



Special Called Meeting
Board of Commissioners

March 7, 2024

6:30 PM

City Hall - Massie Chambers

Agenda:

1. Call to order by the Mayor

Prayer

Pledge of Allegiance

2. Roll call by the Recorder.

3. Approval of minutes.

- a. Reading of the February 8th regular meeting of the Board of Commissioners by the Recorder for approval or correction.

4. Comments from citizens.

5. Comments of the City Manager and staff.

6. Reports and comments from committees, members of the Board of Commissioners and other officers.

7. Consent agenda items.

8. Unfinished Business.

9. New Business.

- a. Consider Ordinance 24-1080, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2023-2024 budget, passed by Ordinance 23-1064. **FIRST READING**

- b. Consider Ordinance 24-1081, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by removing the INT Interchange Overlay from a corner property on Moss Trail and Rivergate Parkway. **FIRST READING**
- c. Consider Resolution 24-1196, a resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee authorizing the City Manager to provide official notice to the Government of Sumner County, Tennessee that the city will no longer collect County Adequate Facility Tax funds effective May 1, 2024.
- d. Consider Resolution 24-1197, a resolution authorizing the execution of an inter-local agreement between the City of Goodlettsville and the Metropolitan Government of Nashville and Davidson County, Tennessee in reference to operation, maintenance of traffic signalization equipment.
- e. Consider Resolution 24-1198, a resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee amending certain fees as it relates to the Parks and Recreation Department.
- f. Consider Resolution 24-1199, a resolution authorizing the City Manager to provide official notice of the City of Goodlettsville's intent to terminate its Fire Department Mutual Aid Agreement with the City of Millersville effective July 1, 2024.
- g. Consider Resolution 24-1200, a resolution approving a joint application along with the City of Gallatin, Tennessee and the City of Hendersonville, Tennessee for a Fire Prevention and Safety Program Grant from the U.S. Department of Homeland Security for the purpose of initial Emergency Medical Services Training and Backfill Staffing.
- h. Consider Resolution 24-1201, a resolution declaring certain property surplus to the needs of the City of Goodlettsville and calling for its disposal by online auction or any other reasonable manner.
- i. Consider Resolution 24-1202, a resolution of the City of Goodlettsville Board of Commissioners authorizing the creation of the City of Goodlettsville Redevelopment Grant program and the Goodlettsville Tenant Incentive Grant program and empowers the City of Goodlettsville Industrial Development Board with receiving applications and awarding said grants.
- j. Consider Resolution 24-1203, a resolution of the City of Goodlettsville Board of Commissioners amending the City of Goodlettsville Personnel Policy and Procedures Manual.

10. Adjournment.

For more information regarding this agenda, please contact the city recorder by email
at: abaker@goodlettsville.gov

A government committed to operating with efficiency and integrity in all we do as we strive to
enhance the quality of life for the community we serve.

105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212
www.goodlettsville.gov



February 8, 2024 Board of Commissioners 6:30 PM City Hall - Massie Chambers

Minutes:

Present: Jimmy D. Anderson, Jennifer Duncan, Stuart Huffman, Rusty Tinnin, and Zach Young.

Absent: None.

Also Present: Tim Ellis, Allison Baker, Sarah Jennings, Addam McCormick, Gary Goodwin, Kimberly Lynn, Julie High, Larry DiOrio, Shane Toll, Mary Laine Hucks, Jan Lanius, Ken Reeves and Russell Freeman.

Mayor Rusty Tinnin called the meeting. Pastor Toby Swager offered prayer and Mayor Tinnin led the chambers in the pledge of allegiance.

City Recorder Allison Baker called the roll: Mayor Tinnin present, Vice Mayor Duncan present, Commissioner Anderson present, Commissioner Huffman present, Commissioner Young present.

Consider the minutes of the January 11, 2024 regular meeting of the Board of Commissioners by the Recorder for approval or correction. Commissioner Huffman made a motion to approve minutes as written. Vice Mayor Duncan seconded the motion and motion passed 5-0.

Comments from citizens.

Comments of the City Manager and staff.

City Manager Tim Ellis recognized Parks Director Sarah Jennings as she graduated from the University of Tennessee Certified Public Manager program. He also recognized two officers that received awards through the Tennessee Highway Safety Office. Officer William Monaghan received the 2023 DUI Officer of the Year and Officer Rico Jones received the 2023 Speed Enforcement Award. City Manager Ellis stated it doesn't look like we will have a quorum for the March 14th regularly scheduled Commission meeting and recommended moving the meeting to March 7th. He updated the Board regarding the Main Street project and stated a utility relocation meeting was held that morning and we should see work begin within 30 days.

Reports and comments from committees, members of the Board of Commissioners and other officers.

Commissioner Jimmy D. Anderson thanked all City departments for their work during the snow storm. He also stated that over the past couple of years working over at the Fire Hall, he has

seen the call volume go way up. He stated our engine did 460 runs in the last year and is the fifth busiest engine in Davidson County. He presented a Resolution to the Board to hire three full time firefighters. He feels these additions will help each shift.

City Manager Ellis recommended seeing if there is unanimous consent to be added to the agenda and then take up conversation and discussion. Commissioner Young asked if we had to advertise this since we will be amending the budget. City Manager Ellis answered that written in the resolution the board would acknowledge a budget amendment would be required. This resolution would authorize the hiring of the firefighters. There was discussion.

Commissioner Young made a motion to add Resolution 24-1195, a resolution approving the creation of three full-time firefighter/emergency medical technician positions within the Goodlettsville Fire Department effective upon passage of this resolution to the agenda. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to add Resolution 24-1195 to the end of the agenda.

Consent agenda items.

Consider Unfinished Business.

Consider Ordinance 24-1079, an ordinance calling for the election of three City Commission seats set to expire in November of this year, second reading. Commissioner Huffman made a motion to consider Ordinance 24-1079. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 24-1079.

Consider New Business.

Consider Resolution 24-1193, a resolution to ratify the membership and appointments to the Planning Commission and Board of Zoning and Sign Appeals. Vice Mayor Duncan made a motion to consider Resolution 24-1193. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 24-1193.

Consider Resolution 24-1194, a resolution authorizing the City of Goodlettsville, Tennessee to participate in the James L. Richardson "Driver Safety" Matching Grant Program. Commissioner Anderson made a motion to consider Resolution 24-1194. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 24-1194.

Consider Resolution 24-1195, a resolution approving the creation of three full-time firefighter/emergency medical technician positions within the Goodlettsville Fire Department effective upon passage of this resolution. Vice Mayor Duncan made a motion to consider Resolution 24-1195. Commissioner Huffman seconded the motion. Commissioner Young asked if this Resolution had support from the City Manager and the Finance Director that we can commit to nearly \$300,000 in additional expenditures. City Manager Ellis stated he was fine with it. He said he would prefer to do it through the budget process. He said this would probably be recommended in the next budget process as well as additional police staff. There was additional discussion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 24-1195.

With no further business, Commissioner Young made a motion to adjourn. Vice Mayor Duncan seconded the motion. The meeting adjourned at approximately 6:48 pm with a 5-0 vote.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> ORDINANCE 24-1080 An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2023-2024 budget, passed by Ordinance 23-1064. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Assistant City Manager	Agenda Item: ORDINANCE 24-1080 Dept. of Origin: Administration For Agenda of: March 7, 2024 Originator: Tim Ellis Cost of Item: See Financial Summary
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AGENDA ITEM ATTACHMENTS:

Ordinance 24-1080

SUMMARY STATEMENT:

An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2023-2024 budget, passed by Ordinance 23-1064.

FINANCIAL SUMMARY:

Sanitation Fund Insurance Proceeds (Increase)	(\$8,000)
Sanitation Fund Capital Expenditures (Increase)	\$8,000
General Fund Unrestricted Fund Balance (Decrease)	(\$86,000)
General Fund Fire Department Salaries (Increase)	\$54,000
General Fund Fire Payroll Taxes (Increase)	5,000
General Fund Fire TCRS (Increase)	9,000
General Fund Fire Employee Health Insurance (Increase)	18,000

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 24-1080.

ORDINANCE NO. 24-1080

AN ORDINANCE OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING THE FISCAL YEAR 2023-2024 BUDGET, PASSED BY ORDINANCE #23-1064

WHEREAS, the City of Goodlettsville adopted the fiscal year 2023-2024 budget by passage of Ordinance #23-1064 on May 11, 2023; and

WHEREAS, pursuant to the Tennessee state constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, the City has received insurance proceeds due to a fire at the public works facility recycling station; and there is a need to expend funds for unbudgeted repairs; and

WHEREAS, the City's Board of Commissioners approved the creation of three full-time firefighter/emergency medical technician positions by passage of Resolution #24-1195; and

WHEREAS, the City needs to amend the FY 2023-2024 budget for four months of salaries and related payroll expenses for the three positions.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2023-2024 BUDGET AS FOLLOWS:

Sanitation Fund Insurance Proceeds (Increase)		(\$8,000)
Sanitation Fund Capital Expenditures (Increase)	\$8,000	
General Fund Unrestricted Fund Balance (Decrease)		(\$86,000)
General Fund Fire Department Salaries (Increase)	\$54,000	
General Fund Fire Payroll Taxes (Increase)	5,000	
General Fund Fire TCRS (Increase)	9,000	
General Fund Fire Employee Health Insurance (Increase)	18,000	

THIS ORDINANCE SHALL TAKE EFFECT FIFTEEN DAYS AFTER ITS FINAL ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Mayor Rusty Tinnin

Passed first reading:_____

City Recorder
Approved as to form and legality.

Passed second reading:_____

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> ORDINANCE 24-1081 An ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by removing the INT Interchange Overlay from a corner property on Moss Trail and Rivergate Parkway. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Sr. Director of Community Development	Agenda Item: ORDINANCE 24-1081 Dept. of Origin: Planning For Agenda of: March 7, 2024 Originator: Addam McCormick Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 24-1081

SUMMARY STATEMENT:

An ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by removing the INT Interchange Overlay from a corner property on Moss Trail and Rivergate Parkway

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Planning Commission and staff recommend approval of Ordinance 24-1081.

ORDINANCE NO. 24-1081

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF GOODLETTSVILLE ADOPTED PER ORDINANCE 15-851 BY REMOVING THE INT INTERCHANGE OVERLAY FROM A CORNER PROPERTY ON MOSS TRAIL AND RIVERGATE PARKWAY

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to dividing the city into zones and districts restricting and regulating therein the location, construction, and use of commercial buildings, structures; and,

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to protecting the character and maintain the stability of business, commercial within the city, and to promote the orderly and beneficial development of such areas; and,

WHEREAS, the CSL, Commercial Services Limited base zoning and the CCO, Commercial Core Overlay will remain on the property with the removal of the INT Interchange Overlay; and,

WHEREAS, the Goodlettsville Planning Commission has reviewed and discussed this proposed amendment and voted on February 5, 2024 to recommend its passage to the Board of Commissioners based on the property location in relation to the I-65 Exit 96 interchange and the property size and dimensions limits the permitted Interchange Overlay uses on the property and,

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, AS FOLLOWS:

SECTION 1. That the Official Zoning Map adopted by Ordinance No. 15-851 entered on second reading on November 12, 2015 being the municipal zoning map of Goodlettsville, Tennessee, be and the same is hereby amended as follows:

By changing the property classification with the removal of the INT Interchange Overlay for the referenced portion property attached as "EXHIBIT A" and described as follows:

THE 0.67 ACRE PROPERTY AT 458 MOSS TRIAL REFERENCED AS MAP 26 PARCEL 9003800 SHOWN IN THE RECORDS OF THE ASSESSOR OF PROPERTY OF DAVIDSON COUNTY, TENNESSEE.

SECTION 2. That the Commissioners of the City of Goodlettsville, Tennessee, hereby certify that this Ordinance has been submitted to the Planning Commission of the City of Goodlettsville for a recommendation, and a notice of hearing thereon has been ordered after at least fifteen (15) days notice of the time and place of said meeting has been published in a newspaper circulated in the City of Goodlettsville, Tennessee. This Ordinance shall take effect fifteen (15) days from the date of its final passage, the public welfare demanding it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding

shall not affect any other section, clause, provision or portion of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Goodlettsville, the most restrictive shall in all cases apply.

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

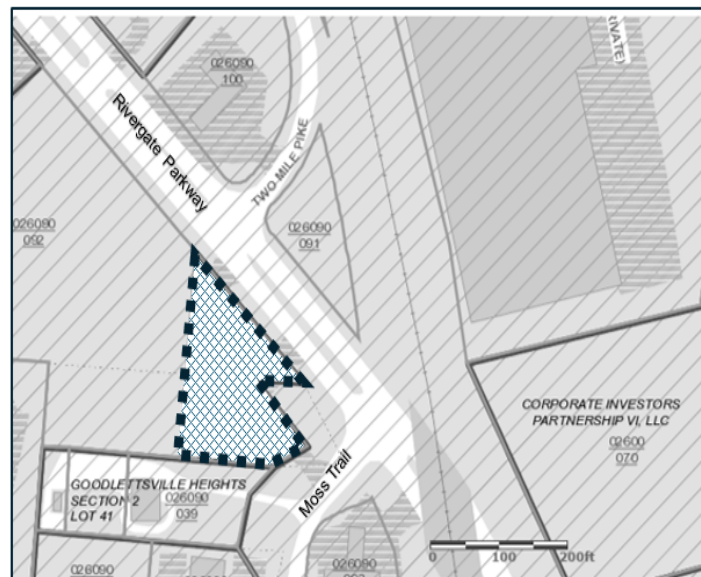
Passed First Reading: _____
Passed Second Reading: _____

ORDINANCE 24- 1081

“EXHIBIT A”

Solid Purple Line- INT Overlay

Dotted Purple Line-Proposed INT Overlay removing property





AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 24-1196 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AUTHORIZING THE CITY MANAGER TO PROVIDE OFFICIAL NOTICE TO THE GOVERNMENT OF SUMNER COUNTY, TENNESSEE THAT THE CITY WILL NO LONGER COLLECT COUNTY ADEQUATE FACILITY TAX FUNDS EFFECTIVE MAY 1, 2024. <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Sr. Director Community Development	Agenda Item: Resolution 24-1196 Dept. of Origin: Community Development For Agenda of: March 7, 2024 Originator: Addam McCormick Cost of Item: None
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1196

SUMMARY STATEMENT:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AUTHORIZING THE CITY MANAGER TO PROVIDE OFFICIAL NOTICE TO THE GOVERNMENT OF SUMNER COUNTY, TENNESSEE THAT THE CITY WILL NO LONGER COLLECT COUNTY ADEQUATE FACILITY TAX FUNDS EFFECTIVE MAY 1, 2024.

The City of Goodlettsville is the only remaining Sumner County Municipality still collecting the Adequate Facilities Tax

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1196

RESOLUTION 24-1196

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AUTHORIZING THE CITY MANAGER TO PROVIDE OFFICIAL NOTICE TO THE GOVERNMENT OF SUMNER COUNTY, TENNESSEE THAT THE CITY WILL NO LONGER COLLECT COUNTY ADEQUATE FACILITY TAX FUNDS EFFECTIVE MAY 1, 2024.

Whereas, the Government of Sumner County began the collection of Adequate Facilities Tax on November 1, 1999 as authorized by Private Chapter 57 of the 1998 Private Chapters of the Tennessee General Assembly; and

Whereas, since the creation of adequate facilities taxes the City of Goodlettsville has collected said taxes forwarded funds from such collections to the Government of Sumner County, Tennessee; and

Whereas, it has been determined by city staff that the collection of Sumner County Adequate Facilities tax should be collected by the Government of Sumner County.

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT THE CITY MANAGER IS AUTHORIZED TO PROVIDE OFFICIAL NOTICE TO THE GOVERNMENT OF SUMNER COUNTY, TENNESSEE THAT THE CITY OF GOODLETTSVILLE WILL CEASE TO COLLECT COUNTY ADEQUATE FACILITY TAXES, EFFECTIVE MAY 1, 2024.

Mayor Rusty Tinnin

City Recorder

Approved as to form and legality

City Attorney

Passed: March 7, 2024



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: RESOLUTION 24-1197</u> A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE IN REFERENCE TO OPERATION, MAINTENANCE OF TRAFFIC SIGNALIZATION EQUIPMENT. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 24-1197 Dept. of Origin: Public Works For Agenda of: March 7, 2024 Originator: Jeff McCormick / Tim Ellis Cost of Item: Off Setting
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1197
Interlocal Agreement

SUMMARY STATEMENT:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE IN REFERENCE TO OPERATION, MAINTENANCE OF TRAFFIC SIGNALIZATION EQUIPMENT.

FINANCIAL SUMMARY:

N / A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1197

RESOLUTION NO. 24-1197

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE IN REFERENCE TO OPERATION, MAINTENANCE OF TRAFFIC SIGNALIZATION EQUIPMENT.

