part-time position does not guarantee placement in a full-time position. Employees in this appointment category may be terminated at any time. These positions may include student employment (internships), which may provide academic credit only in lieu of pay, subject to the limitations and requirements of the FLSA.

4.4 PART-TIME APPOINTMENTS

Part-time appointments are made for work that typically require less than full-time work on a regular basis. Individuals hired as part-time or part-time appointments, are not eligible for benefits such as vacation leave, sick leave, holiday pay, health insurance (subject to the requirements of the Affordable Care Act or other applicable laws), retirement benefits and the grievance process. Employees in a temporary, seasonal, or part-time position are eligible to apply for any vacant position through the in-house recruitment process. Appointment to a temporary, seasonal, or part-time position does not guarantee placement in a full-time position. Employees in this appointment category may be terminated at any time. These positions may include student employment (internships), which may provide academic credit only in lieu of pay, subject to the limitations and requirements of the FLSA.

4.5 PROVISIONAL / GRANT APPOINTMENT

Provisional appointments are made where work may be continuous and year-round but where no regular position exists in the City budget, and/or where the principal source of funding is grant funds. Provisional appointments may be made at the discretion of the City Administrator in consultation with the Department Head and Human Resources.

A provisional appointment may be changed to a regular appointment at the time the position is included as a regularly funded position in the City budget. A provisional appointment may be for full or part-time hours.

4.6 EMERGENCY APPOINTMENTS

In an emergency, the City Administrator may authorize the appointment of any qualified person in a position to prevent stoppage of public business or loss, or serious inconvenience to the public. However, a vacancy for which the Department Head has had reasonable notice, or an employment condition of which he/she had, or might, with due diligence, have had a previous knowledge, shall not be considered an emergency under this Section. Emergency appointments shall be limited to a period not to exceed thirty (60) days in any twelve (12) month period, unless otherwise extended by the City Administrator. If an emergency appointment is extended past an additional thirty (60) days, Board approval will be required.

4.7 PROBATION PERIOD

All new city employees, excluding public safety, undergo a 90-day probationary period. This period assesses your job performance and helps you to familiarize you with your role. Your work quality, efficiency, attitude, and responsibility acceptance will be evaluated. This time allows both you and your supervisor to determine job compatibility.

Public Safety staff in Police and Fire have a 12-month probation, which can be extended based on department chief recommendations, accompanied by a performance improvement plan.

From their start date, all Employees accumulate Annual Leave, Personal Time Off, and Sick Leave. Leave privileges begin after 90 days, but Sick Leave can be used during probation. Usage of Accrued Leave must adhere to department-specific guidelines for Police Academy or Fire Recruit Class.

4.8 PROMOTIONS

A. Policy

The City of La Vergne promotes qualified employees to higher positions when it benefits public service. A promotion involves a move to a position with increased pay, rank, and responsibilities. We prioritize internal candidates with the right skills for roles above entry level unless external recruitment is deemed beneficial for the City. Promotions should reflect a genuine elevation in duties, not just a pay increase.

If an advanced role becomes available, the Department Head can inform the Human Resources Department, which will then announce the position and manage any required assessments or interviews. However, roles can be filled, or promotions made without public announcements, following discussions with Human Resources and approval from the City Administrator. The Mayor or their designee has the final approval on promotions.

B. Eligibility

Eligibility for promotion is based on the requirements of the advertised position. Preference is often given to employees showcasing consistent achievements, contributions, and the aptitude for increased responsibilities. To qualify for promotions, employees must have a minimum of 90 consecutive days of satisfactory service and should not have any active written warnings as follows:

- An active first written warning in the safety or behavioral disciplinary action categories, as found in Section 13.2 of this handbook, will restrict promotion for six (6) months from the date the warning was issued.
- An active final written warning in any disciplinary action category restricts promotion for twelve (12) months from the date the warning was issued.

4.9 TRANSFERS

A. Policy

From an open position that has been posted internally and/or externally, a transfer is a lateral movement of an employee from one position to another at relatively the same pay range between positions of the same class or different class. Transfers may be made within a department or between departments. If a position is available and both Department Heads agree, any employee who has a satisfactory performance record is eligible and qualified for a transfer. A Department Head requesting to transfer an employee or a regular employee requesting to be transferred should notify the Human Resources Department in writing. Final approval of transfers must be approved by the City Administrator with final approval at the discretion of the Mayor or his/her designee.

Management may transfer temporary, emergency, provisional or seasonal employees at any time after Human Resources and City Administrator approval with the final approval at the discretion of the Mayor or his/her designee. Regular employees who are transferred will be subject to normal evaluation periods.

B. Conditions for Transfer

The transfer of an employee from one position to another without significant change in the responsibility level may be effective, for one or more of the following reasons:

1. When an employee meets the qualification requirements for the new position.
2. When on occasion, there may be an opportunity where it is determined by the Department Head, Director of Human Resources and the City Administrator that transferring an employee from one position to another is in both the employee's and City's best interest.
3. If it meets the personal needs of the employee as consistent with the other requirements of this regulation.
4. If further training and development of an employee in another position would be beneficial to the future staffing potential of the City; and
5. Other reasons determined by the Department Head, Human Resources Department and City Administrator.

4.10 DEMOTIONS

A. Demotions

A Department Head, in consultation with Human Resources, may demote an employee to a position of a lower class for which they are qualified for any of the following reasons:

1. The employee's position is being eliminated and the employee would otherwise be laid off.
2. The employee's position is being reclassified to a higher grade, and the employee is not qualified for the reclassified position.
3. There is lack of work and/or lack of funds.

4. There is a change of hours.
5. The employee voluntarily requests such demotion.
6. Another employee is returning from authorized leave in accordance with rules on leave and will occupy the position to which the employee is temporarily assigned.
7. The employee does not possess the necessary qualifications to render satisfactory service in the position the employee holds; and
8. An employee may be demoted as a form of progressive discipline based on performance or conduct issues.

All Demotions will first be approved by Human Resources and the City Administrator with final approval at the discretion of the Mayor or his/her designee

4.11 REHIRE POLICY

A. Policy

This policy provides oversight and addresses provisional conditions related to the re-hire of former employees. Severance from employment occurs: (1) The date an employee quits, is discharged, or retires; or (2) The first date of period of absence not protected by law or approved by City Administration.

B. Former Employees Rehired Within One (1) Month.

Former employees who leave employment with the city while in good standing and are re-hired within one (1) month of severance date as applicable to employment status:

1. Must re-apply via formal city application and are subjected to pre-placement testing requirements as applicable to position.
2. Will have their prior full-time service period counted for purposes of determining benefits eligibility for city benefits programs.
3. Are subjected to pre-placement testing requirements as applicable to position.
4. Benefits accrual rates and rates of pay will be restored to the employee's rates at time of severance.
5. Personal and sick time at time of severance will be restored.
6. Vacation time will not be restored due to payout upon termination. Vacation time cannot be purchased.
7. The employee's anniversary hire date will not change.
8. Employees' probation period shall be ninety (90) days.

C. Former Employees Rehired Within One (1) Year.

Former employees who leave employment with the city while in good standing and are re-hired within one (1) year of severance date as applicable to employment status:

1. Must re-apply via formal city application and are subjected to pre-placement testing requirements as applicable to position.
2. If previously employed a minimum of five (5) continuous years, will be restored at their same benefits accrual rate at time of severance.
3. Personal, Sick and Vacation time will not be restored.
4. Rates of pay will be determined based upon current salary administration scale and current hiring process, provisions and/or procedures.

D. Former Employees Rehired After One (1) Year.

Former employees desiring to return to employment with the City after one (1) year of severance date will be subject to all new hire provisions and procedures as outlined in the City of La Vergne Employee Handbook. Any deviation from contained policy language is at the discretion of the City Administrator.

CHAPTER 5 - SEPARATIONS

5.1 TYPES OF SEPARATION

City of La Vergne employees are employed on an at-will basis, meaning either party can end the employment relationship at any time. When an employee leaves the City's service, the reason can be classified as: resignation, layoff, retirement, dismissal, or death.

Upon parting ways, employees must return all City property, including records, equipment, and issued attire, in good shape to their supervisor. Both the employee and supervisor will confirm the return of these items. When an employee is separated with cause from employment, they will not be permitted to return to their office/desk. Personal items will be collected and held by Human Resources for 30 days before disposal. Efforts will be made to contact the departing employee to retrieve their personal belongings. Finally, all due wages will be paid to the departing employee on the next regular payday, but no later than 21 days post-departure, as mandated by T.C.A. 50-2-103(g).

5.2 RESIGNATION

Employees wishing to resign should submit a written notice to the Human Resources Department, detailing the reason and specifying the effective date, a minimum of 14 calendar days in advance. Department Heads must give a minimum of thirty (30) calendar days' notice prior to the effective date of the resignation. Once notice is provided, the use of accrued leave (e.g., vacation or personal days) is permitted only with the approval of the Department Head and City Administrator. Non-compliance with these terms may result in the employee being deemed not in good standing, making them potentially ineligible for rehire by the City, as outlined in Section 4.11 of the Handbook. However, the requirement for notice can be waived by the Department Head, or by the City Administrator for Department Heads.

A. Recoupment Of City-Owned Funds And Benefits

If the City has advanced or covered any funds or benefits for the employee that are not fully repaid at the time of resignation, the employee will be required to reimburse the City before their final day. The City may deduct any outstanding amounts from the employee's final paycheck or other accrued benefits, as permitted by applicable law. Employees should contact the Human Resources Department promptly upon submitting resignation notice to determine if any outstanding balances are owed.

B. Exit Interviews

The City encourages employees to participate in an exit interview with Human Resources prior to their last day of work. Exit interviews provide an opportunity for departing employees to share feedback regarding their employment experience and for the City to gather information that may help improve workplace policies and practices. Participation in the exit interview is voluntary, but greatly appreciated.

5.3 REDUCTION IN FORCE

A. Authority And Purpose

To establish an effective and equitable process if a reduction-in- force is necessary. A reduction-in-force may be determined by the Board of Mayor and Aldermen or the City Administrator. The City Administrator may promulgate additional policy, rules, and procedures necessary for the implementation of a reduction-in-force.

B. Scope

This Regulation applies to all full-time, part-time, and temporary employees. “Provisional” or “Grant Appointment” employees, hired for a specific period covering the duration of an assigned project, are not subject to the provisions of this Policy. State- funded positions, which the City supplements, may be subject to a reduction or elimination of the City supplement. A loss of the City supplement may not ultimately result in a position reduction.

If a reduction-in-force becomes necessary, consideration shall be given to organizational needs, the quality of each employee’s service, and seniority in determining retention.

For this Regulation, it is understood that upon determination that a reduction-in-force becomes necessary, a RIF plan may be implemented based on the circumstances.

C. Reduction In Force

The City retains the right, at any time, to restructure operations, eliminate positions and terminate the employment of employees because of economic necessity, reorganization to improve efficiency, and other operational reasons.

5.4 RETIREMENT

Employees who are eligible for retirement and wish to retire should advise their Department Head and the Human Resources Department with a 60-day notice to allow sufficient time for completion of appropriate documentation and processing. This will allow for a smoother transition for the employees as they move to retirement. Advance notice of retirement enables the recruitment process to fill the anticipated vacancy in a more efficient manner.

5.5 DISMISSAL

Dismissal is the removal from a position or City service. All employment with the City is at-will, and the City retains discretion to dismiss employees at any time, for any reason not prohibited by law.

5.6 DEATH

Separation shall be effective as of the date of death of an employee. All compensation due in accordance with these rules shall be paid to the employee’s estate, except for such sums as by law must be paid to the surviving spouse.

CHAPTER 6 - CLASSIFICATION PLAN

6.1 ADMINISTRATION

The City will maintain a Job Classification Plan that provides a listing of employment positions in the City. The Human Resources Department will be responsible for maintaining accurate job descriptions in the Job Classification Plan in conjunction with Department Heads and incumbent employees. The Human Resources Department will maintain a copy of all City job descriptions. Each Department Head will be responsible for maintaining an updated copy of the Job Classification Plan containing descriptions for all employment positions in the City. Employees and his/her supervisor will maintain open communications and dialogue to ensure that job descriptions are periodically reviewed and updated as appropriate. Any employee who desires to review the Job Classification Plan, may review the department copy upon approval of his/her supervisor or Department Head.

6.2 USE OF JOB DESCRIPTIONS

Job descriptions are a mechanism of communicating goals, objectives, values, and expectations between all levels of the City's hierarchy. The job descriptions will contain a general description of the position, essential functions, and additional duties of the job. It should be noted that these elements listed are not entirely inclusive or descriptive of all duties.

The job description will also contain minimum training and qualifications and Americans with Disabilities Act (ADA) elements and standards required to perform essential job functions. The minimum qualification standards on job descriptions should serve as norms for applicants coming into the job setting and should also serve as a basis for performance indicators in meeting the expectations of the City for each employment position.

6.3 USE OF JOB TITLES

Job titles are to be used in all personnel, accounting, and financial records. No person will be appointed to or employed in a position in the City under a job title not included in the Job Classification Plan and not approved by the City Administrator.

6.4 USE OF JOB CLASSIFICATION PLAN

The Job Classification Plan is one of several elements used:

1. As a guide in recruiting and examining candidates for employment.
2. In determining lines of promotion and in developing employee training programs.
3. In determining salaries to be paid for various types of work.
4. In determining personnel expenses in departmental budgets.

6.5 CREATION OF A NEW OR RECLASSIFICATION OF EMPLOYMENT POSITION

When a new position emerges or an existing one undergoes significant changes, the Department Head should provide a detailed job description to the Human Resources Department. This description should comprehensively outline the position's duties. The Human Resources team will then evaluate and decide, based on the information provided, if the changes merit a pay classification adjustment. Before integrating into the City's Job Classification Plan, the City Administrator must approve this description. Furthermore, the City

Administrator has the discretion to establish or reclassify any position, provided it's either budget-approved or presented as a budget amendment.

CHAPTER 7 - COMPENSATION PLAN

7.1 COMPENSATION PLAN

The City has a Compensation Plan that sets pay ranges for every position in the Job Classification Plan. Individual salaries fall within these ranges, determined by the City Administrator based on the budget. Any exceptions need the City Administrator's approval and must align with the budget endorsed by the Board of Mayor and Aldermen.

This plan ensures fair compensation by comparing local private and public sector pay rates, cost of living, and the City's financial health. During the budgeting phase, the City Administrator, with team input, may propose salary range adjustments to the Board of Mayor and Aldermen. Any changes will adjust the salary schedule as approved by the Board.

Every employee is classified as either exempt or non-exempt under the federal Fair Labor Standards Act (FLSA). This federal classification defines overtime pay entitlement:

- **Exempt:** Employees in these roles are not eligible for overtime pay. They must record their work time for calculations of comp time but are paid a salary based on a 40-hour work week.
- **Non-Exempt:** Employees in these roles qualify for overtime pay. They must log their hours and receive at least one and a half times their hourly rate for any work over 40 hours a week.

If you're unsure about your classification, reach out to your supervisor or Human Resources.

7.2 REQUEST FOR PAY RECLASSIFICATION / WAGE ADJUSTMENT

A Department Head may submit a pay reclassification or wage adjustment request to the Human Resources Department if they consider a position in their department to be improperly compensated. If the duties of a position have substantially changed or a new position is established, a new job description is required, and the process outlined in Section 6.5 must be followed. The City Administrator may authorize pay reclassifications or wage adjustments submitted by Department Heads outside of the period stated.

A written recommendation will be forwarded to the City Administrator for consideration. The decision of the City Administrator shall be final and it is not a matter to be grieved in accordance with these personnel regulations.

7.3 SALARY LIMITS

No employee may be paid at a rate less than the minimum, nor more than the maximum pay range prescribed for the class in which the employee is working as set forth in the Compensation Plan, with the following exceptions.

A. Trainee Status

New employees may be hired into a position after Human Resources and City Administrator approval with the final approval at the discretion of the Mayor or his/her designee, below the specified range for that particular employment position when the employee does not meet the minimum specified requirements for the position at the hire date, but could meet those requirements with specific training and or certificates. No employee may remain in trainee status for more than three (3) months.

B. Temporary Work Assignment in Higher Capacity

All employees who are assigned temporary work in a higher classification may receive additional compensation for any period more than two (2) weeks retroactive to the date of appointment. No temporary appointment can be made for a period longer than three (3) months without the approval of the City Administrator.

C. Acting Department Head

When a supervisor or employee of the City is appointed by the City Administrator as Acting Department Head for any department for a period more than one (1) month, then said supervisor or employee, while serving as the Acting Department Head, may receive additional compensation retroactive to the date of appointment by the City Administrator. Compensation will be determined by the City Administrator based on the level of responsibilities assumed by the Acting Department Head.

D. City Administrator Approval

The City Administrator may authorize additional compensation, subject to available funding, when an employee temporarily assumes responsibilities that are significantly outside the scope of their normal job duties. Department Heads and supervisors are not eligible for additional compensation when performing tasks of subordinates in their department. The City Administrator may approve adjustments retroactively when warranted. This provision should only be exercised in cases in which significant cost savings are achieved by not having to hire or train additional temporary staff.

7.4 MINIMUM WAGES

In accordance with the FLSA, no employee, whether full time, part time, or trainee, shall be paid less than the federal minimum wage unless they are expressly exempt from the minimum wage requirement set forth in the FLSA.

7.5 PAY RATES FOR CHANGES IN STATUS

The following pay policies shall be effective in relation to promotions, demotions, transfers, and reclassifications. This list is not all inclusive. Other possibilities may exist that have not been provided. This provision will also apply to uncertified police officer candidates who upon completion of the Tennessee Law Enforcement Training Academy will have a change in status from uncertified to Certified.

A. Promotion

When an employee is promoted to a position in a higher salary grade, the rate of pay will be at least the minimum rate of the higher position range, but no less than 6% more than the current pay, unless the employee is promoted under a “trainee status” as per Section 7.3.A.

B. Demotion

In case of voluntary demotion, or demotion through no fault of the employee, the employee’s rate of pay shall be reduced to a lower rate comparable to other employees performing similar job duties as recommended by the Department Head and Human Resources Department and approved by the City Administrator. Demotions may result in a loss of pay due to re-assignment to be in compliance with the appropriate pay classification. If a demotion is a result of a disciplinary action, a reduction in pay of no less than 6% will be determined by the Director of Human Resources and the City Administrator with final approval from the Mayor.

C. Transfer

When an employee in a position of one class is transferred to the position of another class of the same or equal level, he/she may or may not continue to be paid at the same pay rate, depending upon the job responsibilities and qualifications, but shall have no effect on his/her anniversary date regarding benefits.

D. Reclassification

The salary of an employee whose position is reclassified and allocated to another class in the same or higher level shall be determined by the rules for transfer and promotion. The salary of an employee whose position is reclassified and allocated to another class at a lower level shall not be changed.

E. Overpayment

The City of La Vergne strives for accuracy in paying wages to City Employees. However, in the event of a wage overpayment or deduction under-collection, payroll and finance staff shall determine the reason and amount immediately. Payroll deduction is the proper method of recoupment of such overpayments.

F. Recovery

In the event of a timekeeping error, wage overpayment, or deduction under-collection, the Human Resources department will notify the employee. Overpayments of \$100 or less will automatically be deducted from the employee's next paycheck. Overpayments over \$100 will be communicated to the employee and a meeting will be set to review the reason for the overpayment. The finance department in conjunction with the Human Resources Department will establish a repayment schedule with the employee for timely repayment of overpaid funds. Employee approval is not required for recovery of wage overpayments or under-collection, we will strive to work with the employee on a reasonable repayment schedule when possible. The Department of Labor Fair Labor Standards Act considers overpayments to be an advancement of wages and recovery of such overpayments may be deducted from an employee's earnings, even if such deductions cut into the minimum wage or overtime pay due the employee. Repayments will be deducted from the final check if necessary. Should the final check not have adequate funds for full repayment to the city, the remaining amount will be provided to the City's finance department, and the employee will be invoiced and potentially be subject to collections.

7.6 PAY FOR PART TIME WORK

The rate of pay for part-time work shall be based upon applicable market and the Compensation Plan rates for the job being performed by the individual. Part-time and seasonal employees are not eligible for benefits.

7.7 OVERTIME PAY

Overtime should be authorized by prior approval of the Department Head or City Administrator. In cases of an emergency, any supervisor may also approve overtime.

Non-exempt employees shall be paid at the rate of one and one-half (1 ½) times the regular rate of pay for all hours worked over forty (40) in the 7-day work week. Only actual work counts towards overtime; paid leave, unpaid breaks, or on-call time during the work week will not count towards overtime eligibility.

Exempt employees under special circumstances may be compensated with overtime pay and/or compensatory time. Such circumstances must be approved by the City Administrator. Circumstances may include but are not limited to disasters and disaster relief, special compensated events, and unforeseen long-term events. These proceedings must take place outside of regular business hours for exempt personnel to qualify.

7.8 HOLIDAY PAY

Non-exempt, regular 40-hour employees who are required/scheduled to work or called into work on a day designated as a City holiday (see Section 10.1), shall be paid holiday pay in addition to their regular pay for time worked. Except for the Police Department, non-exempt, regular 40-hour employees that normally work a four (4) day, ten (10) hour shift, have the option to switch to a five (5) day, eight (8) hour shift during a pay week that contains a City holiday or may apply two (2) hours of comp, vacation, or PTO time to the holiday pay week to complete the scheduled 40 hours. Non-exempt, regular 40-hour employees shall receive eight (8) hours of holiday pay for each City holiday. Police Department personnel that work a four (4) day, ten (10) hour shift shall receive ten (10) hours of holiday pay for each City holiday.

Fire Department, 56-hour employees who are required/scheduled to work or called into work on a day designated as a City holiday (see Section 10.1), shall be paid twelve (12) hours of holiday pay in addition to their regular pay for time worked. Fire Department 56-hour employees that are not scheduled to work on a City holiday shall be paid twelve (12) hours of holiday pay for each City holiday.

Full-time employees scheduled for work must either perform their duties as assigned or be on authorized paid leave during their last scheduled workday before and the first scheduled workday following a City holiday to qualify for holiday pay. This rule applies equally to one-day holidays and extended holidays; however, for extended holidays, eligibility for holiday pay on a specific day depends on attendance on the actual day worked. Absences due to illness on the workday preceding or following a holiday will disqualify an employee from receiving holiday pay unless substantiated by a doctor's note. Should an employee be unable to work due to illness on a City holiday they were scheduled to work, holiday pay will only be granted upon submission of medical proof of illness. Holiday pay will not be included in the calculation of overtime hours.

7.9 PAYROLL DEDUCTIONS

By law, the City of La Vergne is required to deduct, where applicable, federal withholding taxes, Social Security taxes, and garnishments from an employee's pay. Additional deductions may also be made when authorized by an employee.

A. Federal Income Tax

Federal taxes are withheld from employees' paychecks based on the number of dependents each individual claims, as indicated on the W-4 form. It is the responsibility of employees to ensure their W-4 forms are accurate and up to date with current tax laws or any changes in personal circumstances that could impact their withholding amounts. Employers are required to keep a copy of the W-4 form on file. If there are any changes in an employee's exemption status, it is crucial for the employee to submit a revised W-4 through the employee's Dayforce platform promptly. Adjustments to payroll deductions, reflecting the updated exemption status, can only be made after the submission of an updated W-4,

ensuring that tax withholdings are accurately calculated. The City is not responsible for any tax implications or errors in submission based on the employee's submission.

B. Social Security Tax

Social Security payments and deductions will be made according to the Social Security Act. The Finance Department shall keep such records and make such reports as may be required by applicable state and federal laws and regulations.

C. General Deductions

Deductions may be made from an employee's pay only with the employee's written authorization. These deductions may include, but not be limited to:

1. Health insurance premiums
2. Dental insurance premiums
3. Vision insurance premiums
4. Retirement plan contributions
5. Charity contributions approved by City of La Vergne
6. Supplemental Insurance approved by City of La Vergne

D. Deduction from Pay of Salaried Exempt Employees

Exempt employees who are paid on a salary basis and, in general, will be paid their full salary for any week in which they perform work. Their salary may be reduced only in the following circumstances:

1. Employees who are absent for at least a full day because of sickness or disability will not be paid for that day unless they are permitted to substitute accrued PTO under the City's paid time off policy. **Their salary will not be reduced if they are absent for less than a full day because of sickness or disability.**
2. Employees who are absent from work for at least a full day for personal reasons other than sickness or disability will not be paid for that day unless they are permitted to substitute accrued PTO under the City's paid time off benefits policy. **If an employee is absent for less than a full day for personal reasons, his or her salary will not be reduced.**
3. Employees may be suspended without pay for other types of workplace misconduct, but only in full-day increments. Their salary will be reduced to an amount that is proportionate to the number of days suspended.
4. Employees who work less than 40 hours during their first or last week of employment will be paid a proportionate part of their full salary for the time actually worked.

While exempt, salaried employees are generally not subject to deductions in salary based on quality or quantity of work (subject to the exceptions set forth above), exempt salaried employees may be required to utilize accrued sick leave or PTO to cover full or partial day absences or tardiness from work.

If you believe you have been subject to improper salary reductions, you should contact the Human Resources Department.

7.10 REIMBURSEMENT FOR TRAVEL EXPENSES

Travel expenses may be incurred as a normal part of conducting City business. It is the policy of the City that eligible expenses incurred while on City business be reimbursed to the individual when properly documented. Personal and ineligible expenses incurred while on City business remain the responsibility of the individual. It is the responsibility of the employee to adequately document any travel expenses in accordance with the procedures found in Section 13 of the Purchasing Policy and Manual.

7.11 COMPENSATION FOR TRAVEL TIME

Non-exempt employees who travel to attend a training class or seminar will be compensated at regular rates for compensable travel time, in accordance with the requirements of federal law. Employees would receive overtime pay for time spent traveling if they worked over forty hours during the workweek that they attended the training class or seminar.

Employees are required to notify their Department Head of the projected travel time and the estimated hours of overtime when they complete their request to attend training.

Exempt employees who travel to attend a training class or seminar will not receive additional compensation for travel time, but the time spent traveling will count towards the number of hours worked in a week for the calculation of compensatory time for hours worked over 40 in a week. Any requests for comp time must be approved by your supervisor. Exempt employees are encouraged to discuss travel schedules and any necessary arrangements with their Department Head when planning to attend training to ensure alignment with departmental needs and organizational policies.

7.12 ON CALL AND CALL BACK PAY

Employees who are “on call” as defined in Section 2 of this Handbook, shall be paid the equivalent of one hour at their regular hourly rate for each day where any time is spent “on call.” On call time will generally not be counted as work time and will not count towards overtime. If any employee who is “on call” is called in to work, he or she will be paid at his or her applicable hourly rate for all such “call back time,” or at the applicable overtime rate, if work hours exceed 40 in a work week, in addition to receiving daily “on call” pay.

7.13 COMPENSATORY TIME

A. Compensatory Time for Non-Exempt Employees

Pursuant to applicable provisions of federal wage and hour law, non-exempt City employees may elect to receive compensatory time (“comp time”) in lieu of pay for overtime hours. Generally, overtime hours are defined as any hours over 40 in a 7-day workweek.

Participation in The City’s comp time program is optional. Employees wishing to participate in The City’s comp time program are required to sign a comp time agreement acknowledging the terms of the program.

The City will administer comp time as follows:

1. Regular 40 hour per week employees will not be permitted to accumulate more than 80 hours of comp time. Any overtime worked after this limit has been reached will be paid to you as overtime in your next paycheck and will not accrue as comp time. Fire Department employees who are assigned to the 48-hour schedule will be permitted to accumulate no more than 96 hours of comp time.
2. For non-exempt employees, comp time is accrued at the rate of one and one-half (1.5) times your regular accrual rate. So, for every one hour of overtime you work in a workweek, you would accrue 1.5 hours of comp time.
3. The City reserves the right to (but is not required to), at any time during employment, pay an employee in cash for any or all accrued comp time. Any such payment will be made at your pay rate in effect at the time of the payment.
4. The City reserves the right to require employees to use accrued comp time.

5. Employees who participate in the City's comp time policy remain subject to all City rules regarding attendance, timekeeping, and overtime. All time worked must be accurately recorded. Overtime should not be worked without prior authorization from your supervisor.
6. You may use comp time for all the same purposes as you would use other paid or unpaid leave pursuant to this Handbook, including for both planned and unplanned absences. You will not be denied a request to use comp time unless doing so would unduly disrupt City operations; however, you are expected to follow the City attendance policy, including applicable notice provisions, when requesting comp time.
7. If comp time is used for absences covered by the FMLA or other unpaid, job-protected leave, it will run concurrently with such unpaid leave.
8. Any accrued, unused comp time will be paid to you in your final paycheck upon termination of your employment, at your pay rate in effect at the time of termination.
9. Non-exempt employees should never work "off the clock," pursuant to a comp time arrangement or otherwise. If you are asked to work "off the clock," you should let Human Resources know immediately.

B. Compensatory Time for Exempt Employees

The City's exempt employees are not entitled to overtime. Generally, exempt employees are paid on a salaried basis and your salary is intended to cover normal hours worked. However, from time to time, as authorized by your supervisor, and typically in circumstances such as prolonged emergencies or other situations requiring exempt personnel to work after hours, on weekends, or otherwise outside of regularly scheduled hours, compensatory time may be provided to exempt employees, as follows:

1. Exempt employees will not be permitted to accumulate more than 40 hours of comp time.
2. For exempt employees, compensatory time will accrue on a straight-time basis. For instance, if you work five hours beyond your regular weekly schedule and are approved for comp time, you will accrue no more than five hours of comp time based on your work that week.
3. Exempt employees must use any accrued comp time within 12 months of accrual. Any comp time not used within this period will be forfeited. Comp time for exempt employees is a discretionary benefit provided by the City. Comp time is not wages. Comp time may not be "cashed out" at any time during your employment and will not be paid out on termination.
4. Generally, you may use comp time for all the same purposes as you would use other paid or unpaid leave pursuant to this Handbook, including for both planned and unplanned absences; however, you are expected to follow the City attendance policy, including applicable notice provisions, when requesting comp time. The City reserves the right to deny any request to use comp time if such request would be disruptive of operations.
5. If comp time is used for absences covered by the FMLA or other unpaid, job-protected leave, it will run concurrently with such unpaid leave.

CHAPTER 8 - GENERAL POLICIES AND PROCEDURES

8.1 EMPLOYEE EVALUATION SYSTEM

The Human Resources Department will maintain at the direction of the City Administrator a comprehensive employee performance evaluation system that will recognize satisfactory and superior employee performance and provide direction and guidance to employees whose performance is less than satisfactory. Employee performance evaluations will be performed on an annual basis by each department under the supervision of the Department Head and supervisors. Employees will have an opportunity to make comments on the evaluation form and will meet with their supervisor on an annual basis to establish goals. Support forms will be utilized as a means for dialogue between the employee and management.

Department Heads will review employee performance evaluations for consistency and the application of proper evaluation standards for each employee being evaluated. The Human Resources Department shall publish a timeline for employee evaluations based on an annual schedule. The failure to submit an evaluation after notice may subject the Department Head to counseling or disciplinary action. Employee performance evaluations shall be made a part of the employee's personnel file. The City Administrator and Assistant City Administrator will perform an annual performance evaluation for their respective Department Heads.

8.2 HOURS OF WORK

A. Regular Working Hours

The City Administrator, in conjunction with Department Heads, shall establish hours of work for each position and the hours during which offices shall be open for business. Public service needs will be considered in determining regular working hours. The normal work period for full-time City employees shall consist of not less than forty (40) hours within seven (7) calendar days. The City Administrator shall have the discretion based upon staffing levels to establish a flexible work schedule, depending on the needs of the department. See Section 8.3 of this Employee Handbook for further information on flexible work schedules.

B. Lunch Period

A lunch period of either thirty (30) or sixty (60) minutes shall be provided to all employees except in cases of emergency. For non-exempt employees, such meal breaks will not be paid, and employees should "clock out" on their time sheets when they take meal breaks. The lunch period will be deducted from the number of regular hours scheduled for an employee's normal workday. The duration of the lunch period for specific employees, work sites or crews shall be determined by the Department Head with the approval of the City Administrator and in accordance with all provisions under the Fair Labor Standards Act. Non-exempt employees should not perform any work during an unpaid meal break. If your meal break is interrupted so you are unable to take at least 30-minutes of uninterrupted leave, notify your supervisor or the Human Resources Department. Tennessee state law requires that employees must be provided a thirty (30) minute unpaid meal or rest period if scheduled six (6) consecutive hours, except in workplace environments that by their nature of business provides for ample opportunity to rest or take an appropriate break. The failure to provide a thirty (30) minute meal or rest period is a violation of state law. (*TCA § 50-2-103 (h)*).

For exempt employees, while a lunch period is available, they are not required to take one due to the nature of their salaried status, allowing for more flexibility in managing their work and meal times as fits their schedule and work demands.

C. Breaks

If conditions permit, two (2) breaks, not to exceed fifteen (15) minutes each, are authorized each day. For non-exempt employees, these short breaks are paid breaks and employees should not “clock out” on their time sheets during this time. One break is allowed during the first half of the day, and another during the second half of the day. At the discretion of the department head, an employee may take their breaks in conjunction with their lunch period. It is the responsibility of the supervisor to ensure that this privilege is not abused. Employees who abuse this privilege by taking unauthorized or excessive breaks may be subject to disciplinary action.

8.3 FLEXIBLE WORK SCHEDULES

Dependent upon job requirements and job function, certain City employees may be considered for alternative work scheduling on a case-by-case basis. Consideration will only apply in situations where creative work schedules will accomplish both work and personal goals and provide appropriate coverage for individual department operation.

Several alternative work schedule options are available to employees:

- Flextime, in which an employee works eight hours per workday, but there is flexibility in an employee's set scheduled starting and ending times.
- Compressed workweeks in which an employee works 10 hours per workday, reducing the workweek to four days a week.

The city administrator, department head, or supervisor, in conjunction with the human resources department is responsible for identifying if any of the staffing options are workable within the department. This may include determining whether the entire department or an entire shift must convert to one or more of the above alternative scheduling options. To determine whether an employee's request for an individual alternative work schedule is appropriate, the director/manager must assess the impact and the outcome in terms of production, quality, and absenteeism, and if one or a combination of the above arrangements is in the best interests of the department, the City, and the employee.

Upon approval of a flexible work schedule, a six-month trial period may be applied to assess the impact and effectiveness of the arrangement. After successful completion of the trial period, the work arrangement will be reviewed at least annually thereafter to ensure continued success. The arrangement may be rescinded for any reason by the City. An employee wishing to change or cancel an alternative work arrangement must obtain written approval from his or her director/manager.

Flexible work arrangements are not appropriate for all employees or positions and are not a universal employee benefit. For a flexible work schedule to be approved, the employee must have a satisfactory attendance record, meet all performance expectations in his or her current role and consistently demonstrate the ability to complete tasks and assignments on a timely basis. The nature of the employee's work and responsibilities must be conducive to a flexible work arrangement without causing disruption to performance and/or service delivery to the citizen or City function.

8.4 HYBRID (REMOTE/IN-OFFICE) WORK POLICY

The City of La Vergne recognizes that remote and hybrid work arrangements offer increased flexibility for employees, which can enhance productivity while maintaining the operational efficiency of the City. This policy establishes guidelines and procedures for employees approved for hybrid or remote work, ensuring that both the City's needs and the employee's performance expectations are met.

A. Purpose and Scope

The Hybrid (Remote/In-Office) Work Policy is intended to define the expectations, guidelines, and approval processes for employees who work remotely or in a hybrid arrangement. While remote work is not guaranteed, it offers benefits such as increased productivity and a flexible work-life balance. This policy ensures that such arrangements align with the City's operational goals and legal standards.

This policy applies to all **full-time employees** eligible for remote or hybrid work arrangements. Approval is contingent on job suitability and the operational needs of the department. Department Heads, Supervisors, and Human Resources will collaborate to determine which positions qualify for remote or hybrid work.

B. Policy Statement

Remote work is allowed when it aligns with operational needs, does not disrupt service delivery, and supports productivity. Hybrid work is typically structured in a 3-out-of-2 arrangement, with employees working up to three days remotely and a minimum of two days in the office each week. The arrangement may vary based on employee performance and the specific needs of the department. Remote work is considered a temporary arrangement, typically for addressing emergencies, special projects, or short-term needs.

In emergencies such as public health crises or natural disasters, the City may implement remote emergency work arrangements to ensure continuity of operations. These arrangements will be reviewed periodically and are subject to change based on evolving circumstances.

The hybrid or remote work arrangement is not a right but a privilege, contingent on meeting performance expectations and operational requirements. Supervisors and Human Resources will monitor the employee's ability to meet performance standards while working remotely or in a hybrid capacity.

C. Definitions

- 1. Hybrid Work:** A work arrangement where an employee divides their time between the office and working remotely, with an expectation of working three days remotely and two days in-office each week.
- 2. Remote Work:** A work arrangement where an employee completes job duties from a location other than the office (e.g., home) during scheduled work hours.
- 3. Emergency Remote Work:** A temporary arrangement implemented due to emergencies, such as public health crises or natural disasters, to maintain operational continuity.

D. Eligibility and Suitability

Positions that are primarily focused on office-based tasks or computer-driven work are more suitable for remote work. For example, administrative roles, clerical support, and positions that involve project-based or team-driven work may be eligible for remote work arrangements. The key factor is whether the role's duties can be effectively performed remotely without impacting service delivery or the employee's performance.

While some positions are eligible for hybrid work arrangements, others that involve direct service to the community or require frequent, in-person interaction with the public are not eligible. Ineligible Positions include, but are not limited to:

1. **Public Safety** - (Sworn police officers, Fire personnel that are exempt - hourly, and Emergency Communications Specialists)
2. **Public Works** – All Laborers and Fleet
3. **Parks and Recreation and Maintenance** – All Laborers
4. **Customer Service** – Front facing customer service (Water Billing, Court, Tax, Reception, Administrative Assistants in departments with citizen interactions)

These positions require a physical presence in the community or at the workplace due to the nature of their work and responsibility for providing direct services to residents and businesses.

Employees who have an active **Final Written Warning** are not eligible for remote work of any kind. Department Heads, in collaboration with Human Resources, will review each position to assess its suitability for hybrid or remote work based on the specific duties of the role.

Any position where the employee is the sole point of contact for critical services or citizen interaction, or where the role is integral to the daily operational needs of the City, will not be eligible for remote work. This ensures that service delivery remains uninterrupted and that the City's commitment to high-quality public service is maintained at all times.

E. Procedures

Employees requesting remote or hybrid work must submit a written request by email to their Supervisor, outlining the proposed work schedule, the justification for the arrangement, and the expected benefits for both the employee and the organization.

For requests related to remote work, the written email request will go straight to the supervisor and/or Department Head for review and approval.

For requests related to hybrid work, supervisors will review the request, considering the employee's performance and departmental needs. If the Supervisor supports the request, it will be forwarded to the Department Head for further review. If supported by the Department Head, it should be forwarded to the Human Resources Department to ensure the request complies with the City's policies, and the final decision will be made by the Department Head in conjunction with the City Administrator.

Upon approval, a Hybrid Work Agreement will be signed by the employee, Supervisor, and the Director of Human Resources. The agreement will define the work schedule, performance expectations, communication guidelines, and any necessary equipment and security protocols.

Employees working remotely or in a hybrid arrangement are expected to maintain regular business hours or their assigned schedule and remain accessible during those times. Employees may be asked to come into the office on short notice, depending on business needs.

Non-exempt employees must follow all timekeeping policies, and overtime must be pre-approved. Supervisors will monitor employee productivity and may request regular status updates.

8.5 TRAINING

Employees are encouraged to take advantage of the education and training benefits offered to employees of the City to improve their job skills and qualify for promotions. These benefits are limited to training and education that are relevant to the employee's current position or determined by management

to provide them with expanded skills and abilities to contribute to the goal and objectives of the City of La Vergne.

These benefits will be available to all employees on a first-come, first served basis, subject to availability of budgeted funds provided annually by the Board of Mayor and Aldermen during the budget process, and upon the prior approval of their Department Head and City Administrator.

A. Training Requests

Requests for education and training may be initiated by either the employee or Department Head. The Department Head is responsible for working with their subordinate to identify training opportunities that would be of value to the department and the City and to notify employees of the opportunity to gain additional training. The employee shall also share the responsibility for training by notifying his/her supervisor and Department Head of training opportunities that would be of value to the employee and the department.

The City Administrator and the respective Department Head will authorize or require employee attendance and participation at conferences, seminars, workshops, or other functions of a similar nature that are intended to improve or upgrade the employee's job skills.

Requests to attend training sessions, when possible, should be made at least ten (10) days prior to the deadline for registration. The Department Head must have a process to ensure that all employees in their department have an equal opportunity to complete training classes. The City Administrator, based on the Department Head's recommendation, will determine who will attend training sessions based upon verification of available fiscal resources.

When a request for training is approved, the employee's cost for registration, tuition and publications, transportation, lodging, and other reasonable expenses will be covered by the City.

Non-exempt employees will be paid compensable training time in accordance with the requirements of federal law.

B. Training Reimbursement Agreement

Employees in certain positions involving considerable investment of equipment and training expense will be required upon hire to sign a training reimbursement agreement which will specify terms and conditions for repayment should an employee voluntarily leave employment prior to the terms of the agreement. The Director of Human Resources is authorized to execute the training reimbursement agreements on behalf of the city.

8.6 WORKPLACE SAFETY

Workplace safety is everyone's responsibility. As part of the safety management plan, the City, its management, and employees are responsible as follows:

A. Management Commitment

The City will maintain a Safety Committee composed of staff level representatives from different departments. A senior Safety Advisory Committee, if needed, may be composed of the City Administrator and all Department Heads and may be available to provide guidance, recommendations, and oversight to the Safety Committee. The Committee will have, but not be limited to, the following responsibilities:

1. Provide recommendations for necessary safety equipment to perform assigned work in a safe manner.
2. Provide recommendations on the elimination of known hazardous conditions at City work sites.
3. Provide recommendations on training in accident prevention and promoting safe work practices.
4. Provide recommendations on the establishment of appropriate rules for safe conduct of City employees while on duty.

The Director of Human Resources or their designee serves as Chairman of the Safety Committee and is designated as the City Safety Director for coordination and purposes of reporting to OSHA and TOSHA and other regulatory safety agencies.

B. Employee Responsibility

1. Employees will follow prescribed safety rules and regulations provided for their benefit. Each employee is responsible for using all safety equipment and devices provided by the City in performing required job duties. Employees will identify safety problems and carry out each work assignment or task in a safe and responsible manner. If an accident occurs, the employee is required to immediately complete an employee's report of accident/injury and report the incident immediately to management.
2. The employee is responsible to cease work immediately and cause the stoppage of work of other employees if the operation of unsafe equipment or working environment exists.
3. The appropriate corrective measures will be undertaken by a leader to remove the unsafe work conditions or cause the repair of unsafe equipment. Under no circumstances should an employee be directed by a leader to continue to work in an unsafe work site or operate unsafe equipment until the unsafe condition has been properly addressed.
4. Failure to report properly an unsafe condition or piece of equipment may result in disciplinary action.
5. Failure of any employee to respond properly to correcting an unsafe workplace condition or unsafe piece of equipment may result in disciplinary action.
6. Should an unsafe work site or equipment condition cause a disruption in completing the task, the leader will immediately reassign the employee to other duties until such time as he/she may continue required work to complete the assigned task.

C. Reporting On-the-Job Accidents and Injuries

1. **Reporting On-the-Job Accidents and Injuries** – Any employee involved in an accident or injury on the job, however slight, shall immediately report the accident or injury to his/her supervisor, Department Head, Human Resources, or other responsible City official such as the Safety Director. Failure to report an accident or injury may result in delaying proper medical treatment of the injury sustained by the employee and could result in denial of a claim for compensation. Failure to report an on-the-job accident or injury, however slight, may result in disciplinary action.
2. **Emergency Medical Treatment** – If an employee is injured to the extent that emergency medical treatment is required, the employee will be transported immediately to a local physician or local major health care facility emergency room for treatment.
3. **Completion of Accident Report** – The employee will immediately complete an Employee's Report of Injury/Accident through his/her supervisor or the Human

Resources Department. Failure of the employee to properly complete the report may result in disciplinary action.

The supervisor and Department Head are responsible for providing the Director of Human Resources with a copy of the Employee's Report of Injury/Accident within 24 hours of the accident or injury. The supervisor or Department Head must investigate the injury/accident immediately if possible and complete a Supervisor's Accident Investigation Report providing sufficient information concerning the contributing factors, possible unsafe work conditions, eyewitness accounts, and other related information. If applicable, the associated Accident Witness Statement report must also be completed in correlation with the Supervisor's Accident Investigation Report. The Human Resources or Safety Director upon receipt of the Employee's Report of Injury/Accident Report shall file appropriate reports with the City's official workers compensation insurance carrier and other state and federal occupational safety organizations such as OSHA and TOSHA, if required.

D. Safety Rules

Each department may develop specific safety rules pertinent to their respective department. Safety rules shall be submitted to the City Administrator and Safety Director for review and approval prior to implementation. Approved departmental safety rules have the same force and effect as these Personnel Regulations.

8.7 PERSONAL CONDUCT

All employees of the City of La Vergne play a vital role in shaping the perception and reputation of our community. Everyone's actions, both on and off duty, have the potential to reflect upon the entire organization and the city at large. To ensure the highest standards of personal and professional integrity, employees must be mindful of their conduct and the impressions they create.

Employees are ambassadors for the City and should always prioritize ethical behavior, respect for others, and the overall betterment of our community. Avoidance of conflicts of interest, refraining from engaging in actions that could be seen as unfavorable or harmful to the City's image, and ensuring personal biases do not interfere with professional responsibilities are paramount. Communication with residents, elected officials, and co-workers should always be approached with courtesy, understanding, and professionalism.

8.8 INSUBORDINATION

Insubordination refers to the act of willfully disobeying or showing disrespect towards authority figures within the City, including supervisors, department heads, or any designated official. Such behavior undermines the integrity of our work environment and disrupts the effective functioning of city operations. It is essential for all employees to maintain a professional attitude and show respect for their superiors and the directives given to them. Actions considered insubordinate include, but are not limited to, refusal to perform tasks assigned as part of one's job duties, verbal or non-verbal gestures that show disrespect, and any form of communication that undermines the authority of supervisors or city policies. The City will not tolerate insubordination, and incidents will be addressed promptly and may result in disciplinary action, up to and including termination of employment. We encourage open communication and the expression of concerns or disagreements in a respectful and constructive manner, through the appropriate channels, to foster a positive and cooperative work environment.

8.9 PERSONAL APPEARANCE

Your appearance and attire contribute to our professional environment. Dress appropriately for your role. Due to regular interactions with colleagues and the public, maintaining good personal hygiene, including mindful use of fragrances and oral care, is essential. Some roles may have specific dress or uniform requirements. Always aim for a respectful and polished presentation.

A. Maintenance Uniforms

1. In departments where Maintenance Uniforms are provided, all employees are expected to wear the uniform according to departmental policy. All uniforms are expected to be kept neat and in good repair. A standard uniform consists of a shirt, pants, and jacket/coat, and safety boots or safety shoes.
2. Uniform attire can include the wearing of shorts if the forecasted temperature in La Vergne for the day is to exceed 70 degrees Fahrenheit. Uniforms including shorts, will be provided by the city and rise no higher than 2 inches above the knee while standing. No other substitutions will be accepted.

B. Police and Fire Uniforms

1. For police officers and firefighters, there will be an allowance allotted for those employees required to wear uniforms, and is specific to their respective departments.

C. Administrative Personnel

1. Administrative personnel are expected to dress in a manner that is professional and project a positive image of the City. Jeans may be worn as long as they are not torn or frayed and in good condition. Business casual dress or City logo'd clothing is expected when having meetings with vendors, partners, BOMA meeting or other special occasions.
2. Only for special events sponsored by the city, if the forecasted temperature in La Vergne for the day is to exceed 70 degrees Fahrenheit, the City Administrator can approve the wearing of shorts. Shorts cannot rise higher than 2 inches above the knee while standing and follow the established guidelines listed below.

D. Dress Code Guidelines

1. Clothing should be worn and fit in such a manner that it does not expose the abdomen, chest, or buttocks areas. Clothing should not be too revealing.
2. Clothing should be free of sexually related references, foul language, or messages that suggest or promote the use of illegal drugs or alcohol.
3. Employees may not wear halter tops, beachwear, T-shirts (without city logos), sports jerseys, or shorts.
4. Leggings and other form-fitting pants are permissible when worn in a professional and modest manner. Tailored leggings, which offer a more structured and polished appearance, are preferred. Ensure that they are opaque and paired with a top that extends at least to the mid-thigh. Always consider the overall appearance to ensure it aligns with the professionalism and standards of our workplace environment. Avoid overly casual or revealing combinations.
5. Avoid wearing athletic or workout-specific clothing during work hours. Clothing should be free from graphics or designs that might be considered inappropriate or overtly attention-

grabbing in a professional setting. Ensure your attire maintains the standard of professionalism and respect expected in our workplace.

6. Every Friday, or the concluding day of a workweek during holiday weeks, the City Administrator permits a more relaxed dress code including sports jerseys, and T-shirts. Please note that other clothing restrictions mentioned earlier still apply these days.
7. Body piercing jewelry can be worn on the ears and nose areas if it does not interfere with the conduct of job safety. No other areas of the body should be visible with body-piercing jewelry.
8. Tattoos on arms, hands, legs, and feet shall not be offensive and in keeping with a professional image.
 - i. You must cover any tattoos on your face, neck, head, lips, and eyelids unless medically prescribed cosmetic tattoos have been applied and have a natural appearance.
 - ii. You are not allowed to show tattoos that are racist, derogatory, sexist, extremist, or indecent.
 1. Racist Tattoos: Degrades or demeans a person based on race, ethnicity, or national origin.
 2. Derogatory Tattoos: Degrades or demeans a person or group of people based on religious affiliation, lawful group identity or family affiliation.
 3. Sexist Tattoos: Advocates a philosophy that degrades or demeans a person based on gender.
 4. Extremist Tattoos: Affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities.
 5. Indecent Tattoos: Offensive to modesty, decency, propriety, or professionalism.
9. Clothing and grooming styles dictated by religion or ethnicity are exempt. Please see your Human Resources Representative for exemption documentation.

E. Dress Code Violations:

1. Department Heads or supervisors are expected to inform employees when they are violating the dress code. Employees in violation are expected to immediately correct the issue. This may include having to leave work to change clothes.
2. Repeated violations may result in disciplinary action being taken up to and including termination of employment.

8.10 USE OF CITY VEHICLES AND EQUIPMENT

A. General Policy Statement

Employees whose work involves assignments at locations within the City of La Vergne may be assigned a vehicle for use in carrying out those assignments. Employees are to avoid the use of such vehicles for personal use except as provided herein.

B. Regarding City-Owned Vehicles That Are Driven Home

With the approval of the City Administrator, certain employees whose departments are involved in activities “in the field” may be permitted to take a City vehicle home and are therefore authorized to commute to and from work in their assigned vehicle. Reasons for authorizing a take home vehicle

include but are not limited to those employees whose duties are “in the field”; employees who are routinely called upon to perform their job duties outside normal working hours; or employees whose job requires them to respond to situations which may threaten the health, safety, or well-being of the citizens of La Vergne.

City employees who are assigned and authorized to drive City vehicles home may make certain de minimis stops to and from work in a city vehicle that does not materially increase the number of miles a vehicle is driven and may, with permission of their supervisor, carry as passengers, members of their households when the City employee has no other reasonably convenient means to transporting those persons. For example, employees may take the time to pick up or drop off family members to school or daycare as necessary. Non-family members are prohibited from traveling as passengers in City vehicles unless unique circumstances find it necessary and only after permission is granted by the employee’s supervisor on a case-by-case basis.

In accordance with Internal Revenue Service rules and regulations, personal use of a City vehicle may, depending upon the type of vehicle and type of personal use, be subject to taxation. The City will follow applicable IRS guidelines in taxing personal use of a City owned vehicle.

City employees will not operate an assigned take home vehicle outside of a 50-mile driving distance from city hall, 5093 Murfreesboro Road, La Vergne, TN 37086. Employees who meet the criteria above that live outside this distance may be authorized to commute to and from work in their assigned city vehicle at the discretion of the City Administrator. City vehicles will be parked in a secure location on private property and locked when not in use.

C. On Call Personnel

With the approval of the City Administrator, Department Heads may permit “On Call” personnel to use their vehicles while off duty if it is in the Department’s best interests for the availability of immediate emergency response and communication. The designation of “on-call” shall be determined by Department Heads as necessary to meet departmental goals.

D. Reporting Vehicle Accidents or Damage

All employees that operate a municipal vehicle or piece of equipment shall immediately report to their supervisor or Department Head any vehicle or equipment accident or damage incurred while operating said vehicle and shall remain at the scene. A crash report is required for all accidents to be completed by law enforcement. An accident involving the La Vergne Police Department requires an accident report from another law enforcement agency. The employee will complete an Accident Report Form that describes in sufficient detail how the accident occurred. The supervisor or Department Head will complete a Vehicle Investigation Report. These reports must be forwarded to the Director of Human Resources within 24 hours. Additionally, all accidents are reviewed monthly by the Accident Review Board as described in Section 13.5. Failure to report an accident or damage to equipment, regardless of fault or severity of damage to the vehicle or piece of equipment, will be subject to disciplinary action, up to and including termination.

E. Damage to Third Party or Other Private or Public Property

In the event an accident or damage incurred involves another party or damage to private property or other public property, the employee will request an officer from the La Vergne Police Department or other appropriate law enforcement authority, to complete an accident report that describes in sufficient detail the accident incurred.

The employee will also complete a Property Damage/Loss Report that describes the incident. The supervisor or Department Head will investigate the incident and complete a Supervisor's Property Damage Investigation Report. These reports must be forwarded to the Director of Human Resources and City Administrator within 24 hours.

F. Employee Negligence/Safety when operating a City Vehicle

After investigation of an accident, if it can be demonstrated the employee operating the vehicle or piece of equipment was negligent in operation of the vehicle or piece of equipment or in violation of motor vehicle regulations, operational safety rules, departmental guidelines or City policy, the employee may be subject to disciplinary action. The employee will comply with all posted and written traffic control rules and regulations. The driver and all passengers in the vehicle will use seat belts. The employee is the only one authorized to drive the city's vehicle. Under no circumstance will the vehicle be operated when the employee is under the influence of alcohol or medication that could affect the ability to operate the vehicle. No alcoholic beverage, beer or liquor, open or closed, may be carried or transported in a take home city vehicle. All accidents, traffic violations, or acts of vandalism will be immediately reported to the employee's supervisor. As provided by State law, all employees are expected to use "hands-free" equipment when using mobile telephones while operating a City vehicle. Otherwise, employees may only use wireless telecommunications devices when City vehicles are safely parked.

G. Driving Records

Any employee who is required to drive a City vehicle and/or operate City machinery that requires a license, as a condition of employment, must possess and maintain a valid Tennessee Driver's or Commercial Driver's License. If the license becomes invalid for any reason, including denied, expired, restricted, suspended, or revoked, the employee must inform their supervisor before reporting to duty on the next scheduled shift. Proper notification will allow the City to provide an accommodated role pending the re-certification of the license. Failure to do so will result in corrective action, up to and including separation of employment. A periodic review of employees' driving records will be conducted by the City of La Vergne.

H. Traveling on Official Business:

Traveling on City Business includes trips to conferences, conventions, workshops, seminars, education and training courses, forums, and other City related business meetings. City vehicles should be used whenever available for official business and prior notification and permission is required before a vehicle is taken out of the State of Tennessee. Reimbursement for parking, tolls, and justifiable repairs to the City vehicle will be provided if documented with accurate receipts. Travelers may use a City fuel card for gas purchases while traveling in a City vehicle.

I. Traffic Violations:

All traffic violations (parking tickets, speeding tickets, etc.) while operating a city-owned vehicle are the responsibility of the operator at fault and not the City of La Vergne. The operator at fault is responsible for payment of all fines and fees related to traffic violations incurred. These payments are non-reimbursable with the City of La Vergne.

J. Good Judgment:

City employees are expected not to abuse the use of City vehicles and to use good sound judgement in the use of City vehicles after hours, on holidays, and on weekends recognizing the fact that they represent the City of La Vergne. The City Administrator may make any necessary exceptions to this policy if circumstances fail to address or ineffectively address the given situation

8.11 ATTENDANCE AND PUNCTUALITY

Consistent attendance is crucial for City employees. However, the City acknowledges that unforeseen circumstances can lead to absences. For such instances, a range of leave options are provided.

To ensure smooth and consistent daily operations:

1. **Advance Notice:** Whenever possible, employees should request leave at least 24 hours in advance.
2. **Unexpected Absences:** In cases of sudden illnesses or emergencies, it's imperative to inform your supervisor prior to the start of your shift. Specific departments may have additional notification protocols.
3. **Unauthorized Absences:** If an absence occurs without prior notification or lacks a satisfactory explanation, it's classified as an 'absence without leave.' This may result in disciplinary action at the City's discretion and can impact the accrual of paid leave for the month.
4. **Timeliness:** Employees should arrive and be prepared to commence work at the beginning of their designated workday or shift and stay until its conclusion unless prior arrangements are made.

Please refer to the "Holidays and Leave" section in the Handbook for comprehensive details on leave policies. Note: Legally protected absences won't be subjected to progressive discipline, but specific notifications and documentation may be required as outlined in the Handbook.

8.12 EMPLOYEE JOB ACTIONS

While employees have the right to join labor organizations, all union activity is to be conducted off City property and outside working hours. City equipment and materials are not used to conduct union business. No employee of the City of La Vergne shall be a party to participate in or instigate a strike against the City. Employees are prohibited from being a member of, or soliciting any other employee to join, any labor union which authorizes the use of strikes by municipal employees.

8.13 SOLICITATIONS PROHIBITED

Unauthorized solicitation of employees on the premises is strictly prohibited. This prohibition applies both to employees and persons outside the City. Solicitation of gifts (for such occasions as birthdays, resignations, retirements, weddings, and births) are considered authorized. It should be emphasized, however, that no pressure is to be placed on any employee to make any contributions. Upon approval, and at the discretion of the Department Head, solicitations strictly for fund raising purposes may only be allowed. These materials may not be distributed and may only be left in common or breaks areas for viewing at the employee's leisure.

8.14 PERSONAL PHONE CALLS

Using the office telephone during regular work hours for calls of a personal nature, except in emergency cases, is discouraged. Personal calls that must be made or received during business hours are permitted if they are held to a minimum and do not interfere with the employee's work. Calls should be made during breaks or lunch time when possible.

Emergency phone calls may be made or received at any time. Examples of emergencies are illness or severe injury to a member of the employee's family, changed plans regarding an employee's transportation

home from work, or extreme weather conditions. Long, “personal” phone conversations on non-emergency matters may result in disciplinary action.

8.15 CELL PHONE AND DEVICE USE

A. Personal Cell Phones and Devices

Employees should keep use of personal cell phones, or other personal handheld communication devices, for talking or texting, to a minimum so that their use does not interfere with the employee’s work or the City’s operations. Cell phones should be turned off or set to silent or vibrate mode during meetings, conferences and in other locations where incoming calls may disrupt normal workflow. If employee use of a personal cell phone causes disruptions or loss in productivity, the employee may be subject to disciplinary action.

Employees are discouraged from using personal cell phones or devices (including handheld devices and personal computers) for purposes of conducting City business, including engaging in communications related to City business, and/or storing data, documents, or communications relating to City business. Employees should be mindful that, to the extent they are using their personal cell phones or devices for purposes of conducting City business, their personal devices may be subject to retrieval and search by the City and/or by third parties during an internal or external investigation or litigated matter.

B. Business Cell Phones and Devices

The City may provide and assign City-owned cell phones to employees when it will enhance employee productivity and provide a higher level of service. Business cell phones are typically provided to positions that require immediate and on-going communication due to management responsibilities, field operations and emergency response purposes. Business cell phones shall be used for appropriate business purposes in the most cost-effective manner possible. Appropriate use may depend upon the nature of the employee’s position and job duties.

The employee should limit personal usage of City-issued phones to calls that are essential. The use of business cell phones and devices for essential personal business must be kept to a minimum and should not interfere with the conduct of City business. Department Heads may review at any time records to monitor appropriate use.

City cell phones and devices should not be used for routine personal communications and activities, or to store purely personal communications, contacts, data, photographs, or documents, or to engage in personal social media or internet activity or “app” usage.

Employees should be mindful that they have no expectation of privacy with respect to any usage of City cell phones or devices, and that their City cell phones and devices, including all content and related usage records, are subject to monitoring and audit (with or without notice to the Employee), and may be subject to retrieval and search by the City and/or by third parties during the course of an internal or external investigation or litigated matter.

City-issued cell phones and devices must be returned to the City upon termination. Access to City networks and systems (including through City cell phones and devices) may be restricted upon termination of employment or during periods of leave. The City is not responsible for any personal data or information lost because of the City’s retrieval of, or restrictions placed on, a City cell phone or device.

C. Safe Usage of Cell Phones

In alignment with Tennessee's hands-free laws, employees operating City vehicles or equipment must not use handheld cell phones, whether personal or work-related, while driving. Additionally, avoid using cell phones during the refueling of city vehicles or equipment.

If cell phone communication becomes necessary:

1. Utilize hands-free accessories.
2. If hands-free options are unavailable or impractical, safely pull over to address the call.

Department Heads reserve the right to limit or prohibit cell phone usage during work hours if deemed a safety concern for employees, the public, or property. Adhering to these guidelines ensures safety and compliance with state laws.

8.16 USE OF CITY EQUIPMENT AND SYSTEMS

The City's computers, equipment, systems, and networks, including the Internet, e-mail, and other technologies, should be used to maximize the City's efforts in serving its citizens. Computers, computer files, software, Internet access, voice mail and the e-mail system furnished to the employees are property of the City of La Vergne. The following rules must be adhered to by all people using computers, voice mail and Internet resources.

A. Proper Use

All personnel of the City of La Vergne are responsible for using the City's computers and Internet resources in an effective, ethical, and lawful manner. City e-mail is for City business, and only incidentally for personal use. Personal business should not be conducted using City email, as this may give the impression you are speaking for, or acting on behalf of, the City, with respect to such communications. Confidential information regarding the City and its operations or its personnel should not be provided using e-mail or shared with individuals outside the City's employment ranks. An employee must read and understand the Computer and Internet Use Agreement. Upon completion and approval by the IT Director, a username will be assigned when applicable.

B. No Offensive Usage

Employees are prohibited from using computers, the City's Internet, voice mail and the e-mail system in any way that is disruptive or offensive to others because of race, sex, religion, ancestry, disability, or any other basis protected by law. Messages that harass or belittle an individual or group, contain threats, abusive language, obscenities, or sexually explicit material are prohibited unless used within a criminal investigation. Voice mail, electronic messages or files that contain prohibited material may be grounds for disciplinary actions.

C. Security

No one may use loopholes or acts of subterfuge within the computer security systems or knowledge of a special password to damage computer systems, to compromise sensitive information, to obtain extra resources, to take resources from another user, to gain access to systems or to use systems from which proper authorization has not been given. Users may not impersonate other individuals or misrepresent themselves. Employees should take care to protect passwords and should never provide passwords to anyone outside the City's employment ranks, and only to authorized individuals within the City's employment ranks. Care should be taken to make sure computers and devices are logged out, locked, and secured when not in use.

D. Solicitation

The Internet, e-mail or voice mail should not be used to solicit others to promote personal events or causes, commercial ventures, religious or political causes, outside organizations, or other non-business matters. Employees are prohibited from uploading, posting, e-mailing, or otherwise transmitting any unsolicited or unauthorized advertising, promotional materials, junk mail, chain letters, pyramid schemes or any other form of solicitation. No one may use the City's technological resources for personal financial gain by posting messages that promote the products or services of a local business or their own product or services.