WHEREAS, the City of Goodlettsville strives to assure that its traffic signalization provides for the most effective and efficient flow of traffic throughout the city; and,

WHEREAS, the traffic signal located at South Main Street and RiverGate Parkway is the property of and operated by the Metropolitan Government of Nashville and Davidson County, Tennessee; and,

WHEREAS, it would serve great benefit to the City of Goodlettsville to operate and maintain this particular traffic signalization equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT THE INTER-LOCAL AGREEMENT IDENTIFIED AS EXHIBIT I OF THIS RESOLUTION IS APPROVED AND DULY AUTHORIZED TO BE EXECUTED.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Adopted: March 7, 2024

MAYOR RUSTY TINNIN

CITY RECORDER
APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (“the Agreement”) is between the City of Goodlettsville (“Goodlettsville”) and the Metropolitan Government of Nashville and Davidson County (“Metro”), through the Nashville Department of Transportation and Multimodal Infrastructure (“NDOT”) (collectively, “the Parties”).

WITNESSETH:

WHEREAS, Metro owns, operates, and maintains manages traffic signalization equipment (the “Signal Equipment”) at the intersection of South Main Street and Rivergate Parkway (the “Intersection”), within the corporate boundaries of Goodlettsville; and,

WHEREAS, Goodlettsville desires to operate and maintain the Signal Equipment for purposes of improving traffic congestion at the Intersection; and,

WHEREAS, NDOT has determined that the traffic signal aligns best with Goodlettsville’s existing signal network from an operational standpoint, and that transferring operation and maintenance of the Signal Equipment to Goodlettsville would improve both safety and efficiency for roadway users; and,

WHEREAS, NDOT and Goodlettsville agree that it is in the Parties’ best interests for Goodlettsville to operate and maintain the Signal Equipment at the Intersection.

NOW, THEREFORE, in consideration of the promises and the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Term of Agreement.** The term of this Agreement, and the duties and responsibilities of the Parties hereunder, shall take effect upon approval of the Council of the Metropolitan Government of Nashville and Davidson County, and shall extend through December 31, 2033. Either party may terminate this Agreement at an earlier date by providing the other party with thirty (30) days’ written notice.

2. **Duties of Metro.**

A. Metro, through NDOT, shall authorize and allow Goodlettsville to operate and maintain the Signal Equipment at the Intersection for the duration of this Agreement.

3. **Duties of Goodlettsville.**

A. Goodlettsville shall ensure that the Signal Equipment at the Intersection is maintained in operational condition throughout the term of this Agreement;

B. Goodlettsville shall be responsible for all costs and expenses associated with the operation and maintenance of the Signal Equipment at the Intersection, including but not limited to, the repair and/or replacement of the Signal Equipment, for the entirety of this

Agreement;

C. If Goodlettsville replaces any of the Signal Equipment during the duration of this Agreement, the replaced Signal Equipment shall be returned to NDOT within thirty (30) days of being removed and replaced. All replacement equipment shall be and remain the equipment of Goodlettsville; and,

D. Goodlettsville shall permit NDOT access to regularly inspect the Signal Equipment.

4. **Compensation.** Goodlettsville shall be solely responsible for all costs and expenses associated with the operation and maintenance of the Signal Equipment and all related equipment for the duration of this Agreement.

5. **Ownership of the Intersection.** The Parties agree that this Agreement shall not in any affect or alter their respective ownership rights in the public right-of-way at the Intersection. This Agreement relates only to the operation and maintenance of the Signal Equipment at the Intersection.

6. **Contingent Fees.** Goodlettsville hereby represents that it has not been retained or retained any persons to solicit or secure a Metropolitan Government contract upon an agreement or understanding for a contingent commission, percentage, or brokerage fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business. Breach of the provisions of this paragraph is, in addition to a breach of this Agreement, a breach of ethical standards.

7. **Gratuities and Kickbacks.** It shall be a breach of ethical standards for any person to offer, give or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy or other particular matter, pertaining to any program requirement of a contract or subcontract or to any solicitation or proposal thereof. It shall be a breach of ethical standards for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or a person associated therewith, as an inducement for the award of a subcontract or order. Breach of the provisions of this paragraph is, in addition to a breach of this Agreement, a breach of ethical standards.

8. **Notice.** All notices, requests, demands, and other communications under this Agreement or in connection therewith shall be given to or be made upon the respective parties hereto as set forth on the page of this Agreement bearing the signature of the duly authorized officers of Goodlettsville and Metro in execution of this Agreement, or to such other address and to the attention of such other officer or persons as each of the parties hereto may specify by notice in writing to the other.

9. **Assignment--Consent Required.** This Agreement may not be assigned by either party without the prior written consent of the other party. In the event of such assignment, no party shall be discharged or released from any of its obligations or duties contained herein.

10. **Entire Agreement.** This Agreement sets forth the entire agreement between the parties with respect to the subject matter hereof and shall govern the respective duties and obligations of the parties.

11. **Force Majeure.** No party shall have any liability to the other hereunder by reason of any delay or failure to perform any obligation or covenant if the delay or failure to perform is occasioned by force majeure, meaning any act of God, nature, storm, fire, casualty, work stoppage, strike, lockout, labor dispute, civil disturbance, riot, war, national emergency, act of Government, act of public enemy, epidemic, pandemic, or other cause of similar or dissimilar nature beyond its control.

11. **Governing Law.** The validity, construction, and effect of this Agreement and any and all extensions and/or modifications thereof shall be governed by the laws of the State of Tennessee.

12. **Severability.** Should any provision of this Agreement be declared to be invalid by any court of competent jurisdiction, such provision shall be severed and shall not affect the validity of the remaining provisions of this contract.

13. **Modification of Agreement.** This Agreement may be modified only by written amendment executed by all parties and their signatories hereto.

14. **Partnership/Joint Venture.** Nothing herein shall in any way be construed or intended to create a partnership or joint venture between the parties or to create the relationship of principal and agent between or among any of the parties. None of the parties hereto shall hold itself out in a manner contrary to the terms of this paragraph. No party shall become liable for any representation, act or omission of any other party contrary to the terms of this paragraph.

15. **Waiver.** No waiver of any provision of this Agreement shall affect the right of any party thereafter to enforce such provision or to exercise any right or remedy available to it in the event of any other default.

16. **Liability.** In no event shall the Metropolitan Government bear any liability for any loss, expense, attorneys' fees or claims for injury or damages arising out of any act or omission in the performance of this Agreement by Goodlettsville. Likewise, Goodlettsville shall bear no liability for any loss; expense, attorneys' fees or claims for injury or damages arising out of any act or omission in the performance of this Agreement on the part of the Metropolitan Government, it being the express intention of the parties hereto that neither should bear liability for injury or loss caused by the other party.

17. **Maintenance of Records.** The books, records, and documents of Goodlettsville, as they

relate to any work done or money received or disbursed under this Agreement, shall be maintained for a period of three (3) years from the date of the final payment, and shall be subject to audit at any reasonable time by the Metropolitan Government, the Metropolitan Auditor, or private audit firms under contract with and representing the Metropolitan Government. The records shall be maintained in accordance with generally accepted accounting principles.

18. **Binding Effect.** This Agreement shall not be binding upon the Parties until it is approved by the Metropolitan Council and signed by all parties hereto.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement this _____ day of _____ 2024.

[Signature Page Follows]

THE METROPOLITAN GOVERNMENT
OF NASHVILLE AND DAVIDSON
COUNTY:

CITY OF GOODLETTSVILLE

APPROVED:

Freddie O'Connell, Mayor

Mayor

RECOMMENDED BY:

ATTEST:

Diana W. Alarcon, Director
Nashville Department of Transportation
and Multimodal Infrastructure

APPROVED AS TO FORM AND
LEGALITY:

APPROVED AS TO AVAILABILITY OF
FUNDS:

City Attorney

Director of Finance

APPROVED AS TO FORM AND
LEGALITY:

Metropolitan Attorney

FILED IN THE OFFICE OF THE
METROPOLITAN CLERK:

Metropolitan Clerk



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 24-1198 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING CERTAIN FEES AS IT RELATES TO THE PARKS AND RECREATION DEPARTMENT. <u>PRESENTED BY:</u> Tim Ellis, City Manager Sarah Jennings, P&R Director	Agenda Item: Resolution 24-1198 Dept. of Origin: Parks and Recreation For Agenda of: March 7, 2024 Originator: Sarah Jennings Cost of Item: Estimated \$12,000 Additional Revenue
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1198

SUMMARY STATEMENT:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING CERTAIN FEES AS IT RELATES TO THE PARKS AND RECREATION DEPARTMENT.

FINANCIAL SUMMARY:

Estimated \$12,000 Additional Revenues

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1198.

RESOLUTION 24-1198

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING CERTAIN FEES AS IT RELATES TO THE PARKS AND RECREATION DEPARTMENT.

Whereas, the City of Goodlettsville strives to provide high quality parks and recreation facilities for its citizens; and

Whereas, certain fees are often necessary to assure such programs and facilities are maintained and operated at the highest quality; and

Whereas, changes to such fees has been determined to be warranted.

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT FEES FOR PARKS AND RECREATION SERVICES BE AMENDED AND LISTED IN EXHIBIT 1 OF THIS RESOLUTION BE ADOPTED EFFECTIVE MARCH 7, 2024.

Mayor Rusty Tinnin

City Recorder

Approved as to form and legality

City Attorney

Passed: March 7, 2024

EXHIBIT I

City of Goodlettsville Parks & Recreation Pleasant Green Pool FEE SCHEDULE

Pleasant Green Pool Fee Increase 2024		
<i>Fee</i>	<i>Current</i>	<i>Proposed</i>
10 Entry Pool Pass	\$ 40.00	\$ 50.00
20 Entry Pool Pass	\$ 75.00	\$ 85.00
30 Entry Pool Pass	\$ 110.00	\$ 120.00
Daily 3-59	\$ 5.00	\$ 6.00
Daily 60+	\$ 4.00	\$ 5.00
Daily Childcare	\$ 4.00	\$ 5.00
Reservation	\$ 250.00	R- \$275.00
		NR- \$300.00



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: RESOLUTION 24-1199</u> A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE OFFICIAL NOTICE OF THE CITY OF GOODLETTSVILLE'S INTENT TO TERMINATE ITS FIRE DEPARTMENT MUTUAL AID AGREEMENT WITH THE CITYOF MILLERSVILLE EFFECTIVE JULY 1, 2024. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 24-1199 Dept. of Origin: Fire For Agenda of: March 7, 2024 Originator: Ken Reeves / Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1199

SUMMARY STATEMENT:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE OFFICIAL NOTICE OF THE CITY OF GOODLETTSVILLE'S INTENT TO TERMINATE ITS FIRE DEPARTMENT MUTUAL AID AGREEMENT WITH THE CITYOF MILLERSVILLE EFFECTIVE JULY 1, 2024.

Current Termination Language

6. This agreement shall continue from year to year, unless written notice of termination is given by either party hereto **at least ninety (90) days prior to July 1 of any year**. No further obligations or liabilities shall be imposed upon the withdrawing party after termination. This agreement shall continue in effect with respect to all parties that have not withdrawn. Unless the number of active parties is reduced so that only one party remains.

FINANCIAL SUMMARY:

N / A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1199.

RESOLUTION NO. 24-1199

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PROVIDE OFFICIAL NOTICE THAT THE CITY OF GOODLETTSVILLE WILL TERMINATE AN INTERLOCAL FIRE MUTUAL AID AGREEMENT WITH THE CITY OF MILLERSVILLE EFFECTIVE JULY 1, 2024.

WHEREAS, the City of Goodlettsville and the City of Millersville, Tennessee have maintained and entered into an interlocal fire service mutual aid agreement; and,

WHEREAS, said interlocal agreement only allows for its termination only on July 1st of each year by providing ninety days notice; and

WHEREAS, there are certain other items of concern in the existing Inter-Local Agreement that the City of Goodlettsville feels needs to be addressed; and

WHEREAS, the City of Goodlettsville's intent is to terminate the current Mutual Aid Agreement and to provide the City of Millersville a new Inter-Local Mutual Aid Agreement for consideration within thirty (30) days of the aforementioned termination notice.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT THE CITY MANAGER IS AUTHORIZED TO PROVIDE OFFICIAL NOTICE OF INTENT TO TERMINATE AN INTER-LOCAL MUTUAL AID AGREEMENT WITH THE CITY OF MILLERSVILLE, TENNESSEE PREVIOUSLY APPROVED BY RESOLUTION 23-1160.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Adopted: March 7, 2024

MAYOR RUSTY TINNIN

CITY RECORDER
APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> RESOLUTION 24-1200 A resolution approving a joint application along with the City of Gallatin, Tennessee and the City of Hendersonville, Tennessee for a Fire Prevention and Safety Program Grant from the U.S. Department of Homeland Security for the purpose of initial Emergency Medical Services Training and Backfill Staffing. <u>PRESENTED BY:</u> Tim Ellis, City Manager Ken Reeves, Fire Chief	Agenda Item: RESOLUTION 24-1200 Dept. of Origin: Fire For Agenda of: March 7, 2024 Originator: Ken Reeves Cost of Item: 10% of Training City Share \$1,000 – \$1,200 Normal AEMT and Paramedic Approximate \$10,000 – \$12,000
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1200

SUMMARY STATEMENT:

A resolution approving a joint application along with the City of Gallatin, Tennessee and the City of Hendersonville, Tennessee for a Fire Prevention and Safety Program Grant from the U.S. Department of Homeland Security for the purpose of initial Emergency Medical Services Training and Backfill Staffing.

FINANCIAL SUMMARY:

10% of Training City Share **\$1,000 – \$1,200**
Normal AEMT and Paramedic Approximate \$10,000 – \$12,000

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1200.

RESOLUTION NO. 24-1200

A RESOLUTION APPROVING A JOINT APPLICATION ALONG WITH THE CITY OF GALLATIN, TENNESSEE AND THE CITY OF HENDERSONVILLE, TENNESSEE FOR A FIRE PREVENTION AND SAFETY PROGRAM GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF INITIAL EMERGENCY MEDICAL SERVICES TRAINING AND BACKFILL STAFFING.

WHEREAS, the U. S. Department of Homeland Security is accepting applications for the Fire Prevention and Safety Grant, with an award requiring only a ten percent match of funds; and,

WHEREAS, the City of Goodlettsville desires to jointly make an application for a Fire Prevention and Safety Grant along with the City of Gallatin, Tennessee and the City of Hendersonville, Tennessee; and,

WHEREAS, all three municipalities are eligible to participate in said grant program; and,

WHEREAS, grant proceeds would be used for the purpose of initial Emergency Medical Services training and backfill staffing.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE.

Section 1. That the City of Goodlettsville along with the City of Gallatin, Tennessee and the City of Hendersonville is authorized to make an application for a Fire Prevention and Safety Grant, with an award paying ninety percent of cost and the applicants being responsible for ten percent of their agencies cost, for the initial Emergency Medical Services training and backfill staffing.

Section 2. That this resolution shall take effect from and after its adoption, the welfare of The City of Goodlettsville requiring it.

Passed this 7th day of March, 2024.

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: RESOLUTION 24-1201</u> A resolution declaring certain property surplus to the needs of the City of Goodlettsville and calling for its disposal by online auction or any other reasonable manner. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 24-1201 Dept. of Origin: Administration For Agenda of: March 7, 2024 Originator: Tim Ellis Cost of Item: Positive Impact
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1201

SUMMARY STATEMENT:

This resolution would declare certain property surplus to the needs of the City of Goodlettsville and calling for its disposal by trade-in or online auction or any other reasonable manner.

FINANCIAL SUMMARY:

There would be a positive fiscal impact to the city based on the sale of the surplus property.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1201.

RESOLUTION NO. 24-1201

A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS TO THE NEEDS OF THE CITY OF GOODLETTSVILLE AND CALLING FOR ITS DISPOSAL BY ONLINE AUCTION OR ANY OTHER REASONABLE MANNER.

WHEREAS, occasionally, the City of Goodlettsville owns property that is no longer of use or has value for its intended use; and,

WHEREAS, The City of Goodlettsville foresees no future need or use of said property; and,

WHEREAS, The City of Goodlettsville desires to dispose of said property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT PROPERTY LISTED IN EXHIBIT 1 OF THIS RESOLUTION IS DECLARED TO BE SURPLUS PROPERTY.

BE IT FURTHER RESOLVED THAT SAID PROPERTY SHALL BE DISPOSED OF BY ONLINE AUCTION OR ANY OTHER MEANS IN ACCORDANCE WITH STATE LAW AND THE CITY'S PURCHASING POLICY.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

MAYOR RUSTY TINNIN

Adopted: March 7, 2024

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

EXHIBIT 1 (RESOLUTION 24-1201)

- 13 Mobile ticket writers (8 Motorola brand and 5 off brand)
- 2011 Lincoln MKX SUV – VIN 2LMDJ6JK0BBJ03793
- 2017 Dodge Charger Unit 238 (mechanical issues) – VIN 2C3CDXAG1HH649436
- Electronic Ignition Tester
- Pneumatic Grease Gun Control Valve
- Metal Concrete Forms
- 2009 Platform Fire Truck 100ft Quint - VIN 1F95080379H140482

TO: District Attorney General Ray Whitley

Re: Evidence And Property Disposal

AFFIDAVIT

I, Jennifer Hancock, Evidence Manager with the Goodlettsville Police Department, was assigned as the designee of Chief Gary Goodwin to dispose of Evidence/Property in the petition order issued on November 1, 2023, by Judge Dee David Gay of the Criminal Court of Sumner County, Tennessee.