E. Employer Access to Data/No Expectation of Privacy

Employees should have no expectation of privacy with respect to usage of City electronic systems and equipment. The City of La Vergne reserves the right to read the contents of e-mail messages or listen to the contents of voice messages for any purpose. Computer, computer files, e-mails and internet usage may be monitored, searched, and reviewed by the City or its agents at any time. Employee violations of any of the provisions outlined in this policy may subject an employee to disciplinary action.

F. Duplication or Downloading of Software

The City of La Vergne purchases and licenses the use of various computer software programs. Employees are prohibited from illegally duplicating software and its related documentation. Employees are also prohibited from downloading software from the Internet and/or other sources without the express written authorization of the IT Director.

G. Public Records

Keep in mind that the city's computers, computer files, software, Internet access, voice mail and the e-mail system, and all contents thereof (subject to certain restrictions), may be demanded for reproduction under the Public Records Act.

8.17 VAPE AND TOBACCO FREE WORKPLACE POLICY

The City of La Vergne complies with the Non-Smoker Protection Act of 2007 which prohibits smoking in all public places such as buildings, equipment and City Owned vehicles. All employees who operate City owned vehicles are prohibited from smoking and chewing tobacco products in the vehicle or piece of equipment. This includes other occupants that may be being transported in vehicles.

- No person shall use tobacco products in a City owned or leased facility or vehicle. Violators of this policy will be subject to disciplinary action.
- All aspects of this policy apply to use of e-cigarettes ("vaping" or "vaporizing"), as well as to use of all tobacco products including dipping and chewing tobacco.

8.18 OUTSIDE EMPLOYMENT

Employees are required to complete an Outside Employment Authorization form for any position held with an employer other than the City of La Vergne, including self-employment or ownership interest in a business. Police Officers that provide security related duties for businesses or associations must provide proprietary security license or contract license information for insurance verification. The Department Head may recommend approval of outside employment to the City Administrator if the other position does not have any potential conflict of interest with the employee's job with the City. The City Administrator has final approval of all outside employment. Employees who are granted approval for outside employment must sign a new agreement in January of each calendar year, even if they remain employed by the same outside employer.

8.19 EMPLOYEE AWARDS

Upon recommendations of any City leader and at the discretion and approval of the City Administrator, employee awards, including but not limited to safety awards, service awards, productivity awards and retirement awards, may be presented to an employee in recognition of significant contributions made by that employee to the City service.

8.20 EMPLOYEE ASSISTANCE PROGRAM (EAP)

The City of La Vergne provides an EAP for all employees and their dependents both full-time and part-time. Management may recommend the use of the EAP to provide employees with assistance in addressing personal and work-related problems. EAP providers follow strict confidentiality guidelines as outlined by federal law. Your EAP provides you with immediate and confidential help for any work, health, or life concerns. They provide help with stress, anxiety, parenting advice, family needs and much more. See your Human Resources department for more information. Don't hesitate! You'll be surprised how they can help you.

8.21 PERSONAL ELECTRONIC RECORDING DEVICES

Personal electronic recording devices are prohibited.

8.22 SOCIAL MEDIA POLICY

Social media describes various forms of electronic communication that allow users to create and share content, create, and participate in virtual communities, participate and register for events, share comments, text chat, and video chat or otherwise interact with both known and unknown persons through virtual means in a social manner. The term "social media" includes public and private websites where users establish relationships with other users and/or publish user-generated content. Examples of social media include social networking websites such as Facebook, TikTok, LinkedIn, Twitter, Instagram, internal web logs or "blogs," and Wikis such as Wikipedia. This list is not all-inclusive, as social media tools and platforms are already too numerous to list and will continue to be developed. Social media allows public and private enterprises (including the City) to develop and enhance their brands, inform the public about their services, and interact with and provide information to their customers in immediate and valuable ways. Social media also provides individuals with opportunities for personal expression and communication.

The City acknowledges employee rights to privacy and free speech that may protect social media activity conducted by its employees. The City has no desire or intention to intrude into, restrict, or censor the private and off-duty social media activity of employees. However, employees must keep in mind that, even in their personal social media activity, they may be perceived by the public to be representing the City, and that their online statements may negatively impact their City co-workers and customers and may be detrimental to City operations. Employees should be aware that inappropriate or irresponsible use of social media, including personal social media activity, may be deemed to violate City policy and lead to disciplinary action, up to and including termination. The purpose of this policy is to provide guidelines for City employees with respect to social media usage. Any questions about this policy should be directed to Human Resources.

A. Use of Official City Websites and Social Media Accounts

Use of social media is an important component of the City's public relations and communications strategy. Procedures have been created to establish, develop, and maintain the City's social media presence, and to communicate with customers and the public using on-line resources. Only those employees approved by City management are authorized to speak on behalf of the City in any public

medium. This includes but is not limited to radio, television, web broadcasts, social networking, and blogs. Employees may not create a social media account on behalf of the City without the written permission of the City Administrator. Violation of these policies with respect to use of official City websites and social media accounts may lead to disciplinary action, up to and including termination.

B. Rules and Guidelines for Social Media Activity

The following guidelines apply to all social media activities by City employees, including personal social media activity.

1. Employees may not engage in personal social media activity during work time. This includes use of City equipment and systems as well as use of employee's personal devices for purposes of engaging in social media activity. Employees should keep in mind that the City retains the right to monitor the usage of its equipment and systems (including internet usage) by employees, with or without notice.
2. Employees may not create a social media account using their City work email address without approval from their Department Head and the City Administrator.
3. Employees may not post or comment on any social media sites as a representative of the City unless doing so is an express part of his or her job duties related to customer service, corporate communications, or marketing.
4. If an employee receives a request for public information via social media, the requestor should be directed to the City Administrator or his designee to submit an official public records request in accordance with the Tennessee Public Records Act and City public records practices.
5. Employees who list their affiliation with the City in any way in connection with a personal social media account or posting (such as identifying themselves as an employee of the City or appearing in an a City uniform or otherwise in a context that discloses their affiliation with the City) should make clear that they are not speaking on behalf of the City by including a disclaimer such as "Opinions are mine, not my employer's."
6. If an employee lists or identifies the City as his or her employer on a personal social media profile, tags the City in a social media post or comment, includes a hyperlink to any official City social media page, or otherwise officially links himself or herself to the City on social media, that employee's social media activity with respect to such accounts and posts will be held to a higher level of scrutiny under this policy.
7. Employees may not disclose confidential information pertaining to the City customers and vendors. Such confidential information would include but is not limited to customer or vendor account information and payment history. If you have any questions about what kinds of information constitutes confidential and proprietary information under this policy, please discuss with Human Resources.
8. Employees may not disclose trade secrets or other confidential and proprietary information pertaining to the City's business operations. If you have any questions about what kinds of information constitutes confidential and proprietary information under this policy, please discuss with a member of City management or Human Resources.
9. Employees should not use or display City trademarks (including logos) or copyrighted materials on personal websites.
10. Employees should not engage in hate speech or make threatening, harassing, discriminatory, defamatory, or maliciously false remarks about the City or City employees, customers, or vendors.
11. Employees should not post any material that violates the privacy rights of fellow employees.

12. Employees should not engage in social media activity which impairs or is disruptive of workplace operations or interferes with job performance of City employees.
13. When discussing the City or its employees, customers, or vendors, employees should refrain from using abusive language.
14. If you engage in any social media activity which violates any City policy (including, but not limited to, making threats toward other employees, engaging in harassing or discriminatory conduct towards City employees, violation of the City Abusive Conduct Prevention Policy, insulting customers, disclosing confidential information of the City or City customers, or being insubordinate or disruptive of operations), you may be subject to disciplinary action pursuant to the terms of applicable City policies. In other words, if you violate City rules, you will be subject to disciplinary action as warranted based on the circumstances, notwithstanding the fact that the violation occurred within the context of personal online activity.
15. If the City becomes aware of social media activity indicating that you have engaged in fraudulent activity towards the City (such as misrepresenting the nature of a workplace injury or the reason you need to miss work), your social media activity may be considered as part of the City's investigation into whether you have committed misconduct warranting disciplinary action or for other relevant purposes such as determining applicable benefits.
16. Employees may be held responsible for social media activity which violates this policy even if they engage in such activity anonymously or under false names.
17. The City has many internal channels and options for employees to bring up concerns, issues, grievances, or complaints about workplace issues or terms and conditions of employment, and employees will not be subject to retaliation for bringing up such issues or complaints. The City accordingly encourages employees to address such workplace issues through City internal channels rather than addressing such issues publicly on social media.

C. Social Media Networks

You are not obligated to join a co-worker's network or to "friend" a co-worker or supervisor; it is your right to choose how you will engage with City management and/or your co-workers via social media.

The following guidelines are specific to professional networks (e.g., LinkedIn):

- Do not feel obligated to join a professional network; it is your choice whether or not you join.
- Requests to join your network should be sent individually. You may not grant the network service provider permission to access your company email address book to send requests to join your network.
- You are not obligated to join a co-worker's professional network or to invite co-workers to join your network.
- Any communications or postings that reference or could reflect on the City must comply with applicable protocols; you should confer with Human Resources if you have any questions regarding whether your activity on social media professional networks complies with this policy.
- All rules with respect to employee social media activity (as set forth above) are applicable to employee use of professional networks.

D. Enforcement and Disciplinary Action

The City respects your privacy and won't ask for your personal social media passwords or view your private activity without your permission. However, remember that the City has the right to monitor and review any public social media posts by employees. "Public" posts are not just those openly available, but also ones shared or forwarded by an employee's connections. If an employee wants their content to stay private, they need to be mindful of their account's privacy settings and who they connect with.

If the City finds any social media activity that may breach this policy, the City will investigate the context and its impact on the City before deciding on appropriate actions. This could lead to a request to remove the content or even disciplinary action, including potential termination.

E. Legal Compliance

In enforcing this policy, the City will balance its employees' interest in engaging in free expression with the interest that the City has in effectively providing critical services to the public while maintaining a productive and safe work environment for its employees. Nothing in this policy will be interpreted or applied to unlawfully limit or interfere with your rights under the First Amendment of the United States Constitution or any other applicable laws.

8.23 INCLEMENT WEATHER

At times, emergencies such as severe weather, power failures or other non-weather-related emergencies can disrupt city operations. In such instances, The City Administrator will decide on the delayed opening and/or closure and may consult with the Mayor and Department Heads before deciding. Official notification will come from the City Administrator and will be sent by email, posting on the city website or the city's Facebook page.

A. Inclement Weather without Official Closing

Inclement weather usually does not guarantee the closing of city offices. Absence due to inclement weather requires you to make a personal judgment pertaining to your safety in traveling to and from work. Loss of work time for this reason may be charged to your accrued vacation, personal time off (PTO), or Comp time. If you have no accrued paid leave (not including sick), then the time is charged as leave without pay.

Employees who are unavoidably delayed despite their best efforts to arrive at work on time, and who promptly inform their supervisor of such delays, may not be required to use leave for their absence. The decision to mandate the use of accrued leave for late arrivals under these conditions' rests with the supervisor. They will consider factors such as the intensity of the weather, the timeliness and clarity of the employee's communication, and the impact of the delay on city operations. This policy is designed to balance the importance of safety with the commitment to maintaining city services.

B. Official Closings due to Inclement Weather or other Non-Weather Emergency

The City Administrator will decide if city offices will be closed on normal workdays during inclement weather. Closing information will be sent by email, posting on the city's website or the city's Facebook page. Each department should develop a notification process for their employees.

- If you are scheduled to work during an inclement weather closing, you will receive administrative pay for your regularly scheduled working hours during the period of closing.

- If you are among the critical emergency service personnel who must work, you will receive regular wages for the hours worked, plus administrative pay for the hours scheduled to work.
- If you are not scheduled to work during an inclement weather closing, you will not be paid for the closing.
- If you are on preapproved vacation, sick or any other leave with pay during the declared times of closing, you will receive administrative leave with pay and will not have to charge that time for your leave.
- For exempt employees, the expectation is to work from home during inclement weather conditions, ensuring continuity of city operations even when it's not feasible to physically report to work. Compensatory time will be provided for hours worked beyond the standard 40-hour workweek, excluding remote work or work from home scenarios, unless such arrangements have received prior approval from the City Administrator. This policy emphasizes the adaptability and responsibility of exempt employees to fulfill their duties outside the traditional office setting, especially during adverse weather conditions, while aligning with city guidelines and administrative approval processes.

CHAPTER 9 - WORKPLACE HARASSMENT AND VIOLENCE

9.1 DISCRIMINATION AND HARASSMENT PROHIBITED

The City of La Vergne will not discriminate for decisions regarding hiring, termination, or any terms and conditions of employment based on race, color, national origin, religion, genetic information, pregnancy, age, military status, sex (including pregnancy, sexual orientation, and gender identity), disability, or any other category protected by law. Verbal, physical, or electronic conduct by any employee that harasses, disrupts, or interferes with another's work performance or that creates an intimidating, offensive, or hostile environment, based on any prohibited criteria as described above, will not be tolerated. The intent of the offender is not considered, but the perception of an offended person will be considered.

Employees are expected to maintain a productive work environment free from harassing or disruptive activity, including threats of physical violence. No form of harassment, discrimination, or retaliation will be tolerated. This policy applies to all City employees, elected officials, appointed officials, part-time/temporary employees, contractors, and any other persons interacting with City employees in the workplace.

9.2 SEXUAL HARASSMENT

Sexual harassment, which is harassment directed at an individual because of their gender, is one form of harassment prohibited under this policy. The City of La Vergne will not tolerate sexual harassment, and prompt action will be taken to investigate and resolve sexual harassment complaints. Sexual harassment occurs when submission to sexual advances is a condition of employment; when submission to or rejection of sexual advances is the basis of an employment decision; or when the conduct of another based on gender has unreasonably interfered with an affected person's work performance or created an intimidating, hostile, or offensive work environment. Sexual harassment can be conduct directed toward a man or a woman by either sex and includes the following behavior:

- Any unwelcome physical interactions, including flirtatious behavior or advances.
- Making inappropriate sexual remarks, jokes, or comments.
- Making derogatory or suggestive remarks based on someone's gender.
- Displaying any inappropriate or sexually suggestive images or objects at the workplace.
- Sharing or sending inappropriate or sexually explicit communications, including emails, messages, or digital content.
- Harassment through virtual or electronic means, including but not limited to video conferencing, emails, and social media platforms.

Any employee who believes that an individual's actions or words in the workplace constitute unwelcome sexual harassment (or any other form of harassment or discrimination described in this Section) has a responsibility to report the situation as soon as possible. Multiple reporting options are available, including notifying a direct supervisor, the Human Resources department, or directly to the City Administrator.

Employees will not face retaliation for reporting concerns or participating in investigations. Training on harassment prevention, cultural sensitivity, and digital conduct is required annually for all employees, supervisors, and management to ensure compliance with this policy.

This policy will be reviewed and updated periodically to ensure compliance with federal and state laws.

9.3 ABUSE CONDUCT PREVENTION POLICY

The City has enacted this policy pursuant to the guidelines set forth in Tennessee Code Annotated, Section 50-1-503(b), to address and prevent abusive conduct in the workplace.

A. Statement of Commitment, Values, and Purpose

The City is devoted to creating a workplace where every individual feels valued and respected. We aim for excellence not only in our services but also in fostering an environment of collaboration, safety, and equality. Every employee deserves to be treated with dignity. We take all concerns about negative or inappropriate behaviors seriously and ensure they are addressed thoroughly. Rest assured, standing up against such behaviors will never have negative repercussions on you.

This policy safeguards all our employees, whether full-time or part-time, and extends to any City-sponsored event, program, or activity. It also covers electronic communications. Your well-being is always our priority.

B. Definition of Abusive Conduct

Abusive conduct includes acts or omissions that would cause a reasonable person, based on the severity, nature, and frequency of the conduct, to believe that an employee was subject to an abusive or unsafe work environment, which can include but is not limited to:

- Repeated verbal abuse in the workplace, including derogatory remarks, insults, and epithets.
- Verbal, nonverbal, or physical conduct of a threatening, intimidating, or humiliating nature in the workplace.
- The sabotage or undermining of an employee's work performance in the workplace.
- Engaging in hazing or any initiation process that may cause physical, mental, or emotional harm, discomfort, embarrassment, or degradation to employees in the workplace.

A single act generally will not constitute abusive conduct unless such conduct is determined to be severe and egregious.

Abusive conduct does not include:

- Disciplinary procedures in accordance with adopted policies of the company.
- Routine coaching and counseling, including feedback about and correction of work performance.
- Reasonable work assignments, including shift, post, and overtime assignments.
- Individual differences in styles of personal expression.
- Passionate, loud expression with no intent to harm others.
- Differences of opinion on work-related concerns; or
- The non-abusive exercise of managerial prerogative.

C. Employer Responsibility

Supervisors and others in positions of authority have a particular responsibility to ensure that healthy and appropriate behaviors are always exhibited and that complaints to the contrary are addressed in a timely manner. Supervisors will:

- provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with threatening or potentially violent situations.
- provide good examples by treating all with courtesy and respect.

- ensure that all employees have access to and are aware of the abusive conduct prevention policy and explain the procedures to be followed if a complaint of inappropriate behavior at work is made.
- be vigilant for signs of inappropriate behaviors at work through observation and information seeking, and take action to resolve the behavior before it escalates; and
- respond promptly, sensitively, and confidentially to all situations where abusive behavior is observed or alleged to have occurred.

D. Employee Responsibility

Employees shall treat all other employees with dignity and respect. No employee shall engage in threatening, violent, intimidating, or other abusive conduct or behaviors. Employees are expected to assume personal responsibility to promote fairness and equity in the workplace and report any incidents of abusive conduct in accordance with this policy. You should report all incidents of abusive conduct whether you are the target of such conduct, or whether you observe others engaging in or being subjected to such conduct.

Employees should co-operate with preventative measures introduced by supervisors and recognize that a finding of unacceptable behavior at work will be dealt with through appropriate disciplinary procedures.

E. Retaliation

Retaliation is a serious violation of this policy and is strictly prohibited by the City. Retaliation includes any act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment taken against an individual or group of individuals for exercising rights under this policy, reporting or opposing any form of misconduct, or participating in an investigation or proceeding related to a complaint. Examples of retaliation can include adverse changes to work assignments, denial of benefits, intimidation, or other negative actions that could deter a person from coming forward.

Any employee who engages in retaliation will be subject to disciplinary action, up to and including termination of employment. If you believe you have been subject to or have witnessed any form of retaliation, you are encouraged to report it immediately to Human Resources or any member of management. The City takes such reports seriously and will investigate allegations of retaliation promptly and thoroughly.

F. Training for Supervisors and Employees

From time to time The City may require all supervisors and employees to undergo training on abusive conduct prevention. Attendance at any such training is mandatory and is a condition of employment.

9.4 HARASSMENT/DISCRIMINATION/ABUSIVE CONDUCT COMPLAINTS

The City deeply cares about the well-being and dignity of all our employees. If you ever feel subjected to harassment, discrimination based on protected traits, or abusive conduct, please step forward. Your voice matters. You can immediately approach your supervisor, the Human Resources Department, Department Head, City Administrator, or the City Attorney, depending on the circumstances. You're never expected to report your concerns to the person you believe is responsible for the distressing behavior. Your courage to come forward helps in maintaining our supportive work environment. Please be ready to share details to aid our thorough and prompt investigation. We strive to handle these matters with the utmost confidentiality, but please understand

that complete anonymity might not always be possible due to the need for a comprehensive investigation and Tennessee's open records laws.

9.5 INVESTIGATING HARASSMENT/DISCRIMINATION/ABUSIVE CONDUCT COMPLAINTS

The Human Resources Department is the designated investigator of complaints under this Section. However, under certain circumstances, including but not limited to, allegations made against the Director of Human Resources, City Administrator, or Board of Mayor and Aldermen, the City Administrator may designate another investigator, possibly including an independent outside investigator.

The investigator will meet with the employee, any witnesses, the supervisor, any other members of management considered appropriate and other individuals that may have relevant information. An investigation report will be prepared based on the findings from the investigation. The complaining party will be notified regarding the general outcome of the investigation (whether the complaint was corroborated and whether remedial action will be taken).

9.6 ACTION ON COMPLAINTS OF HARASSMENT/DISCRIMINATION

A. Determination of Wrongful Conduct

Based upon the investigative report, the investigator shall determine whether the conduct of the person against whom a complaint has been made constitutes harassment or discrimination in violation of City policy and/or applicable law. In making the determination, the investigator shall look at the record as a whole and at the totality of the circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred and the conduct of the person complaining. The determination of whether harassment occurred will be made on a case-by-case basis. A written report of findings will be made in all cases, even if there was no evidence of harassment. The complaining party and accused will be notified of the completion of an investigation and the general conclusion; however, the details of the investigation, including the content of specific witness statements, or the details of any disciplinary action or other remedial measures taken because of the investigation generally will not be shared with the complaining party, the accused, or other witnesses.

B. Disciplinary Action

If the investigator determines that the complaint of harassment is founded, the City shall take immediate and appropriate disciplinary action against the employee guilty of harassment, which may include a verbal warning, a written warning, a suspension, demotion, or a termination of employment depending upon the severity of the matter and circumstances surrounding the incident (s). A written record of disciplinary actions shall be maintained by the Human Resources Department in the employee's personnel file.

C. Anti-Retaliation Clause

Individuals who bring good faith complaints or who participate in the investigative process under this Section will not be retaliated against. Any such retaliation or harassment should be reported and will be dealt with immediately and may be subject to disciplinary action.

D. Harassment by Non-Employee

In cases where harassment is committed by a non-employee against a City employee in the workplace, the employee is obligated to report such behavior to their leadership. The City Administrator shall take whatever lawful action against the non-employee that is necessary to resolve the issue.

9.7 OBLIGATION OF EMPLOYEES

Employees are obligated to report instances of harassment. Employees are also obligated to cooperate in every investigation of harassment. The obligation includes, but is not limited to, coming forward with evidence, both favorable and unfavorable, for a person accused of such conduct; fully and truthfully make written reports or verbally answer questions when required to do so by an investigator. Employees are to refrain from making bad faith accusations of harassment.

Disciplinary action may be taken against an employee who fails to report instances of harassment, or who fails or refuses to cooperate in the investigation of a complaint of harassment, or who provides false testimony during an investigation. Employees are prohibited from interfering or attempting to interfere with any departmental investigation. False allegations or statements made during any investigation will be dealt with on a case-by-case basis, and depending on the outcome, may include disciplinary action.

9.8 WORKPLACE VIOLENCE

The City of La Vergne is committed to preventing workplace violence and to maintaining a safe work environment. Employees and customers are always to be treated with courtesy and respect. Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace will not be tolerated. All weapons, and other dangerous or hazardous devices or substances are prohibited from City of La Vergne property, unless under the control of law enforcement or emergency personnel. City property includes but is not limited to buildings, parking lots and City owned vehicles. However, licensed firearms owners with carry permits may store weapons secured and out of sight in their locked personal vehicles, in accordance with requirements of State law.

All threats of violence or actual violence, whether direct or indirect, are to be reported immediately to your immediate supervisor or any other member of management and may include law enforcement. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee should be as specific and detailed as possible.

The City of La Vergne will promptly investigate reports of workplace violence including suspicious individuals or activities. Anyone determined to be responsible for threats of or actual violence or other conduct that is in violation of this policy will be subject to prompt disciplinary action up to and including termination.

Employees are encouraged to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns. Employees have the right to file a police report at their own discretion.

9.9 ACCOMMODATION OF DISABILITY AND PREGNANCY-RELATED CONDITIONS

The City is dedicated to supporting employees with physical or mental impairments, including pregnancy-related conditions. If you need job adjustments, contact Human Resources. We'll aim to provide reasonable accommodation, such as modifying workspaces or duties, without causing undue strain on City operations. Each request will be evaluated individually. Keep in mind, accommodations are typically temporary and won't permanently change core job responsibilities. Attendance and adherence to City policies remain essential for all roles.

The Director of Human Resources will assess accommodation eligibility and potential solutions. During this process, employees should actively cooperate with HR and might need to provide medical documentation. All medical details remain confidential. If accommodations are not feasible, the employee will be notified. Remember, regardless of any accommodation, all employees are expected to meet job standards and follow this Handbook's guidelines.

9.10 REASONABLE ACCOMMODATION FOR RELIGIOUS BELIEFS

The City aims to create a workplace that respects and considers employees' diverse religious beliefs, balancing these with operational needs. If a job responsibility goes against an employee's religious practices or beliefs, they can ask for a reasonable adjustment. To do this, reach out to the Human Resources Department. The Director of Human Resources will collaborate with the employees to see if an adjustment can be made. It's essential for the employee to provide all the necessary details about their religious concerns. Not doing so might result in the request being denied.

Once the discussion between the employee and HR is concluded, the Director of Human Resources will let the employee know the decision on the adjustment. While we encourage employees to suggest possible adjustments, we might not always be able to offer the exact solution requested. If this happens, we'll explore other potential solutions. If no adjustments can be made, the employee will be informed.

CHAPTER 10 - HOLIDAYS AND LEAVE

10.1 HOLIDAYS

A. Legal Holidays

The following days shall be legal holidays for all regular employees of the City of La Vergne. If a holiday falls on a Friday, Saturday or Sunday, the Board of Mayor and Aldermen shall determine when the holiday will be observed on a case-by-case basis.

New Year's Day	January 1 st
Dr. Martin Luther King, Jr. Holiday	3 rd Monday in January
Good Friday	Friday before Easter
Memorial Day.....	Last Monday in May
Juneteenth (Freedom Day).....	June 19 th
Independence Day	July 4 th
Labor Day	1 st Monday in September
Veterans Day	November 11 th
Thanksgiving	4 th Thursday in November
Day after Thanksgiving	Friday following Thanksgiving
Christmas Eve	December 24 th
Christmas Day	December 25 th

B. Holiday Eligibility

To qualify for holiday pay, employees must be in a paid role or on approved leave both the day before and after the holiday. If an employee takes sick leave on either of these days, they need a doctor's note to claim holiday pay. Those on workers' compensation are viewed as being on paid leave. If a holiday falls on an employee's usual workday due to shift patterns, they must be in a pay status on that day unless it's their regular day off. Exempt employees working on a holiday will receive holiday pay as outlined in Section 7.8.

10.2 LEAVE RECORDS

All types of leave, including vacation, sickness, military, and compensatory, operate on a calendar year basis. The HRIS Administrator or another designated individual from Human Resources oversees leave balances. Employees must use the Dayforce platform for leave requests. To ensure pay, document any absence in Dayforce and submit before the pay period's end.

10.3 VACATION LEAVE

Vacation is accrued by all full-time employees on an hour per pay period basis beginning with the employee's hire date. A new employee shall accrue vacation leave from the date of employment but will not be eligible to take vacation until completing ninety (90) days of continuous service. Vacation leave may be taken as earned, subject to the prior approval of the Department Head who shall schedule leave in accordance with staffing requirements for the department.

A. Vacation Leave Accrual

The following chart outlines the vacation accrual rate based on the number of years of service. Vacation time will not accrue if an employee is on leave without pay or suspension without pay for more than fifty percent (50%) of the month. Employees who receive payments from worker's compensation

or short-term disability are considered administrative leave status and are not eligible to accrue vacation time. The maximum amount of vacation leave that can be carried over for a 40-hour Employee is 240 hours from year to year. The maximum amount of vacation leave that can be carried over for a Fire Department, 56-hour Employee, is 336 hours from year to year. Any leave in excess of the maximum accrual cap must be utilized by December 31st of each calendar year or those hours will be converted to personal time off (PTO) hours.

The following accrual schedule applies to all Full-Time employees.

Full-time Regular Employees:								
	40-hour Employees				Fire Department 56-hour Employees			
Years of Service	Accrual Rate (hours) Per Pay Period	Annual Hours Earned	Maximum Accrual Cap Per Year	Work Days Off	Accrual Rate (hours) Per Pay Period	Annual Hours Earned	Maximum Accrual Cap Per Year	Work Shifts Off
0-5 years	3.08	80	240	10.00	4.62	120	336	5.00
6 years	3.38	88	240	11.00	5.04	131	336	5.46
7 years	3.69	96	240	12.00	5.46	142	336	5.92
8 years	4.00	104	240	13.00	5.92	154	336	6.42
9 years	4.31	112	240	14.00	6.35	165	336	6.88
10 years	4.62	120	240	15.00	6.77	176	336	7.33
11 years	4.92	128	240	16.00	7.19	187	336	7.79
12 years	5.23	136	240	17.00	7.65	199	336	8.29
13 years	5.54	144	240	18.00	8.04	209	336	8.71
14 years	5.85	152	240	19.00	8.50	221	336	9.21
15 years	6.15	160	240	20.00	8.92	232	336	9.67
16 years	6.46	168	240	21.00	9.35	243	336	10.13
17 years	6.77	176	240	22.00	9.77	254	336	10.58
18 years	7.08	184	240	23.00	10.23	266	336	11.08
19 years	7.38	192	240	24.00	10.65	277	336	11.54
20+ years	7.69	200	240	25.00	11.08	288	336	12.00

B. Vacation Leave Requests

Vacation leave should be submitted through the Dayforce system no less than 24 hours in advance of the desired date. In emergency situations, employees may seek approval for leave directly from their supervisor either verbally or through Dayforce, provided they make contact before the start of the workday. Additionally, with the approval of the Department Head, vacation leave can now be utilized on the day it is requested, offering greater flexibility to accommodate unforeseen circumstances.

Employees are generally not permitted to use vacation leave for more than three (3) consecutive weeks, except in cases where the employee is on FMLA leave or has received prior approval from the City Administrator.

When two employees request vacation for the same period, preference will be given to the one who made the request first, adhering to a first-come, first-served basis. However, if the concurrent absence of both employees does not impact the department's normal operations, the Department Head may allow both employees to take their vacation simultaneously or with overlapping dates. This revision aims to streamline the vacation request process while maintaining the efficiency and flexibility of departmental operations.

C. Pay In-Lieu of Vacation

Pay in-lieu of vacation may be permitted, if approved by the employee's Department Head and the City Administrator. The maximum number of hours that can be paid in lieu of vacation, per calendar year, shall be eighty (80) hours. To be paid for forty (40) hours of pay in-lieu of vacation, the employee must have already taken a minimum of forty (40) hours of vacation time off during that calendar year. To be paid for eighty (80) hours of pay in-lieu vacation, the employee must have already taken a minimum of eighty (80) hours of vacation time off during that calendar year. Only forty (40) hours of pay in-lieu of vacation can be paid during the months of January through June and only forty (40) hours of pay in-lieu of vacation can be paid during the months of July through December.

D. Vacation Compensation upon Termination

Employees who resign with a minimum 14-calendar day notice, or who are terminated for reasons not involving criminal misconduct, will receive a lump sum payment for any accrued, unused vacation hours in their final paycheck. During the notice period, which is 14 calendar days for general employees and four weeks for Department Heads, the use of vacation or PTO is not permitted. However, any vacation time that was approved prior to submitting the resignation notice is still eligible for use. Sick leave can be taken within the 14-calendar day notice period, but a physician's note must be provided for each day taken. The requirement for notice can be waived at the discretion of the Director of Human Resources for general employees, and by the City Administrator for Department Heads, offering flexibility in handling transitions.

E. Employee Birthday

Employees who have been with the City for at least three months are granted an additional day of paid leave during the calendar year to celebrate their birthday, subject to departmental approval. This birthday leave will appear in your Dayforce platform approximately 60 days before your actual birthday, ensuring ample time for planning. Employees are eligible to take this day off up to 14 calendar days before or up to 14 calendar days after their actual birthday. If this special day of leave is not utilized within 14 days following your birthday, it will automatically be removed from Dayforce. This policy is designed to honor our employees on their special day while maintaining the flexibility needed to accommodate departmental operations.

10.4 SICK LEAVE

Sick leave shall not be considered a right which an employee may use at his/her discretion, but rather as a privilege. It is intended to be used for legitimate sick leave purposes only. Sick leave is intended as an insurance policy against the threat to an employee's income posed by a serious illness or accident. Each employee should attempt to build as much sick time as possible as a buffer against unexpected emergencies. Employees are encouraged to take sick leave when they are ill, but at the same time are cautioned against abuse of the sick

leave privilege. A new employee shall accrue sick leave from the date of employment and will be eligible to take sick leave during their ninety (90) day probationary period.

A. Sick Leave Accrual Rate

Sick leave for all regular employees, regardless of years of service, shall accrue at the rate of 72 hours per year for 40-hour Employees. Fire Department, 56-hour Employees, shall accrue at the rate of five (5) twenty-four (24) hour shift (120 hours) per year. Employees can continuously accrue sick leave hours, and there is no limit on the number of sick leave they may accrue, but the sick leave may not be “cashed out” on termination or otherwise. Sick leave is a benefit, not a form of compensation.

Sick leave may not be accrued if an employee is on leave without pay or suspension without pay. Employees who receive payments from worker’s compensation are considered in paid leave status and are eligible to accrue sick time.

Sick leave credit shall not accrue for hours worked more than an employee’s regular schedule. Temporary and part-time employees are not eligible for the accrual of sick leave. Sick leave will be credited, hour for hour taken.

B. Sick Leave Uses

Sick leave uses may only be used for the following purposes:

1. Employees are incapacitated by illness or non-job-related injury.
2. He/she is seeking medical, dental, optical, psychological, or other diagnosis and treatment.
3. Necessary care and attendance of a member of the employee’s immediate family when approved by their Department Head. (See Chapter 2 for definition of Immediate Family)
4. Bereavement leave for the death of a family member as described in Section 10.6.
5. Any other reason that is allowable under the Family Medical Leave Act.

It's important to note that sick leave cannot be utilized to complete a 40-hour work week if an employee is short of actual work hours. Sick leave is intended to support employees during times of health-related absences and must be used in accordance with the outlined purposes.

C. Sick Leave and PTO Abuse

The City’s expectations regarding employee attendance are not altered by the fact that an employee has sufficient sick leave or PTO accrued to cover an absence. Disciplinary action, up to and including termination, may result in employees who are repeatedly absent and/or late to work, who display suspicious patterns of absences such as repeated absences prior to weekends or holidays, and/or who fail to provide appropriate notice of absences, regardless of the availability of paid leave. Note that PTO is not available to cover all types of absences. If an employee is tardy, out on an unexcused absence, fails to provide appropriate notice of an absence, or undergoing a disciplinary suspension, the use of sick leave or PTO may be denied.

D. Notice to Supervisor

An employee who is absent because of illness shall notify their supervisor or department head as soon as possible but at least prior to the start of the workday in which the employee will be absent. Failure to call in as required may result in the absence being charged to leave without pay, in addition to any disciplinary action that may be indicated. An advance written request for sick leave is required whenever possible.

E. Doctor's Authorization

Employees should try to provide written evidence, such as a doctor's note, when taking sick leave. This note should confirm that the employee was genuinely sick and couldn't work on the specified dates. If sick leave misuse is suspected, the Department Head can work with the Human Resource department to request this documentation.

For extended illnesses, a doctor's note is mandatory. On the third consecutive workdays due to illness, a note from the doctor confirming the employee's fitness to return is needed. However, frequent use of sick leave doesn't necessarily signal abuse or reflect poorly on an employee's record.

If sick leave is used for other allowed uses as provided above, the employee must provide written evidence to document the need to use sick leave.

10.5 PERSONAL TIME OFF (PTO) LEAVE

The City offers employees flexible PTO to accommodate personal needs. Regular 40-hour employees receive 24 hours of PTO annually, while 56-hour Fire Department staff get one 24-hour shift as PTO each year. PTO accrual starts after a 90-day probation period and is based on the hiring anniversary.

While PTO can accumulate indefinitely, it should be pre-scheduled and approved unless there's an emergency. If an employee takes 15 or more unpaid days off in a month, they won't earn PTO for that month.

Employees are urged to use PTO yearly. PTO isn't converted to cash, nor is it paid out on termination. Borrowing future PTO or transferring it to another employee isn't allowed.

10.6 BEREAVEMENT PAY

If an employee loses an immediate family member, they can receive up to three (3) days of bereavement pay if they work a regular 40-hour week. Fire Department staff assigned to a 48-hour shift will receive one 24-hour shift for bereavement. Section 2 lists who qualifies as the "immediate family". The Director of Human Resources will determine if more bereavement leave is needed based on the situation.

If a family member passes away who isn't in the "immediate family" category, the employee receives one (1) day of bereavement. For clarity this refers to aunts, uncles, nieces, and nephews.

If additional time off is needed for bereavement, employees can use their sick leave, but they need approval from both the Director of Human Resources and the City Administrator.

10.7 WORKER'S COMPENSATION LEAVE

Employees shall report any injury or illness incurred in the course of their employment, however minor, to their Supervisor or Department Head. Failure to make such a report may disqualify the employee from receiving Workers Compensation benefit and receiving any injury leave.

City employees who experience work-related injuries or illnesses might be eligible for compensation via the State Compensation Insurance Fund, in line with the Tennessee Worker's Compensation Act. This fund compensates up to 66.67% of an employee's weekly wage after a disability period of seven (7) days. The City follows state law guidelines and doesn't determine worker's compensation benefits. From the eighth day of disability, compensation begins.

Employees will get their regular pay minus the worker's compensation. They must inform the Human Resources Department about all compensation benefits they receive. Employees can't combine their pay with leave benefits to earn more than their average annual salary.

10.8 RETURN-TO-WORK POLICY AND PROCEDURES

A. Purpose

The City of La Vergne highly values its employees. We aim to facilitate their timely return to work after an injury or illness, once cleared by a medical professional. If an employee faces limitations upon returning, the City may provide modified tasks, in line with this policy, to align with their health care provider's restrictions.

Our program aims to:

1. Support the recovery of injured employees by setting return-to-work objectives.
2. Enable employees to resume earning full wages swiftly.
3. Reduce the City's workers' compensation and retraining expenses.

When an employee needs a modified work assignment, Human Resources must be informed promptly. They will oversee communications between the employee, the health care provider, and Workers Compensation, if relevant. If finding a suitable role becomes challenging within the original department, Human Resources will explore other light-duty opportunities. Employees shouldn't work beyond an 80-hour pay period.

Light-duty status decisions are final and cannot be contested through grievances.

B. Definitions

1. **Work-Related Injury** refers to a disability stemming from an accident that occurs while an employee is performing their job tasks.
2. **Off-The-Job Injury** is any injury or illness that isn't tied to the employee's professional role.
3. **Restricted/Modified Duty** involves altering job tasks temporarily to accommodate short-term disabilities as recommended by a medical professional.

The **Light Duty Policy** offers a provisional work arrangement for those recovering from an injury. It doesn't ensure indefinite employment. If, during this period, it becomes clear that the employee might not be able to resume their original role post-recovery, the City will reassess their light-duty position.

During any modified assignment, injured employees will receive their standard pay. Benefits will remain unchanged, as though the employee is in their regular role. The adjusted work schedule will span Monday to Friday, with an eight-hour workday in the designated department.

Assuming there's available work, the City will prioritize offering modified tasks to those temporarily incapacitated due to injury or sickness. The objective is to reintegrate employees into the workforce as soon as medically feasible. In situations where multiple individuals are eligible for light duty, those with work-related injuries get preference.

Employees on light duty might cover for colleagues on leave, take over pending projects, or address backlog issues caused by staffing shortages. However, employees on modified duty aren't eligible for overtime.

C. Medical Networks

1. The network should include enough physicians to provide timely treatment.
2. Employer or insurer has exclusive rights to decide which providers are in network.
3. Only a licensed physician in the appropriate scope of practice may modify, delay, or deny a request for authorization for treatment.
4. Provides that after the first visit, you, the injured worker, have the right to choose a doctor within the medical network.
5. The network authorizes the injured worker to obtain a second and third medical opinion in appropriate specialty within the network if they dispute diagnosis or treatment prescribed by the treating physician.
6. The network physician authorizes out-of-network specialist treatment if approved by the employer or the insurer.
7. The City may at any time require a second opinion of the employee's condition provided by a physician of the City's choice and at the City's expense.

D. Job Descriptions

It is necessary for every employee in the City of La Vergne to have a job description on file defining both the essential and non-essential job functions. Each description must clearly detail in writing the essential job duties and tasks required.

Job descriptions are used during workers' comp claims to alert the physician of what kind of physical conditioning is expected of the employee once he/she returns to work. Providing a proper job description allows the physician to prepare the injured employee more properly for rejoining the workforce. Without a clear detailed description of the injured employee's tasks, the physician may be more cautious and extend the length of the workers' comp disability.

E. Work Standards

1. An employee on a Light Duty assignment is subject to all rules, regulations, work standards, policies, and procedures of the City of La Vergne.
2. Employees on light duty are required to follow the policies and procedures of the department to which they are assigned.
3. If the employee is placed on light duty outside his/her normal work area, the reporting supervisor is responsible for assuring that actual hour worked, leave taken, etc., are reported to the employee's original supervisor.
4. Work assignments under light duty employment must be done in an acceptable manner and meet the requirements of the job.

F. Employee's Responsibilities

Upon release by a health care professional to return to work on a light duty/modified assignment, it is the employee's responsibility to submit written documentation of the release and any accompanying restrictions to Human Resources. Additionally, the employee must:

1. Participate as an active member of the modified assignment/return to work team to establish a work plan. This work plan will include an expected date that the employee will be able to return to work without restrictions.

2. Work with his/her health care professional to receive periodic updates to the work restrictions and a schedule for transition back to full/regular duties.
3. Accept a modified assignment which meets the limitations specified by the health care professional. In the event of any dispute as to the employee's ability to perform the available work offered by the City in situations involving on-the-job injuries, the Authorized Occupational Medicine Physician will make the final determination.
4. An employee who attempts to return to work and finds that the injury or illness prevents him/her from continuing the modified assignment should immediately consult with his/her health care professional.

G. Supervisor's Responsibilities

The Supervisor will keep the Director of Human Resources apprised of any changes in the employees' restrictions by the health care provider or any changes in work assignments.

H. Coordination with FMLA

This policy doesn't limit any rights employees have under the Family Medical Leave Act or other federal or state regulations. The City typically classifies leave taken for work-related injuries or illnesses as FMLA leave. While recuperating, employees eligible for FMLA can choose to take on light-duty tasks, but they're not obligated to.

If a request for light duty isn't granted, employees should utilize their sick, vacation, or personal leave. If all other leave options are exhausted, they may opt for leave without pay.

10.9 PARENTAL LEAVE

A. Statutory Parental Leave

The Tennessee Maternity/Paternity Leave Act offers up to four months of unpaid parental leave with job protection for both mothers and fathers. You can refer to Section 10.10 of this Handbook for more details. On the other hand, the Family and Medical Leave Act (FMLA) provides up to twelve weeks of similar leave, which you can learn more about in Section 10.11.

"Job protection" ensures that after the leave, employees will get their original job or a similar one. However, this is only for those who plan to come back to work after the leave.

Both laws have unique eligibility criteria and notification rules. Depending on the situation, an employee might qualify for leave under one, both, or neither law. If you're considering parental leave, go through Sections 10.10 and 10.11 closely and reach out to Human Resources for any questions.

Remember, if you want to take parental leave, you need to apply, and the leave is granted only if all requirements in Sections 10.10 and/or 10.11, including notification guidelines, are fulfilled. If you're eligible under both laws, the leaves will overlap, so the maximum leave you can get is four months.

B. Paid and Unpaid Parental Leave Options

Under the Tennessee Maternity/Paternity Leave Act and the FMLA, leave is unpaid. Yet, employees on parental leave must first utilize any accrued paid leave (like sick or vacation leave) in conjunction with this unpaid leave. Once all paid leave is exhausted, the remaining parental leave, as outlined in Sections 10.10 or 10.11 of this Handbook, will be unpaid.

Employees ineligible for statutory parental leave as described in Sections 10.10 and 10.11 can still use their accrued paid leave for parental purposes. However, this leave won't guarantee the same job protection and reinstatement benefits.

Those ineligible for statutory leave or seeking additional leave beyond their accrued paid duration can request Leave Without Pay under Section 10.17. Such requests follow the same procedure as any other under Section 10.17.

For extended leave due to medical issues linked to pregnancy or childbirth, employees can apply according to Section 9.9 of this Handbook, which addresses Accommodation of Disability and Pregnancy-Related Conditions.

C. Work During Pregnancy

The City generally assumes that a pregnant employee can continue working and fulfilling her job's essential functions throughout her pregnancy. If a pregnant employee or her medical professional believes she cannot work her full hours safely due to pregnancy, she should submit a leave request as detailed in the aforementioned sections. Such requests must adhere to the standard notice and medical documentation procedures for any medical-based leave, as specified in Sections 10.10 and 10.11 of this Handbook.

Should a pregnant employee or her healthcare provider believe she can maintain her work hours but needs adjustments to her tasks or requires accommodations due to her pregnancy, she should make a request following the guidelines in Section 9.9 of this Handbook.

In cases where the City observes a pregnant employee seemingly struggling with her essential job responsibilities, or if her role might pose a safety risk to herself or others, the City might require the employee to undergo a medical examination as outlined in Section 3.6(C) of this Handbook to ascertain her working conditions during the pregnancy.

10.10 TENNESSEE MATERNITY/PATERNITY LEAVE ACT

The City of La Vergne, in compliance with T.C.A, 4-21-208, Tennessee Maternity leave act will provide the following:

A. Conditions for leave

Employees who have been employed by the City for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing the infant, where applicable (such period to be hereinafter referred to as "leave"). Regarding adoption, the four (4) month period shall begin at the time an employee receives custody of the child.

B. Notification Requirements

Employees must give at least three (3) months' advance notice to the City of their anticipated date of departure for such leave, their length of leave, and their intention to return to full-time employment after leave.

Employees who fail to give the required notice may be denied leave under this Section. However, Employees who are prevented from giving three (3) months' advance notice because of a medical emergency which necessitates that leave begin earlier than originally anticipated shall not forfeit their

rights and benefits under this section solely because of their failure to give three (3) months' advance notice. Employees who are prevented from giving three (3) months' advance notice because the notice of adoption was received less than three (3) months in advance shall not forfeit their rights and benefits under this Section solely because of their failure to give three (3) month's advance notice.

C. Pay and Benefits During Leave

Leave under this Section is unpaid; however, an employee will be required to use any accrued paid leave concurrently with leave under this Section. Leave under this Section shall not affect the employees' right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which the employees were eligible at the date of their leave, and any other benefits or rights of their employment incident to the employees' employment position; provided, that the employer need not provide for the cost of any benefits, plans or programs during the period of such leave unless such employer so provides for all employees on leaves of absence.

D. Job Protection and Reinstatement

Employees taking leave under this Section shall be restored to their previous or similar positions with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of their leave. However, if an employee's job position is so unique that the City cannot, after reasonable efforts, fill that position temporarily, then the City shall not be liable under this Section for failure to reinstate the employee at the end of such leave period. Whenever the employer shall determine that the employee will not be reinstated at the end of such leave because the employee's position cannot be filled temporarily or because the employee has used such leave to pursue employment opportunities or to work for another employer (see Section E below), the employer shall so notify the employee.

Employees who do not return to work upon the expiration of leave under this Section lose reinstatement rights.

E. Other Work During Leave

The purpose of this Section is to provide leave time to employees for adoption, pregnancy, childbirth and care for a newborn or newly placed child; therefore, if an employer finds that the employee has utilized the period of leave to actively pursue other employment opportunities or if the employer finds that the employee has worked part time or full time for another employer during the period of leave, then the employer shall not be liable under this Section for failure to reinstate the employee at the end of such leave.

F. Amount of Leave

The total maximum amount of leave which may be taken under this Section is four (4) months. When an employee taking leave under this Section is also eligible for leave under the Family Medical Leave Act (see Section 10.11 of this Handbook), the two leaves will run concurrently, so that no more than four (4) months of leave may be taken by an employee based on the birth, adoption, or placement of a child.

10.11 FAMILY AND MEDICAL LEAVE ACT

A. Reasons for Taking Leave/Amount of Available Leave

In compliance with the Family and Medical Leave Act (FMLA), the City grants eligible employees up to twelve (12) weeks of unpaid, job-protected leave within a 12-month period for the following reasons:

1. **Birth and Care of a Newborn Child:** To care for the employee's newborn child within one year of birth.
2. **Placement for Adoption or Foster Care:** To care for a child placed with the employee for adoption or foster care within one year of placement.
3. **Serious Health Condition of the Employee:** When the employee is unable to perform the essential functions of their job due to a serious health condition.
4. **Serious Health Condition of a Family Member:** To care for the employee's spouse, child, or parent with a serious health condition.
5. **Qualifying Exigency for Military Family Members:** For qualifying exigencies arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or has been notified of an impending call or order to covered active duty.

Additionally, eligible employees may take up to twenty-six (26) weeks of unpaid, job-protected leave during a single 12-month period to care for a covered servicemember with a serious injury or illness. This leave applies to family members, including spouses, children, parents, or next of kin, of current servicemembers in the Armed Forces, National Guard, or Reserves.

B. Employee Eligibility

To be eligible for FMLA leave, an employee must meet the following criteria:

- **Employment Duration:** Have completed at least 12 months of employment with the City.
- **Hours Worked:** Have worked at least 1,250 hours during the 12 months immediately preceding the leave.
- **Worksite Criteria:** Be employed at a worksite where the City employs 50 or more employees within a 75-mile radius.

C. Maintenance of Health Benefits

During FMLA leave, the City will maintain the employee's group health insurance coverage under the same terms as if the employee continued working. Employees are responsible for continuing to pay their portion of insurance premiums during the leave period.

D. Job Restoration

Upon return from FMLA leave, employees are entitled to reinstatement to the same or an equivalent position with equivalent pay, benefits, and employment terms, provided they can perform the essential functions of the job.

E. Use of Paid Leave

Employees may choose, or the City may require the substitution of accrued paid leave (such as vacation or sick leave) for unpaid FMLA leave, in accordance with the City's leave policies.

F. Employee Responsibilities

Employees must provide 30 days' advance notice of the need for FMLA leave when the need is foreseeable. When 30 days' notice is not possible, employees must provide notice as soon as practicable.

The City may require certification from a healthcare provider to substantiate the need for leave due to a serious health condition affecting the employee or an immediate family member.

G. Employer Responsibilities

The City will inform employees requesting leave whether they are eligible under FMLA. If they are, the City will specify any additional information required and outline the employees' rights and responsibilities. If they are not eligible, the City will provide a reason for ineligibility.

H. Prohibition of Retaliation

The City strictly prohibits any form of retaliation against employees who exercise their rights under the FMLA.

For more detailed information, employees are encouraged to consult the U.S. Department of Labor's FMLA guidelines.

By incorporating these clarifications, the City ensures compliance with federal FMLA regulations and provides clear guidance to employees regarding their rights and responsibilities under the Act.

I. Method of Determining Available Leave

The amount of FMLA leave available to an eligible employee at any given time is based on a rolling 12-month period measured backwards from the date FMLA would begin. An employee's leave entitlement is determined each time leave is requested by looking back over the immediately preceding 12-month period and deducting the amount of leave used by the employee, for any reason, during that period.

J. Types of Leave Available

Leave under this Section may be taken as follows:

1. A block of days or weeks (such as for parental leave, or treatment of a health condition followed by a recovery period).
2. A reduced hours schedule.
3. On an intermittent full or partial-day basis to cover foreseeable events such as planned doctor's appointments.
4. On an intermittent full or partial-day basis to cover unpredictable events such as flare-ups of a chronic serious health condition.

Employees must make a reasonable effort to schedule foreseeable FMLA leave (including foreseeable intermittent leave) so as not to disrupt City operations.

With respect to parental leave, intermittent or reduced schedule leave is not required to be provided but may be provided upon request in the sole discretion of the City. If an employee needs intermittent leave or reduced schedule leave that is foreseeable, or if the City agrees to provide intermittent or reduced schedule leave in the case of parental leave, the employer may require the employee to transfer temporarily to a position for which the employee is qualified and which better accommodates the periods of recurring leave.

K. Definition of Parent, Spouse, Son, or Daughter

Under the FMLA, a "parent" doesn't necessarily have to be an employee's biological parent. An individual qualifies if they played a parental role ("in loco parentis") in the employee's life during their childhood. However, the FMLA benefits do not cover parents-in-law.

The term “spouse” in the FMLA context refers to a husband or wife, ensuring both male and female employees the right to unpaid leave to care for their respective spouses. This provision doesn't extend to unmarried domestic partners.

A "son or daughter" is defined as someone under the age of eighteen or an adult who can't care for themselves due to a mental or physical disability. This category encompasses biological children, foster children, adopted children, stepchildren, or legal wards, such as nieces, nephews, or grandchildren, if the employee is their primary caregiver.

L. Serious Health Condition

A serious health condition is defined as an illness, injury, or impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential medical facility; or incapacity of the employee for three or more consecutive days, combined with treatment by a health care provider; or a chronic illness which may result in periodic, intermittent, incapacity.

“Health care provider” means:

- Doctor of Medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, and chiropractors, or
- nurse practitioners, nurse midwives and clinical social workers, or
- any health care provider recognized by the employer or employer's group health plan benefits manager.

M. Medical Certification

An employee requesting FMLA leave for their own or a family member's serious health condition will be provided with medical certification paperwork. This documentation must be completed by the relevant healthcare provider and returned to the Human Resources Department within fifteen (15) days. The healthcare provider should thoroughly address each question, detailing the nature of the serious health condition and specifying the required amount and type of leave. Incomplete or insufficient FMLA paperwork will be returned to the employee for further information or clarification. It is the employee's responsibility to ensure the timely submission of fully completed FMLA paperwork. Failure to do so may result in delays or denial of job-protected leave, potentially leading to unexcused absences subject to disciplinary action.

For FMLA leave taken to bond with a newborn child or a child placed for adoption or foster care, medical certification is not required. However, the City may request reasonable documentation to confirm the family relationship, such as a birth certificate or adoption papers. Employees should provide such documentation promptly to facilitate the leave approval process.

Upon receiving FMLA medical certification paperwork, the City may, at its expense, require a second and/or third medical opinion to verify the necessity of the leave. Additionally, the City may request recertification of a serious health condition in certain circumstances, per FMLA regulations.

By incorporating these updates, the City ensures adherence to federal FMLA guidelines and clarifies the documentation requirements for employees seeking leave for various qualifying reasons.

N. Notice Requirements

An employee is required to give the City at least thirty (30) days' notice when the circumstances of the leave are foreseeable. The City may deny or delay the FMLA leave if proper notice is not given,

which may result in intervening absences being treated as unexcused and subject to disciplinary action. Employer Designation of FMLA Leave.

Even where paid accrued leave is available to cover absences, employees do not have the option of refusing FMLA leave if they are FMLA-eligible and absent from work due to reasons covered by the FMLA. In the absence of an employee request, the City may elect to designate absences covered under this Section as FMLA leave and count the time towards the employee's twelve-week entitlement.

O. Outside Employment/Outside Activities While on Leave

Employees on FMLA leave are required to abide by the City's policies with respect to Outside Employment (Section 8.15 of this Handbook). Depending on the nature of the outside activity and reasons for the FMLA leave, outside employment, or other outside activities, which indicate that an employee has misrepresented the need or reasons for leave, may be subject to investigation by the City. Such an investigation may lead to a request for recertification of leave. If misrepresentation or fraud by the employee is found, the employee may be subject to disciplinary action, up to and including termination.

P. Employee Reporting

While on leave, the employee is required to report their status weekly to the HR Department every Friday before the close of business. The HR Department in turn will notify management when the employee is able to return to work. If additional leave is needed, the employee must notify the City of a request for additional leave as soon as possible in advance of the current leave expiration date.

Q. Fitness-for-Duty Certification

Employees on FMLA leave based on their own serious health conditions may be required to present a Fitness-for-Duty ("FFD") certification from their health care provider prior to returning to work. When FMLA leave is designated as approved, the City will inform the employee of any such FFD certification requirements, and the employee should make arrangements for an FFD exam prior to their scheduled return-to-work date. Part of the FFD certification process will involve presenting the health care provider with a copy of the employee's current job description, so the health care provider can address the employee's ability to perform his or her essential job functions. The cost of the FFD certification shall be borne by the employee. The City may delay restoration to employment until an employee submits the required FFD certification.

For employees with intermittent FMLA leave certifications, if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, the employee may be required to submit a FFD certification as often as once every thirty (30) days. If such FFD exams may be required, the employee will be informed at the time FMLA leave is designated.

R. Reimbursement of Health Benefits

If an employee fails to return to work once the leave period is over, the City shall be entitled to recover the cost of the health premiums that the City paid during periods of unpaid leave. This provision only applies if the employee is physically able to return to work and chooses not to do so. It does not apply to "key" employees who are denied restoration under FMLA, or to any employee who is unable to return to work at the end of his/her family leave due to circumstance beyond the employee's control such as "the continuation, recurrence or onset of a serious health condition."

S. Failure to Return to Work

If an employee is unable to or does not return to work at the end of twelve (12) weeks of FMLA leave, all entitlement and rights under FMLA cease at that time; the employee is no longer entitled to job restoration rights under FMLA, and the employer is no longer required to maintain group health benefits pursuant to FMLA. Failure to return to work may result in termination, subject to the requirements of the Americans with Disabilities Act (“ADA”), which may provide for additional leave under certain circumstances. Employees on FMLA leave must keep the City informed of their status and must promptly notify the City if they cannot return to work at the end of a designated FMLA leave period, as far in advance of the FMLA leave expiration date as possible. Employees who wish to request additional leave after FMLA leave has expired may do so under Section 9.8 of this Handbook (Accommodation of Disability and Pregnancy-Related Conditions) and/or Section 10:16 of this Handbook (Unpaid Leave) and such requests will be handled under those policies.

T. Notification of Discharge

An employee may be discharged from employment at the end of the twelve (12) week entitlement period if the employee has not returned to work, has not supplied written notification of their intent to return to work or is unable to perform his/her job duties, subject to the requirement of the Americans With Disabilities Act. Note that employees are required to keep the City informed of their current contact information (including current address, phone number, and, if applicable, email address) as well as any current approved emergency contacts; if an employee fails to do so, and as a result the City cannot locate, communicate with, or deliver notices to the employee during leave, termination of leave and/or termination of employment may result.

10.12 AMERICANS WITH DISABILITIES ACT (ADA)

The City of La Vergne is dedicated to upholding the principles and practices outlined in the Americans with Disabilities Act (ADA) as amended (42 U.S.C. 12101 et. seq.). We are firmly committed to ensuring equal employment opportunities for individuals with disabilities. Our policy mandates the provision of reasonable accommodations for qualified individuals, enabling them to effectively perform their job duties and enjoy equal employment benefits and privileges, unless such accommodations would result in an undue hardship for the City. Discrimination or harassment based on disability, or due to a request for reasonable accommodation, is strictly prohibited. This commitment applies to all job applicants and employees of the City of La Vergne.

A. Eligibility

The ADA policy applies to any qualified individual with a disability who can perform the essential functions of the job with, or without, reasonable accommodation.

B. Disability

“Disability” refers to a physical or mental impairment that substantially limits one or more major life activities. A “qualified person with a disability” means an individual with a disability who has the requisite skills, experience, and education for the job in question, and who can perform the essential functions of the job with or without reasonable accommodation.

C. Reasonable Accommodation

The City of La Vergne will seek to provide reasonable accommodation for a known disability or at the request of an individual with a disability. A “reasonable accommodation” is any change or adjustment to the job application process, work environment, or work processes that would make it possible for the individual with a disability to perform the essential functions of the job and does not place undue hardship on the City of La Vergne.

D. Essential Job Functions

For each position, the job description typically will identify essential job functions. The Human Resources Department will review job descriptions on a periodic basis to evaluate job functions designated as essential. An applicant's or employee's questions about a job's requirements should be directed to the department head or supervisor.

E. Requesting a Reasonable Accommodation

Applicants or employees with disabilities are responsible for initiating a request for accommodation, either through the Human Resources Department or their immediate supervisor. Upon receiving such a request, the City of La Vergne will embark on the ADA interactive process, which may include seeking professional documentation to determine the best possible accommodation. If there's disagreement regarding a medical assessment, the individual can opt for a second evaluation at their own expense. If the two evaluations conflict, a third, jointly funded assessment can be pursued. The primary goal is to identify and implement an accommodation that suits both the individual's needs and the City's operations. While preferences will be considered, the City retains the discretion to select from among equally effective solutions, considering factors like cost and organizational impact. Should a request be denied due to undue hardship, the Human Resources Department will provide a written justification, weighing factors like the organization's resources, the number of employees, and the nature of the operation.

F. Safety

All employees are expected to comply with all safety procedures. Management will not place qualified individuals with disabilities in positions in which they will pose a direct threat to the health or safety of others or themselves. A "direct threat" means a significant risk to the health or safety of oneself or others that cannot be eliminated by reasonable accommodation. The determination that an individual with a disability poses a direct threat typically will be made by the Human Resources Department and will be based on factual, objective evidence. A written copy of the determination will be given to the applicant or employee so that he or she may submit additional information and/or challenge the determination that he or she poses a direct threat.

G. Confidentiality

All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

H. Complaint Procedure

The City of La Vergne is committed to ensuring a workplace free from harassment, discrimination, or retaliation towards applicants or employees based on disability or their request for reasonable accommodations. Should anyone believe they've experienced, witnessed, or been retaliated against for asserting their rights under the ADA or relevant state employment laws, they are encouraged to report it to any supervisory figure within the City, including the Mayor, City Administrator, Director of Human Resources, or City Attorney. Any employee found in violation of these principles will face disciplinary actions, which could lead to termination.

10.13 JURY DUTY

Employees who are called for jury duty are required to notify their Department Head as soon as possible. Leave with pay will be authorized in order that employees may serve on jury duty. Employees must provide their

supervisor with documentation of the time spent on jury duty. Employees will be paid their regular pay while on jury duty. Employees retain their jury duty check which may include mileage paid by the court.

10.14 MILITARY LEAVE

A. General Policy

Provisional, work status review and regular City employees participating in the National Guard or as a Reserve of the Armed Forces shall be entitled to a leave of absence without the loss of any rights or benefits for which they are entitled, for all periods of military service during which they are engaged in the performance of duty under competent orders.

A copy of official orders is required to be on file in the Human Resources Department before any Military Leave is approved.

B. Military Leave for Training

Employees will receive full compensation for a period of twenty (20) days (or 160 hours) of military leave each calendar year, excluding holidays and scheduled off days, for all periods of military service for which an employee is engaged in the performance of duty or training in the service of the State of Tennessee or of the United States under competent orders. Such leave will not be charged to any form of accrued paid leave. For any additional working days of leave in each calendar year, employees may elect to use either accrued leave or leave without pay. An employee electing to use leave without pay for a period of service under competent orders more than twenty (20) days will not be required to first exhaust accrued leave pursuant to Section 10.17. An employee requesting military leave shall provide the City with the dates for training and travel time in advance.

C. Extended Military Leave Without Pay

An employee entering the military service for the first time, or recalled to active military service from reserve status, shall be on extended military leave without pay. The employee shall be entitled to his/her position, or a substantially similar position at equal pay, upon return from military service. Reinstatement is dependent on whether the employee requests re-employment within ninety (90) days of release from active duty or hospitalization continuing after discharge for a period of not more than one (1) year.

D. Special Military Leave

Those full-time employees of each department of the city who are called to active duty in a national emergency by the President of the United States as members of the National Guard or as a Reserve of the Armed Forces, may, while on such active military duty, be entitled to special military leave with partial pay. There are two conditions under which employees are entitled to an additional 22 days of military leave under the provisions of 5 U.S.C. 6323(b). Reservists or National Guard members who perform military duty in support of civil authorities in the protection of life and property are eligible for an additional 22 workdays of military leave. In addition, effective November 24, 2003, employees who perform full-time military service because of a call or order to active duty in support of a contingency operation* as defined in Section 101(a)(13) of title 10, United States Code, are entitled to 22 days of military leave under 5 U.S.C. 6323(b).