I swear and affirm that the disposal of the described Evidence/Property has been completed pursuant to this order, as detailed by the following:

- All items enumerated in Exhibit "A" were destroyed by drugs being burned in an incinerator at the Tennessee Bureau of Investigation and all metal items shredded at PSC Metals in Nashville, TN.
- All items enumerated in Exhibit "B" were destroyed by disposing of at City of Goodlettsville Public Works.
- All firearm items enumerated in Exhibit "C" will be traded with a Class III regulated firearms dealer to purchase firearms, ammunition and/or other law enforcement equipment to be used by the Goodlettsville Police Department.
- All non-firearm items enumerated in Exhibit "C" were destroyed.


Affiant, Jennifer Hancock, Evidence Manager

The Affiant, Jennifer Hancock, Evidence Manager, after being duly sworn, makes oath before that the facts alleged in the foregoing affidavit are true and correct to the best of his knowledge, information, and belief.

Sworn to and subscribed before me this the 20th of January, 2024.


Rachel Hoover, Notary Public
My Commission Expires: 6/30/26



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GOODLETTSVILLE POLICE DEPARTMENT
SUMNER COUNTY
EXHIBIT A - GENERAL

GPD #	INPD #	DEFENDANT	WARRANT #	DISPOSITION	ITEM DESCRIPTION
2022-38349 ✓	SUMNER	Whitfield, Dany L	83GS1-2022-CR-12654	Guilty of Amended Charge / Nolle Prosequi 01/11/2023	Beanie
2022-36681 ✓	SUMNER	Martin, Michael E	83GS1-2022-CR-12165	Guilty As Charged 01/11/2023	Blood kit (TBI) to destroy 01/02/2024
2021-11851 ✓	SUMNER	Richey, Brihany C	83GS1-2022-CR-3195	Guilty 11/15/2022	Blood kit (TBI) to destroy 02/01/2023
2021-07500 ✓	SUMNER	Randolph, Kyle H	83GS1-2021-CR-2115	Dismissed 09/14/2021	Blood kit (TBI) to destroy 05/02/2022
2020-14258 ✓	SUMNER	Elkhot, Samantha H	83GS1-2020-CR-3441	Guilty as Charged 06/01/2021	Blood kit (TBI) to destroy 05/03/2021
2020-13798 ✓	SUMNER	Johnson, Joann Nicole	83GS1-2020-CR-3359	Guilty as Charged 08/04/2020	Blood kit (TBI) to destroy 05/03/2021
2021-10844 ✓	SUMNER	Burnil, Corey S	83GS1-2021-CR-3505	Nolle Prosequi 10/12/2021	Blood kit (TBI) to destroy 06/01/2022
2022-13298 ✓	SUMNER	Wheeler, Clayton Wayne	83GS1-2022-CR-4668	Guilty As Charged 05/06/2022	Blood kit (TBI) to destroy 06/01/2023
2023-16392 ✓	SUMNER	Collins, Daniel	83GS1-2023-CR-5281	Guilty As Charged 06/20/2023	Blood kit (TBI) to destroy 07/01/2024
2018-27343 ✓	SUMNER	Sainas, Prado Alfredo	83GS1-2018-CR-9003	Other Finding After Court 04/26/2019	Blood kit (TBI) to destroy 09/03/2019
2018-32886 ✓	SUMNER	Armstrong, Darrell Delane	83CC1-2019-CR-984	Guilty Plea As Charged 08/09/2023	Blood kit (TBI) to destroy 10/01/2021
2020-27854 ✓	SUMNER	Roden Jr, Loran T	83GS1-2020-CR-8309	Guilty As Charged 12/15/2020	Blood kit (TBI) to destroy 10/01/2021
2022-27904 ✓	SUMNER	Blair, Justin	83GS1-2022-CR-8412	Guilty As Charged 11/15/2022	Blood kit (TBI) to destroy 10/02/2023
2021-22725 ✓	SUMNER	Hernandez-Bautista, Vicente	83GS1-2021-CR-8678	Guilty 12/14/2021	Blood kit (TBI) to destroy 11/01/2022
2022-32828 ✓	SUMNER	Sellers, Chad Albert	83GS1-2022-CR-11121	Guilty As Charged 07/10/2023	Blood kit (TBI) to destroy 12/01/2022
2021-28978 ✓	SUMNER	Terry, Joseph Anthony	83GS1-2021-CR-10542	Guilty Plea / Dismissal 05/01/2023	Blood kit (TBI) to destroy 12/01/2023
2022-35233 ✓	SUMNER	Turne, Malia A.	83GS1-2022-CR-11716	Guilty As Charged / Nolle Prosequi 01/09/2023	Blood kit (TBI) to destroy 12/01/2023
2020-19574 ✓	SUMNER	Beery, Stephan	83GS1-2020-CR-8237	Guilty Plea As Charged 12/14/2020	Blood kit has GPD # 20-19576 (TBI) to be destroyed 08/02/2021
2021-32402 ✓	SUMNER	Rogers, Antony Eugene Tyrone	83CC1-2022-CR-206	Guilty / Dismissal 03/25/2022	Cash, cell phones, receipts, identify docs, gold necklace
2021-32402 ✓	SUMNER	Sherrill, Jani Marie	83CC1-2022-CR-206	Guilty / Dismissal 03/25/2022	Cash, Cell phones, receipts, identify docs, gold necklace
2021-33820 ✓	SUMNER	Hyde, Jeremiah Curtis	83CC1-2022-CR-29	Guilty Plea 01/17/2023	Clothing, DNA swab
2021-22872 ✓	SUMNER	Aisup, Lany A (410596013)	83GS1-2021-CR-8758	Guilty / Nolle Prosequi 09/13/2022	Toyota key
2020-23156 ✓	SUMNER	Stockton, Donald Elvis	83CC1-2021-CR-458	Dismissed 02/07/2022	pipe
2021-31549 ✓	SUMNER	Kigore, James Tanner	83CC1-2022-CR-63	Guilty / Dismissed 05/28/2022	pipe, grinder, baggies
2022-30125 ✓	SUMNER	Chamberlain, Annie	83GS1-2022-CR-10246	Guilty As Charged / Nolle Prosequi 03/21/2023	pipe, straw
2022-30125 ✓	SUMNER	Martin, Joshua	83GS1-2022-CR-10252	Guilty As Charged / Nolle Prosequi 03/21/2023	pipe, straw
2022-01903 ✓	SUMNER	Castillo, Bani E	83CC1-2022-CR-389	Guilty Plea As Charged / Dismissal / Nolle Prosequi 11/10/2022	scale, T-case, cell phones
2022-20780 ✓	SUMNER	Edmondson, Jerrod Fabion	83GS1-2022-CR-6832	Dismissed 08/17/2022	License plate, decal sticker
2022-38678 ✓	SUMNER	Holland, Verna M	83CC1-2023-CR-80	Guilty As Charged / Dismissal / Nolle Prosequi 05/01/2023	pills, scales
2023-03073 ✓	SUMNER	Abernathy, Dennis L	83GS1-2023-CR-983	Guilty As Charged / Dismissed 03/08/2023	pipes, lighter, straw, roaches, blood kit (TBI) to destroy 03/01/2024
2022-11736 ✓	SUMNER	Evans, Ryan Sean	N/A	NO PROSECUTION	pipe
2020-23210A ✓	SUMNER	Woodbridge, Robert Francis	83CC1-2021-CR-76	Retired/Inapprehended Defendant 01/13/2023	pipes, scale, grinder, spoon, bags (DECAL HAS #26212 - CORRECT # 26210)
2022-06352 ✓	SUMNER	Farrat, Richard E	83GS1-2022-CR-2032	Nolle Prosequi 04/04/2023	pipe, air compressor
2021-29921 ✓	SUMNER	Schreyer 2nd, James Philip	83CC1-2022-CR-142	Guilty / Dismissal 08/09/2022	pipes, scales, Blood kit (TBI) to destroy 06/12/2023
2021-09905 ✓	SUMNER	Morris, Jonathan Dale	83CC1-2021-CR-461	Guilty / Dismissal/Nolle Prosequi 02/07/2022	pipe, scales
2023-13684 ✓	SUMNER	Orndorff, Marie Michelle	83GS1-2023-CR-4434	Guilty As Charged 07/18/2023	pipe
2022-31302 ✓	SUMNER	Curry, David A	83GS1-2022-CR-10684	Dismissed 05/23/2023	Pipe, straw, scale, black cylinder container
2022-39387 ✓	SUMNER	Scalise, Alexander Patrick	83GS1-2023-CR-246	Dismissed 05/23/2023	hoisler, blood kit (TBI) to destroy 02/01/2024
2020-03620 ✓	SUMNER	Ashworth, Danielle Reign (OCA 521804)	83GS1-2020-CR-1214	Guilty As Charged / Nolle Prosequi 01/18/2023	scale
2022-23817 ✓	SUMNER	McNeil Jr, Bobby	83GS1-2022-CR-7660	Guilty of Amended Charge 08/17/2022	DNA swab

**GOODLETTSVILLE POLICE DEPARTMENT
SUMNER COUNTY
EXHIBIT A - GENERAL**

GPD #	MNPD #	DEFENDANT	WARRANT #	DISPOSITION	ITEM DESCRIPTION
2022-38349	SUMNER	Winfield, Daryl L	83GS1-2022-CR-12654	Guilty of Amended Charge / Nolle Prosequi 01/11/2023	Beanie
2022-36681	SUMNER	Martin, Michael E	83GS1-2022-CR-12165	Guilty As Charged 01/17/2023	Blood kit (TBI to destroy 01/02/2024)
2021-31851	SUMNER	Rickey, Britiany C	83GS1-2022-CR-3195	Guilty 11/15/2022	Blood kit (TBI to destroy 02/01/2023)
2021-07500	SUMNER	Randolph, Kyle H	83GS1-2021-CR-2115	Dismissed 09/14/2021	Blood kit (TBI to destroy 06/02/2022)
2020-14256	SUMNER	Elliot, Samantha H	83GS1-2020-CR-3441	Guilty as Charged 06/01/2021	Blood kit (TBI to destroy 05/03/2021)
2020-13798	SUMNER	Johnson, Joann Nicole	83GS1-2020-CR-3359	Guilty As Charged 08/04/2020	Blood kit (TBI to destroy 05/03/2021)
2021-10844	SUMNER	Burrl, Corey S	83GS1-2021-CR-3505	Nolle Prosequi 10/12/2021	Blood kit (TBI to destroy 06/01/2022)
2022-13296	SUMNER	Wheeler, Clayton Wayne	83GS1-2022-CR-4688	Guilty As Charged 05/06/2022	Blood kit (TBI to destroy 06/01/2022)
2023-16392	SUMNER	Collins, Daniel	83GS1-2023-CR-5281	Guilty As Charged 06/20/2023	Blood kit (TBI to destroy 07/01/2024)
2018-27343	SUMNER	Salinas, Prado Alfredo	83GS1-2018-CR-9003	Other Finding After Court 04/26/2019	Blood kit (TBI to destroy 09/03/2019)
2018-32886	SUMNER	Armstrong, Darrell Delane	83CC1-2018-CR-984	Guilty Pleas-As Charged 09/08/2023	Blood kit (TBI to destroy 10/01/2019)
2020-27854	SUMNER	Roden Jr, Loran T	83GS1-2020-CR-8309	Guilty As Charged 12/15/2020	Blood kit (TBI to destroy 10/01/2021)
2022-27904	SUMNER	Blair, Justin	83GS1-2022-CR-9412	Guilty As Charged 11/15/2022	Blood kit (TBI to destroy 10/02/2023)
2021-22725	SUMNER	Hernandez-Bautista, Vicente	83GS1-2021-CR-9878	Guilty 12/14/2021	Blood kit (TBI to destroy 11/01/2022)
2022-32828	SUMNER	Sellers, Chad Albert	83GS1-2022-CR-11121	Guilty As Charged 01/10/2023	Blood kit (TBI to destroy 11/01/2023)
2021-28878	SUMNER	Terry, Joseph Anthony	83GS1-2021-CR-10542	Guilty Plea / Dismissal 05/01/2023	Blood kit (TBI to destroy 12/01/2022)
2022-35233	SUMNER	Tuhve, Maite A.	83GS1-2022-CR-11776	Guilty Plea-As Charged 12/14/2020	Blood kit (TBI to destroy 12/01/2023)
2020-19574	SUMNER	Beery, Stephan	83GS1-2020-CR-5237	Guilty / Dismissal 03/25/2022	Cash, cell phones, receipts, identity docs, gold necklace
2021-32402	SUMNER	Rogers, Antony Eugene Tyrone	83CC1-2022-CR-206	Guilty / Dismissal 03/25/2022	Cash, cell phones, receipts, identity docs, gold necklace
2021-33820	SUMNER	Sheriff, Jani Marie	83CC1-2022-CR-29	Guilty Plea 01/17/2023	Clothing, DNA swab
2021-22872	SUMNER	Hyde, Jeremiah Curtis	83GS1-2021-CR-8758	Guilty / Nolle Prosequi 09/13/2022	Toyota key
2020-23156	SUMNER	Stockton, Donald Elvis	83CC1-2021-CR-458	Dismissed 02/07/2022	pipe
2021-31549	SUMNER	Kilgore, James Tanner	83CC1-2022-CR-63	Guilty / Dismissed 05/26/2022	pipe, grinder, baggies
2022-30125	SUMNER	Chamberlain, Annie	83GS1-2022-CR-10246	Guilty As Charged / Nolle Prosequi 03/21/2023	pipe, straw
2022-30125	SUMNER	Martin, Joshua	83GS1-2022-CR-10252	Guilty As Charged / Nolle Prosequi 03/21/2023	pipe, straw
2022-01903	SUMNER	Castillo, Bani E	83CC1-2022-CR-399	Guilty Plea As Charged / Dismissal / Nolle Prosequi 11/10/2022	scale, T-case, cell phones
2022-20780	SUMNER	Edmondson, Jerrad Fabion	83GS1-2022-CR-6832	Dismissed 08/17/2022	License plate, decal sticker
2022-38678	SUMNER	Holland, Verna M	83CC1-2023-CR-80	Guilty As Charged / Dismissal / Nolle Prosequi 06/01/2023	pills, scales
2023-03073	SUMNER	Abernathy, Dennis L	83GS1-2023-CR-983	Guilty As Charged / Dismissed 03/08/2023	pipes, scales
2022-11736	SUMNER	Ernst, Ryan Sean	N/A	NO PROSECUTION	pipe
2020-25210A	SUMNER	Woodridge, Robert Francis	83CC1-2021-CR-76	Retired/Unapprehended Defendant 01/13/2023	pipes, scale, grinder, spoon, bags (DECAL HAS #25212 - CORRECT # 25210)
2022-06352	SUMNER	Farrar, Richard E	83GS1-2022-CR-2032	Nolle Prosequi 04/04/2023	pipe, air compressor
2021-28821	SUMNER	Schreyer 2nd, James Philip	83CC1-2022-CR-142	Guilty / Dismissal 06/09/2022	pipes, scales, Blood kit (TBI to destroy 06/01/2023)
2021-09905	SUMNER	Morris, Jonathan Dale	83CC1-2021-CR-461	Guilty / Dismissal/Nolle Prosequi 02/07/2022	pipe, scales
2023-13684	SUMNER	Orndorff, Marie Michelle	83GS1-2023-CR-4434	Guilty As Charged 07/18/2023	pipe
2022-31302	SUMNER	Curry, David A	83GS1-2022-CR-10684	Guilty As Charged 03/31/2023	Pipe, straw, scale, black cylinder container
2022-39387	SUMNER	Sealts, Alexander Patrick	83GS1-2023-CR-246	Dismissed 05/23/2023	hoister, blood kit (TBI to destroy 02/01/2024)
2020-03620	SUMNER	Ashworth, Daniele Reign (OCA 521804)	83GS1-2020-CR-1214	Guilty As Charged / Nolle Prosequi 01/18/2023	scale
2022-23817	SUMNER	McNeil Jr, Bobby	83GS1-2022-CR-7960	Guilty of Amended Charge 09/17/2022	DNA swab

**GOODLETTSVILLE POLICE DEPARTMENT
SUMNER COUNTY
EXHIBIT B - DRUG RELATED**

GPD #	MAMP #	DEFENDANT	WARRANT #	DISPOSITION	ITEM DESCRIPTION
2021-32402	SUMNER	Rogers, Antony Eugene Tyrone	83CC1-2022-CR-206	Guilty / Dismissal 03/25/2022	Gabapentin, Marijuana
2021-32402	SUMNER	Sherrill, Jami Marie	83CC1-2022-CR-206	Guilty / Dismissal 03/25/2022	Gabapentin, Marijuana
2021-22872	SUMNER	Alsup, Lary A (410596013)	83GS1-2021-CR-8758	Guilty / Nolle Prosequi 09/13/2022	Cocaine
2020-23156	SUMNER	Stockton, Donald Elvis	83CC1-2021-CR-458	Dismissed 02/07/2022	Crystal like substance
2021-31549	SUMNER	Kilgore, James Tanner	83CC1-2022-CR-63	Guilty / Dismissed 05/26/2022	Crystal substance, white powder
2019-44636	SUMNER	Gash-Hall, Katelyn McColgan	83GS1-2019-CR-13313	Nolle Prosequi / Judicial Diversion 06/14/2022	Ectasy, Alprazolam, marijuana, Levorhoxine
2021-22827	SUMNER	Cues, Danyran Lajuan (414933306)	83GS1-2021-CR-8749	Guilty / Nolle Prosequi 03/31/2023	marijuana
2022-18882	SUMNER	N/A	N/A	FOUND - NO PROSECUTION	Gray rock substance believed to be Fentanyl, bottle containing a white rock substance
2021-11150	SUMNER	Johnson, Chase Thomas	83GS1-2021-CR-3811	Guilty / Dismissal/Nolle Prosequi 12/02/2021	Heroin
2022-30125	SUMNER	Chamberlain, Annie	83GS1-2022-CR-10246	Guilty As Charged / Nolle Prosequi 03/21/2023	Heroin, methamphetamine
2022-30125	SUMNER	Martin, Joshua	83GS1-2022-CR-10252	Guilty As Charged / Nolle Prosequi 03/21/2023	Heroin, methamphetamine
2022-17823	SUMNER	Blackwell, Randall T.	83GS1-2022-CR-6152	Nolle Prosequi / Guilty As Charged 09/27/2022	Hydrochloride pills, Alprazolam pills
2022-01903	SUMNER	Castillo, Bari E	83CC1-2022-CR-389	Guilty Plea As Charged / Dismissal / Nolle Prosequi 11/10/2022	marijuana, pills
2021-22782	SUMNER	Morgan, Robby Steven	83GS1-2021-CR-8856	Guilty 01/04/2022	Marijuana
2020-32131	SUMNER	Sirogen, Heather	83GS1-2020-CR-10088	pre-trial or Judicial Diversion 09/27/2021	Marijuana, Adderall
2022-38678	SUMNER	Holland, Verna M	83CC1-2023-CR-80	Guilty As Charged / Dismissal / Nolle Prosequi 05/01/2023	Marijuana, methamphetamine, cocaine, pills
2023-03073	SUMNER	Abernathy, Dennis L	83GS1-2023-CR-983	Guilty As Charged / Dismissed 03/09/2023	Marijuana, methamphetamine, marijuana roaches
2022-11736	SUMNER	Evrist, Ryan Sean	N/A	NO PROSECUTION	Marijuana
2020-25210A	SUMNER	Woodbridge, Robert Francis	83CC1-2021-CR-76	Retired/Unapprehended Defendant 01/13/2023	Marijuana
2022-08821	SUMNER	Harper, Leslie Marie	83GS1-2022-CR-3016	Guilty As Charged 04/06/2022	Methamphetamine
2021-13945	SUMNER	Larson, Brian Jay	83GS1-2021-CR-4774	Nolle Prosequi 04/19/2023	Methamphetamine
2021-26404	SUMNER	Sharp, Chetsea N	83GS1-2021-CR-10787	Guilty As Charged 01/11/2022	Methamphetamine
2022-06352	SUMNER	Farrar, Richard E	83GS1-2022-CR-2032	Nolle Prosequi 04/04/2023	Methamphetamine, Adderall
2021-29921	SUMNER	Schreyer 2nd, James Phillip	83CC1-2022-CR-142	Guilty / Dismissal 06/09/2022	Methamphetamine, heroin, pills
2021-05905	SUMNER	Morris, Jonathan Dale	83CC1-2021-CR-461	Guilty / Dismissal/Nolle Prosequi 02/07/2022	Methamphetamine, marijuana
2023-13884	SUMNER	Orndorff, Marie Michelle	83GS1-2023-CR-4434	Guilty As Charged 07/18/2023	Methamphetamine
2020-03620	SUMNER	Ashworth, Danielle Reigh (OCA 6271804)	83GS1-2020-CR-1214	Guilty As Charged / Nolle Prosequi 01/18/2023	Syringe with clear liquid, scale
2021-20571	SUMNER	Waters, Deane J	83GS1-2021-CR-7649	Guilty as Charged 03/25/2022	White crystal substance

GOODLETTSVILLE POLICE DEPARTMENT
SUMNER COUNTY
EXHIBIT C - WEAPONS

GPD #	MNPD #	DEFENDANT	WARRANT #	DISPOSITION	ITEM DESCRIPTION
2021-22627	SUMNER	Crues, Demyran Lajuan (414933306)	83GS1-2021-CR-8749	Guilty / Nolle Prosequi 03/31/2023	Glock 17 ser# BNXL746
2022-23338	SUMNER	Harris, Shawn Lamont	83GS1-2022-CR-7908	Guilty Plea / Nolle Prosequi 12/06/2022	Glock 30 ser# BSFH813
2022-01903	SUMNER	Castillo, Brian E	83CC1-2022-CR-399	Guilty Plea As Charged / Dismissal / Nolle Prosequi 11/10/2022	Jennings J-22 ser# 1008643
2021-29921	SUMNER	Schreyer 2nd, James Phillip	83CC1-2022-CR-142	Guilty / Dismissal 06/09/2022	Heritage Stealth C-1000 9mm ser# A1297
2022-12212	SUMNER	Navel III, William	83GS1-2022-CR-4954	Other 07/17/2023	Ruger LCP .380 ser# 372011815
2022-38387	SUMNER	Scalise, Alexander Patrick	83GS1-2023-CR-246	Dismissed 05/23/2023	Ruger LCP II ser# 380638265
2021-24289	SUMNER	Vaughn, Christopher	83CC1-2022-CR-114	Guilty Plea / Dismissal / Nolle Prosequi 09/08/2022	Smith & Wesson Bodyguard ser# CVF4146
2022-23817	SUMNER	McNeil Jr, Bobby	83GS1-2022-CR-7960	Guilty of Amended Charge 09/17/2022	Taurus PT732 ser# 66969B



AGENDA SUMMARY SHEET

Board of Commissioners

City of Goodlettsville

<u>SUBJECT TITLE: RESOLUTION 24-1202</u> A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE CREATION OF THE GOODLETTSVILLE REDEVELOPMENT GRANT PROGRAM AND THE GOODLETTSVILLE TENANT INCENTIVE GRANT PROGRAM AND EMPOWERS THE CITY OF GOODLETTSVILLE INDUSTRIAL DEVELOPMENT BOARD WITH RECEIVING APPLICATIONS AND AWARDING SAID GRANTS. <u>PRESENTED BY:</u> Tim Ellis, City Manager Alex West / Addam McCormick	Agenda Item: Resolution 24-1202 Dept. of Origin: Community Development For Agenda of: March 7, 2024 Originator: Alex West Cost of Item: \$100,000.00
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1202
Exhibit I Redevelopment Grant
Exhibit II Tenant Grant

SUMMARY STATEMENT:

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE CREATION OF THE GOODLETTSVILLE REDEVELOPMENT GRANT PROGRAM AND THE GOODLETTSVILLE TENANT INCENTIVE GRANT PROGRAM AND EMPOWERS THE CITY OF GOODLETTSVILLE INDUSTRIAL DEVELOPMENT BOARD WITH RECEIVING APPLICATIONS AND AWARDING SAID GRANTS.

FINANCIAL SUMMARY:

\$100,000.00

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1202

RESOLUTION NO. 24-1202

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE CREATION OF THE GOODLETTSVILLE REDEVELOPMENT GRANT PROGRAM AND THE GOODLETTSVILLE TENANT INCENTIVE GRANT PROGRAM AND EMPOWERS THE CITY OF GOODLETTSVILLE INDUSTRIAL DEVELOPMENT BOARD WITH RECEIVING APPLICATIONS AND AWARDING SAID GRANTS.

WHEREAS, the City of Goodlettsville desires to recruit and support a strong base of businesses within its corporate limits; and,

WHEREAS, a mechanism that could be used to recruit and support new businesses within the City of Goodlettsville are grant programs that would assist in their startup; and

WHEREAS, staff has created two such grant programs that would enhance the city's ability to recruit and assist in new businesses; and

WHEREAS, it has been determined that the creation of said grant programs would be in the best interest of the City of Goodlettsville.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THE CREATION OF THE GOODLETTSVILLE REDEVELOPMENT GRANT PROGRAM AND THE TENANT INCENTIVE GRANT PROGRAM AS REFERENCED IN EXHIBIT I AND EXHIBIT II.

Section I. That the following two grant programs are hereby created:

1. Goodlettsville Redevelopment Grant Program and is identified as Exhibit I of this document.
2. Goodlettsville Tenant Incentive Grant Program and is identified as Exhibit II of this document.

Section II. That the Goodlettsville Industrial Development Board is charged with the following:

1. Accepting applications for each grant program.
2. Reviewing scoring of grant applications.
3. Award grants based upon the approved programs.

Section III. The Board of Commissioners will initially allocate funds in the amount \$100,000.00 derived from the Hotel / Motel Tax Fund Balance solely for the purpose of the aforementioned grant program.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Adopted: March 7, 2024

MAYOR RUSTY TINNIN

CITY RECORDER
APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

Summary of Redevelopment Grant Program

Objective

The objective of this program is to encourage property owners and/or tenants to redevelop or remodel their building and/or site. This program would provide funding up to \$25,000 to cover costs associated with improving the property. After multiple discussions with other jurisdictions and property owners/brokers inside our city it has become obvious that a grant like this could close some deals. Not only will this provide some assistance to multiple properties in the city that need assistance, this will also show that the city is proactive in growth, wellness, and tourism of our citizens and visitors of our city.

Quick Overview

This program would mostly apply to the property owner who is looking at redeveloping or revitalizing their property for future commercial use. This program is very detailed, and staff designed it this way so that it was encouraging to only those projects that are very serious about improving their property and our city. A few of the key highlights are that the building can be existing or new, all work must result in a publicly visible improvement, property owner must agree to maintain the property after completion, and only one award per property per year. For a more detailed list of requirements see the program guidelines as outlined in the application form.

Awarding Process

Each application that is submitted and can provide all required documentation would then be reviewed by the Goodlettsville Industrial Development Board. The board would then score each project to make it a fair process. The application shall reach the designated number of points to be awarded funding. Staff wanted to make this a process that is as fair as possible due to the anticipation that multiple applications will be considered in the infant stages of this program. This grant is a reimbursement grant and is a 50/50 matching grant which would make the property owners have some stake in the projects as well. There will be a review and inspection process during the project and after completion to ensure that the applicant is meeting all requirements as submitted in their application.

Goodlettsville Redevelopment Grant Program

APPLICATION



Contact: Alex West
Goodlettsville Industrial Development Department
Goodlettsville, TN 37072
615-851-2213
awest@goodlettsville.gov

APPLICANT INFORMATION

Name:
Phone:
Referred by:

FOR OFFICE USE ONLY

Application Date:
Approval Date: Amount:
Tax ID number:

PROPERTY OWNER INFORMATION

Name:	Years Owned:
Address:	Phone:
City: State: Zip:	
Type of Ownership:	Owner's Signature-Demolition Approved:

BUSINESS AND / OR PROJECT INFORMATION

Name of Business:	Business / Project Owner's Name:
Address:	Phone:
City: State: Zip:	
Type of Business:	Upper floor use (if applicable):

PROPOSED DEMOLITION and IMPROVEMENTS

Describe extent of Demolition:
Describe planned Improvements:
Other Improvements:
Estimated Cost of Demolition: Estimated Cost of Improvements: Grant Amount Requested:

Check appropriately:

☐ I own the property in consideration ☐ I lease the property in consideration

I have read the Redevelopment Grant Program Guidelines. I understand that if the proposal is approved, I will make the above improvements to the property within the specified time allowed.

APPLICANT'S SIGNATURE:

Date:



DRAFT

INTAKE SHEET

Applicant Information

Company Name _____

Name of Individual: First _____ Middle Initial _____ Last _____

Contact Address _____ City _____ State _____ Zip Code _____

Telephone _____

Estimated Date of Completion: _____

Additional Description of Work (attach plans if applicable):

This Section for Office Use Only:

Submittals:

☐ Photos (*Before and After improvement if applicable*)

☐ Written approval from property owner (if different than applicant)

☐ Cost Estimates

☐ Demolition Plans (*if applicable*)

☐ Quotes for completion

☐ Additional Information

APPLICANT'S SIGNATURE:



DATE:

Goodlettsville Redevelopment Grant Program

The **PURPOSE** of the Redevelopment Grant Program is to encourage the revitalization of building sites with special emphasis on improvement of the aesthetics in the City's Commercial Districts with grant assistance through the Goodlettsville Industrial Development Board (GIDB), for the City of Goodlettsville, Tennessee. Special emphasis is given to projects along Long Hollow Pike, Main Street, and Rivergate Parkway, however; the grant is applicable to all parts of the City. The improvements shall also have a positive impact to our **city's tourism and economic impact.**

Please use the space below to summarize the scope of work that the submitted application covers. Be sure to include proposed improvements, how those improvements will benefit the city and surrounding area, as well as the proposed timeline for completion.

DRAFT

Program Guidelines

Eligibility Requirements

Please check each box applicable to indicate acceptance of the eligibility requirement. Work that does not comply with the eligibility requirements is subject to reduction or retraction of award.

- ☐ All projects must be located within the City Limits of the City of Goodlettsville.
- ☐ For projects that are only requesting façade improvements all work must be done on a street facing side of an existing building.
- ☐ Qualifying buildings may be Existing or New Construction. ("New" is a completely new structure on a clear site completed within the grant period)
- ☐ Please also check if project is within a Commercial District (*if not leave blank*)
- ☐ All work must result in a publicly visible improvement.
- ☐ Demolition is all of an existing structure
OR
- ☐ Demolition is a portion of an existing structure
- ☐ Project includes preparation of a building for Interior tenant finish work (*if not leave blank*)
- ☐ All work must be in compliance with approved Building and Fire Codes
- ☐ All work must be appropriate according to the Redevelopment Grant Program's guidelines.
- ☐ Project Cost must exceed \$1,000 to be considered for a demolition grant.
- ☐ Live/Work studios should be classified as a commercial or mixed use building. Staff will conduct a site visit.
- ☐ Property owner or tenant must agree to maintain the property upon completion of work.

Projects that are not Eligible

The following types of Projects or Properties are not eligible for the Redevelopment Grant Program:

Projects/work completed prior to the last funding year (generally before April of the prior year)

Tax delinquent property

Property whose owner has any other tax delinquent property

Non-Profit/Tax Exempt Property (Exceptions may be made for organizations and businesses paying property tax)

Property in litigation

Property in condemnation or receivership

Properties purchased from the city may be considered on a case by case basis

Security systems, Air Conditioning and Heating Upgrades, Interior Tenant Finish Work Only, and Residential projects.

Routine maintenance such as painting, masonry, and lighting unless it is part of a larger renovation project.

Work on the rear or unseen roof of the building is not eligible for a redevelopment grant.

Redevelopment Grant funds cannot be used to correct outstanding code violations, for property damaged by collision, acts of nature or occurrences covered by insurance alone. These improvements must be part of a comprehensive plan for redevelopment of the site.

Program Guidelines

General Criteria

For a period of one year after the establishment of the program by the City Commission redevelopment grants will be available for properties located within the City of Goodlettsville. After the first year, the program will be evaluated for potential continued funding.

Only one award will be allowed per property per year. Properties which are awarded multiple awards over several years may receive a reduced award based on amount of previous awards, completion and quality of work performed on previous awards.

Plans for rehabilitation of structures should respect the architectural integrity of the entire building and the neighboring streetscape.

Redevelopment grants are not intended to be a partial solution to a building in obvious disrepair and neglect. For these properties, the applicant must show a comprehensive proposal for the entire site's redevelopment that would meet the current building and zoning codes in order to bring the property into occupiable condition.

Tenants may qualify for grant funding with the written consent of the owner of the building.

The City of Goodlettsville /GEDB/Redevelopment Grant Review Committee will not be a party in negotiations between the applicant and contractors employed by the applicant. The applicant agrees to hold the aforementioned harmless of any defects in workmanship, liability, damages, or other costs relative to the project.

Goals of the Program

It is hoped that in addition to providing an incentive to redevelop dilapidated sites, the program will:

- ❖ Provide an incentive for rehabilitation of structures and construction of new structures in harmony with the character of the district.
- ❖ This will also provide a more positive experience for tourists visiting our city and improve the economics.