The activation of this rule shall apply upon passage of a resolution by the Board of Mayor and Aldermen for each national emergency and may at their discretion, apply retroactively to the time operations relative to said emergency commenced. Partial payment may be made for the duration of an employee's deployment in support of operations during the national emergency.

The intent of this rule is that, to the extent possible, partial pay shall be the difference in the employee's regular salary and the employee's full time military salary. The monthly amount is intended to keep in full force and effect all regular City health insurance benefits that the employee had on the date called to active duty, plus applicable taxes, provided the employee elects to continue and maintain required contributions for health insurance coverage while on special military leave. The maximum monthly amount shall be \$750.00 per month per employee. If there is no difference in pay, or that the military pay is greater, the employee may elect to use annual accrued leave to pay the employee's portion of the City's health plan in order to remain in the plan.

1. **Accruals.** Said employees shall remain employees while on such active military duty but only for the purpose of accruing sick leave, accruing annual leave, and accruing longevity/seniority, as allowed under applicable regulations. These benefits shall not be pro-rated or decreased by any partial payments authorized under this rule.
2. **Re-employment.** Said employees shall be granted all re-employment rights as provided by law.

10.15 COURT LEAVE

Employees are authorized official leave to attend court on City related business because of a subpoena. If at any time during the judicial process the employee is released from such duty, the employee shall immediately report for work to his/her supervisor if said time is within the employee's normal duty hours. Upon return to duty, the employee shall furnish evidence of having rendered the service required for the court service. Court leave is not charged to any form of accrued paid leave. Employees will not be requested or required to use vacation, PTO, or comp time to cover shifts during city involved court cases. Department heads should work with the employees to flex schedules to accommodate any subpoena related to city business.

An employee who is issued a subpoena on a non-City related business matter must use paid leave for any time during which they would be scheduled to work. An employee will not be paid their regular wages unless testimony is dependent on their observations or actions while acting in their capacity as an employee of the City of La Vergne.

10.16 ADMINISTRATIVE LEAVE

Upon recommendation of the employee's Department Head and review by the Human Resources Department and approval of the City Administrator, employees may be authorized administrative leave at full, partial, or no pay for a variety of purposes, when it is determined that it is in the best interest of the City. Admin Leave for the City Administrator will be reviewed by the Human Resources Department and approved by the Mayor.

The accrual of time off should continue if no disciplinary issues exist as Admin Leave is not voluntary but directed. If Admin Leave is engaged due to an investigation, leave accrual would continue unless after the investigation it leads to the employee's termination.

Absences on Administrative Leave may also be authorized when an employee is under investigation or otherwise required to be absent from duty, but not covered by vacation or sick leave. An employee may also be placed on Administrative Leave as a disciplinary measure.

10.17 LEAVE WITHOUT PAY

Leave without pay shall be granted at the request of the employee and the approval of the employee's Department Head and City Administrator. Each request will be considered on its own merits and approval will be granted only for reasons that are in the best interest of the City. Leave without pay of more than ten (10) days will not be granted unless there is a reasonable expectation that the employee will return to duty at the expiration of the leave period.

Leave without pay may be granted only when the employee has used all his/her accrued available vacation leave, compensation time and or sick leave as applicable, subject to Section 10.14 for employees on military leave. Employees who receive worker's compensation payments are not required to use accrued annual leave or comp time for the balance of the wages not paid by worker's compensation as per Section 10.7. Leave without pay may also be used as a disciplinary measure.

Employees granted Leave without pay more than ten (10) workdays will be notified that:

1. No firm assurance can be given that an employee will be reinstated or if he/she will return to the same position upon expiration of the leave if it is in the best interests of the City to reassign the employee to another position during his/her absence. This provision does not apply to employees on approved FMLA leave.
2. An employee may be laid off during their absence if there is a lay-off which affects his/her position. Should this occur, the employee shall be notified. Refer to Section 5.3.

Vacation, PTO, and sick leave will not accrue if an employee is on leave without pay for more than 50% of a month.

10.18 ABSENCE WITHOUT LEAVE

An employee's absence without prior notification to their supervisor or without a satisfactory reason will be marked as "unauthorized leave." Such absences may trigger disciplinary actions and will result in a deduction from the employee's bi-weekly pay, reflecting the hours absent without authorization. During these periods, no vacation or sick leave will be accrued.

Furthermore, an occurrence of three consecutive days of unauthorized absences will be considered grounds for termination of employment. This policy is enforced to underscore the critical importance of communication and accountability within the workplace. Employees are expected to notify their supervisors of absences to ensure proper planning and continuity of operations.

10.19 SHARED LEAVE POLICY

On occasion, a City of La Vergne employee or a member of their immediate family may encounter a catastrophic illness that requires an extended absence from work. The leave donation policy is created to provide for donation of sick leave to assist an employee who has exhausted all accrued leave and who has no other paid leave options available. This leave may be granted in the event of a catastrophic illness of the employee or immediate family member.

A catastrophic illness means an illness, injury, impairment, or physical/mental condition which prevents the employee from performing the functions of their job, or a life-threatening illness of an immediate family member; and requires the services of a licensed medical practitioner for a prolonged period and forces the employee to exhaust all leave time earned and be in a leave without pay status.

A. Sick Leave Bank (SLB).

1. The SLB will consist of leave donated by employees. All donations of leave to the SLB are strictly voluntary, but for employees to become eligible to receive leave from the SLB, they must fill out the membership request form through the Human Resources (HR) department, which requires an initial donation an initial sixteen (16) hours of sick leave, or twenty-four (24) hours for firefighters working fifty-six (56) hours per week, to the SLB. Each year, employees must donate at least eight (8) hours of sick leave, or twelve (12) hours for firefighters working fifty-six (56) hours per week to the SLB by the end of January, or they shall relinquish their eligibility to withdraw leave from the SLB for that calendar year.
2. Employees may donate additional leave throughout the year if they choose to do so. Employees may donate up to a maximum of forty (40) hours of sick leave, however the donating employee must retain a minimum of forty (40) hours of combined sick leave and PTO leave in their own accrued balance.
3. Leave hours will be donated/withdrawn on a one-to-one (1:1) hourly basis. Leave donations to the SLB will not be converted to a fixed dollar value. Donated leave will be paid at the recipient's hourly rate. Employees donating time will not receive certification from the city that any leave donated to a fellow employee was a charitable contribution.
4. FMLA qualifying leave will run concurrently with hours provided by the SLB.
5. This policy does not cover time off due to a job-related injury covered by Workers Compensation or maternity leave which does not involve a serious illness/injury of an employee.
6. SLB hours may be used in conjunction with part-time temporary modified duty assignments (light duty).
7. All leave withdrawn is contingent upon the availability of leave in the SLB. Because the SLB is not funded, City management will work with the departments who have users of the SLB and may need temporary replacements, but do not have adequate budget since they are being charged for the employee using SLB hours.
8. The Human Resources Department will monitor donations and withdrawals and may, from time to time, solicit additional donations from employees during the calendar year. Employees who donate leave during these mid-year efforts will not be eligible to withdraw leave from the SLB for that calendar year unless they previously met the initial eligibility requirements.
9. The City Administrator and the Director of Human Resources will appoint an Employee SLB Committee to review and approve or deny requests. The committee shall provide a decision to the Director of Human Resources within five (5) days of the request.
10. Excess SLB donations will carry over from one (1) year to the next.
11. Sick leave and PTO balances from separating employees will automatically transfer to the SLB upon separation from employment with the city. An employee who submits his/her resignation from the city while receiving shared leave will not be paid for any further donated and unused share leave from the point of his/her resignation.

Procedure:

The Human Resources Department is responsible for tracking and maintaining the SLB and notifying employees of the following SLB requirements. The Director of Human Resources shall accept SLB Donation/Request Forms and function as the approving authority.

1. The minimum eligibility qualifications for the SLB are:

- a) All full-time regular employees who have completed one (1) year of employment with the city are eligible to receive sick leave hours if hours are available in the Sick Leave Bank.
 - b) Employees who face extreme hardship due to a qualifying catastrophic illness and who have exhausted all leave because of the catastrophic illness may apply for leave from the Sick Leave Bank.
 - c) Extreme hardship is defined as: When an employee has exhausted their sick, PTO and annual leave and requires additional leave to fully recuperate from a qualifying catastrophic or additional time to care for an immediate family member with a catastrophic illness before returning to employment.
 - d) Employees must submit requests for SLB hours no earlier than two (2) weeks prior, but no later than thirty (30) days after expiring all annual, PTO and Sick leave options.
 - e) SLB hours will generally be withdrawn in increments of eight (8) hours per day, unless being used as part of a temporary modified duty assignment.
2. The confidentiality of the SLB applicants/recipients will be protected. Employees shall apply for leave from the SLB by using the SLB Request Form, which can be obtained from the Human Resources Department. The employee will:
- a) Meet minimum qualifications of the SLB Policy.
 - b) Provide Human Resources with the FMLA Certificate of Health Care Provider (#WH-380 or equivalent applicable form), completed by the employee's treating physician.
 - c) Provide a signed SLB request form prior to the anticipated exhaustion of accrued paid leave hours, or as soon as applicable.
 - d) Have no abuse of sick leave documented by the Department Head or Human Resources.
 - e) Have not received disciplinary written warnings for attendance in the year preceding the date of request to receive SLB hours.
 - f) Have exhausted all accrued leave.
 - g) A maximum of twelve (12) weeks may be withdrawn from the SLB during each calendar year.

10.20 DIRECT LEAVE DONATIONS

In addition to the Sick Leave Bank (SLB), employees may choose to donate leave directly to another employee who is experiencing a catastrophic illness or injury and has exhausted all accrued leave options. This provides employees with an alternative method for supporting their colleagues during times of need while maintaining compliance with existing FMLA and SLB policies. The following provisions govern direct leave donations:

A. Eligibility:

- 1. Both the donating employee and the recipient must be full-time regular employees of the City of La Vergne.
- 2. The recipient must meet the eligibility criteria for use of SLB hours, including a qualifying catastrophic illness or injury and exhaustion of all other paid leave options, however is not required to be a member of the SLB to receive a donation.
- 3. Donations must be made voluntarily and cannot be coerced or solicited.

4. The donating employee must retain a minimum of forty (40) hours of combined sick leave and PTO leave in their own accrued balance.

B. Donation Process:

1. Employees wishing to donate leave directly to an individual must meet in person with the Director of Human Resources.
2. Direct leave donations will remain anonymous, and recipients will not be informed of the identity of the donor unless the donor explicitly waives anonymity.

C. Usage of Direct Leave Donations:

1. Leave donated directly will be applied at the recipient's hourly rate, not converted to a monetary value.
2. FMLA-qualifying leave will run concurrently with hours provided by direct donations.
3. Employees may receive a maximum of twelve (12) weeks of direct donated leave in a calendar year, including any hours utilized from the SLB.

D. Additional Provisions:

1. Direct leave donations do not qualify as charitable contributions for tax purposes.
2. Employees donating leave are responsible for ensuring that they retain sufficient leave balances to meet personal needs.
3. The Human Resources Department will track and manage all direct donations, ensuring compliance with this policy.
4. Any misuse of the direct leave donation program may result in disciplinary action.

CHAPTER 11 - EMPLOYEE BENEFITS

11.1 HEALTH INSURANCE

The City shall provide regular employees working at least 40 hours per week with the City, with an opportunity to participate in the City group benefits plan. This shall be effective on the first of the month following their actual start date of continuous full-time employment with the City.

The specific insurance carrier or agent for the Group benefits plan shall be approved by the Board of Mayor and Aldermen upon the recommendation of the City Administrator and Director of Human Resources.

11.2 LIFE INSURANCE

The City shall provide regular employees working at least 40 hours per week, an opportunity to participate in the City group life insurance. Coverage shall be effective on the first of each month following employment with the City.

The specific carrier or agent for the life insurance plan shall be approved by the Board of Mayor and Aldermen upon the recommendation of the City Administrator and Director of Human Resources.

The current rate of coverage for employees shall be set on an annual basis by the Board of Mayor and Aldermen, upon recommendation of the City Administrator. The City contribution rate shall be set by the Board of Mayor and Aldermen. The Board shall review the contribution rate annually, or upon receipt of any notice of rate change provided by the insurance carrier or agent.

11.3 SHORT-TERM DISABILITY INSURANCE

The City shall provide benefit-eligible employees with an opportunity to participate in a short-term disability plan. This coverage is provided at no cost to the employee, with no payroll deduction required. Coverage shall be effective on the first of the month following the employee's actual start date of continuous full-time employment with the City.

Short-term disability benefits extend up to twenty-six (26) weeks, beginning on the date of the qualifying incident. The specific insurance carrier or agent for the short-term disability plan shall be approved by the Board of Mayor and Aldermen upon the recommendation of the City Administrator and Director of Human Resources.

The current rate of coverage for employees shall be set on an annual basis by the Board of Mayor and Aldermen, upon recommendation of the City Administrator. The City contribution rate shall be set by the Board of Mayor and Aldermen. The Board shall review the contribution rate annually, or upon receipt of any notice of rate change provided by the insurance carrier or agent.

11.4 LONG-TERM DISABILITY INSURANCE

The City shall provide benefit-eligible employees with an opportunity to participate in a long-term disability plan. This coverage is also provided at no cost to the employee, with no payroll deduction required. Coverage shall be effective on the first of the month following the employee's actual start date of continuous full-time employment with the City.

The specific insurance carrier or agent for the long-term disability plan shall be approved by the Board of Mayor and Aldermen upon the recommendation of the City Administrator and Director of Human Resources.

The current rate of coverage for employees shall be set on an annual basis by the Board of Mayor and Aldermen, upon recommendation of the City Administrator. The City contribution rate shall be set by the Board of Mayor and Aldermen. The Board shall review the contribution rate annually, or upon receipt of any notice of rate change provided by the insurance carrier or agent.

11.5 RETIREMENT PLAN

All regular employees completing 90 days of continuous employment with the City are eligible to enroll in the City's retirement plan. Contributions will begin with the first pay period of the month following enrollment. Employees must enroll in the 401(a) plan within sixty (60) days of being eligible or signing the designated refusal form. A refusal means that the employee will not be eligible to participate as long as they are employed by the City of La Vergne. Eligible employees may also opt to enroll in the 457(b) plan at any time during employment. There is a city match available when employee contributions are made inside the 457 plans. All city money, including all match dollars, are deposited into the employees 401(a) account. The City also provides a third retirement option, an IRA Roth, that eligible employees can select anytime during employment. Employees should contact the Human Resources Department with questions or more detailed information about each plan.

11.6 UNEMPLOYMENT INSURANCE

The City is registered under the Tennessee Employment Security Act. Employees who face unemployment may qualify for unemployment insurance benefits. Should an employee find themselves unemployed, they are advised to consult the nearest Tennessee Department of Employment Security office to assess their eligibility for benefits as per the Act.

11.7 WORKER'S COMPENSATION INSURANCE

The City is a participating employer under the Tennessee Worker's Compensation Act. Employees injured on their job are entitled to compensation for medical expenses and lost wages in accordance with the provisions of the Act. Detailed information regarding accident and injury will be reported to the Human Resources Department and City Administrator to ensure proper reporting of accident incidents, medical and related expenses, and proper addressing of safety issues if warranted. **Reporting will be made on the Tennessee First Report of Injury by management and then sent to the Human Resources Department immediately after an accident that resulted in an employee injury.** See the Human Resources Department for a copy of the Tennessee First Report of Injury. Employees on a leave of absence due to a workplace injury are to contact the HR Department every Friday before the close of business to report their status. All employees released back to the workplace after a Workers Compensation injury claim must be cleared by the Human Resources Department before reporting to work. The Human Resources Department is responsible for contacting management to report the return of an employee from a Worker's Compensation injury.

11.8 PAYROLL DEDUCTIONS

The City of La Vergne does require that all employees' payroll be processed through direct deposit only. Employees can set up or make changes to direct deposit information and paycheck deductions by submitting the necessary details through the Dayforce platform. The deductions may include group benefit insurance premiums and supplemental insurance premiums. To make a change in pre-tax deductions that are allocated under the Section 125 (Pre-Tax Contribution Program) plan, hereinafter known as PTCP, you must have a qualifying event as follows:

A. PTCP (pre-tax contribution plan) Permitted Changes.

Under the Internal Revenue Service (IRS) rules, you may change your health insurance deduction during the plan year only after one of the following PTCP-qualifying events:

- You have a change in family status (e.g. marriage, birth, death, legal separation, divorce, only dependent child's attaining the maximum age for coverage).
- Your spouse loses coverage due to termination of employment and you apply for coverage for your spouse.
- Your employment with the City terminates or you retire.
- Your spouse has a change in employment status which results in either acquiring or losing eligibility for health insurance coverage.
- You receive a divorce/legal separation and are required under a court order to provide health insurance coverage for your eligible dependent children and/or legally separated spouse.
- There is a significant change in your or your spouse's health coverage which is attributable to your spouse's employment.

Changes in pre-tax health insurance deductions that stem from any of these qualifying events must be made within 28 days of the event (30 days for a change of coverage because of the birth of a child).

B. IRS Regulations

During the plan year, any alterations to benefit selections that aren't due to a qualifying event are prohibited by the IRS. Consequently, you cannot modify the amount of your pre-tax health insurance deduction.

Per IRS guidelines, once you've chosen your benefit elections and the associated health insurance premium deductions for a plan year, certain modifications are restricted for those enrolled in the PTCP:

1. Transitioning from Family to Individual coverage is not allowed unless it's a result of a qualifying event, especially if your dependents still qualify for the existing coverage.
2. Voluntary termination of your coverage is not permissible if you qualify for said coverage, unless prompted by a qualifying event.

These restrictions are specifically for adjustments made within the plan year absent any PTCP-qualifying event.

Should you wish to amend any deductions, employees can revoke such authorization at any point. However, to do so, a formal written request detailing the desired changes or cancellation must be submitted to the Human Resources Department, provided these aren't related to deductions governed by the PTCP plan.

11.9 CONTINUATION OF COVERAGE THROUGH COBRA

Under the provisions of the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985, if your employment with the City comes to an end (except in cases of gross misconduct), or if you no longer qualify for our group health insurance program due to reasons such as reduced working hours or an extended leave of absence, you and your qualifying dependents may still be eligible for a temporary continuation of health insurance coverage, albeit at your own cost. Upon the occurrence of any such qualifying event, you will be promptly informed about potential continuation coverage options available to you.

It's imperative to note that this provision ensures that there is no immediate disruption to your health coverage due to unforeseen employment changes. However, the responsibility of initiating and maintaining this continued coverage falls upon you. Upon receiving the notification detailing your COBRA rights and options, it's crucial to carefully review and adhere to all the instructions and timelines mentioned therein to guarantee uninterrupted coverage. This provision acts as a safeguard, aiming to protect employees and their families during transitional phases.

CHAPTER 12 - PARTICIPATION IN POLITICAL ACTIVITIES

12.1 POLITICAL ACTIVITY AND CITY EMPLOYMENT

City employees are not allowed to become candidates for elective positions within the City of La Vergne's municipal government.

12.2 RUNNING FOR NON-CITY POSITIONS

Employees may seek candidacy for non-city political offices, as long as:

- There's no conflict of interest between the political role and their city position.
- The employees continue to fulfill their responsibilities and obligations to the City of La Vergne.

12.3 DISCUSSION OF NON-CITY CANDIDACY

Should an employee decide to run for a non-city political office, they must:

- Notify and meet with both their department head and the City Administrator within fifteen (15) days to discuss potential conflicts or impacts.
- If the City Administrator, after consultation with the Department Head, perceives a conflict or that the employee's work obligations are not being met, the employee may be directed to utilize vacation leave or take an unpaid leave for the duration of their campaign.

12.4 ALLOWED POLITICAL ACTIVITIES

While acting as private citizens, City employees may:

- Become members of political parties, clubs, or other organizations.
- Seek office within and participate actively in managing these organizations.
- Attend political meetings.
- Participate in decisions related to the political stances, candidates, and issues of these organizations.

12.5 RESTRICTIONS ON POLITICAL INVOLVEMENT

City employees are not allowed to:

- Use their city position or city resources, including uniforms, vehicles, and equipment, to endorse or support any political candidate.
- Present themselves as City representatives while participating in political activities.
- Endorse, support, oppose, or work against any candidate for a City office while on duty.
- Coerce or advise other City employees to support or oppose any political entity, make political contributions, or refrain from political activities.
- Solicit signatures for political petitions or actively promote political positions to fellow employees during work hours.
- Fail to meet their responsibilities to the City due to political commitments, regardless of the political role they may hold.

For any questions or clarifications regarding this chapter, please direct inquiries to the City Administrator.

CHAPTER 13 - DISCIPLINE AND GRIEVANCE PROCEDURES

13.1 DISCIPLINE

Maintaining discipline is essential for the smooth functioning of any organization. The collective respect and self-discipline of City employees ensures that we consistently achieve our standards and goals. Both management and employees play a role in upholding these standards. When one employee falls short, it places an added burden on others to fulfill those goals.

The City of La Vergne operates as an At-Will Employer, in line with the State of Tennessee's Department of Labor guidelines. This At-Will status means that the City of La Vergne has the discretion to take disciplinary action, suspend, or terminate any employee at any given time, for any reason - whether specified or not. This can be done with or without adhering to the progressive discipline procedures detailed in our policies.

A. Policy

Before taking any disciplinary action, the Department Head collaborates with both Human Resources and the City Administrator to discuss the employee's behavior or performance. If it's decided that disciplinary measures are necessary, the Director of Human Resources, upon receiving approval from the City Administrator and then the Mayor or their designee, has the authority to take various actions against the employee. These actions can include demotion, termination, pay reduction, or suspension without pay. The reasons for such actions can include, but are not limited to:

1. Acts of dishonesty, misconduct, defiance, or failure to meet job expectations. This also covers not following established rules, written guidelines, or any behavior that tarnishes the City's reputation or causes unrest among its citizens and staff. Any deliberate neglect or violation of the City's Personnel Regulations or department-specific rules also falls under this category.
2. Being arrested, charged, or convicted of a crime that casts doubt on the employee's ability to fulfill their role within the City.
3. Engaging in drug abuse, declining to join a City-endorsed rehabilitation program when recommended, or refusing to undergo relevant drug tests when evidence suggests its necessity.
4. A track record with the City shows recurring disciplinary or performance issues, especially when the employee hasn't made efforts to improve despite the City's attempts to guide and warn them. This raises questions about the employees' suitability for continued employment with the City.

Other violations of the City's policies, like inappropriate cell phone usage or unauthorized recording, will also lead to disciplinary actions. Additionally, any employee suspended for a total of more than twenty days within a year may face termination.

13.2 DISCIPLINARY GUIDELINES

The City of La Vergne is committed to maintaining a professional and productive work environment. When necessary, we employ disciplinary measures to address and rectify job behavior or performance issues. Our approach to discipline is constructive and progressive, aiming to guide and inspire employees to fulfill their responsibilities to the City to the best of their abilities.

We ensure that all employees are well-informed about the expected standards of conduct, performance benchmarks, and the rules and regulations governing their roles. These guidelines are applied consistently,

considering the nature of the violation, any extenuating circumstances, an employee's past record, and other pertinent factors. The intensity of the disciplinary action corresponds directly to the gravity of the violation.

If an employee's actions warrant a disciplinary measure more severe than a written warning, it may lead to heightened observation by their supervisor and Department Head. This is to ensure the employee's adherence to expected standards and to decide if further disciplinary steps are necessary. Repeated or escalated breaches of conduct or performance, even if different from the initial issue, might result in stricter disciplinary actions, potentially leading to termination. Employees are always given the opportunity to provide their perspective on any disciplinary action taken, and they can add this documentation to their personnel records.

The City's disciplinary process includes, but is not limited to the following potential actions:

Categories:

1. **Attendance**
2. **Safety**
3. **Behavioral**

1. Attendance:	Minor Offenses: Tardiness without prior notice. Leaving early without prior notice. Unexcused absence for part of a day.	Moderate Offenses: Multiple unexcused absences in a month. Consistently failing to report absences in advance.	Major Offenses: Absence without notice for multiple days. A consistent pattern of tardiness over a prolonged period.
2. Safety:	Minor Offenses: Failure to wear safety equipment when required. Minor violations of safety protocols.	Moderate Offenses: Repeated minor safety violations. Causing minor harm due to negligence.	Major Offenses: Serious breach of safety protocols leading to potential or actual harm. Negligence leading to significant property damage.
3. Behavioral:	Minor Offenses: Minor disagreements with colleagues. Failure to adhere to minor workplace decorum.	Moderate Offenses: Repeated minor behavioral issues. Disrespect towards co-workers, supervisors, or citizens.	Major Offenses: Harassment, bullying, or any form of discrimination. Acts of dishonesty, fraud, or theft.

An employee can have warnings in each category that do not overlap. For example, an employee can have a written warning in Attendance and verbal coaching in Safety simultaneously. The City reserves the right to escalate feedback to a higher level based on the severity and the circumstances surrounding the violation. For instance, a first-time major safety violation could lead directly to a final written warning or separation of employment if deemed necessary.

While any feedback will remain permanently in the employee's personnel file, progressive feedback should follow the appropriate levels if inside the following "active periods." These also apply to promotional job opportunities as they relate to section 4.8 (B) on Eligibility:

- A first written warning will remain in effect for six (6) months.
- A final written warning will remain in effect for twelve (12) months.

13.3 NOTICE TO EMPLOYEE OF DISCIPLINARY ACTION

The employee will be furnished a notice from management containing the nature of the action. Disciplinary action is not subject to appeal, but an employee subject to disciplinary action has the option of completing a rebuttal which will be maintained in the employee's personnel file. The employee may be retained in status, suspended without pay, demoted, or dismissed, as deemed in the best interest of the City, for violation of these Personnel Regulations, misconduct as defined herein or for any reason as defined under the City of La Vergne's At-Will Status.

13.4 GRIEVANCE PROCEDURES

A. Grievance Procedure

An employee who has a grievance regarding a condition existing in his/her work environment, or who wishes to report a potentially improper or unlawful City policy or practice, or a specific action which adversely affects the employee (other than with respect to harassment, discrimination, or disciplinary issues), may utilize the following grievance procedure. Employees are encouraged and obliged to bring safety issues to the attention of the Human Resources Department, as directed in Section 8.5 herein. Harassment complaints should be submitted in accordance with Section 9.4 herein. Disciplinary actions are not subject to this grievance procedure.

1. The employee shall notify his/her supervisor in writing that he/she has a grievance or wishes to make a report and discuss the issues with the supervisor. If the grievance or issue raised by the employee involves his/her immediate supervisor, the employee will meet with the Department Head initially. Otherwise, the employee must first begin the grievance process with the supervisor rather than the Department Head. When a grievance is raised to any supervisory employee (or Department Head if necessary) of the City, it shall be the responsibility of the supervisor (or Department Head if necessary) to promptly discuss all relevant information regarding the grievance with the employee and to investigate or address the cause of the grievance to the degree that the supervisor (or Department Head if necessary) possesses the authority, if justified and appropriate to do so. The supervisor (or Department Head if necessary) shall respond in writing to the employee within five (5) workdays regarding the action to be taken in response to the non-disciplinary grievance.
2. If the employee is not satisfied with the response of his/her immediate supervisor, the employee may, within ten (10) workdays of said written response, appeal against the decision of the supervisor in writing to his/her Department Head. The Department Head may discuss the grievance with the employee, the employee's supervisor, the Human Resources Department, and any other parties deemed relevant by the Department Head. The Department Head shall respond in writing to the employee within ten (10) workdays regarding his/her decision as to any corrective action to be taken in response to the initial grievance filed by the employee. If no action is taken by the Department Head within ten (10) working days, the supervisors' ruling stands. The Department Head may extend the

- response time by notifying the employee and Human Resources of the anticipated date of completion.
3. The employee shall have the right to appeal the Department Head's decision through the following procedure:
 - A. Submit a written appeal to the City Administrator within ten (10) days of receipt of the Department Head's decision. The written appeal shall contain a detailed description of the reason(s) for the appeal.
 - B. The City Administrator has the option to (1) conduct further investigation; and/or (2) conduct a hearing to make his/her determination and decision. If the City Administrator chooses to have a hearing, it must be held within fifteen (15) working days from receipt of the appeal. The City Administrator shall render his/her determination and decision to the employee within fifteen (15) workdays of receipt of written appeal if a hearing is not conducted or within fifteen (15) working days of the hearing. If no action is taken by the City Administrator within fifteen (15) working days, the Department Head's ruling stands. The City Administrator may extend the response time by notifying the employee and Human Resources. The decision of the City Administrator shall be final in all grievance matters unless otherwise provided herein.
 4. If a grievance is directed against a Department Head, the employee has the right to direct a grievance to the City Administrator in writing. The grievance shall set forth fully the concerns of the employee and suggested remedies to address the grievance matter. The City Administrator shall fully discuss the grievance with the employee, the employee's Department Head, the Human Resources Department and any other parties deemed relevant by the City Administrator. The City Administrator shall respond in writing to the employee within fifteen (15) workdays regarding his/her decision as to any corrective action to be taken in response to the initial grievance filed by the employee.
 5. The City Administrator reserves the right to review the decision of a Department Head where it is determined by the City Administrator that the Department Head did not take all factual information under consideration, or he/she deviated from procedures outlined in these Personnel Regulations. The City Administrator may set aside the decision of the Department Head and request the department head conduct another hearing that properly considers facts surrounding the matter and/or follow procedures outlined in these Personnel Regulations. Such action taken by the City Administrator does not have to be prompted by a written appeal from the affected employee.
 6. The grievance appeals procedure is intended as a method of resolving problems arising from the employment relationship. Legal representation of the employee will not be allowed during grievance hearings.
 7. The written grievance and any appeal letters shall be given to the Human Resources Department for inclusion in the employee's personnel file.
 8. The availability of this internal grievance procedure in no way alters or impacts the At Will status of all employees of the City.
 9. An employee who wishes to make a report involving possible unlawful conduct, policy, or practice by the City has the option of submitting a report directly to the Director of Human Resources and/or the City Administrator. If the alleged conduct, policy, or practice involves the Director of Human Resources and/or the City Administrator, or the Mayor and Board of Aldermen, the employee may report the issue to the City Attorney.
 10. Certain provisions of this Section will not apply to Internal Investigations conducted by the Police Department.

13.5 ACCIDENT REVIEW BOARD

The purpose of this program is to ensure that all City of La Vergne vehicles and equipment are operated in a manner that ensures the safety of the employees and citizens of La Vergne. This program intends to standardize how accidents are handled throughout the City. In the event of an accident the employee's immediate supervisor, as well as the Director of Human Resources, shall be notified. The respective department's Director shall also be notified as soon as practical. If the accident involves a motor vehicle, the La Vergne Police Department shall be called to investigate, unless the accident involves the La Vergne Police Department, then the Smyrna Police Department or the Tennessee Highway Patrol should be called to the scene. If the La Vergne Police Department is unable to respond, the Smyrna Police Department or Tennessee Highway Patrol shall be notified. All accidents resulting in property damage, personal injury to employees or citizens, city-owned property, or property of others, shall be investigated and the required reports submitted. A copy of those reports must be submitted to the Director of Human Resources.

A. Authority to Investigate

1. The on-duty supervisor, department director, or Director of Human Resources shall guarantee that all accidents involving City of La Vergne vehicles and/or equipment are investigated and reported as required.
2. The Director of Human Resources is responsible for making sure all necessary investigative reports are completed and forwarded to the Accident Review Board for the next monthly review.

B. Accident Review Board

The Accident Review Board is intended to be the "investigating body" for the City. The Board shall consist of seven (7) employees from various departments. In order to conduct a meeting, a quorum must be in attendance. The Board will review all accidents to make recommendations to department Directors to prevent future incidents. This review applies to all departments except the independent investigation of pursuits within the La Vergne Police Department. The monthly review board notification will be emailed out to all employees who have a case to be reviewed. The employee should notify the Human Resources department if they intend to be present during the review of their case.