Rehabilitation means the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient, contemporary use while preserving those portions which are significant to its historic, architectural, and cultural values.

- ❖ Maintain a quality image consistent with the character of the surrounding area and the City of Goodlettsville for any new construction.
- ❖ Encourage the use of historic and architecturally significant commercial buildings in a manner that would continue to draw the public to them.
- ❖ Increase the investment in the city and raise property values for tenants and owners.
- ❖ Eliminate blighting influences and prevent deterioration of commercial properties around the City.
- ❖ Conserve important existing building stock.

Program Guidelines

Application Review

Staff will determine if the application package that is submitted is sufficiently complete to review, and will forward the application to the Redevelopment Grant Committee.

The Redevelopment Grant Committee meets quarterly to review and score the applications. All applications are reviewed on a competitive basis. Eligible application packages are due 30 days prior to their meeting date.

The application package will be reviewed by the Redevelopment Grant Committee to determine whether the project should receive a grant and determine the amount of the award. In making the determination, the committee will consider the following factors and will score higher those projects that are in a priority area or show additional efforts to meet the following criteria:

VISIBILITY:

Certain buildings are important to the character of the City because of their location, size and/or architectural details.

DESIGN:

Some changes may benefit a property's aesthetics significantly.

SUSTAINABILITY/ PERMANENCE:

Some improvements have a greater, lasting value than others and will remain relevant to the property over time. Priority will be given to projects with significant sustainability and permanence.

COMMUNITY CONTRIBUTIONS:

Businesses that focus on the community as a whole build a better place for people to live, visit, work and play. In a competitive review priority may be given to sales tax generated project.

Required Materials for Application

*Application packages must include enough documentation to illustrate the visual impact of the project and its costs. **Failure to provide required information will delay the review process.** The items submitted should include:*

- ☐ A completed application form
- ☐ Written consent from property owner giving permission to conduct demolition and/or property improvements.
- ☐ Color photographs of existing conditions *(before and after if applicable)*
- ☐ Detailed list of materials and colors to be used.
- ☐ Drawings and any other documentation necessary to illustrate the visual impact of the proposed project.
- ☐ Submit quotes from licensed contractors for the proposed work. In lieu of quotes, receipts for work completed from same will be accepted. These proposals should give detailed information about the work to be done, the costs, and the project completion schedule. *All cost information should be provided on an attached spreadsheet. This will be compared to the final cost spreadsheet when the project is complete.*
- ☐ Any other documentation necessary to illustrate the visual impact of the proposed project completion schedule.
- ☐ Owners or merchants who are in contracting business may also perform work on their own buildings. You must furnish one quote other than your own. *You will not be reimbursed for your time working on your own building.*
- ☐ Expected value of the improvement upon completion – include the basis for the estimate.

Program Guidelines

Award Reimbursement

Reimbursement shall be a 50/50 match of the total value of the improvements, with the maximum matching of \$25,000 per site. All necessary government approvals, building permits, and taxes are not eligible items for reimbursement. (Exempt city building permit fees in this case- higher level of tenant improvements possible).

Applications Timeline:

- ❖ **March 1** - Applications Due for **April Review**
- ❖ **June 1** - Applications Due for **July Review**
- ❖ **September 1** - Applications Due for **October Review**
- ❖ **December 1** - Applications Due for **January Review**

- ❖ **Quarterly Review Meetings** - Scores and deliberations considered by the Redevelopment Grant Review Committee

- ❖ **Approx. 1 Week following Review** - Awards announced and monies begin eligibility for disbursement

? What is all funds are used during first quarterly meeting?

The Redevelopment Grant Committee reserves the right to refuse reimbursements in whole or in part for work that:

- ***Does not conform to the proposals submitted with your application and approved by the Goodlettsville Industrial Development Board.***
- Are not commensurate with the workmanship and cost customary to the industry
- Are not completed within 180 days. Since the Façade Grant Committee cannot reserve funds indefinitely, a onetime extension of 180 days can be granted. After that, you will need to apply for consideration again. **All requests for extensions must be submitted in writing with an updated schedule of completion.**

Required Materials for Reimbursement

City Development Staff will inspect work to ensure that it complies with the approved plans. Upon completion please contact the Economic Development Coordinator at 615-851-2213 for an inspection. ***Any changes to the approved project will require a written request from the applicant and approval by the Redevelopment Grant Committee in order to retain the grant.***

Receipt of funds can be expected in approximately **three (3) to six (6) weeks** after all of the following documentation has been submitted

- Proof of payment for all work to be reimbursed must be submitted. This can include cancelled checks, copies of bank statements or credit card statements showing the bill has been paid. These must equal at least the required matching amount plus the amount of the owner investment. The invoices must be marked paid, signed, and dated by the contractors. ***Cash payments are not accepted.***
- **Color photographs of completed project.**
- **Grantee is responsible for obtaining any permits required to complete the project. Cost of permitting cannot be part of the grant funding. Copies of the approved permits must be submitted prior to reimbursement.**
- **Certificate of Occupancy or Completion from the office of the Building Official**

Records of all plans, and fund disbursements will be kept by GEDB.

Internal Use Only

Applications will be evaluated by the Grant Committee using this scoring system. In addition to the Scoring Criteria, applicants must meet all other program requirements outlined in the Program Guidelines to be considered for funding. Based on funding availability, the applicants with the highest combined scores from the Committee will be awarded. A score of 4 is the highest for each category and a score of 1 is the lowest. **A total of 30 points is required for funding.**

APPLICANT: _____

PROPERTY ADDRESS: _____

GRANT \$ REQUEST: _____

SCORER NAME: _____

VISIBILITY: <i>Certain buildings are important to the City's character because of their location, size and/or architectural details.</i>	
Key, highly visible elements of the building will be improved.	1 2 3 4
The building is highly visible due to its location (prominent intersection, larger than surrounding properties, etc.).	1 2 3 4
DESIGN: <i>Some changes may benefit a property's aesthetics significantly.</i>	
The proposed improvements are consistent with the surrounding buildings and neighborhoods.	1 2 3 4
SUSTAINABILITY/PERMANENCE: <i>Some improvements have a greater, lasting value than others and will remain relevant to the property over time. Priority will be given to projects with significant permanence.</i>	
Improvements are more than temporary cosmetic touches or general maintenance repairs that have been neglected over time.	1 2 3 4
Overall project is more than a tenant upfit (there has been substantial demolition and redevelopment of the interior of the structure rather than just flooring or light fixture changes).	1 2 3 4
Applicant plans to continually invest in the property to continue to improve the building as well as the use.	1 2 3 4
COMMUNITY CONTRIBUTIONS: <i>Businesses that focus on the community as a whole build a better place for people to live, visit, work and play. Priority will be given to businesses that actively give to the community.</i>	
Project eliminates blighted or dilapidated structures that have generally been cause for concern by the community (Crime/Safety)	1 2 3 4
The redevelopment of the property provides for a vacant/unused building to be utilized for future business growth and employment opportunities in the community.	1 2 3 4
The redevelopment of the property will enhance the tourism experience or improve the economic impact.	1 2 3 4

TOTAL: _____

Summary of Tenant Incentive Program

Objective

The objective of this program is to encourage property owners and brokers to backfill the empty buildings. The city currently is in a much better position than we were a year ago on empty buildings and sites, but this is still an area that we need to be mindful of. This program is more geared towards retail which is why a retail business would receive more funding than any other business style. The business owner, who is usually the tenant, is the only one who has fronted the money to start or move their business. This program would encourage someone to locate in our city knowing that the city is being proactive in business recruitment.

Quick Overview

As in the name of the program this is “Tenant” based. This means that only the tenant would receive this money and not the property owner or broker. The tenant would have to submit an application that would outline the business, if their creditworthy, a signed lease for three years, and any exterior building improvements as approved by the planning commission “if applicable”. The tenant would also have to provide financial statements and pro forma income/expense statement of the business. As a city we also want to make sure that these partnerships are a lasting partnership that can be sustained.

Awarding Process

Each application that is submitted and can provide all required documentation would then be reviewed by the Goodlettsville Industrial Development Board. The board would then score each project to make it a fair process. The application shall reach the designated number of points to be awarded funding. Staff wanted to make this a process that is as fair as possible due to the anticipation that multiple applications will be considered in the infant stages of this program. Payments would be broken into thirds with the first payment happening after grand opening and then subsequently every anniversary for the next two years.



TENANT INCENTIVE PROGRAM APPLICATION PROCESS

**Administered by the
Goodlettsville Industrial Development Board**

Goodlettsville Community Development
318 N. Main Street, Goodlettsville, TN 37072 ♦ (615) 851-2213 www.goodlettsville.gov

NEW OFFICE OR RETAIL TENANT INCENTIVE PROGRAM

The purpose of this program is to provide incentives for **non-retail** and **retail** businesses to locate in the Commercial Districts of the city corporate limits.

The Goodlettsville Industrial Development Board must approve the incentive. To be considered, the tenant and/or the lease must meet the following qualifications:

- The lease must have a term of at least three (3) years.
- The tenant's business should be a business which would tend to encourage other businesses to locate in the District.
- All exterior building improvements, including signage, must be approved by the Design Review Commission.
- The tenant must be creditworthy, i.e., the lease should be "bankable" by the property owner.
- The tenant should submit the application along with the required documentation to the address below ***no less than two weeks prior*** to the regularly scheduled Goodlettsville Industrial Development Board meeting (normally the first Wednesday of each month).

This program shall not apply to businesses relocating from another commercial location within the City of Goodlettsville excluding home occupations.

Upon the approval of the Goodlettsville Industrial Development Board and the tenant actually opening the new business, one-third (1/3) of the incentive shall be paid. The second third shall be paid at the beginning of the second year and the remaining third shall be paid at the beginning of the third year. ***These payments are contingent upon receipt of an updated financial statement and one credit reference to also include a letter in good standing from the landlord. After receipt of the above information and its approval by the Goodlettsville Industrial Development Board. The maximum amount of an award for one applicant shall be \$25,000.***

The total amount of the incentive shall be one dollar (\$1.00) per square foot of leased ***non-retail space*** or two dollars (\$2.00) per square foot of ***retail space***.

To submit the Application or for additional information, contact

Alex West, Economic Development Coordinator
Community Development Department
318 N. Main Street, Goodlettsville, TN 37072

(615) 851-2213
awest@goodlettsville.gov

**NON-RETAIL OR RETAIL TENANT INCENTIVE PROGRAM
GOODLETTSVILLE INDUSTRIAL DEVELOPMENT BOARD**

APPLICATION FOR TENANT INCENTIVE

Name of Applicant (Lessee) _____

Address _____ Zip _____

Telephone _____ Fax _____ E-Mail _____

Name of new business _____

Type of business _____

Products to be offered _____

Services to be offered _____

Address of leased property _____

Name of Lessor _____

Amount of space to be leased _____ sq. ft.

Rental rate _____ per sq. ft./per year Initial term of lease _____ years

Is the business relocating from another location within the City of Goodlettsville?

____ Yes ____ No

Commercial Real Estate Broker representing tenant (if any) _____

Attachments Required:

1. Copy of fully executed Lease Agreement (or Letter of Intent for pre-approval purposes)
2. Financial statements of tenant and any guarantor
3. Pro forma Income/Expense Statement of new business

Authorized Signature _____ Date _____

Internal Use Only

Applications will be evaluated by the Grant Committee using this scoring system. In addition to the Scoring Criteria, applicants must meet all other program requirements outlined in the Program Guidelines to be considered for funding. Based on funding availability, the applicants with the highest combined scores from the Committee will be awarded. A score of 4 is the highest for each category and a score of 1 is the lowest. **A total of 25 points is required for funding.**

Applicant: _____ **Property Address:** _____

Scorer Name: _____

USE: <i>What is the proposed use and does it benefit the collected taxes by the city</i>	
This use provides an increase in sales tax.	1 2 3 4
This use will provide assistance in sales to neighboring property.	1 2 3 4
TENANT TERMS: <i>The agreement between tenant and property owner</i>	
The tenant has a lease that well exceeds the minimum requirement of 3 years.	1 2 3 4
SUSTAINABILITY/PERMANENCE: <i>Some improvements have a greater, lasting value than others and will remain relevant to the property over time. Priority will be given to projects with significant permanence.</i>	
The tenant has strong financial statements that secure its financial stability.	1 2 3 4
Applicant plans to continually invest in the property to continue to improve the building as well as the use.	1 2 3 4
COMMUNITY CONTRIBUTIONS: <i>Businesses that focus on the community as a whole build a better place for people to live, visit, work and play. Priority will be given to businesses that actively give to the community.</i>	
Project eliminates blighted or dilapidated structures that have generally been cause for concern by the community (Crime/Safety)	1 2 3 4
The reuse of the property provides for a vacant/unused building to be utilized for future business growth and employment opportunities in the community.	1 2 3 4
The reuse of the property will enhance the tourism experience or improve the economic impact.	1 2 3 4



AGENDA SUMMARY SHEET

Board of Commissioners

City of Goodlettsville, Tennessee

<u>SUBJECT TITLE: RESOLUTION 24-1203</u> A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AMENDING THE CITY OF GOODLETTSVILLE PERSONNEL POLICY AND PROCEDURES MANUAL. <u>PRESENTD BY:</u> Tim Ellis, City Manager	Agenda Item: <u>Resolution 24-1203</u> Dept. of Origin: Administration For Agenda of: <u>March 7, 2024</u> Originator: <u>Dawn West</u> Cost of Item: Minimal
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AGENDA ITEM ATTACHMENTS:

Resolution 24-1203

Personnel Policies and Procedures Manual

SUMMARY STATEMENT:

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSION'S AMENDING THE CITY OF GOODLETTSVILLE PERSONNEL POLICY AND PROCEDURES MANUAL.

FINANCIAL SUMMARY:

Minimal

RECOMMENDED ACTION:

Staff recommends approval of Resolution 24-1203

Resolution NO. 24-1203

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AMENDING THE CITY OF GOODLETTSVILLE PERSONNEL POLICY AND PROCEDURES MANUAL.

WHEREAS, the need to regularly update the City of Goodlettsville personnel and procedures manual often occurs in order to assure that the best personnel standards are applicable; and,

WHEREAS, city staff has recently reviewed the personnel manual and has determined that it will be in the best interest of the city to make certain changes; and,

WHEREAS, said changes has been presented as a part of this Resolution for consideration of the City of Goodlettsville Board of Commissioners.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE CURRENT PERSONNEL POLICY AND PROCEDURES MANUAL AS ORIGINALLY ADOPTED BY RESOLUTION 10-445 IS AMENDED AND IS ATTACHED HERETO AS EXHIBIT I.

This resolution shall take effect on July 1, 2024, the welfare of The City of Goodlettsville requiring it.

Date adopted: March 7, 2024

Mayor Rusty Tinnin

Attest

City Recorder

Approved as to form and legality

City Attorney



Personnel Policies & Procedures Manual

A government committed to operating with efficiency and integrity in all we do as we strive to enhance the quality of life for the community we serve.

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CITY OF GOODLETTSVILLE

SECTION I – PERSONNEL POLICIES

A. PURPOSE AND OBJECTIVES

The primary purpose of these policies is to establish an understanding, cooperation and efficiency in City operations by establishing good personnel practices. The objectives of these policies are to promote and increase efficiency, provide fair and equal opportunities, develop a process of recruitment and selection of employees and promote high morale among employees.

It is the policy of the City of Goodlettsville to apply and foster a sound program of personnel administration to ensure the legal employment and placement of applicants, the establishment of a classification and compensation program, the establishment of an employee relations system and the provision of employee development and training and record retention.

These rules and regulations will cover all employees in the local government service unless specifically excluded by this document, the local government charter, and/or the ordinances of the local government.

Each department may have more specific department policies. This manual is not an employment contract. Employment with the City is at-will. No employee or representative of the City can change any employee's at-will status.

The Policies and Procedures in this manual will remain in effect until changes are considered necessary. Any changes once adopted by the Board of Commissioners supersede the previous copy. This manual has been approved by the Board of Commissioners. The City Manager is authorized to issue interim policy changes, interpretations and directives.

No member of supervision is authorized to change orally or in writing any of the policies and practices described in this manual without the express approval of the Board of Commissioners.

SECTION II – COMPENSATION

A. PURPOSE

The compensation plan is intended to provide fair compensation for all positions within budgetary constraints.

B. PAYCHECKS

All employees of the City of Goodlettsville will be paid on a bi-weekly basis. If an employee has questions about work time, salary or paycheck, the employee should call it to the attention of the supervisor within the pay period in question or immediately thereafter.

Paychecks are issued bi-weekly. The City's two-week payroll period begins at 12:01 AM every other Sunday. Paychecks for the preceding payroll period are issued and deposited into the employee's banking account on the following payday.

Final Paycheck - The final paycheck for a resigning employee will be made available on his/her regular payday.