Some members of the Board may be prohibited from serving during the accident review:

1. Members of the Accident Review Board that have been involved in the accident are scheduled to be reviewed.
2. Direct supervisors of the employee involved in the accident.
3. Other situations where conflicts of interest may exist.

C. Documentation

The following documentation is required for the Accident Review Board to conduct a thorough and fair review of the accident:

1. Accident/Injury/Loss Report: This report, after being completed, will be reviewed, signed, and dated by the employee's supervisor. After review, this will be forwarded to the Director of Human Resources.
2. Tennessee Uniform Traffic Crash Report: City of La Vergne Police traffic crash report (if applicable).
3. Photographs: Any photographs, or recorded video, taken at the scene of the accident must be sent to the Human Resources Department for inclusion with the file to be presented to the Accident Review Board.

4. Maintenance Records: If the driver/operator of a vehicle (or piece of equipment) states that the accident occurred because of any type of mechanical failure, it is required that the vehicle (or piece of equipment) be checked and/or tested immediately by the Fleet Manager or Director of Public Works. After inspection, the results will be forwarded to the Director of Human Resources.

D. Procedures

1. The Accident Review Board will review all available documentation and determine if the accident was preventable or non-preventable on the part of the employee.
2. If the accident is determined to have been non-preventable, no disciplinary action will be recommended.
3. If the accident is determined to have been preventable, appropriate action will be recommended by the measures outlined in the next section.

E. Definitions

1. Negligence: Careless, lax, inattentive (e.g., negligent act). The failure to use a reasonable amount of care when such failure results in injury or damage to another person or property.
2. Reckless Operation: Knowingly taking a risk. The act of being aware of the conduct but consciously disregarding the risks involved.
3. Non-Contact Incident: An incident involving a City of La Vergne vehicle and/or equipment operator whereby no vehicle contact is made, however, it is shown that our vehicle or operator contributed to the accident.
4. Accident: Any occurrence resulting in personal injury or property damage to a City employee, City property, private individual, or private property. This will include (but not be limited to) traffic accidents, property damage, and non-contact incidents.
5. Preventable Accident: Any accident that results in property damage or physical injury that could have been avoided by appropriate action taken by the employee.
6. Violation: Infringement or breach of law, rule, right, etc.
7. Vehicle: A device or structure for transporting persons or things; a conveyance. For this program, vehicles will include the following: Motor Vehicles (cars, trucks, and fire apparatus), Heavy Equipment (backhoes), etc.
8. Equipment: Shall include (but not be limited to) the following: Trailers, Mowers, or any other equipment not designed to be operated on a roadway.

F. Disciplinary Action

1. When an employee is the driver/operator of a City of La Vergne vehicle and/or piece of equipment involved in an accident that is determined to have been preventable by the Accident Review Board, appropriate disciplinary action will be recommended to the Director of the department. It is important to note that the Review Board itself does not administer disciplinary action. Ultimately, the authority to administer disciplinary action lies with the Department Director and/or City Administrator. The Accident Review Board will make recommendations of action, based upon a points system, to the department Director. Points will be imposed for contributing factors to the accident and credited for such items as good driving record and extenuating circumstances.
2. Point System:

All applicable point values should be chosen from each of the following sections. Points are imposed and credited according to the following:

Driver's contributing action:

- i. Reckless Operation 15 pts.
- ii. Traffic Signal Violation 10 pts.
- iii. Negligence 10 pts.
- iv. Speeding 8 pts.
- v. Improper Backing 5 pts.
- vi. Struck Fixed Object 5 pts.
- vii. Following Too Closely 5 pts.
- viii. Improper Lane Change 5 pts.
- ix. Other 5 pts.

Preventable accidents in the past thirty-six (36) months (does not include case currently being reviewed):

- i. Four or more accidents 15 pts.
- ii. Three accidents 8 pts.
- iii. Two accidents 5 pts.
- iv. One accident 3 pts.

Seatbelts:

- i. The employee did not use 5 pts.
- ii. The Employee did use 0 pts.

Siren/Warning lights/Hazard lights:

- i. Used -2 pts.
- ii. Not used +2 pts.
- iii. N/A 0 pts.

Good driving record with the City of La Vergne:

- i. 5 or more years -5 pts.
- ii. 4 years -4 pts.
- iii. 3 Years -3 pts.
- iv. 2 Years -2 pts.
- v. 1 Year -1 pt.
- vi. >1 Year 0 pts.

G. Disciplinary Guide

Disciplinary action is based on the total number of points accumulated for the accident and the employee's driving history for the past thirty-six (36) months. The point values listed below should serve as a guide to ensure consistent assessment of employee-involved accidents. However, the Accident Review Board must consider the totality of the circumstances surrounding the accident being reviewed. These circumstances may include (but are not limited to) the following: the extent of injury; any disregard for life or property demonstrated by the driver/operator; etc. Additional points may be assessed by the Review Board based on these circumstances.

First preventable accident in past thirty-six (36) months:

<u>Points</u>	<u>Action Recommended</u>
3 or less	Counseling Form
4 – 13	Safety Written Warning
14 – 20	1 Shift unpaid Suspension
21 or more	2 Shift unpaid Suspension

Second preventable accident in thirty-six (36) months:

<u>Points</u>	<u>Action Recommended</u>
8 or less	Safety Written Warning
9 – 13	1 Shift unpaid Suspension
14 – 20	2 Shift unpaid Suspension
21 or more	3 Shift unpaid Suspension

Third preventable accident in thirty-six (36) months: No take-home vehicle and a Safety Final Written Warning, plus:

<u>Points</u>	<u>Action Recommended</u>
8 or less	1 Shift unpaid Suspension
9 – 15	2 Shift unpaid Suspension
16 – 19	3 Shift unpaid Suspension
20 or more	4 Shift unpaid Suspension

Starting April 2024, reviewed in January 2025, and will continue until further notice by the Chief of Police, employees of the La Vergne Police Department will use the following scale:

First LPD preventable accident in the past thirty-six (36) months:

<u>Points</u>	<u>Action Recommended</u>
8 or less	Safety Written Warning
9 – 13	1 Shift unpaid Suspension
14 – 20	2 Shift unpaid Suspension
21 or more	3 Shift unpaid Suspension

Second LPD preventable accident in the past thirty-six (36) months:

<u>Points</u>	<u>Action Recommended</u>
8 or less	1 Shift unpaid Suspension
9 – 13	2 Shift unpaid Suspension
14 – 20	3 Shift unpaid Suspension
21 or more	4 Shift unpaid Suspension

Third LPD preventable accident in the past thirty-six (36) months: No take-home vehicle and a Safety Final Written Warning, plus:

<u>Points</u>	<u>Action Recommended</u>
8 or less	2 Shift unpaid Suspension
9 – 13	3 Shift unpaid Suspension
14 – 19	4 Shift unpaid Suspension
20 or more	5 Shift unpaid Suspension

In addition to any other disciplinary action taken, Three or more preventable accidents within a thirty-six (36) month period result in the suspension of take-home car privileges (if applicable) for one

(1) year and the issuance of a Safety Final Written Warning. If the employee does not have a take-home car, driving a City-owned vehicle while on duty might be suspended.

In addition to any disciplinary action taken, any employee who is the driver/operator responsible for a preventable accident may be required to take and complete a Remedial Driving Course.

Failure to report an accident is a violation of this program and may be a violation of Tennessee State Law. Failure to report an accident in a City-owned vehicle and/or piece of equipment will be treated the same as three (or more) accidents in the last thirty-six (36) months as it relates to disciplinary action

The Accident Review Board may recommend any other action up to and including termination of employment; however, the decision to terminate employment rests with the Mayor.

H. Appeals

Employees who receive disciplinary action for preventable accidents may appeal to the City Administrator following the applicable appeals process outlined in Chapter 13 of the City of La Vergne Employee Handbook. The handbook outlines the procedures and steps to take and explains that disciplinary action is not appealable, but the process in which the action was determined could be appealed if believed to have been done outside of the guidelines of the board.

TITLE VI AND VII COMPLIANCE

14.1 TITLE VI COMPLIANCE STATEMENT

The City of La Vergne is committed to upholding and enforcing the provisions set forth in Title VI of the Civil Rights Act of 1964. Title VI mandates that no individual shall, on the grounds of race, color, or national origin, be denied access to, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives federal financial support.

14.2 SCOPE OF TITLE VI

Title VI applies to all the City's operations, programs, and activities that are federally funded, regardless of the amount of funding received. All City departments, employees, contractors, and any entity representing or conducting business on behalf of the City of La Vergne are required to comply with this policy.

14.3 TITLE VII COMPLIANCE STATEMENT

In addition to Title VI, the City of La Vergne is also committed to upholding and enforcing Title VII of the Civil Rights Act of 1964. Title VII prohibits employment discrimination based on race, color, religion, sex, or national origin.

14.4 PROTECTIONS UNDER TITLE VII

It is the policy of the City of La Vergne to:

1. Ensure that all hiring, firing, and promotion decisions are made without regard to race, color, religion, sex, or national origin.
2. Address and resolve any complaints of workplace discrimination in a timely and effective manner.
3. Provide training and resources to all employees to promote understanding, respect, and compliance with Title VII.
4. Promote a diverse, inclusive, and respectful work environment for all employees.

14.5 REPORTING DISCRIMINATION

Any individual who believes they have been discriminated against based on race, color, national origin, religion, or sex, in violation of Title VI or Title VII, is encouraged to report the incident to the City's designated Title VI/Title VII Coordinator. The City will thoroughly investigate all complaints and take appropriate action to resolve and rectify any issues.

14.6 TITLE VI / TITLE VII COORDINATOR

The City of La Vergne has appointed a Title VI/Title VII Coordinator who is responsible for ensuring compliance, handling complaints, and providing training and resources related to these titles. Contact information for the coordinator is available at the City's main office and on the official website.

14.7 TRAINING AND RESOURCES

The City of La Vergne is committed to ongoing training and education for its employees about Title VI and Title VII. Regular training sessions will be held, and resources will be made available to all employees to promote a comprehensive understanding of these critical civil rights laws.

14.8 REVIEW AND UPDATES

This policy will be periodically reviewed and updated to ensure that the City remains in compliance with the evolving interpretations and guidelines related to Titles VI and VII.

14.9 COMMITMENT

The City of La Vergne is unwavering in its commitment to upholding the principles of equality, fairness, and justice as enshrined in Titles VI and VII of the Civil Rights Act of 1964. Discrimination in any form will not be tolerated, and the City will make every effort to ensure that all its programs, activities, and employment practices are free from bias and prejudice.

CHAPTER 14 - DRUG-FREE WORKPLACE POLICY

The City of La Vergne prioritizes the safety, health, and well-being of all its employees and those we serve. Recognizing the dangers and disruptions that alcohol and drug use can cause, we've developed a robust policy that fosters a drug-free environment while simultaneously ensuring respect for individual rights.

Objective

Promote a safe and efficient workplace by preventing the detrimental effects of alcohol and drug use on our employees and the community.

Mission Statement

Ensuring a healthy and productive work environment, the City of La Vergne is dedicated to safeguarding every individual's safety and well-being. We acknowledge the challenges posed by alcohol and drug use and are dedicated to countering these threats through our drug-free workplace initiative.

Policy Statement

The City of La Vergne believes that alcohol and drug involvement can disrupt our work environment, diminish employee performance, pose severe health risks, and decrease overall productivity and morale. While we respect our employees' private lives, any off-job alcohol or drug use that compromises job performance or public safety will not be tolerated. We strictly enforce our policy on drug and alcohol use and possession to ensure a safe workplace for all.

Support and Assistance

Understanding the complexities of addiction, the City of La Vergne earnestly encourages employees facing drug or alcohol issues to proactively seek assistance. Our Employee Assistance Program (EAP) provides confidential resources not only for our employees but also for their family members dealing with challenges related to substance abuse. Please contact the Human Resources Department for further information and support.

Remember, choosing a drug-free life is not just about adhering to a policy; it's about safeguarding your health, well-being, and the community we serve. Your proactive steps today can lead to a healthier tomorrow.

14.1 WHO IS COVERED BY THE DRUG FREE WORKPLACE POLICY

This policy is intended to clarify that it applies to any individual who conducts business for the City of La Vergne, is applying for a position or is conducting business on the City of La Vergne's property. Also, this policy includes but is not limited to all employees of the City of La Vergne, regardless of race, sex or status.

A. When the policy applies

It is the intent of the City of La Vergne to set forth a clear and consistent policy regarding the use of both alcohol and drugs. Our drug-free workplace policy is intended to apply whenever anyone is representing, or conducting business for, the City of La Vergne and is to include but not be limited to the following.

1. During all working / on duty hours.
2. Whenever conducting business or representing the City of La Vergne.
3. While on call, paid standby.

4. While on company property.
5. At company sponsored events
6. While working off duty employment, while in the uniform of the City of La Vergne.

B. Type of Behavior

Using, possessing, selling, trading, or offering alcohol, illegal drugs, or intoxicants at our workplace is strictly against our policy.

The City of La Vergne acknowledges that certain medications, both prescription and over the counter, can impact an employee's decision-making, judgment, and ability to safely operate equipment. While the use of prescription and standard-dose over-the-counter medications is not forbidden, employees must be vigilant. If you're taking any such medications, consult with your physician or pharmacist to ensure they won't impair your work safety. Should there be a risk, you're obligated to take necessary steps – like taking a sick day, requesting different duties, or informing your supervisor – to maintain a safe work environment.

Unauthorized or illegal use of prescription drugs is not allowed. Deliberately misusing or abusing prescription medications goes against our drug-free workplace ethos. Any decline in job performance or accidents stemming from this will lead to disciplinary measures. Certain medications, like amphetamines and benzodiazepines, might result in a positive drug test. If this occurs, a designated company medical professional or relevant personnel will seek clarification to ensure there's a legitimate medical reason, like a doctor's prescription, behind the positive result.

C. Notification by employee of drug-related convictions.

If an employee is found guilty of a workplace-related drug offense, they are required to inform the City of La Vergne in writing within three days of the conviction. Upon receiving this notification, the city will respond accordingly within a 10-day window. Relevant federal contracting entities will be informed as necessary.

D. Searches

The City of La Vergne reserves the right to inspect any of its properties if there's suspicion of a breach of its Drug-free workplace policy. Employees may be requested to comply with such inspections at any given time. Agreeing to these searches is a mandatory term of employment.

14.2 DRUG TESTING

Under the Drug-free workplace policy there are various reasons for the implementation of drug tests and include but are not limited to the following:

1. Deter employees from abusing drugs and alcohol.
2. Prevent the hiring of individuals who use illegal drugs.
3. Provide early identification and referral of employees who have drug and/or alcohol problems.
4. Provide a safe workplace for other employees.
5. Ensure public safety and instill citizen confidence that employees are working safely.

The City's drug testing program will follow the Substance Abuse and Mental Health Services Administrations' (SAMHSA) mandatory guidelines for workplace drug testing which include having a Medical Review officer review the test. Testing will be done only for those drugs identified in the SAMHSA guidelines (marijuana, cocaine, opiates, amphetamines, and phencyclidine) for which drug laboratories are certified.

To ensure the accuracy and fairness of the testing program, all testing will be conducted according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug testing information will be maintained in a separate confidential record.

The following is a listing of a variety of circumstances in which the City of La Vergne may require a drug test along with an explanation of each type of test:

A. Pre-Employment

Required of all safety-sensitive position applicants once a conditional offer of employment has been made. Applicants agree to be tested as a condition of employment and are not hired if they fail to produce a negative test.

B. Pre-Duty

Testing is used when an employee is transferred from a position where he or she was not subject to testing to a position where testing is required. This type of testing is also used when an employee has been offered a promotion. If the employee tests positive, the offer of the transfer or promotion is withdrawn, and the employee usually is required to participate in rehabilitation as previously described in this policy.

C. Random

1. All employees in positions which the City has designated as Safety Sensitive are subject to random drug and alcohol testing.
2. Seasonal employees, part-time employees, and temporary employees who are performing work in Safety Sensitive positions are subject to Random Testing on the same basis as full-time employees.
3. The frequency of testing will vary. Testing will be reasonably spread throughout the year and will not be conducted on a semi-annual or annual basis. Due to the large number of employees who will ultimately be covered by Random Testing, testing may be conducted at different locations, on different days in the same month, or even in the same week, if testing is reasonably spread evenly throughout the applicable twelve (12) month period. Some may be tested more than once each year while others may not be tested at all, depending on random selections.
4. The testing will be done using a third-party drug testing company. The Human Resources department will provide a list of all safety sensitive positions with names monthly so that a random list can be generated. The drug testing company then sends the list directly to the Director of Human Resources. The Director of Human Resources or designee shall sign each random list certifying the list was compiled in accordance with this policy.
5. The testing shall take place just before, during, or just after the employee ceased performing Safety Sensitive functions. A maximum of three (3) hours will be allowed between notification of an employee's selection for random testing and the actual presentation for specimen collection. If an employee is unavailable (i.e., vacation, sick day, out of town, work related injury, jury duty, etc.) to provide a specimen on the date the Random Testing occurs, the City may select from the alternate list provided by the drug testing company. The alternate list is also generated randomly each month.

6. Executing a safety-sensitive task refers to any time an employee is actively engaged in, prepared for, or immediately available to undertake any function deemed safety-sensitive.

D. Post-Accident

Testing following an accident can help determine whether drugs and/or alcohol were a possible factor. Examples of criteria that would trigger a test after an accident will include but not be limited to:

- Fatalities.
- Injuries that require anyone to be removed from the scene for medical care.
- Damage to vehicles or property.
- Citations issued by the police.

E. Reasonable Suspicion

Reasonable suspicion testing is also referred to as probable cause testing, is conducted when supervisors/department heads document observable signs and symptoms that lead them to believe that the individual may pose a danger to him or herself, other employees, or the public. Possible causes requiring a testing of reasonable suspicion:

- Specific observations concerning appearance, behavior, speech, body odors or performance.
- Violations of any safety rule or unsafe work incident, which after further investigation of the employee's behavior leads the supervisor to believe the employee, may be unsafe.
- Other physical or existing indicators of alcohol or other drug use.

F. Return to Duty

One-time announced test that is used whenever an employee who has tested positive has completed the required treatment and is ready to return to the workplace. This type of testing may also be used for an employee who has been absent for an extended period.

G. Follow-up

Follow up testing is also referred to as post rehabilitation testing. This testing follows an employee's return to the workplace after completing rehabilitation. It is administered on an unannounced, unpredictable basis for a period of up to five years.

14.3 WHAT SUBSTANCES ARE TESTED AND HOW THEY ARE TESTED.

Typically, urine is the most utilized. On various occasions saliva, hair, or blood testing may also be required. The substances for which testing is commonly performed are those that the National Institute for Drug Abuse (NIDA) designated as "illegal" drugs for purposes of the Federal Drug Testing programs.

A. The following items will be tested:

- Amphetamines
- Barbiturates
- Cocaine
- THC/Marijuana
- Opiates
- PCP
- Benzodiazepines
- Alcohol

- Methadone
- MDM/MDMA
- OXC/Oxycodone
- BUP/Buprenorphine

B. Consequences for Violation of Drug-Free Workplace Policy

The City of La Vergne's drug-free workplace program aims to motivate employees to proactively seek assistance for alcohol and/or drug issues. Yet, if an employee breaches this policy, the repercussions are significant. Specifically, if an employee tests positive for substances before seeking help and this result is confirmed by the MRO, it will lead to termination of employment.

C. Applicants

In the case of an applicant violating the drug-free workplace policy, the offer of employment will be withdrawn, and the applicant may not reapply.

14.4 RETURN-TO-WORK GUIDELINES

The City of La Vergne prioritizes the health and well-being of its employees and recognizes that substance abuse can be addressed and treated. Our Return-to-Work Guidelines (RTWG) are designed to outline the city's expectations and the subsequent steps for employees who proactively seek help with alcohol and/or drug problems **before** any policy violation, including a positive drug test.

Guidelines for Return to Work after Voluntary Disclosure: If an employee voluntarily discloses their substance abuse challenges before any policy violation:

Acknowledgement & Support: The employee acknowledges the challenges they're facing and commits to seeking help. The City of La Vergne supports this proactive step toward rehabilitation.

Guided Return-to-Work Process: The employee will collaborate with the City of La Vergne to establish a clear, written Return-to-Work Agreement. This agreement sets the terms for continued employment and the path forward.

Sample Return-to-Work Agreement: This Return-to-Work Agreement is enacted when:

- The employee voluntarily discloses substance use challenges.
- The employee agrees to abide by the City of La Vergne's drug and alcohol policy.
- The employee commits to relevant medical professional recommendations.
- The employee consents to unannounced follow-up testing for a span of three years.
- Compliance will be monitored through updates from medical professionals.
- Costs of treatments not covered by insurance will be paid by the employee.
- If leave is required for rehabilitation, it may be availed as per accrued leave policies.

Assistance Available: The City of La Vergne is dedicated to assisting employees in addressing substance use challenges:

- We advocate for early intervention and proactive measures to address potential drug and/or alcohol problems.
- Employees are encouraged to use local, qualified professionals for evaluating and seeking treatment.
- A curated list of these professionals will be made available.
- Accrued paid leave can be used by employees during their treatment phase.

- While certain treatments might be covered by the employee benefit plan, the employee holds the final financial responsibility for the recommended treatment.

Note: This Return-to-Work Agreement is exclusive to those who **voluntarily** come forward **before** any positive drug test or policy violation.

14.5 EMPLOYEE CONFIDENTIALITY/PROTECTION

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

14.6 SUCCESS OF THE POLICY

Maintaining a safe and efficient drug-free workplace hinges on the collective effort of every member of our organization. Both management and staff play pivotal roles in upholding this environment. Employees are strictly advised not to be on duty or report to work if their performance abilities are compromised using alcohol or drugs, regardless of whether consumption occurred on or off duty. Employees should notify the Director of Human Resources or the City Administrator if their supervisor or department head is requiring them to report to work due to staffing issues or any other reason if they are impaired.

Furthermore, employees are encouraged to:

- Prioritize operating within a secure environment.
- Support colleagues in their pursuit of assistance.
- Alert supervisors about any potentially hazardous behaviors.

On the other hand, the role of the supervisor or department head includes:

- Educating employees about the drug-free workplace policies.
- Monitoring employees' daily performance.
- Investigating or reporting any report of unsafe activities.
- Recording performance discrepancies and challenges.
- Guiding employees towards achieving desired performance levels.
- Explicitly communicating the repercussions of breaching the policy.

14.7 POLICY COMMUNICATION

Ensuring clear communication about our drug-free workplace policy to every team member, from employees to supervisors, is fundamental for our program's effectiveness. To make certain everyone is informed and understands their role in upholding our commitment to a drug-free workplace:

- Every employee will be provided with a written version of the policy.
- New team members will undergo a review session regarding the policy during orientation.
- The policy will be discussed during safety briefings.
- Annually, all team members will receive updates or revisions to the policy.
- All employees will be educated about the risks associated with alcohol and drug use, as well as the resources available for assistance.

CHAPTER 15 - Dayforce Human Resource System & Guidelines

The City of La Vergne is committed to accurate and accountable timekeeping for all employees. We utilize the Dayforce (DF) program as our primary Human Resource Information System (HRIS). The use of DF is **mandatory** for all employees, and it is important to understand and follow the policies associated with this program.

15.1 CLOCK-IN

All employees are required to utilize DF to clock in at their scheduled work time. Employees may clock in up to 5 minutes before or 4 minutes and 59 seconds after your scheduled start time without being paid late. Pay will still start at your scheduled time for **payroll purposes only**. However, if you are scheduled to start at 8:00 AM and clock in at 8:03 AM, your department may still consider this late. Payroll being able to pay you for your grace period does not exempt you from being on time for rollcall, stand-up meetings, or other departmental expectations.

Example: An employee is scheduled to start at 8:00 AM and clocks in at 7:55 AM. DF will record this employee as starting on time at 8:00 AM.

Example: An employee is scheduled to start at 8:00 AM and clocks in at 8:04 AM. DF will record this employee as starting on time at 8:00 AM.

If an employee clocks in between five (5) and fifteen (15) minutes after their scheduled shift start time, a grace exemption period will apply before the employee is considered late. During this grace period, payment will start from the actual clock-in time.

Example: An employee is scheduled to start at 8:00 AM and clocks in at 8:12 AM. This employee will be paid from 8:12 AM, but they will not be marked as late if the employee has not exhausted their four (4) exemptions that quarter.

Each employee is allowed **4 grace period exemptions per quarter**. A grace period of 5-15 minutes after your scheduled shift time allows you to clock in without an attendance warning but pay will start at the actual clock-in time. After the 4th exemption, any additional late clock-ins will result in disciplinary action. The **4 grace period exemptions per quarter** are defined as: January - March; April - June; July - September; and October - December.

Once an employee has used all four (4) grace period exemptions in a quarter, any subsequent late clock-ins within the same quarter will escalate through performance feedback as defined in Section 13.2 of this handbook.

- **First Violation:** Verbal Coaching - Informal discussion to address the issue and provide guidance.
- **Second Violation:** Written Warning - Formal documentation of the violation placed in your personnel file.
- **Third Violation:** Final Written Warning - Stronger action with additional observation from supervisors.
- **Fourth Violation:** Suspension or Termination - Depending on the circumstances, more severe actions may be taken, including termination of employment.

Employees are encouraged to be proactive in addressing attendance issues to avoid disciplinary actions.

It is the responsibility of each employee to ensure they are accurately clocking in and out of DF. Failure to do so may result in disciplinary action.

15.2 MEAL BREAK

In compliance with Tennessee State Law (Tenn. Code Ann. § 50-2-103 (h)), all hourly (non-exempt) employees are mandated to take a thirty (30) minute off-the-clock break during their normal workday. Using the DF timekeeping program is essential in accurately recording these meal breaks.

1. Employees will initiate their meal break on DF by clicking the "Meal Start" button at the beginning of their break.
2. Upon returning from their meal break, employees should log back into DF and click the "Meal End" button.
3. The DF system will not permit the employee to check back in from the meal break until exactly thirty (30) minutes have passed.
4. Employees who combine their morning and afternoon paid breaks with their meal breaks need to follow the same guidelines as above, however, the additional thirty (30) minutes would be on-the-clock.

Any failure to follow these meal break procedures will be addressed according to the performance feedback as defined in Section 13.2 of this handbook.

15.3 CLOCK-OUT

All employees must clock out using the DF program at the end of their workday. The time at which an employee clocks out is considered the actual end of their shift for pay calculation purposes.

1. There is no grace period associated with clocking out early. If an employee clocks out before their scheduled end time, their pay will be reduced accordingly.

Example: An employee's schedule concludes at 5:00 PM. The employee clocks out at 4:54 PM. As there is no grace period for clocking out, this employee will have six (6) minutes deducted from their paid time for that shift.

2. Flexing time, or the practice of adjusting start and end times within the same workday, is not permitted without prior permission from a supervisor, according to Section 8.3 of the employee handbook.

Any instances of unauthorized flexing will be addressed according to the performance feedback as defined in Section 13.2 of this handbook.

15.4 EXCEPTIONS

In the context of this policy, an exception refers to any deviation or departure from the standard scheduled workday as outlined in the preceding sections of this handbook addition.

1. Exceptions can encompass a range of situations, such as technical issues with the DF system, unavoidable delays in clocking in or out, or circumstances that necessitate a shift in schedule.
2. All exceptions will be automatically reported to the supervisor immediately through DF. The supervisor, in turn, will review the exception and take appropriate action.
3. It is important to note that exceptions are not inherently negative. Rather, they serve to accurately reflect any irregularities in an employee's workday and ensure fair and accurate pay.

4. Despite this, recurrent exceptions, especially without valid justification, can indicate an issue with time management or policy adherence and will be addressed according to the performance feedback as defined in Section 13.2 of this handbook.

Example: An employee clocks in 20 minutes before their scheduled shift. DF will flag this punch as an exception given that it is outside of the allowed grace period and/or scheduled shift. The supervisor will then conduct a seek-to-understand conversation with the employee and take any appropriate action in DF while following any progressive feedback as outlined in Section 13.2 of this handbook.

15.5 MISSED PUNCH

Occasionally, an employee may forget to clock in or out, resulting in a "Missed Punch" in the DF system. This term refers to any instance where an employee fails to properly record their start time, end time, or meal breaks.

1. A missed punch is considered an exception, and it will automatically trigger a notification to the employee's supervisor.
2. Employees are permitted to correct a missed punch directly in the DF system. When making a correction, employees must add a comment explaining why the missed punch occurred.
3. This correction will flag an exception in the system and notify the supervisor, who is responsible for reviewing and approving the correction. This exception flag serves to ensure transparency and accountability.
4. Repeated instances of missed punches may be a sign of negligence or policy non-compliance and will be addressed according to the performance feedback as defined in Section 13.2 of this handbook.

15.6 ACCESSING THE DF TIMECLOCK

The DF timekeeping system is designed to be accessible and convenient for all employees. The following outlines how employees can access the DF timeclock:

1. **DF Mobile App:** Employees can download the DF app on their personal or city-issued phones. The app provides full access to the DF dashboard, including timekeeping features. The use of the DF app on your personal phone does not subject you to the Tennessee Open Records Act because your activity is stored in the DF system and not on your personal phone.
2. **DF Web Portal:** The DF system can be accessed on any desktop computer or laptop by visiting the DF web portal. This can be done on both personal and city-issue devices.
3. **Tablets:** Installed tablets are available near the entry areas of all city buildings. These are preloaded with the DF system for easy access.

When accessing the DF system, employees are required to log in using their unique four (4) digit employee ID number and a self-created password. The employee ID number and initial password setup will be facilitated through a first-time access email provided by HR.

For security reasons, it is crucial to log out of the DF system when using a shared device. Leaving a profile logged in could allow unauthorized access to sensitive personal and employment information. Employees are expected to practice responsible digital habits, including logging out of their DF profile when they are finished using the system.

15.7 PHYSICAL WORK LOCATIONS

Every employee in the City of La Vergne is pre-assigned a physical work location within the DF system. This location corresponds to the department or building where the employee is scheduled to perform their duties.

Example: An employee who works in the Water Department will have their work location recorded in the DF system as Public Works, 148 International Blvd.

1. All employees are expected to clock in and out of their assigned physical work location. This helps ensure accuracy and fairness in our timekeeping system.
2. If an employee clocks in or out from a location other than their assigned work location, the DF system will detect this as a non-location-based punch. Any such punches require prior authorization from the employee's supervisor.
3. If unauthorized non-location-based punches are detected, employees should expect to receive feedback according to the performance feedback as defined in Section 13.2 of this handbook. Repeated occurrences may be considered a serious violation of policy and can lead to escalated disciplinary measures.
4. Exceptions to the assigned work location rule may be made for employees who are working "on-call" or are called into work due to special circumstances. In such cases, employees will be permitted to clock in or out from a non-location-based access point. When making these exceptions, employees must add a comment to the punch explaining the nature of their unassigned schedule punch.

15.8 USE OF LEAVE TIME IN DF

Managing leave time is an important part of employee responsibilities. The DF system facilitates this process by allowing employees to submit requests for leave directly through the DF dashboard.

1. To request leave, employees should click on the "Time Away" button from the DF dashboard. They will then select the type of leave requested. Options include Comp, Annual, PTO, Sick, FMLA, Bereavement, Jury Duty, and Kelly Day.
2. Supervisors will receive a notification when an employee submits a leave request. They are responsible for reviewing and either approving or declining these requests. The decision will be reflected in the DF system, and the employee will receive a notification regarding the status of their leave request.
3. Requests for annual leave must be submitted with a minimum of 24 hours' notice.
4. Under Section 10.4 (E) of the employee handbook, if an employee takes sick leave for more than two consecutive days, a doctor's note must be submitted to HR.
5. If an employee wishes to modify or cancel a leave request, they may do so via the same DF system path they used to submit the request.