Lost Paychecks – Employees are responsible for their paychecks after they have been issued. Checks lost or otherwise missing should be reported immediately to the payroll department so that a stop-payment order may be initiated.

Unclaimed Paychecks – Paychecks not claimed by employees within 7 days of the date issued must be returned by the supervisor to the Finance Director.

Direct Deposit - All employees will be set up to receive their paychecks through direct deposit. If an employee does not have a checking or savings account, contact the Finance or Human Resources department for assistance.

C. PAYROLL DEDUCTIONS

By law, the City is required to deduct, where applicable, federal withholding taxes, Social Security taxes, and garnishments from an employee's pay. In addition, the following deductions will be made when authorized by an employee:

1. **Federal Income Tax** – Federal taxes are withheld from employees' paychecks based on the number of dependents claimed by each individual. Employees are required to file with the City a copy of the W-4 form. In the event of changes in the employee's exemption status, a revised W-4 form must be filed before payroll deduction adjustments will be made.
2. **Social Security** – Social Security payments and deductions will be made according to the Social Security Act. The Human Resources Director shall keep such records and make such reports as may be required by applicable state and federal laws or regulations.
3. **Others** – Other City authorized deductions will be made from an employee's pay only with the employee's signed consent or as required by law.
 - a. Medical insurance
 - b. life insurance
 - c. vision insurance
 - d. supplemental insurance
 - e. additional life insurance
 - f. deferred compensation payments
 - g. credit union payments
 - h. dental insurance
 - i. child support garnishments
 - j. any other garnishments or deductions agreed to or required by law

D. LONGEVITY PAY

Based on the availability of funding in the City's operating plan (budget), the City's longevity pay plan provides annual payments to regular full-time employees as a reward for their service to the City. Longevity pay is calculated at the rate of \$100 per year of eligible service for years for longevity pay. Regular Part-Time employees will receive \$50 per year of eligible service. To qualify for longevity pay, The dollar value of longevity pay is considered as regular income for Tennessee Consolidated Retirement System purposes and shall be treated as nondiscretionary bonus for the purposes of calculating overtime pay for the weeks in which overtime was worked within the bonus coverage period.

Active employees must be employed on January 1 of the year to be eligible for that years longevity pay and continue to be employed when longevity checks are distributed. Employees who voluntary or involuntary terminate prior to longevity pay issuance will not receive a longevity payment. Eligible retirees who retire after July 1 will be eligible for longevity pay.

E. COMPENSATION

For purposes of classification, City employees are classified as exempt or non-exempt as defined under the Fair Labor Standards Act.

Exempt Employee – An employee is exempt from the overtime provisions of the Fair Labor Standards Act if they are classified as an executive, professional or administrative and meet specific criteria for exemption and must be ~~paid at least \$455 weekly~~ the federal minimum for exempt employees.

Non-Exempt Employee – An employee who is not exempt from the overtime provisions of the Fair Labor Standards Act. A non-exempt employee is entitled to receive overtime for all hours worked beyond 40 in a workweek (except as FLSA allows for police officers and fire fighters.)

Overtime for non-exempt employees is paid for hours worked over 40 per week. Exceptions are made by FLSA for police officers and fire fighters on different shifts. Overtime must be authorized in advance. Sick time is not counted as hours worked for overtime calculations.

Compensatory Time- Overtime may be paid as monetary compensation, compensatory time, or any combination of money and compensatory time equivalent so long as the premium pay is at least "time and one-half". There must be an agreement of payment before the overtime is worked. An employee may not accrue more than **150** hours of compensatory time. Upon termination, an employee must be paid for compensatory time accrued.

Exempt employees may accrue compensatory time up to 200 hours for hours worked in a week that exceed 40. Exempt employee compensatory time is earned on an hour-for-hour basis or straight time. Exempt employees will not be paid out their compensatory leave balance upon separation. Exempt employees will not receive payment above their regular wages resulting from any hours worked in excess of forty (40) in a workweek unless authorized by a special provision in this manual. Exempt employees are not permitted to accrue compensatory time associated with work travel.

On-Duty – An employee is considered ‘on-duty’ at any time for which the City compensates the employee, which includes lunch and breaks for police officer, emergency communications officers and firefighters. All other employees are not compensated for lunch.

EMERGENCY PAY CALCULATION (EXEMPT EMPLOYEES)

Emergency Pay. The City shall provide its employees who are considered “exempt” under the Fair Labor Standards Act with emergency pay for every hour worked in excess of forty (40) hours during their normal work when responding to an officially declared local, state, or federal disaster or state of emergency. Emergency pay shall only be provided for performing essential services as approved by the City Manager in his or her discretion. Emergency pay will be calculated by the hour at the regular hourly rate paid to the employee at the time a major disaster or major emergency is declared. All emergency pay shall cease when the City Manager has determined in his or her discretion that the need for disaster or emergency response has ended.

Documentation. To assist the Federal Emergency Management Agency (FEMA) reimbursement process, exempt employees receiving emergency pay under Resolution 09-409, adopted on November 12, 2009 shall maintain accurate and detailed documentation defining the duties performed and the hours work.

SECTION III – EMPLOYMENT

A. APPLICATIONS

The City of Goodlettsville strives to attract qualified applicants for every position. The Human Resources Director will prepare and publish a notice of vacancies in various media, tailored to attract potential candidates.

Employment applications are accepted ~~only at City Hall by the Human Resources Director~~[online](#). [Paper copies are accepted in the Human Resources Department if not able to complete online.](#)

Applications are only accepted when vacancies exist and will only be considered for specific positions applied.

Open positions may be advertised internally or internally and externally concurrently. ~~In no situation will an open position be advertised externally prior to being advertised internally.~~

B. RECRUITMENT BY EXAMINATION

Eligibility for some positions may require satisfactory completion of a skill-specific examination.

C. EQUAL EMPLOYMENT OPPORTUNITY

The City does not discriminate in its employment practices and complies with applicable State and Federal Laws regarding equal employment opportunities.

The City will continually strive to hire, train and promote individuals on the basis of their qualifications without regard to race, color, creed, sex, age, national origin, genetic information, ~~or~~ disability status [or any basis protected by law](#).

D. MEDICAL EXAMINATIONS AND GENERAL PHYSICALS

Post Offer Following a conditional offer of employment, every prospective employee will be examined by a licensed medical physician designated by the City. This exam will determine whether prospective employees can perform the essential functions of the position offered. The cost of this medical examination will be borne by the City. Seasonal employees returning to the

same position may not be required to have another physical exam, but will be subjected to a drug screen if returning after a six (6) month leave.

Prospective employees who are unable to successfully perform the essential functions tested for in the medical examination shall have their offer of employment by the City withdrawn only if they:

1. cannot perform the essential functions due to a disability that cannot reasonably be accommodated;
2. pose a direct threat to themselves and/or others; or
3. are unable to perform the essential functions due to a temporary condition or disability not protected by the ADA

Post-hire

All employees of the City may, during their employment, be required by their department head, with the approval of the City Manager to undergo an initial and/or periodic examination to determine their physical and mental fitness to continue to perform the work of their positions. These examinations shall be at no expense to the employee. Determination of physical or mental fitness will be made by a physician designated by the Human Resources Director. When a City employee is reported by the examining physician to be physically or mentally unfit to perform work in the position for which he/she is employed, the employee may, within 3 days from the date of his/her notification of such determination, indicate in writing to the City Manager his/her intention to submit the question of his/her physical or mental unfitness to a physician of his/her own choice.

In the event there is a difference of opinion between the examining physician and the physician chosen by the employee, a physician will be mutually agreed upon and designated by both physicians to perform the 3rd examination. The third physician's decision will be final and binding as to the physical or mental fitness of the employee. The City will pay for its physician, the employee will pay for his/her physician, and the third physician will be paid by the employer.

Employees determined to be physically or mentally unfit to continue in their positions may be demoted according to these rules, or they may be separated from the City service only after it has been determined that they:

1. cannot perform the essential functions due to a disability that cannot reasonably be accommodated;
2. pose a direct threat to themselves and/or others;
3. are unable to perform the essential functions due to a temporary condition or disability not protected by the ADA

Additional Exams

Other exams may be required for specific jobs. An example is a psychological exam for police officers.

E. EMPLOYEE CLASSIFICATIONS

1. **Regular Full-time Employee** – A regular full-time employee is one who is consistently scheduled to work and works a minimum of 32 hours per week.
2. **Regular Part-time Employee** – A regular part-time employee is one who works part-time hours on a regular basis. Regular part-time employees are not eligible for benefits.
3. **On Call Part-Time Employee** – An on call part-time employee is one who works part-time hours as needed. Non-full-time firefighters fall into this classification. On call part-time employees are not eligible for benefits.
4. **Temporary Employee**– A temporary employee is an employee who works for a specified period of time.
5. **Volunteer Employee** – A volunteer is an individual who works for the City without compensation.

Except for benefits required by law, only regular full-time employees are eligible for benefits.

F. NEW HIRES, PROMOTIONS, DEMOTIONS, AND TRANSFERS

Pursuant to the City charter, the City Manager has the authority to hire, promote, demote, transfer, suspend, and remove all officers and employees of the City of Goodlettsville. All vacancies in the City service will be filled by new hires, re-employments, promotions, appointment, conditional hires, transfer, or demotion.

Whenever a department head wishes to fill a vacancy, a request must be submitted to the City Manager.

1. **New Hire** – An applicant who satisfies all requirements of employability and accepts an offer of employment.
2. **Promotion** –Assignment of an employee from one position to another having a higher maximum pay rate, rank, and responsibility.
3. **Transfer** – An employee who transfers from one department to another upon agreement of both department heads and approved by the City Manager.

A former employee rehired within six months from the effective date of their previous termination may, upon approval of the City Manager, be given credit for the previous service. After six months, the former employee will be considered a new hire. A re-hire with less than one year of prior service will be considered a new hire.

An employee who transfers from one City department to another will retain and carry forward all benefits earned, accrued, or both as of the date of transfer. As a general rule, lateral transfers require no increase in compensation.

When a Regular Part-Time employee becomes a Regular Full-Time employee, a period of non-eligibility for health related employee benefits must be satisfied. The employee can immediately

join TCRS and the deferred compensation plan. Sick time and vacation time will begin accruing on the first day of full-time employment.

When a temporary employee is hired full-time, the hire date will be retroactive to the date of employment as a temporary worker, provided temporary employment was full time and has been continuous. The employee can immediately join TCRS and the deferred compensation plan, but must complete a period of non-eligibility for health related employee benefits.

G. CITIZENSHIP AND IMMIGRATION STATUS VERIFICATION

The City will not discriminate on the basis of a person's national origin or citizenship status with regard to recruitment, hiring, or discharge. However, the City will not knowingly employ any person who is or becomes an unauthorized immigrant. In compliance with the Immigration Reform and Control Act, all employees hired after November 6, 1986, regardless of national origin, ancestry, or citizenship, must provide suitable documentation to verify identity and employability. The documentation must be provided within three days of employment or the individual will be subject to separation. Certain positions do require United States citizenship (POST certification, etc.)

H. PROBATIONARY PERIOD

The probationary period for all newly hired, promoted and/or laterally transferred employees will be six (6) months.

During the probationary period, the supervisor will inform the employee when his/her performance is unsatisfactory.

A performance evaluation/appraisal will be completed at 30, 60, 90, 120 and 150 days after employment. After each evaluation, the department head shall notify the City Manager if the employee's service has been satisfactory and whether he/she will continue to employ the individual.

The probationary period does not change the at-will status.

I. PERFORMANCE APPRAISAL / EVALUATION

The performance of all employees will be appraised and reviewed at least annually by their immediate supervisor. Written appraisals will be discussed with the employees so they will know how they are progressing and what they may do to improve their performance.

J. FIRST DAY OF EMPLOYMENT / ORIENTATION

New employees shall be required to complete or provide the following documents and forms before beginning work:

1. W-4 form;
2. signed acknowledgement form from the employee handbook/personnel manual
3. Immigration Control and Reform Act Form (I-9);
4. a copy of educational certification, professional license, or certificate required per the job description;

5. emergency telephone numbers;
6. a copy of driver's license (if the position requires driving a City vehicle) or some type of government issued identification;
7. list of dependents as required by Consolidated Omnibus Budget Reconstruction Act (COBRA); and others.

In order for new employees to be successful, it is imperative that they understand the overall environment in which they will be operating. Employees who understand the organization's history, scope of operation, economic goals and future prospects will identify more readily with the entire organization. They should develop a sense of belonging more quickly than other employees who are left to search out needed information on their own.

New employees are required to attend a new employee orientation. At this orientation, employees will be provided with relevant documentation which may include:

1. City organization chart and department functions;
2. map of the City;
3. copy of policy handbook and other City pamphlets;
4. benefit handout;
5. detailed outline of emergency and accident-prevention procedures;
6. telephone numbers and locations of key personnel and operations; and/or
7. safety requirements and accident procedures

K. MOONLIGHTING / OUTSIDE EMPLOYMENT

Upon notification of the employee's department head, other employment is permissible, provided that there is no conflict of interest or impairment of work performance for the City of Goodlettsville. ~~An employee out from work on FMLA or using Sick Leave cannot work outside employment shall not work secondary employment.~~

Police and fire departments may have their own policies on use of uniforms and equipment and when such may be used in the course of outside employment.

L. ATTENDANCE

The City provides regular full-time employees with vacation and sick leave. Vacation, banked holidays and compensatory time must be scheduled with one's supervisor in advance. Only sick leave can be used in the case of an emergency or sudden illness.

Punctual and regular attendance is necessary for the City to operate efficiently. Employees unavoidably late or absent from work due to illness or other causes must speak to their supervisor before the start of the shift. If the immediate supervisor is not available, the employee must speak to another supervisor in his/her chain of command. Employees must explain the reason for the absence and, if possible the anticipated time and date they will return to work. Failure to notify one's supervisor of absences may result in disciplinary action. Employees found falsifying a time sheet or excessively tardy will be subject to disciplinary action.

Absences and Tardiness

Each scheduled work period for which an employee is absent, except for those listed below,

counts as an infraction. An absence of multiple consecutive work periods due to the same illness or injury may be counted as one infraction with documentation (doctor's note, etc.). An absence for 3 or more consecutive work periods for the same illness or injury requires a doctor's release to return to work.

An initial sick doctor's visit will not count as an infraction with documentation of the employee's visit to the doctor's office. (The City reserves the right to verify the authenticity of the doctor excuse.) In order for the doctor visit to not count as an infraction, the visit must be for the employee or the employee's dependent (minor child or spouse) whom the employee was required to accompany. Follow up doctor visits and testing should be scheduled in advance with minimal interruption of normal scheduled work period.

Any unscheduled absence, unless listed as an exception in this policy, will result in an attendance infraction, regardless of pay status.

A tardy arrival, early departure or other work period interruption is a half (1/2) infraction if not preapproved.

Approved prescheduled times away from work using vacation, banked holidays, compensatory time and prescheduled sick leave (doctor's apt, therapy, etc.) are not considered an infraction for purposes of this policy. Absences due to a documented worker's compensation cases will not be counted as an infraction, unless light duty is offered to and rejected by the affected employee. Hours donated for shared sick leave, an approved Family Medical Leave Act (FMLA) leave or other protected leaves in accordance with local, state, or federal laws will not count as an attendance infraction.

If an employee is scheduled to work or accepts overtime and either fails to report or reports after the scheduled start time, an infraction will be charged in accordance with this policy.

An employee is self-terminated when he / she is absent from work in an unpaid status the second time in a ninety (90) day period, excluding absences meeting FMLA qualifying criteria. For an absence to be considered FMLA, an employee must contact Human Resources for the proper paperwork and meet the qualifications.

Disciplinary action will be implemented against employees with attendance infractions as follows:

Written Notice

Three infractions in any three-month period is cause for a written notice with documentation placed in the employee's file.

Written Warning

The next infraction in the three-month period following a written notice will result in a written warning.

Suspension

The next infraction in the three-month period following a written warning will result in an unpaid three-day suspension.

Termination

The next infraction in the three-month period following a suspension will result in termination of employment.

Time Frame	# of Infractions	Step of Discipline
3 Months	3	Written Notice
3 Months from Written Notice	4	Written Warning
3 Months from Written Warning	5	Suspension
3 Months from Suspension	6	Termination

Procedures

Management reserves the right to use its discretion in applying this policy with special or unique circumstances.

Excessive absences and/or patterns of absences may still result in disciplinary action even with documentation.

M. NEPOTISM

1. It is the policy of the City of Goodlettsville not to discriminate in its employment and personnel actions with respect to its employees and applicants on the basis of marital or familial status. Notwithstanding this policy, the City of Goodlettsville retains the right to refuse to appoint a person to a position wherein their relationship to another employee has the potential for creating adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest.
2. This policy applies to all individuals employed by the City of Goodlettsville.
3. For purposes of this policy, relative includes spouse, parent, sibling, child, step-parent, step-sibling, step-child, foster child, mother or father-in-law, sister or brother-in-law, daughter or son-in-law, grandparent, grandchild, aunt or uncle, niece or nephew and first cousin. Additionally, this policy applies to persons residing in an employee's home and/or employees who are parents of the same child.
4. Generally, it is the City's policy that relatives of City employees will not be hired into departments and current employees will not be allowed to transfer to departments where a relative is already employed. Additionally, relatives of City employees will not be hired and current employees will not be allowed to transfer if the situation would be created wherein:

- a. One relative would have the authority or be in position to supervise, hire, remove or discipline the other; or
 - b. One relative would be responsible for auditing or evaluating the work of the other; or
 - c. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.
- 5. Specifically, it is the City's policy that relatives of any member of the board of commissioners, city manager, assistant city manager, finance director, human resources director, city attorney, and city judge not employed by the City at the time of election or appointment to any of the aforementioned positions will not be approved for any regular full-time position.
- 6. If a relationship described in Section 3 occurs among employees in the same department during employment, the department head and the city manager will meet with the employees. The employees will be asked to determine which of the two employees will leave City employment if a transfer cannot be arranged within thirty (30) calendar days to another City department for either of the employees. An employee who is allowed to transfer must meet the minimum qualifications of a vacant, budgeted position. In the event the two employees cannot decide between them who will leave, or if a transfer cannot be arranged, the employee with the greatest cumulative employment service to the City will be retained. The departing employee is considered to be voluntarily terminated.
- 7. The city manager may exercise discretion in waiving requirements of this policy when doing so accommodates the best interests and well-being of the City.

SECTION IV – LEAVE POLICIES

The City's benefits and leave policies have been designed with the health and well-being of its employees in mind. While leave privileges add to the benefit and compensation package of employees, they also add intangible quality of life benefits which help attract and retain a desirable workforce.

Temporary, seasonal and part-time employees are not eligible for the following leave and benefits.

A. PAID HOLIDAYS

The following days are considered paid holidays for all full-time employees. The paid holiday schedule is subject to change on an annual basis.

Paid Holiday Schedule	
New Year's Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4

Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	Day before Christmas
Christmas Day	December 25
4-5 Floating Holidays	Four <u>Five</u> floating days with approval

Weekend Holidays

Holidays that fall on Sunday are typically observed the following Monday by those employees working Monday through Friday; holidays that fall on Saturday are observed on Friday by those employees.

Holiday Pay

When an employee is required to work on a paid holiday, he/she will be compensated in accordance with the statement below:

A full time, hourly employee who works on a regularly scheduled holiday will be granted extra pay at a rate equivalent to time-and-a-half and/or compensatory time for all hours worked.

To receive compensation for a holiday, employees eligible for holiday benefits must be in an approved pay status on their last regularly scheduled shift before a holiday and their first regularly scheduled shift after a holiday.

Legal Holidays in Lieu of Vacation Leave

Legal holidays falling within a vacation period are not to be counted as vacation days. There shall be no pay in lieu of vacation.

Floating Holidays

Floating Holidays must be approved by the employee's supervisor in advance. Monetary compensation will not be made for unused floating holiday(s). Floating Holidays must be used from July 1 to June 30 of each fiscal year or forfeited. Newly hired regular full-time employees in their first year of employment will receive one floating holiday for each quarter in which he/she works ½ the quarter.

B. VACATION LEAVE

Vacation leave is personal leave granted to employees as part of the City's benefit package. The vacation year is based on the employee's anniversary date.

Eligibility

Regular full-time employees are eligible to accrue vacation leave beginning the 1st day of regular full-time employment.

Approval

Vacation leave will be granted to eligible employees and approved by supervisors. The supervisor must be given as much advance notice as possible. All requests for scheduling vacation leave should be submitted for approval to the immediate supervisor at least 7 days in advance of the requested leave. Approval of a request for leave must be given by the supervisor. The supervisor will take into consideration the requirements of maintaining adequate service in the department as part of the approval process.

Compensatory Time

If the employee has accrued compensatory time, the employee may be required to use compensatory time before using vacation leave or other times of leave.

Waiting Period

Employees are not eligible to use vacation leave for the first 6 months of employment.

Increments

Vacation leave can be taken in minimum increments of one hour.

Carry-Over

Vacation leave not used by the employment anniversary date may be carried over to the following year according to the following schedule. After five years of service, an employee may carry over 40 hours of vacation per year for a maximum of 120 hours. After ten years of service, an employee may carry over 40 hours of vacation per year for a maximum of 160 hours. After twenty years of service, an employee may carry over 40 hours of vacation per year for a maximum of 400 hours. Vacation hours in excess of the allowed carry over amount will be forfeited on the employee's anniversary date if not used. Exceptions to the carry-over rule may be made with the approval of the Department Head and City Manager.

Workers' Compensation

Employees on Workers' Compensation will continue to accrue vacation during the period of absence.

Termination of Employment

Upon termination, all eligible employees who terminate from employment with the City will be paid for any accrued, unused vacation leave.

Leave of Absence

Employees on paid leave will continue to accrue vacation leave. Employees on unpaid leave will not accrue vacation leave if they are on unpaid leave for more than 10 consecutive work days. This policy does not apply if explicitly permitted leave under another policy.

Calculation of Vacation Leave

Vacation leave time for regular full-time employees will be calculated according to the following schedule:

Years of Service	Hours Earned / Year 8/10 hour shift	Hours Earned / Year 12 hour shift	Hours Earned / Year 24 hour shift
6 mo – 1	40 hours	48 hours	60 hours
1-5	80 hours	84 hours	120 hours
6-10	120 hours	132 hours	180 hours
Over 10	160 hours	168 hours	228 hours

Legal holidays falling within a vacation period are not to be counted as vacation days. There will be no pay in lieu of vacation.

Vacation can only be used after accrued.

Vacation is taken hour-for-hour for all employees.

The City Manager shall have the authority to grant years of service credit to a new hire as it relates to vacation leave if their previous work experience is in a similar field and position.

C. SICK LEAVE

1. INTENT

It is the intent of the City of Goodlettsville to provide its regular full-time employees with paid time off for absences caused by non-occupational illness or injury. Paid time off under this policy is not an entitlement. It is intended to assist employees finding themselves possibly losing income when problems related to personal illness or injury force their absence from their job.

2. APPROVAL

- a. An employee's use of sick leave is subject to approval by the City. Approval of the use of sick leave by the employee must be made prior to its use.
- b. An employee's absence will be unpaid if his / her request to use sick leave is received by his / her supervisor later than the beginning of the employee's work day for which sick leave use is being requested.
- c. An employee's notice of his / her intentions to use sick leave must be made directly to the employee's immediate supervisor or another member of the employee's supervisory chain of command by telephone conversation.

3. USE

- a. Sick leave may be requested for use under the following conditions:
 - i. Absence due to the employee's personal illness, injury or medical / dental treatment;
 - ii. Absence due to illness or injury of the employee's spouse, dependent child, dependent stepchild, parent or step-parent requiring the care and attention of the employee;
 - iii. Enforced quarantine of the employee in accordance with community public health regulations;
- b. Sick leave may be taken in minimum increments of not less than ~~one (1) hour~~ 15 minutes.

- c. Sick leave will be used at a ratio of hour-for-hour for all hours used regardless of the length of the employee's regularly scheduled work shift.

4. RATE OF PAY

- a. Pay for absence for which sick leave use is approved will be the employee's regular pay rate multiplied by the hours of sick leave used.
- b. Hours representing sick leave will not be included in computing overtime pay.

5. RATE OF ACCUMULATION

Shift	Hours Earned/Month
8/10 hours (2080/year)	8
12 hours (2184/year)	8.42
24 hours (2764/year)	10.67

6. UTILIZATION

- a. An employee absent from work for conditions qualifying for use of sick leave more than three (3) consecutive regular work shifts will be allowed to return to work upon presentation of a physician's statement verifying that medical treatment was sought and administered for the condition causing their absence.
- b. The employee is considered using sick leave until the physician's statement is presented. The employee will be paid sick leave after presenting the physician's statement. The employer may verify the validity of the physician's statement.
- c. An employee is self-terminated when he / she is absent from work in an unpaid status the second time in a ninety (90) day period, excluding absences meeting FMLA qualifying criteria.

7. EMPLOYEE TERMINATIONS

- a. Employees who voluntarily resign their employment or who are discharged by the City will forfeit all sick leave credited for their use.
- b. Retiring employees or employees who die in active service will be paid for one-half of any unused sick leave and one-half of their unused sick leave will be added to service time, the total not to exceed 960 hours.
- c. No compensation either in payment or credited service will be made for any hours accumulated over the 960 hour maximum.

8. EXCLUSIONS

- a. Sick leave hours will not be credited in any month in which an employee works less than one half of the scheduled work hours for that month.
- b. Hours of vacation, holidays and absences due to occupational illness or injury are counted as hours worked in determining eligibility for this benefit.

D. SHARED SICK LEAVE

1. Purpose

City of Goodlettsville employees accumulate paid time off (sick leave) to be used for absences caused by non-occupational illness or injury. The City realizes that because of serious and prolonged illness, an employee may exhaust all available paid leave and may be placed on leave without pay. Employees forced to go on leave without pay could be without income at a very

critical point in their work life. This Shared Sick Leave Policy of the City of Goodlettsville establishes guidelines as to how fellow employees may voluntarily share some of their sick leave in order to provide assistance to another employee. This policy is not intended to apply to incidental, normal, or short-term conditions.

Unless differently specified in this policy, the use of shared sick leave by employees will comply with all uses, criteria and requirements of the City's Sick Leave Policy (Resolution No. 08-380).

2. Eligibility to Receive Shared Sick Leave

1. An employee with twelve (12) months or more of continuous service who has exhausted all paid leave due to a serious illness or injury and has entered a leave-without-pay status for at least forty (40) consecutive regularly scheduled work hours may submit a request to the City for sharing of sick leave. Accompanying the request must be a doctor's statement explaining the nature of the illness or injury and an anticipated return-to-work date, provided this information has not already been received.
2. An employee having received at least a disciplinary written warning for attendance in the year preceding the date of the onset of the illness or injury necessitating the employee's shared sick leave request is ineligible to receive shared sick leave.
3. Shared sick leave shall not be utilized retroactively except to cover the period between the date the request was submitted to the employee's department head and the date of approval by the City.

3. Eligibility to Share Sick Leave

An employee must maintain a minimum personal sick leave balance of eighty (80) hours after sharing sick leave to be eligible to share. An eligible employee may voluntarily share up to forty (40) sick leave hours in one calendar year.

Note: Sick leave shared under this policy will not affect the attendance record of the donating employee.

4. Approval of Request for Shared Sick Leave

Upon receipt of a request for shared sick leave, the City Manager, Human Resources Director, the requesting employee's department head and a non-supervisory employee from the requesting employee's department will determine if the request is valid (requests will be considered invalid for reasons of elective surgery or if the requesting employee is receiving or may be eligible to receive any employee-provided disability benefits). If the request is determined to be valid, the Human Resources Director will send a request to all City employees asking for sick leave sharing. Employees wishing to voluntarily honor the request should contact the Human Resources Director to complete the sick leave sharing process. The City will attempt to protect the confidentiality of the medical condition of the employee, but the requesting employee's name will be published in the request for shared sick leave.

5. Maximum Allowable Received Shared Sick Leave

Employees may receive up to six hundred forty (640) shared sick leave hours while in employment service to the City.

6. Use of Shared Sick Leave

Shared sick leave shall be used:

- a) In the order in which it is shared in eight (8) hour increments; and
- b) On consecutive regularly scheduled work hours.

NOTE: Any paid leave that an employee accrues while using shared sick leave shall be used before shared sick leave.

7. Unused Shared Sick Leave

When the recipient of shared sick leave returns to work, unused shared sick leave will be restored to the donors in reverse order of donation. Donating employees will be informed by the Human Resources Director of the amount of shared time he/she donated and used by the requesting employee.

8. Conformity with Provisions of the City's Family and Medical Leave Act (FMLA) Policy

Use of shared sick leave hours by an employee will be treated the same as if the employee was using his/her own accumulated paid leave as it relates to FMLA leave. Just as with other types of paid leave, shared sick leave hours will be used concurrently with leave provided under FMLA.

E. FAMILY AND MEDICAL LEAVE ACT

Purpose

The purpose of this policy is to provide a family and medical leave policy for employees of the City of Goodlettsville in compliance with Public Law 103-3, titled Family and Medical Leave Act (FMLA) of 1993. The policy also provides the changes to FMLA that come as part of the National Defense Authorization Act of 2008.

Eligibility

The Family and Medical leave policy is applicable to both male and female employees who have worked at least 12 months for the City and who have worked at least 1,250 hours during the preceding 12-month period. Such employees are eligible for a maximum of 12-26 weeks leave under the act. Special rules apply for husbands and wives employed by the same employer, for highly compensated employees, and for local educational agencies. People who are *not* covered include elected officials, political appointees, volunteers, independent contractors, and legal advisors.

FMLA Circumstances

Employees may be eligible for Family and Medical Leave for one or more of the following reasons:

1. For the birth and care of the newborn child of the employee;
2. For placement with the employee of a son or daughter for adoption or foster care;
3. To care for an immediate family member (spouse, dependent child, or parent) with a serious health condition;
4. Medical leave when the employee is unable to work because of a serious health condition.

5. To care for an immediate family member (spouse, child or parent) injured while on active military duty if that injury renders the service member unfit for military duty. Eligible employees can take up to 26 weeks of unpaid leave or may substitute vacation or sick leave.
6. To handle a “qualifying exigency” relating from an employee’s spouse, child or parent being called to active duty through the National Guard. Eligible employees can take up to 12 weeks of unpaid leave for a qualifying exigency or may use vacation leave (not sick leave).

Paid / Unpaid Leave

Family Medical Leave may be paid or unpaid. Family Medical Leave runs concurrently with paid time off (i.e. sick, vacation time). If the employee has the time available he/she must use all balances of paid time prior to an unpaid leave beginning. If the employee does not have the time available or he/she exhausts paid time while out on FML, the remainder of the approved leave will be unpaid. During periods of unpaid leave, an employee may not accrue any additional leave.

The combination of sick leave, vacation leave, floating holidays, and unpaid leave may not exceed the total allowable leave under FMLA.

Guidelines

An eligible employee may take up to 12 weeks (480 hours) of FML in a 12-month period for the birth of a child or the placement of an adopted or foster care child. Leave may also be taken to care for one’s self, a child, spouse, or parent who has a serious health condition. The right to take leave applies equally to male and female employees who are eligible. Eligible employees may take up to 12 weeks of unpaid leave to deal with family issues resulting from a spouse, son, daughter or parent being called to active duty (including being notified of an impending call to active duty).

Eligible family members of military personnel defined as the spouse, son, daughter, parent or next of kin of a covered service member may take a maximum of 26 weeks leave under FML to care for a wounded member of the armed forces. This includes family members of the National Guard or Reserves who are undergoing medical treatment, recuperation, therapy or other medical treatment for a “serious injury or illness”.

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. Inpatient care in a hospital, hospice or residential medical care facility, including any period of incapacity or subsequent treatment.
2. A period of incapacity of more than three consecutive calendar days that also involves treatment two or more times by a health care provider or treatment which results in a regimen of continuing treatment under the supervision of the health care provider.
3. Any period of incapacity due to pregnancy or for prenatal care.
4. A chronic condition that requires periodic treatments, continues over an extended period of time, and may cause episodic rather than a continuous period of incapacity.
5. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, requiring continuing supervision of a health care provider.

6. Multiple treatments either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatments, such as cancer, severe arthritis or kidney disease.

Serious Injury or Illness for an Injured Service member is defined as a covered service member's injury or illness incurred in the line of duty on active duty in the Armed Forces that may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating. This could include medical treatment, recuperation, therapy, outpatient care and other treatments for a serious injury or illness.

During periods of unpaid leave, an employee may not accrue any additional seniority or similar employment benefits during the leave period.

Spouse / Same Employer

If spouses are employed by the same employer and eligible to take leave for the birth or adoption of a child, their aggregate leave under FMLA is limited to 12 weeks. For example, if the father takes four weeks leave to care for a child, the mother would be entitled to eight weeks leave, for a total of 12 weeks. If, however, the spouse experiences her own serious health condition as a result of the pregnancy, both employees are entitled to the full 12 weeks.

Right to Return to Work

On return from FML, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. An employee is entitled to such reinstatement even if the employee has been replaced or his/her position has been restructured to accommodate the employee's absence.

If the employee is unable to perform the essential functions of the position because of a physical or mental condition, including the continuation of a serious health condition, the employee has no right to restoration to another position under the FMLA. The employer, however, may be required by the Americans with Disabilities Act to offer the employee an accommodation.

Notification and Scheduling

An eligible employee must provide the employer at least 30 days advance notice of the need for leave for birth, adoption, or planned medical treatment when it is foreseeable. This 30-day advance notice is not required in cases of medical emergency or other unforeseen events, such as premature birth or sudden changes in a patient's condition that require altering scheduled medical treatment.