15.9 BENEFIT ENROLLMENT

The DF system is integral to managing your benefits as a City of La Vergne employee. You are required to use the DF system for benefit enrollment, or when you wish to make changes to any city-offered benefits. These instances generally occur during one of two times:

1. **Open Enrollment:** This is an annual period when you can elect or modify your benefit choices. During this time, you can select health, dental, vision, or any other city-offered insurance and benefits.

2. **Qualified Life Events:** These are certain life events that allow you to make changes to your benefits outside of the open enrollment period. Employees have thirty (30) days from the effective date to make the change. Common qualified life events include marriage, birth of a child, divorce, loss of other health coverage, or certain changes in employment status.

To enroll or make changes, you will need to access your DF dashboard and follow the prompts for benefit enrollment or changes. Please remember that the appropriate documentation may be required to confirm your eligibility for certain benefits or changes.

15.10 PERSONAL INFORMATION

Maintaining accurate personal information is essential for ensuring effective communication, accurate tax forms, emergency response, and other employment-related needs. As an employee of the City of La Vergne, you are responsible for keeping this information current.

1. The DF portal is the primary platform for updating and maintaining all your personal information related to your employment. This includes but is not limited to, your mailing address, tax information (W-4 forms), emergency contact information, and any other city-required documentation.
2. To update your personal information, log in to your DF dashboard and navigate to the section designated for personal information. Follow the prompts to make any necessary updates or changes.
3. It's important to update this information promptly when any changes occur. This helps ensure that you receive all relevant communications and that your employment records are kept accurate and up to date.

15.11 PAYROLL & DAYFORCE WALLET

The DF portal serves as your central hub for all payroll-related matters. This includes accessing pay stubs, reviewing your pay history, and managing your direct deposit settings.

1. To review pay stubs and pay history or make changes to your direct deposit settings, log into your DF dashboard and navigate to the payroll section. Follow the prompts to view your pay information or update your direct deposit details.
2. In addition to these standard payroll features, DF offers a unique program called "Dayforce Wallet." This feature allows employees to request a no-fee cash advance on their next payroll check. Please note, this is an optional feature and should be used responsibly. Any advances you request will be fully deducted from your subsequent regular paycheck.
3. The funds associated with Dayforce Wallet are not provided by the City of La Vergne and are processed internally by Ceridian. The city has no control over these transactions, nor does it bear any responsibility for repayment.

15.12 REVIEWING YOUR TIME SHEET

Accurate scheduling and timekeeping are essential for smooth operations in the City of La Vergne. The DF system enables employees to review their work schedules and time sheets conveniently.

1. Employees can log into DF at any time to review their posted schedule and check their timesheets. This allows employees to manage their time effectively and ensures that they are aware of any schedule changes. All employees should authorize their time sheet after completion of punches for the day. This is the "virtual" signature that acknowledges the sheet accurately reflects the time worked.

2. Supervisors bear the responsibility for maintaining accurate and up-to-date schedules for each of their direct reports. This includes promptly updating schedules to reflect any changes or adjustments.
3. Employees are responsible for clocking in and out according to their assigned schedule. This contributes to accurate timekeeping and payroll calculations.
4. In addition to adhering to their schedule, employees are also responsible for the accuracy of their timesheets. This includes verifying their clock-in and clock-out times and ensuring that any leave or other time off is correctly recorded.

CHAPTER 16 - AMENDMENTS TO EMPLOYEE HANDBOOK

16.1 AMENDMENTS

Amendments or revisions to this Employee Handbook may be recommended for adoption by the City Administrator or by the Board of Mayor and Aldermen of its own initiative. Such amendments or revisions of these regulations, policies and procedures shall become effective upon approval by the Board of Mayor and Aldermen.

All departmental regulations, policies and procedures as presently constituted or hereinafter adopted, which are not in conflict with these regulations, policies and procedures shall be in effect.

16.2 SEVERABILITY

If any Charter, Article or Section of this Employee Handbook is found to conflict with Federal, State or City laws and regulations, or Court decision, that Section will continue in effect only to the extent permitted by such law or regulation or Court decision. If any Charter, Article or Section of this handbook is or becomes invalid or unenforceable, such invalidity or unenforceable nature will not affect or impair any other Charter, Article or Section of this handbook.

**Acknowledgement of Receipt
City of La Vergne Employee Handbook**

This acknowledgement is signed by each employee inside the Dayforce platform.

I hereby acknowledge receipt of the City of La Vergne Employee Handbook, effective from February 4, 2025, or have been directed to the relevant website containing the City Charter and Municipal Ordinance. I recognize the Handbook delineates the City's current policies, procedures, and benefits. I commit to familiarizing myself with its contents.

I am aware that this Employee Handbook does not form any contractual obligations and simply serves as a guide to policies and procedures. The City retains the right to modify, remove, or amend any content within the Handbook, excluding the "at-will" employment policy, without prior notice. I understand that it is my responsibility to be familiar with all changes approved by the Board of Mayor and Aldermen by reading the reports. I also understand and acknowledge that I know that I can always see the latest version of the handbook on the Employee Information Portal online.

I understand my employment with the City is on an "at-will" basis, meaning either party may terminate the employment relationship without cause. This at-will status remains consistent and cannot be changed by any oral or implied promises. No content within the Employee Handbook guarantees or implies continued employment.

I also understand that while the Handbook highlights various benefits, the City is under no obligation to provide these indefinitely and can adjust or terminate them without notice.

This Employee Handbook supersedes all previous versions and other related documents. Any preceding guidelines, handbooks, or policies are rendered obsolete. The Handbook remains the property of the City and must be returned upon the termination of my employment.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 14. **Resolution #2025-02** - A Resolution of the City of La Vergne Board of Mayor and Aldermen to Declare Property Owned by the City to be Surplus to the City's Needs and Directing Disposal of the Same.

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: 1. Resolution #2025-02

Summary:

This is a resolution to declare property as surplus property and direct how the property will be disposed.

Background Information:

In this resolution, we have items from public works that includes two vehicles and several pieces of old equipment that are no longer needed. This resolution also includes selling the items in the metal scrap bin as scrap.

Financial Summary:

It is unknown at this time as to how much revenue the city will receive when these items are sold on GovDeals or at the scrap metal vendor.

Staff Recommendation:

Staff recommends approval.

RESOLUTION #2025-02

A RESOLUTION OF THE CITY OF LA VERGNE BOARD OF MAYOR AND ALDERMEN TO DECLARE PROPERTY OWNED BY THE CITY TO BE SURPLUS TO THE CITY'S NEEDS AND DIRECTING DISPOSAL OF THE SAME.

WHEREAS, the City of La Vergne has identified various items of city-owned property as being surplus to the needs of the city and has determined it to be in the public interest to offer them for sale or destruction.

NOW, THEREFORE, BE IT RESOLVED BY THE LA VERGNE BOARD OF MAYOR AND ALDERMEN, AS FOLLOWS:

Section 1. Property declared surplus to the needs of the city government.
The following described property is hereby declared to be of low value and surplus to the needs of the city.

<u>Item</u>	<u>Description</u>	<u>VIN / Serial Number</u>
Public Works		
2009 Ford F-250 Pickup Truck	White, 2-door F-250 Pickup Truck with service bed. 5.4L V-8 Engine with 115,089 miles; Automatic transmission; Starts and runs; Minor damage including seat rips, dirty, wear and tear; tire pressure sensor fault; dents and dings, rust and holes from equipment in some areas; rear bumper is dented.	1FTNF21539EB25536
2012 Ford F250 Pickup Truck	White, 2-door F-250 Pickup Truck with service bed. 6.2L V-8 Engine with 172,460 miles; Automatic transmission; Starts and runs; Minor damage including seat rips, dirty, wear and tear; dents and dings, rust and holes from equipment in some areas.	1FTBF2A61CEA45364
Bosch ESI(tronic) Diagnostic Equipment	Bosch DCU100 ESI(tronic) Diagnostic Control Unit. Unknown condition.	3824061906415
Oregon Chainsaw Blade Sharpener	Oregon Model 511AX Chainsaw Blade Sharpener. Unknown condition. Dirty; wear and tear.	608518
Bradley Mowers Lawnmower Blade Sharpener/Grinder	Lawnmower Blade Sharpener – 21" x 15" x 32" in size. Unknown condition. Dirty; wear and tear.	20180900110
Autel Maxisys Scan Tool	Autel Model 908 Diagnostic Scan Tool – 24" x 16" x 6" in size; Unknown condition.	N/A
Autel Maxi TPMS Scan Tool	Autel Model TS401 Diagnostic Scan Tool – 15" x 9" x 3" in size; Unknown condition.	N/A

Section 2. City Administrator directed to dispose of surplus property. In compliance with Section 11.05 of the City of La Vergne Purchasing Policy (Ordinance #2023-01), the City is hereby directed to conduct a public auction for the sale of the surplus items enumerated in Section 1 of this Resolution. If said auction does not result in an acceptable bid, the City Administrator is authorized to sell any unsold items of surplus property for scrap, or at his option, have the items disposed of as solid waste.

Section 3. Property declared surplus to the needs of the city government. The following described property is hereby declared to be of low value and surplus to the needs of the city.

<u>Item</u>	<u>Description</u>	<u>VIN / Serial Number</u>
Public Works		
Scrap Metal	Contents of metal dumpster used to collect miscellaneous scrap metal.	N/A

Section 4. City Administrator directed to dispose of surplus property. In compliance with Section 11.05 of the City of La Vergne Purchasing Policy (Ordinance #2023-01), the City Administrator is hereby authorized to allow the items enumerated in Section 3 of this Resolution to be sold for scrap.

Section 5. Effective Date. This Resolution take effect immediately after its passage, the welfare of the City requiring it.

Resolved this the 4th day of February, 2025.

CITY OF LA VERGNE, TENNESSEE

Jason Cole, Mayor

ATTEST:

Bruce E. Richardson, City Recorder

CITY OF LA VERGNE
SURPLUS PROPERTY - VEHICLE FORM

If you have any vehicles that are no longer needed in your department and you wish to sell them as surplus property, please use this form. **Please return this form and pictures of all four sides and the interior to both the Purchasing Agent and the City Administrator to have the items placed on the city council agenda for approval. Please complete all sections.**

Vehicle Description:

Year: 2009	Manufacturer: FORD	Make:	Model: F250
VIN: 1FTNF21539EB25536		Mileage: 115089	
Vehicle: ☒ Starts ☐ Starts with a boost and ☒ Runs ☐ Does Not Run ☐ Parts Only			
Engine Size: 5.4 Liter, V-8 ☒ Gasoline ☐ Diesel Condition: ☐ Runs ☐ Needs Repair ☒ Unknown			
Transmission: ☒ Automatic ☐ Manual Condition: ☒ Operable ☐ Needs Repair ☐ Unknown			
Color:	Exterior: WHITE	Interior: GRAY	

Interior Details:

Seat Material:	☐ Cloth ☒ Leather ☐ Vinyl	AC Condition:	☒ AC ☐ No AC ☐ Cold ☐ Unknown
Minor Damage:	SEAT RIPS. DIRTY. WEAR AND TEAR. SAYS TIRE PRESSURE SENSOR FAULT.		
Major Damage:	EMERGENCY LIGHTS REMAIN ON TRUCK.		
Power:	☐ Windows ☐ Door Locks ☐ Steering ☐ Seats		
Miscellaneous:	☐ Cruise Control ☐ Tilt Steering ☐ Remote Mirrors		
Radio:	Brand:	☐ AM ☒ AM/FM ☐ Cassette ☐ CD	

Exterior Details:

Windows:	☒ No Cracked Glass ☐ Cracked	Body Damage:	☒ Dents ☐ Scratches ☒ Dings
Minor Damage:	MINOR DENTS AND DINGS. DIRTY. RUST AND HOLES FROM EQUIPMENT IN SOME AREAS.		
Major Damage:	REAR BUMPER ON PASSANGER SIDE IS DENTED.		
Tire Condition:	☒ Good Tread ☐ Low Tread	Flat or Low Tires:	☐ Yes ☐ No How Many?
Emergency Equipment:	☐ None ☐ Removed ☒ Holes in exterior ☐ No holes		
Decals:	☐ None ☐ Sprayed ☐ Removed ☒ Impressions remain ☐ No impressions		

Sale Information:

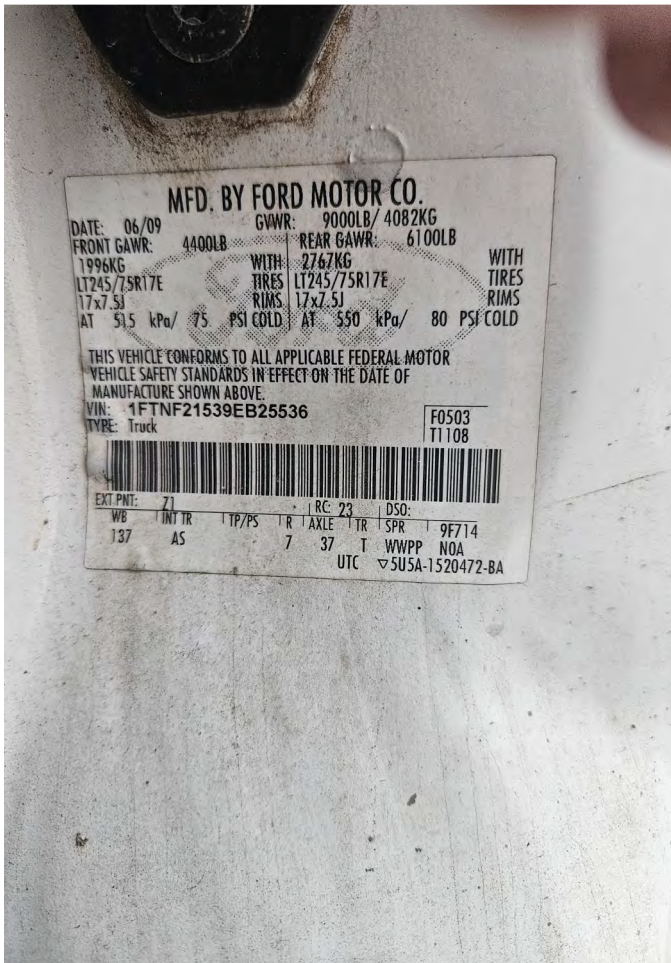
Fair Market Value: \$	Title Restriction:	☐ Yes ☐ No
Seizure: ☐ Yes ☐ No	If yes, Seizure Date:	If yes, Drug Seizure? ☐ Yes ☐ No
Location of Vehicle:	Suggested Minimum Sale Price:	
For more information, contact: JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664		

Department Information:

Your Name: JAMES PHILLIPS	Department: FLEET
Signature: 	Date: 11-22-2024

I.T. Department Use Only:

Inventory ID: _____	Asset Number: _____
Approved by Resolution # _____	Date: _____
Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste	
Listed for Online Auction on: _____	Date Sold: _____ Winning Bid Price: \$ _____





CITY OF LA VERGNE
SURPLUS PROPERTY - VEHICLE FORM

If you have any vehicles that are no longer needed in your department and you wish to sell them as surplus property, please use this form. **Please turn this form and pictures of all four sides and the interior to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval. Please complete all sections.**

Vehicle Description:

Year: 2011	Manufacturer: FORD	Make:	Model: F250
VIN: 1FTBF2A61CEA45364		Mileage: 172460	
Vehicle: ☒ Starts ☐ Starts with a boost and ☒ Runs ☐ Does Not Run ☐ Parts Only			
Engine Size: 6.2 Liter, V-8 ☒ Gasoline ☐ Diesel Condition: ☐ Runs ☐ Needs Repair ☒ Unknown			
Transmission: ☒ Automatic ☐ Manual Condition: ☒ Operable ☐ Needs Repair ☐ Unknown			
Color:	Exterior: WHITE	Interior: GRAY	

Interior Details:

Seat Material:	☐ Cloth ☐ Leather ☒ Vinyl	AC Condition:	☒ AC ☐ No AC ☐ Cold ☐ Unknown
Minor Damage:	SEAT RIPS. DIRTY. WEAR AND TEAR		
Major Damage:			
Power:	☐ Windows ☐ Door Locks ☐ Steering ☐ Seats		
Miscellaneous:	☐ Cruise Control ☐ Tilt Steering ☐ Remote Mirrors		
Radio:	Brand:	☐ AM ☒ AM/FM ☐ Cassette ☐ CD	

Exterior Details:

Windows:	☒ No Cracked Glass ☐ Cracked	Body Damage:	☒ Dents ☐ Scratches ☒ Dings
Minor Damage:	MINOR DENTS AND DINGS. DIRTY. RUST AND HOLES FROM EQUIPMENT IN SOME AREAS.		
Major Damage:			
Tire Condition:	☒ Good Tread ☐ Low Tread	Flat or Low Tires:	☐ Yes ☐ No How Many?
Emergency Equipment:	☐ None ☒ Removed ☒ Holes in exterior ☐ No holes		
Decals:	☐ None ☐ Sprayed ☐ Removed ☒ Impressions remain ☐ No impressions		

Sale Information:

Fair Market Value: \$	Title Restriction:	☐ Yes ☐ No
Seizure: ☐ Yes ☐ No	If yes, Seizure Date:	If yes, Drug Seizure? ☐ Yes ☐ No
Location of Vehicle:	Suggested Minimum Sale Price:	
For more information, contact: JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664		

Department Information:

Your Name: JAMES PHILLIPS	Department: FLEET
Signature: 	Date: 11-22-2024

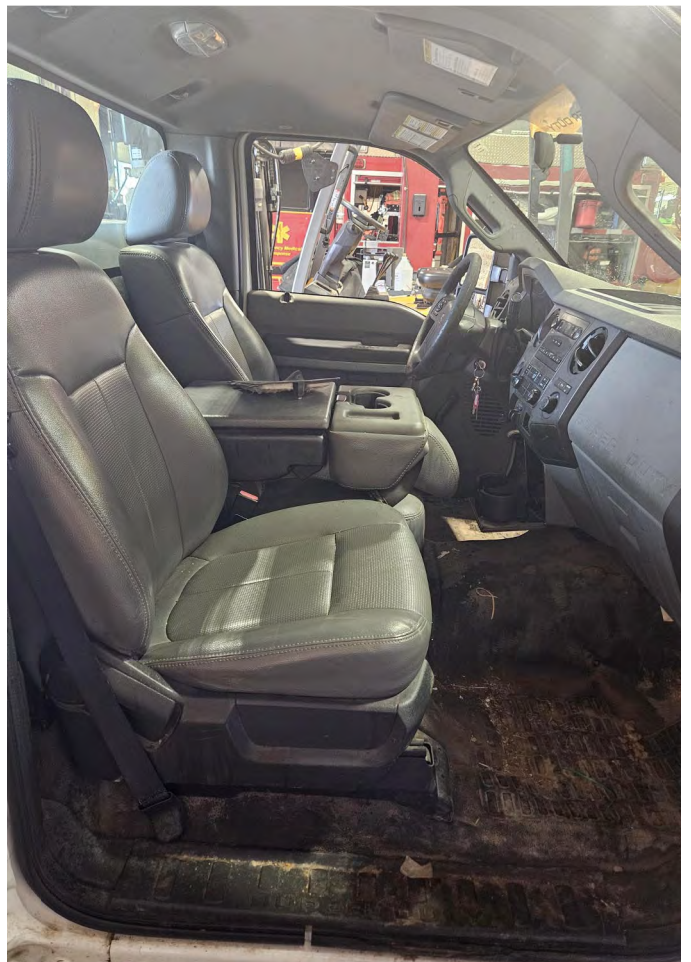
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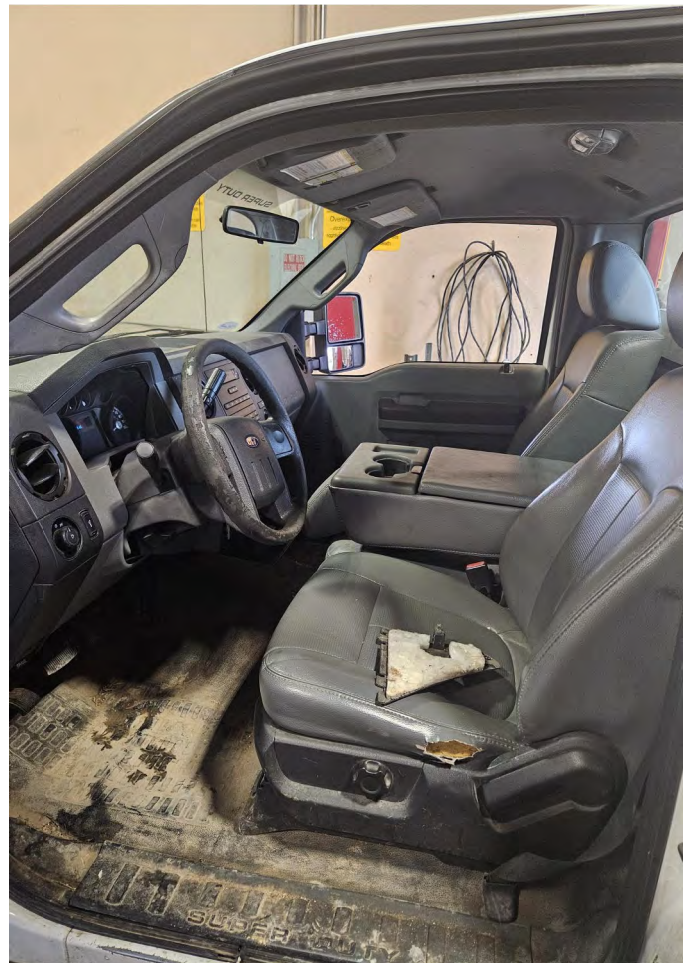
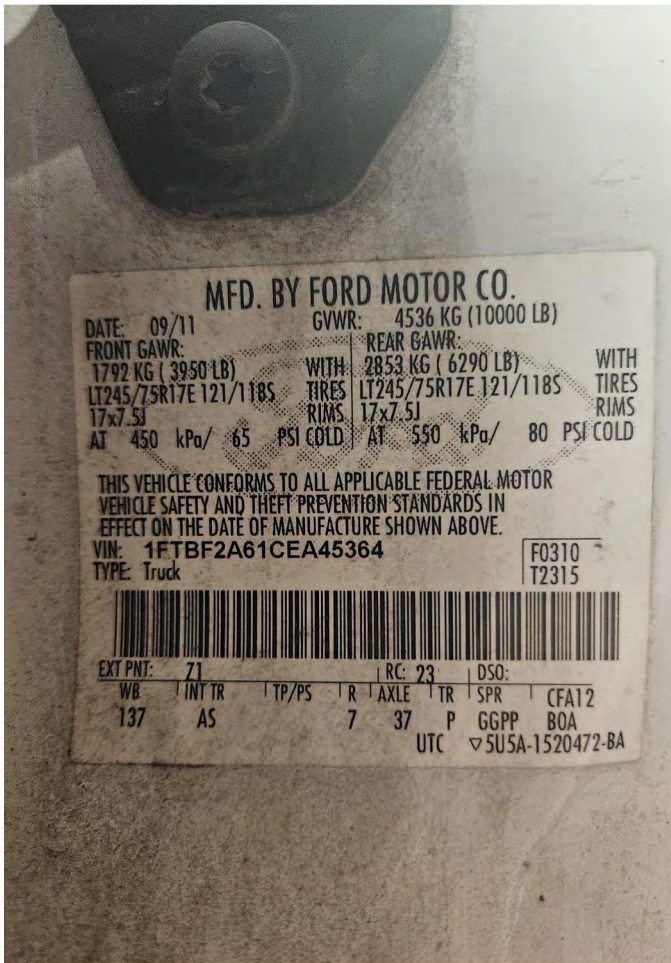
Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____





CITY OF LA VERGNE
GENERAL SURPLUS PROPERTY FORM

If you have any general items that are no longer needed in your department and you wish to sell them as surplus property, please use this form. If you have a vehicle, there is a separate form to fill out. (Please return this form to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval.) **Please complete all sections.**

Item Description:

Year: UNK	Manufacturer: BOSCH	Model #: DCU100
Serial Number: 3824061906415		
Description of Use: ESI TRUCK BIG TRUCK SCAN TOOL		
Color:	GREEN / BLACK	Size (L x W x H): 27" X 18" X 6"
Material:	☐ Cloth ☐ Vinyl ☐ Leather ☒ Metal ☒ Plastic ☐ Wood ☐ Rubber	

Working Condition:

☐ Operable	☐ NOT Operable	☐ Parts Only	☐ Needs Repair	☒ Unknown Condition
# of Hours:	Equipment was maintained every:			☐ Hours ☐ Days
Damage:	☐ Major Damage		☐ Minor Damage	
Explain Damage or Repairs Needed:				

Hazardous Material:

Could this property be a hazard for the city to sell?	☐ Yes	☒ No
If yes, should this property be sold for Scrap or Solid Waste?	☐ Scrap	☐ Solid Waste

Sale Information:

Reason property is no longer needed:	NO LONGER USE. REPLACED
Current Estimated Value:	
Suggested Minimum Sale Price:	
Location of Property:	148 INTERNATIONAL BLVD
For more information, contact:	JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664

Department Information:

Your Name: JAMES PHILLIPS	Department: FLEET
Signature: 	Date: 11-22-2024

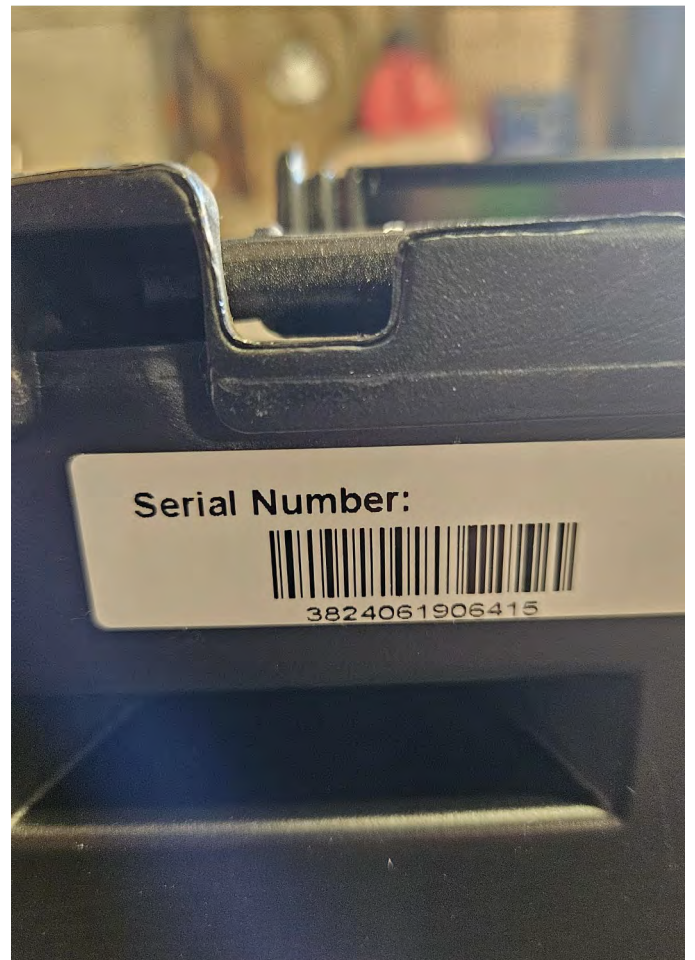
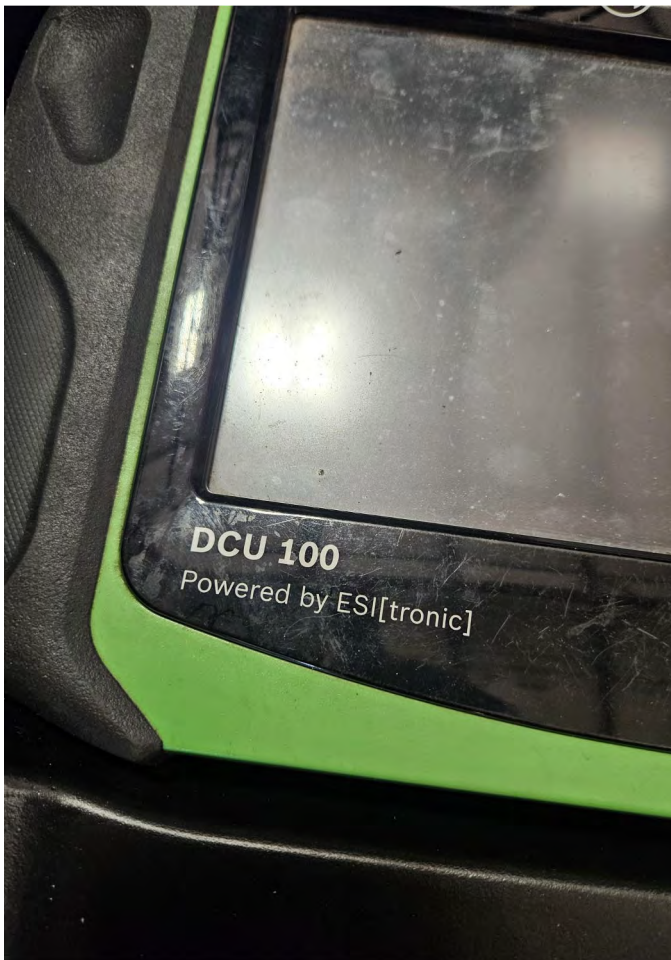
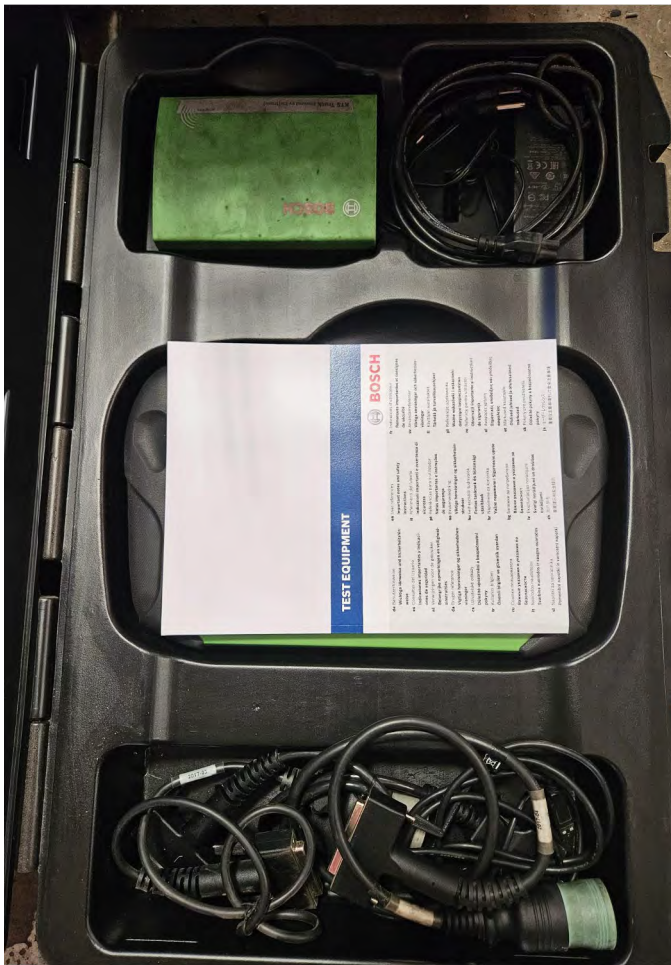
I.T. Department Use Only:

Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____



CITY OF LA VERGNE
GENERAL SURPLUS PROPERTY FORM

If you have any general items that are no longer needed in your department and you wish to sell them as surplus property, please use this form. If you have a vehicle, there is a separate form to fill out. **Please return this form to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval. Please complete all sections.**

Item Description:

Year: UNK	Manufacturer: OREGON	Model #: 511AX
Serial Number: 608518		
Description of Use: CHAINSAW BLADE SHARPENER		
Color: RED / BLACK	Size (L x W x H): 22" X 8" X 17"	
Material:	☐ Cloth ☐ Vinyl ☐ Leather ☒ Metal ☒ Plastic ☐ Wood ☐ Rubber	

Working Condition:

☐ Operable	☐ NOT Operable	☐ Parts Only	☐ Needs Repair	☒ Unknown Condition
# of Hours:	Equipment was maintained every:		☐ Hours	☐ Days
Damage:	☐ Major Damage		☒ Minor Damage	
Explain Damage or Repairs Needed: DIRTY. WEAR AND TEAR				

Hazardous Material:

Could this property be a hazard for the city to sell?	☐ Yes	☒ No
If yes, should this property be sold for Scrap or Solid Waste?	☐ Scrap	☐ Solid Waste

Sale Information:

Reason property is no longer needed:	REPLACED
Current Estimated Value:	
Suggested Minimum Sale Price:	
Location of Property:	148 INTERNATIONAL BLVD
For more information, contact:	JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664

Department Information:

Your Name: JAMES PHILLIPS	Department: STREET
Signature: 	Date: 11-22-2024

I.T. Department Use Only:

Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____



CITY OF LA VERGNE
GENERAL SURPLUS PROPERTY FORM

If you have any general items that are no longer needed in your department and you wish to sell them as surplus property, please use this form. If you have a vehicle, there is a separate form to fill out. **Please return this form to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval. Please complete all sections.**

Item Description:

Year: UNK	Manufacturer: BRADLEY MOWERS	Model #: UNK
Serial Number: 20180900110		
Description of Use: LAWNMOWER BLADE SHARPENER / GRINDER		
Color: RED	Size (L x W x H): 21" X 15" X 32"	
Material:	☐ Cloth ☐ Vinyl ☐ Leather ☒ Metal ☒ Plastic ☐ Wood ☐ Rubber	

Working Condition:

☐ Operable	☐ NOT Operable	☐ Parts Only	☐ Needs Repair	☒ Unknown Condition
# of Hours:	Equipment was maintained every:		☐ Hours	☐ Days
Damage:	☐ Major Damage		☒ Minor Damage	
Explain Damage or Repairs Needed: DIRTY. WEAR AND TEAR				

Hazardous Material:

Could this property be a hazard for the city to sell?	☐ Yes	☒ No
If yes, should this property be sold for Scrap or Solid Waste?	☐ Scrap	☐ Solid Waste

Sale Information:

Reason property is no longer needed:	REPLACED
Current Estimated Value:	
Suggested Minimum Sale Price:	
Location of Property:	148 INTERNATIONAL BLVD
For more information, contact:	JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664

Department Information:

Your Name: JAMES PHILLIPS	Department: STREET
Signature: 	Date: 11-22-2024

I.T. Department Use Only:

Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____



CITY OF LA VERGNE
GENERAL SURPLUS PROPERTY FORM

If you have any general items that are no longer needed in your department and you wish to sell them as surplus property, please use this form. If you have a vehicle, there is a separate form to fill out. **Please return this form to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval. Please complete all sections.**

Item Description:

Year: UNK	Manufacturer: AUTEL	Model #: 908
Serial Number:		
Description of Use: MAXISYS SCAN TOOL		
Color:	RED / BLACK	Size (L x W x H): 24" X 16" X 6"
Material:	☐ Cloth ☐ Vinyl ☐ Leather ☒ Metal ☒ Plastic ☐ Wood ☐ Rubber	

Working Condition:

☐ Operable	☐ NOT Operable	☐ Parts Only	☐ Needs Repair	☒ Unknown Condition
# of Hours:	Equipment was maintained every:		☐ Hours	☐ Days
Damage:	☐ Major Damage	☐ Minor Damage		
Explain Damage or Repairs Needed:				

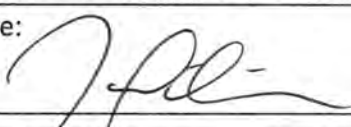
Hazardous Material:

Could this property be a hazard for the city to sell?	☐ Yes	☒ No
If yes, should this property be sold for Scrap or Solid Waste?	☐ Scrap	☐ Solid Waste

Sale Information:

Reason property is no longer needed:	NO LONGER USE. REPLACED
Current Estimated Value:	
Suggested Minimum Sale Price:	
Location of Property:	148 INTERNATIONAL BLVD
For more information, contact:	JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664

Department Information:

Your Name: JAMES PHILLIPS	Department: FLEET
Signature: 	Date: 11-22-2024

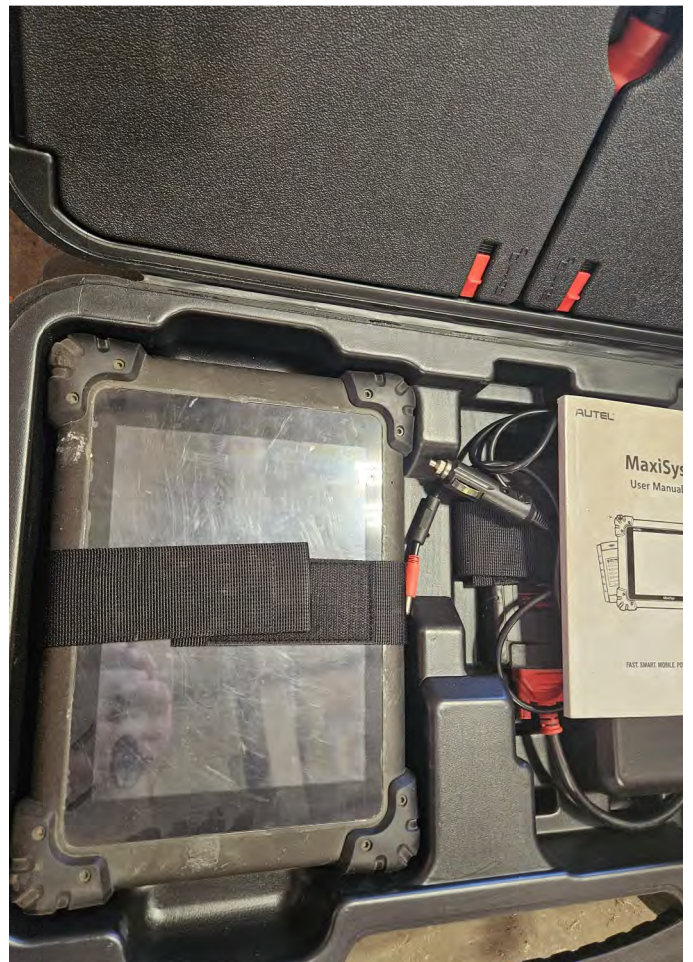
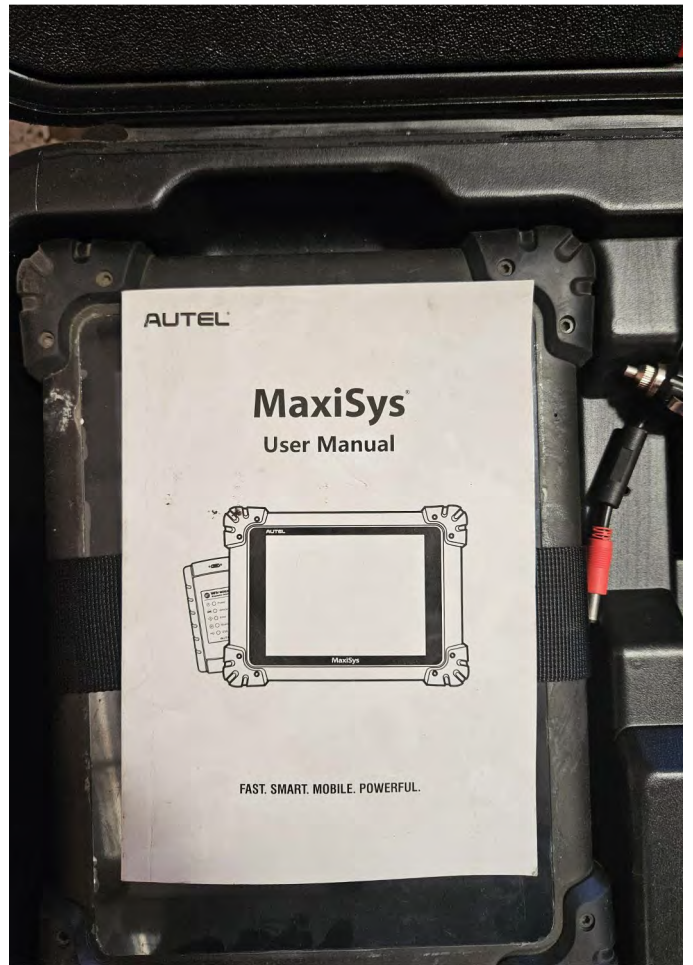
I.T. Department Use Only:

Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____



CITY OF LA VERGNE
GENERAL SURPLUS PROPERTY FORM

If you have any general items that are no longer needed in your department and you wish to sell them as surplus property, please use this form. If you have a vehicle, there is a separate form to fill out. **Please return this form to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval. Please complete all sections.**

Item Description:

Year: UNK	Manufacturer: AUTEL	Model #: TS401
Serial Number:		
Description of Use: MAXI TPMS SCAN TOOL		
Color:	RED / BLACK	Size (L x W x H): 15" X 9" X 3"
Material:	☐ Cloth ☐ Vinyl ☐ Leather ☒ Metal ☒ Plastic ☐ Wood ☐ Rubber	

Working Condition:

☐ Operable	☐ NOT Operable	☐ Parts Only	☐ Needs Repair	☒ Unknown Condition
# of Hours:	Equipment was maintained every:		☐ Hours	☐ Days
Damage:	☐ Major Damage	☐ Minor Damage		
Explain Damage or Repairs Needed:				

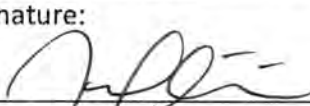
Hazardous Material:

Could this property be a hazard for the city to sell?	☐ Yes	☒ No
If yes, should this property be sold for Scrap or Solid Waste?	☐ Scrap	☐ Solid Waste

Sale Information:

Reason property is no longer needed:	NO LONGER USE. REPLACED
Current Estimated Value:	
Suggested Minimum Sale Price:	
Location of Property:	148 INTERNATIONAL BLVD
For more information, contact:	JAMES PHILLIPS. JPHILLIPS@LAVERGNETN.GOV OR 615-287-8664

Department Information:

Your Name: JAMES PHILLIPS	Department: FLEET
Signature: 	Date: 11-22-2024

I.T. Department Use Only:

Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____



CITY OF LA VERGNE
GENERAL SURPLUS PROPERTY FORM

If you have any general items that are no longer needed in your department and you wish to sell them as surplus property, please use this form. If you have a vehicle, there is a separate form to fill out. Please return this form to both the Purchasing Agent and the City Administrator to have the item(s) placed on the city council agenda for approval. **Please complete all sections.**

Item Description:

Year:	Manufacturer:	Model #:
Serial Number:		
Description of Use: SCRAP METAL DUMPSTER		
Color:	Size (L x W x H):	
Material: ☐ Cloth ☐ Vinyl ☐ Leather ☒ Metal ☐ Plastic ☐ Wood ☐ Rubber		

Working Condition:

☐ Operable	☐ NOT Operable	☐ Parts Only	☐ Needs Repair	☐ Unknown Condition
# of Hours:	Equipment was maintained every:		☐ Hours	☐ Days
Damage:	☒ Major Damage		☐ Minor Damage	
Explain Damage or Repairs Needed: SCRAP METAL				

Hazardous Material:

Could this property be a hazard for the city to sell?	☐ Yes	☒ No
If yes, should this property be sold for Scrap or Solid Waste?	☐ Scrap	☐ Solid Waste

Sale Information:

Reason property is no longer needed:	
Current Estimated Value:	
Suggested Minimum Sale Price:	
Location of Property:	
For more information, contact:	

Department Information:

Your Name:	Department:
Signature: Doug Oakley	Date: 1-16-2025

I.T. Department Use Only:

Inventory ID: _____ Asset Number: _____

Approved by Resolution # _____ Date: _____

Disposition of Property: ☐ Online Auction ☐ Sold for Scrap ☐ Disposed as Solid Waste

Listed for Online Auction on: _____ Date Sold: _____ Winning Bid Price: \$ _____







ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 15.A. Beautification and Arts Advisory Committee. (One term is vacant.)

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: None

Summary:

This is an item regarding the appointment of a resident to the Beautification and Arts Advisory Committee.

Background Information:

Beautification and Arts Advisory Committee Appointed by Mayor; Confirmed by Council - 4 Year Terms		
Name	Appointed	Term Expires
Kara Hobbs - Alderman - Chairman	December 2022	Term of Office
Daffany Baker	March 2023	April 30, 2025
Anne Marie Carter	December 2022	April 30, 2026
Tabatha Howard	May 2022	April 30, 2027
Vacant (Alfred "Al" Lane)		April 30, 2025
Laura Ward	June 2023	April 30, 2028
Dianne Zahnle	May 2022	April 30, 2026

We have one vacancy on this committee. We have been advertising this position on Channel 3 and Social Media, but have not received any applications. If I do not receive any applications by Tuesday, February 4, 2025, I will remove this item from the agenda.

Financial Summary:

N/A

Staff Recommendation:

N/A



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 15.B. Board of Zoning Appeals. (One term expires 1/31/2025.)

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: None

Summary:

This is an item regarding appointments to the Board of Zoning Appeals.

Background Information:

Board of Zoning Appeals Appointed by Mayor; Confirmed by City Council - 4 Year Terms		
Name	Appointed	Term Expires
Graeme Coates - Chairman	February 2011	January 31, 2028
Craig Pollock	October 2011	January 31, 2028
Justin Greer	May 2024	January 31, 2026
Charles Jones	July 2021	January 31, 2025
Terrence Smith	February 2021	January 31, 2027

The term for Charles Jones will expire at the end of January 2025. He would like to stay on this board. We have been advertising the position on social media and Channel 3, but have not received any applications.

Current Applicant:

1. Charles Jones

Financial Summary:

N/A

Staff Recommendation:

N/A



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 15.C. Construction Board of Adjustment and Appeals. (Two terms expire 1/31/2025.)

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: None

Summary:

This is an item regarding appointments to the Construction Board of Adjustment and Appeals.

Background Information:

Construction Board of Adjustment and Appeals Appointed by City Council - 4 Year Terms		
Name	Appointed	Term Expires
David Waldron - Chairman	February 1995	January 31, 2028
Felicia Anderson	June 2006	January 31, 2026
Theresa Hesse	October 2014	January 31, 2027
Lance Lee	March 2020	January 31, 2025
Jeff Moss	May 2022	January 31, 2027
Tammy Russell	February 2021	January 31, 2025
John Rutledge	June 2020	January 31, 2028

The terms for Lance Lee and Tammy Russell will expire at the end of January 2025. We have contacted them and they would both like to remain on this board. We have been advertising these positions on social media and Channel 3, but we have not received any other applicants.

Current Applicants:

1. Lance Lee

2. Tammy Russell

Financial Summary:

N/A

Staff Recommendation:

N/A



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 15.D. Parks & Recreation Advisory Committee. (Two terms expire 1/31/2025.)

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: None

Summary:

This is an item regarding appointments to the Parks and Recreation Advisory Committee.

Background Information:

Parks and Recreation Advisory Committee Appointed by Mayor; Confirmed by City Council - 4 Year Terms		
Name	Appointed	Term Expires
Steve Noe - Vice-Mayor - Chairman	November 2018	Term of Office
Felicia Anderson	October 2021	May 31, 2027
Laura Davidson	March 2021	January 31, 2025
Chuck Isbell	November 2021	December 31, 2026
Kevin Oliver	July 2024	December 31, 2025
Jiles Perry	March 2021	January 31, 2025
Mary Jane Skinner	October 2024	May 31, 2027

The terms for Laura Davidson and Jiles Perry will expire at the end of January 2025. Jiles Perry would like to remain on this committee, but Laura Davidson would like to come off the committee. We have been advertising these positions on social media and Channel 3, but have not received any applications.

Current Applicant:

- Jiles Perry

Financial Summary:

N/A

Staff Recommendation:

N/A



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 16. First Reading - **Ordinance #2025-06** - An Ordinance to Amend the City of La Vergne Fee Schedule Regarding Impact Fees.

Department: City Administrator

Presented By: Bruce Richardson

Item Attachments: 1. Impact Fees - Proposed Changes

Summary:

This is an ordinance that will amend the road impact fees for the City.

Background Information:

Staff was asked to look at possible changes to the road impact fees in order to be more in line with other cities so that La Vergne is not at a disadvantage when it comes to recruiting retail businesses. Attached is a spreadsheet that shows what our current impact fees are and the proposed changes to the road impact fees. On the last page, there is a comparison of La Vergne fees to other cities and shows what those differences would be for the different assessment rates that La Vergne could consider going to for the road impact fees only. The fire, police and parks impact fees would not change.

Financial Summary:

N/A at this time.

Staff Recommendation:

N/A at this time.

CITY OF LA VERGNE IMPACT FEES

<u>Impact Fee</u>	<u>Current with CPI Increase</u>	
* Fire Impact Fees	Maximum Fee per Unit	100% Assessment Rate
<i>Land Use Type (Unit)</i>		
- Day Care Center (per 1,000 sf)	\$63	\$63
- Elementary/High School (per 1,000 sf)	\$63	\$63
- Hospital (per 1,000 sf)	\$63	\$63
- Industrial (per 1,000) sf	\$44	\$44
- Mini-Warehouse (per 1,000 sf)	\$18	\$18
- Mobile Home Park (per Pad)	\$193	\$193
- Multi-Family (per Dwelling)	\$161	\$161
- Nursing Home (per 1,000 sf)	\$63	\$63
- Office/Institutional (per 1,000 sf)	\$102	\$102
- Place of Worship (per 1,000 sf)	\$63	\$63
- Retail/Commercial (per 1,000 sf)	\$106	\$106
- Single-Family Detached (per Dwelling)	\$213	\$213
- Warehouse (per 1,000 sf)	\$18	\$18
* Park Impact Fee	Maximum Fee per Unit	100% Assessment Rate
<i>Land Use Type (Unit)</i>		
- Mobile Home Park (per Pad)	\$1,190	\$1,190
- Multi-Family (per Dwelling)	\$981	\$981
- Single-Family Detached (per Dwelling)	\$1,307	\$1,307
* Police Impact Fees	Maximum Fee per Unit	100% Assessment Rate
<i>Land Use Type (Unit)</i>		
- Day Care Center (per 1,000 sf)	\$166	\$166
- Elementary/High School (per 1,000 sf)	\$166	\$166
- Hospital (per 1,000 sf)	\$166	\$166
- Industrial (per 1,000) sf	\$117	\$117
- Mini-Warehouse (per 1,000 sf)	\$49	\$49
- Mobile Home Park (per Pad)	\$508	\$508
- Multi-Family (per Dwelling)	\$421	\$421
- Nursing Home (per 1,000 sf)	\$166	\$166
- Office/Institutional (per 1,000 sf)	\$270	\$270
- Place of Worship (per 1,000 sf)	\$166	\$166
- Retail/Commercial (per 1,000 sf)	\$279	\$279
- Single-Family Detached (per Dwelling)	\$561	\$561
- Warehouse (per 1,000 sf)	\$49	\$49

Impact Fee	Current with CPI Increase		Maximum Per Study	Proposed Rate
* Road Impact Fees	Maximum Fee per Unit	100% Assessment Rate	Maximum Fee per Unit	70% Assessment Rate
Land Use Type (Unit)				
- Day Care Center (per 1,000 sf)	\$4,617	\$4,617	\$4,514	\$3,160
- Elementary/High School (per 1,000 sf)	\$1,739	\$1,739	\$1,700	\$1,190
- Hospital (per 1,000 sf)	\$4,334	\$4,334	\$4,237	\$2,966
- Industrial (per 1,000) sf	\$2,108	\$2,108	\$2,061	\$1,443
- Mini-Warehouse (per 1,000 sf)	\$941	\$941	\$920	\$644
- Mobile Home Park (per Pad)	\$2,517	\$2,517	\$2,461	\$1,723
- Multi-Family (per Dwelling)	\$3,684	\$3,684	\$3,602	\$2,521
- Nursing Home (per 1,000 sf)	\$2,644	\$2,644	\$2,585	\$1,810
- Office/Institutional (per 1,000 sf)	\$5,599	\$5,599	\$5,474	\$3,832
- Place of Worship (per 1,000 sf)	\$2,807	\$2,807	\$2,744	\$1,921
- Retail/Commercial (per 1,000 sf)	\$7,421	\$7,421	\$7,255	\$5,079
- Single-Family Detached (per Dwelling)	\$4,752	\$4,752	\$4,646	\$3,252
- Warehouse (per 1,000 sf)	\$1,089	\$1,089	\$1,065	\$746

Total Proposed Impact Fees		100%	100%	100%	70%	
Land Use Type (Unit)	Fire	Park	Police	Road	Total	
- Day Care Center (per 1,000 sf)	\$63		\$166	\$3,160	\$3,389	
- Elementary/High School (per 1,000 sf)	\$63		\$166	\$1,190	\$1,419	
- Hospital (per 1,000 sf)	\$63		\$166	\$2,966	\$3,195	
- Industrial (per 1,000) sf	\$44		\$117	\$1,443	\$1,604	
- Mini-Warehouse (per 1,000 sf)	\$18		\$49	\$644	\$711	
- Mobile Home Park (per Pad)	\$193	\$1,190	\$508	\$1,723	\$3,614	
- Multi-Family (per Dwelling)	\$161	\$981	\$421	\$2,521	\$4,084	
- Nursing Home (per 1,000 sf)	\$63		\$166	\$1,810	\$2,039	
- Office/Institutional (per 1,000 sf)	\$102		\$270	\$3,832	\$4,204	
- Place of Worship (per 1,000 sf)	\$63		\$166	\$1,921	\$2,150	
- Retail/Commercial (per 1,000 sf)	\$106		\$279	\$5,079	\$5,464	
- Single-Family Detached (per Dwelling)	\$213	\$1,307	\$561	\$3,252	\$5,333	
- Warehouse (per 1,000 sf)	\$18		\$49	\$746	\$813	

Example Impact Fees for Retail		Fire	Park	Police	Road	Total
Building Size:	30,000	\$3,180		\$8,370	\$152,355	\$163,905

Comparison with other Municipalities - For 30,000 sq. ft. Commercial Building

Municipality	Current Rate / Thousand	Current Total	Current Difference	Total at 70% Road Rate	Difference	Total at 65% Road Rate	Difference	Total at 60% Road Rate	Difference
La Vergne	\$7,806	\$234,180	\$0	\$163,905	\$0	\$153,030	\$0	\$142,140	\$0
Brentwood	\$9,870	\$296,100	\$61,920		\$132,195		\$143,070		\$153,960
Smyrna	\$5,879	\$176,370	(\$57,810)		\$12,465		\$23,340		\$34,230
Nolensville	\$2,668	\$80,040	(\$154,140)		(\$83,865)		(\$72,990)		(\$62,100)
Spring Hill	\$5,710	\$171,300	(\$62,880)		\$7,395		\$18,270		\$29,160
Murfreesboro	\$5,030	\$150,900	(\$83,280)		(\$13,005)		(\$2,130)		\$8,760

*(Red) means lower than La Vergne; Black means higher than La Vergne.

La Vergne Impact Fee Rates for Retail/Commercial				
	Current	70% Roads*	65% Roads*	60% Roads*
Roads	\$7,421	\$5,079	\$4,716	\$4,353
Fire (100%)	\$106	\$106	\$106	\$106
Police (100%)	\$279	\$279	\$279	\$279
Total	\$7,806	\$5,464	\$5,101	\$4,738

* Reduced amounts are based on study maximums - no CPI adjustments included.



ITEM REPORT
Board of Mayor and Aldermen
Meeting Date: January 30, 2025

Item #: 17. Motion to Approve a Non-Binding Letter of Intent Concerning the Proposed Purchase and Sale of the Property Located at 5175 Murfreesboro Road from Guernsey Holdings ZRC Propco LLC.

Department: Legislative

Presented By: Jason Cole

Item Attachments: 1. Letter of Intent

Summary:

This is an item to approve a LOI from Guernsey Holdings ZRC Propco LLC to purchase the existing Stormwater property that is located at 5175 Murfreesboro Road.

Background Information:

At the September 2021 meeting, the Board approved a Resolution authorizing the Mayor to enter into a contract for the sale and lease of the Stormwater Building located at 5175 Murfreesboro Road. A letter of intent from D7-5, LLC was approved, but that agreement was eventually terminated by the buyer. In March 2023, the city approved an agreement with Noon La Vergne Marketplace, LLC to purchase this property. That agreement was also eventually terminated by the buyer.

The city has received a letter of intent from Guernsey Holdings ZRC Propco, LLC to purchase this property. The proposed purchase price is \$1,050,000. The most recent appraisal that the city completed in December 2023, placed the value of that property at \$1,050,000.

Financial Summary:

The proposed purchase price is \$1,050,000, which would go toward the Stormwater Fund portion of the construction costs of the new Public Works and Community Development Services Facility.

Staff Recommendation:

Staff recommends approval.

**NON-BINDING LETTER OF INTENT
CONCERNING PROPOSED PURCHASE AND SALE**

1/16/2025

The Honorable Jason B. Cole
City of La Vergne, TN
5093 Murfreesboro Road
La Vergne, TN 37086
Via Email: jcole@laveragnetn.gov

RE: Approximately .74 acres m.o.l. of land located at 5175 Murfreesboro Rd, La Vergne, TN 37086 – a portion of Rutherford County, TN and generally depicted on **Exhibit “A”** attached hereto (the “Property”).

We are pleased to present to you with this Letter of Intent that sets forth the conditions upon which **Guernsey Holdings ZRC Propco LLC and/or assigns** (“Purchaser”) is willing to negotiate a Purchase and Sale Agreement for the above-referenced Property. Purchaser is planning to develop a new franchised Zaxby’s quick service restaurant on the Property. This Letter of Intent is not intended to be a binding contract but is intended only to provide the basis for negotiations for an enforceable Purchase and Sale Agreement to be negotiated hereafter (the “Agreement”) between Purchaser and **[City of La Vergne, TN]** (“Seller”).

PROPERTY:	Approximately .74 acres m.o.l. of land, as more clearly defined per Exhibit A .
PURCHASE PRICE:	\$1,050,000.00
EARNEST MONEY:	Ten Thousand and No/100 Dollars (\$10,000) completely refundable until the expiration of the Approval Period.
INSPECTION PERIOD:	Purchaser shall have Ninety (90) days after the Effective Date of the Agreement (the “Inspection Period”) to approve all matters relating to the feasibility of Purchaser’s intended use of the Property, including but not limited to: survey, title, environmental report(s), soils report, physical inspection of the Property, acceptable ingress & egress, cross access with adjacent drives and/or properties, availability of utilities, and approval of the Property by Zaxby’s SPE Franchisor. If Purchaser is not satisfied with the results of such analysis and/or investigation for any reason whatsoever, Purchaser may terminate the Agreement and receive a full refund of the Earnest Money.

APPROVAL PERIOD: Purchaser shall have One Hundred and Eighty (180) days from the end of the Inspection Period to obtain all development, building, ingress & egress, drive-through authorization, access points, signage and all other required municipal & government permits and the approval of the site plan by Zaxby's SPE Franchisor, LLC. Purchaser shall have the right to extend the Approval Period for Two (2) additional Thirty (30) day periods. Purchaser will make an Additional Deposit at the time of each extension of \$5,000. Additional Deposit(s) will be non-refundable unless Purchaser does not receive approval of its Development Plan and Construction Plans. All deposits are applicable to Purchase Price.

CONTINGENCY: Purchaser requires a minimum of 1.0 acre m.o.l. for a planned new restaurant development. Within five (5) days following the effective date of the Agreement, Seller agrees to make introductions to the existing landowner/developer of the contiguous parcel pertaining to the adjacent planned Publix development ("Adjacent Developer"). It is understood that in the absence of the ability to acquire additional property from the Adjacent Developer, Purchaser will not be obligated to purchase the Property.

CLOSING DATE: Thirty (30) days after expiration of the Approval Period.

TITLE COMPANY: Fidelity National Title Insurance Company
1 E. Washington Street, Suite 450
Phoenix, Arizona 85004
Attn: Michelle Burton
Email: michelle.burton@fnf.com

SURVEY: Purchaser may obtain at its own expense, a survey specific to the Property based upon the ALTA/NSPS Survey requirements for ALTA/NSPS Land Title Survey requirements, effective 2/23/2016, which survey is certified to Purchaser and the Title Company (the "Survey").

SELLER'S INFORMATION: Within Ten (10) days of the effective date of the Agreement, Seller shall deliver the following to Purchaser: Seller's existing survey of the Property, the current form of any and all current or proposed CC&Rs, ECRs, REAs, and similar documents concerning the Property, metes & bounds or

similar description, and all other environmental, soil, engineering, geotechnical, and flood studies, reports, letters and tests concerning the Property in Seller's possession.

CLOSING COSTS: Real property taxes and assessments will be prorated to the date of Closing.

UTILITIES: It is understood that all usual and customary utilities are presently available to the Property, which shall be confirmed by Purchaser during the Inspection Period.

SELLERS WORK: Seller shall deliver the Property as-is, but shall remove all personal property located within the existing improvements. Salvage rights with respect to any improvements and fixtures on the Property shall belong to Purchaser.

ENVIRONMENTAL TESTING: Seller will provide Purchaser any environmental studies in its possession. Furthermore, Purchaser may at its option conduct geotechnical soil analysis. After making the tests and inspections contemplated by this Section, Purchaser shall restore the Property to its condition prior to such tests and inspections, reasonable wear and tear excepted. Purchaser hereby agrees to indemnify, defend, protect and hold Seller harmless from and against any loss, liability, claim, damage, cost or expense (including reasonable attorneys' fees) in connection with such tests and inspections performed by Purchaser and/or Purchaser's contractors, subcontractors, employees and agent(s). If the environmental testing recommends that the site be remediated of any environmental hazards, Purchaser, in its sole discretion, shall have the option to terminate the Agreement and receive all Earnest Money deposited with Title Company.

DELIVERABLES AT CLOSING: Seller shall, at its expense, deliver the following to Purchaser at Closing: General Warranty Deed.

ACCESS RIGHTS: During the inspection period, Seller shall grant Purchaser access to the Property at all reasonable times for the purposes of inspecting the Property (including performing environmental tests or audits and such other inspections as

Purchaser may reasonably determine necessary, using such inspection consultants and firms as Purchaser may elect, in Purchaser's discretion). After making the tests and inspections contemplated by this Section, Purchaser shall restore the Property to its condition prior to such tests and inspections, reasonable wear and tear excepted. Purchaser hereby agrees to indemnify, defend, protect and hold Seller harmless from and against any loss, liability, claim, damage, cost or expense (including reasonable attorneys' fees) in connection with such tests and inspections performed by Purchaser and/or Purchaser's contractors, subcontractors, employees and agent(s).

GOVERNING LAW:

The validity, construction and effect of the Agreement and this Letter of Intent and any and all extensions and/or modifications thereof shall be governed by the laws of the State of Tennessee.

NO INDEMNIFICATION BY SELLER:

Pursuant to Tennessee Attorney General Opinion 93-01, the Seller will not indemnify, defend or hold harmless in any fashion the Purchaser.

VENUE:

Any action between the parties arising from this agreement shall be maintained in the courts of Rutherford County, Tennessee.

Nothing contained in this proposal should be considered binding on either the Seller or the Purchaser. If the terms outlined above meet with your approval, please sign and return this Letter of Intent within five (5) days and the Purchaser shall prepare the Agreement for Seller's review.

[SIGNATURE PAGE TO FOLLOW]

Very truly yours,

PURCHASER:
GUERNSEY HOLDINGS ZRC PROPCO LLC,
a Delaware limited liability company



By: _____
Name: Will Manderscheid
Title: Director of Development

ACCEPTED AND AGREED TO
this _____ day of January, 2025

SELLER:
CITY of LA VERGNE

By: _____
Name: _____
Title: _____

ACCEPTED AND AGREED TO
this _____ day of January, 2025

EXHIBIT "A"
to
LETTER OF INTENT

DEPICTION OF THE PROPERTY

[INSERT]