Parents who are awaiting the adoption of a child and are given little notice of the availability of the child may also be exempt from this 30-day notice.

Employees may not retroactively claim that leave was for FMLA. Failure to provide notification will result in the leave not being designated as FMLA.

The employer will, if necessary, provide the FMLA leave notice in alternate formats.

Until FML is approved, the employee must follow the City's call in procedures for sick leave absences. Failure to do so will cause the absences to fall under the sick leave policy.

Certification

The employer reserves the right to verify an employee's request for family/medical leave. If an employee requests leave because of a serious health condition or to care for a family member with a serious health condition, the employer may require that the request be supported by certification from the health care provider of either the eligible employee or the family member, as appropriate. Failure to submit proper certification may result in a delay of FML approval. If the employer has a reason to question the original certification, the employer may, at the employer's expense, require a second opinion from a different health care provider chosen by the employer. The health care provider may not be employed by the employer on a regular basis. If a resolution of the conflict cannot be obtained by a second opinion, a third opinion may be obtained from another provider and that opinion will be final and binding.

Payment for the second opinion shall be borne by the employer. This certification must contain the date on which the serious health condition began; its probable duration, and appropriate medical facts within the knowledge of the health care provider regarding the condition. The certification must also state the employee's need to care for the family member. Medical certifications will be treated as confidential and privileged information under HIPAA and the State's Open Records laws as appropriate.

An employee may be required to report periodically to the employer the status and the intention of the employee to return to work. Before return is granted, employees who have taken leave under this policy may be required to furnish the employer with a medical certification from the employee's health care provider that the employee is able to resume work.

Failure to provide certification in a timely manner may result in delay or denial of FMLA.

Reduced and Intermittent Leave

FMLA Leave may be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. Minimum intermittent leave is one hour. Intermittent or reduced leave schedules for routine care of a new child can be taken only with the employer's approval. The schedule must be mutually agreed upon by the employee and the employer.

Employees on intermittent or reduced leave schedules may be temporarily transferred by the employer to an equivalent alternate position that may better accommodate the intermittent or reduced leave schedule.

Intermittent or reduced leave may be spread over a period of time longer than 12 weeks, but it will not exceed the equivalent of 480 hours total leave in a 12-month period.

Each time intermittent leave is used, the supervisor must be contacted and FMLA leave requested. Otherwise, the absence will fall under the sick leave policy.

Restoration

Employees who are granted leave under the FMLA policy will be reinstated to an equivalent or the same position held prior to the commencement of their leave. Certain highly compensated

key employees, who are salaried and among the 10 percent highest paid workers, may be denied restoration.

Restoration may be denied if:

1. the employer shows that such denial is necessary to prevent substantial and grievous economic injury to the employer's operations;
2. the employer notifies the employee that it intends to deny restoration on such basis at the time the employer determines that such injury would occur; and
3. in any case in that the leave has commenced, the employee elects not to return to work within a reasonable period of time after receiving such notice

Employees voluntarily accepting a light duty assignment in lieu of continuing FMLA leave maintain their right to restoration to the original or an equivalent job until the twelve (12) weeks of FMLA leave has passed.

The 12-Month FMLA Period

The 12-month period during which an employee is entitled to 480 hours of Family and Medical Leave Act (FMLA) leave is a rolling twelve-month period and is measured as follows: An employee is entitled to 12-26 weeks of leave during the 12-month period after the leave begins. The next FML period will begin the first time the employee requests FML after the completion of the previous 12-month period.

Denial of FMLA Leave

If an employee fails to give timely, advance notice when the need for FMLA leave is foreseeable, the employer may delay the taking of FMLA leave until 30 days after the date the employee provides notice to the employer of the need for FMLA leave.

If an employee fails to provide, in a timely manner, a requested medical certification to substantiate the need for FMLA leave due to a serious health condition, an employer may delay continuation of FMLA leave until an employee submits the certificate. If the employer never produces the certification, the leave is not designated as FMLA.

If an employee fails to provide a requested fitness-for-duty certification to return to work, an employer may delay restoration until the employee submits the certification.

Employee Benefits While on FMLA

During periods of FMLA, the City will continue to provide health insurance benefits at the employee rate. If premiums are current, the employer will maintain health insurance benefits during periods of unpaid leave without interruption. Any payment for premiums or other payroll deductible insurance policies must be paid by the employee or the benefits may be terminated. The employer is obligated to reinstate benefits upon an employee's return to work.

The employer has the right to recover from the employee all health insurance premiums paid during the unpaid leave period if the employee fails to return to work after leave. Employees who fail to return to work because they are unable to perform the functions of their job because of their

own serious health condition or because of the continued necessity of caring for a seriously ill family member may be exempt from this recapture provision at the local government's discretion.

FMLA Leave under this policy does not constitute a qualifying event that entitles an employee to Consolidated Omnibus Budget Reconstruction Act (COBRA) benefit; however, the qualifying event triggering COBRA coverage may occur when it becomes clearly known that an employee will not be returning to work. At that point, the employee ceases to be entitled to leave under this policy and may be offered COBRA.

Workers' Compensation While on FMLA

Workers' Compensation injury/illness meets the criteria for a serious health condition; the workers' compensation absence and the FMLA leave entitlement may run concurrently.

F. TENNESSEE MATERNITY LEAVE ACT

Maternity/paternity leave is granted to male and female employees for a maximum of sixteen (16) weeks, with the first twelve (12) weeks of leave falling under the Family Medical Leave Act (FMLA) and the remaining four (4) weeks as maternity/paternity leave. Eligible employees must be employed full-time for at least twelve (12) months (and 1250 hours) to receive maternity/paternity leave.

The employee must provide at least four to six (4-6) weeks advance notice of his/her anticipated date of departure, except in those cases where medical emergency prevents this notice. The employee should state the length of his/her requested leave and detail the intention to return to fulltime employment after the leave.

~~Employees will be required to use accrued leave (vacation, sick, comp) during maternity/paternity leave. Accrued leave and maternity/paternity leave are used at the same time—employees do not take accrued leave first and then take maternity/paternity leave.~~

Replace above paragraph if approved:

Paid Parental Leave: Eligible mothers (who birth baby/babies) may receive up to 6 weeks of paid parental leave at the employee's regular rate for the purpose of recovering from said birth and for bonding with the baby/babies. Eligible fathers may receive 2 weeks of paid leave for the purpose of bonding with the baby/babies. Eligible employees who adopt children may receive 2 weeks of bonding time to bond with the newly placed child/children. Any additional leave under FMLA and/or Maternity/Paternity Leave will use the employee's accrued leave first prior to leave without pay. Parental leave runs concurrently with FMLA and Maternity/Paternity Leave. Employee may receive no more than 6 weeks of paid parental leave in a twelve-month period. Paid parental leave does not apply if one parent is adopting the natural child of the other parent.

Employees must complete a request form for Parental Leave and provide documentation confirming the date of birth and/or date of adoption or placement. Employees who accept this paid leave must agree to continue employment with the City for a period of 6 months after the last paid date of leave. Those who fail to return to work for at least 6 months after leave agree to reimburse the City for all paid leave under this policy.

The purpose of this leave is to provide time off for pregnancy, childbirth, nursing, and/or bonding with the infant. If the City finds that the employee pursued other employment opportunities or

worked part-time or full-time for another employer during the period of maternity/paternity leave, then the City does not have to reinstate the employee at the end of the leave period.

These four months includes the 12-weeks allowable under FMLA.

Leave Position	Maximum Time Allowed
FMLA	12 weeks
TN Maternity Act	4 weeks
TOTAL	16 weeks

G. MILITARY LEAVE

Any employee who has successfully completed the probationary period, and who is a member, or may become a member of any reserve component of the armed forces of the United States or of the Tennessee Army and Air National Guard, will be entitled to a leave of absence from their respective duties for periods of military service during which they are engaged in the performance of duty or training in the service of this state, or of the United States, under competent orders. While on such leave, the employee will be granted paid leave up to twenty (20) days (160 hours) in any one (1) calendar year. Qualified employees who seek paid leave under this policy must provide the official order calling for their service or training to their supervisor. It is the responsibility of the employee to make arrangements with their department head for leave to attend monthly meetings on regular off-time, with the expectation that the paid leave granted herein will be applied to the annual training periods required for reservists.

Any employee who has successfully completed their probationary period and who is a member of the armed forces of the United States who is called to active duty will be placed on military leave. Such employee must present their supervisor or department head with advance notice of their active duty orders. The employee's seniority, status and pay will remain unchanged during their time of military leave. Continued health insurance coverage will be offered up to 18 months, with the employee paying premiums due for such policy. An employee wishing to continue health insurance coverage during their military leave shall provide a mailing address where notices of premium payments due may be sent.

The returning employee will be re-employed in the position they would have attained had they not been absent for military service, with the same seniority, status and pay.

H. LEAVE OF ABSENCE

After completing 1 year of employment, an employee may apply for a leave of absence for up to three (3) months if he/she is a full-time employee. The request for leave must be given to the employee's immediate supervisor and the department head at least thirty (30) days prior to the start of the requested leave unless the leave is an emergency.

Regardless of the reason for the leave, it is essential that the Human Resources Director be notified to ensure that benefits are properly administered.

The employee's department head and City Manager may or may not approve the request for a leave of absence. The decision is at his/her discretion, unless the leave qualifies under the Family Medical Leave Act, the Tennessee Maternity Leave Act, or Military Leave. Some of the

matters considered in approving the request are the employee's length of service, employment record and the reason for the absence.

Employees will not be eligible for accrual of sick leave if the unpaid leave exceeds ½ the current month and vacation leave if the unpaid leave exceeds 10 days. Employee on unpaid leave of absence will not receive holiday pay.

Employees must notify their supervisor of the anticipated date of return to work prior to that date.

When an employee returns from an approved leave of absence, he/she may be placed in their previous or a similar position, if available. If the same or similar position is not available, the employee may receive preference for employment in any available position for which he/she is qualified.

If the employee fails to return to work at the conclusion of the leave of absence, the employee will be considered to have voluntarily terminated unless the employee qualifies for and is approved for additional leave under state and/or federal law.

There may be changes in employee benefits during a leave of absence. Employees should contact Human Resources to determine what changes he/she may be subject to.

An employee who performs unauthorized work for personal gain while on a leave of absence will be terminated. An employee providing false information concerning the reason for a leave of absence will be terminated.

Maintenance of Benefits during Leave of Absence

The City is not required to maintain employee benefit coverage while on an unprotected, unpaid leave of absence. In cases where the leave of absence would trigger a qualifying event (such as a termination of coverage) due to a reduction in work hours, COBRA will be offered.

I. JURY SERVICE LEAVE

When an employee receives a summons to report for jury duty, the employee is required to provide a copy of the summons to his/her immediate supervisor within 2 business days of receiving the summons. Upon presentation of the summons, the employee will be excused from employment for the day or days required of the employee while serving as a juror in any court of the United States or the state of Tennessee. The employee is expected to report for work for any time they are excused from active jury duty.

Upon release from jury duty during the employee's normal working hours, he/she will be expected to return to duty. Employees will receive full pay during jury service. The City will pay the employee such employee's usual compensation and the employee will sign over the check issued from the jury duty service to the City.

This policy also applies to employees who are summoned by the Court by subpoena as a witness in a legal proceeding.

J. VOTING LEAVE

It is the policy of the City to provide employees time off to vote in state, national, and local elections and to establish a procedure for reporting the time missed from work.

Employees who are registered voters may receive reasonable time off to vote if they request such time off before 12 noon the day before the election. The supervisor may specify the hours during which the employee may be absent to vote, and the time off may not exceed three hours. No time off will be granted if the polls in the county where the employee is a resident are open three (3) or more hours before the employee is scheduled to begin work or if the polls close three (3) or more hours after the employee's work schedule ends.

Time off to vote shall be recorded as non-duty paid hours only if the above qualifications are met. Time off to vote is recorded for nonexempt employees as non-worked time when calculating overtime.

The City will not require the employee to use accrued vacation leave and/or compensatory time for the period. However, either may be used at the employee's option to be paid for this time.

K. BEREAVEMENT LEAVE

It is the policy of the City to provide all regular, full-time employees time off without loss of pay due to the death of an immediate family member as defined below.

An employee who is absent during his/her regularly scheduled work week due to the death of an immediate family member shall receive payment for hours absent, such hours of payment not to exceed 24 regularly scheduled work hours with approval from supervisor and department head. Immediate family shall be deemed to include (1) spouse; (2) child, stepchild; (3) parent, stepparent, foster parent, parent-in-law; (4) sibling(s), siblings-in-law; and (5) grandparents (and in-law) and grandchildren.

A paid absence of up to eight (8) hours is provided for employee's time off to attend the funeral of a [Great Grandparent](#), ~~an~~ Uncle/Aunt or Niece/Nephew.

Additional time off may be granted by the employee's supervisor under the Leave of Absence Policy (without pay).

Employees will be granted this leave without deduction from their vacation or sick leave balances.

L. DEATH OF AN EMPLOYEE

Upon the death of a regular full-time employee, his/her beneficiary will receive his/her next due payroll check, pay for accrued vacation time and pay for ½ of accrued sick time up to 480 hours. Further, the Human Resources Director will assist his/her beneficiary in settling pension, life, and hospital insurance benefits.

SECTION V – EMPLOYEE BENEFITS

A. INSURANCE BENEFITS

Health Benefits

The City recognizes that employee benefits are a critical component in career decisions. The City intends to provide a comprehensive benefits package that remains affordable and value based.

The plan document for each plan is available upon request. An updated list of providers is available on the City's website.

Eligibility

Employees are eligible for benefits when employees work a minimum of 32 hours per week. These benefits may include: medical coverage, dental coverage, and vision benefit options.

If employees' hours drop below 32 hours per week on a regular basis, employees will lose eligibility for health insurance. If this occurs, the employee and all covered dependents will be offered COBRA.

Employees are responsible to list only dependents that are eligible for coverage as defined by the plan rules. If a covered dependent becomes ineligible based on the plan rules, it is the employee's responsibility to notify Human Resources immediately. Employees must notify Human Resources of any changes in status within 30 days of the status change. This includes: dependent status change, address changes, divorce, marriage, birth, adoption, reduction in work hours, or any other change that could affect benefit plan eligibility.

Benefit Effective Dates

Medical, dental and vision insurance will be effective the 1st day of the month following 30 days of continuous full-time employment.

Health Coverage

Eligible employees must enroll for coverage within 30 days of employment or a qualifying event. Temporary employee and part-time employees are **not** eligible for medical coverage.

Annual Enrollment / Transfer Period

Health plans, benefit designs, eligibility rules, and premiums are subject to change each plan year based on the previous year's claims experience. Pre-taxed deductions can only be changed with a qualifying event during the plan year or at annual open enrollment.

Contribution

The City may elect to contribute toward the cost of health benefits. The City's contributions, if any, are subject to change.

Qualifying Events

Employees are responsible to notify the City if they experience any significant life event such as birth, marriage, divorce, legal separation, adoption, legal placement of a child, change of address, reduction in employee's regularly scheduled work hours, or a dependent change in status (i.e., school status). Some events will allow changes to benefits including adding or dropping dependents or terminating / adding coverage. Employees should notify the City within 30 days of

experiencing a qualifying event or may be required to wait until the following open enrollment to make any changes. Documentation must be provided such as a marriage certificate, birth certificate, divorce decree, court order, etc.

Medical Insurance Benefits for Retirees

Eligibility for continued medical benefits under the City's Plan requires that the retired employee be eligible for benefits from the Tennessee Consolidated Retirement System. ~~(5 years of service and at least 55 years old).~~

The cost of this benefit shall be shared between the City and retired employee on the following basis:

Current Employees as of December 31, 2010: A retiree employed by the City for 5-10 years shall pay 50% of the monthly premium. A retiree with 10 to 20 years of service shall pay 25% of the monthly premium. A retiree with 20 to 25 years of service shall pay 10% of the monthly premium. A retiree with 25 years of service shall pay the same share of the monthly premium as he/she was paying upon retirement, not to exceed 10% of the monthly premium.

The City will pay 100% of the cost of an approved supplemental plan for a retiree with 20 years of service and age 65 or older.

Retirees with dependent coverage at the time of retirement will be eligible to continue dependent coverage until the dependent is no longer a qualified dependent. Retirees with single coverage at time of retirement will not be eligible to add dependent coverage and cannot convert to dependent coverage at any time after retirement.

~~Retirees with dependent coverage at time of retirement will not be permitted to add any additional dependents, other than those covered at the time, at any future time.~~

In the situation where a retiree or the covered spouse of a retiree reaches Medicare eligibility, the City will continue to pay the same share of the cost with regards to Medicare supplement. Where both retiree and spouse reach Medicare eligibility, the City will pay the same share of cost as before, however, in no event will the City pay in excess of the cost it would pay if the retiree were still an active employee. Also, the retired employee who reaches Medicare eligibility, or the spouse of the retiree who reaches Medicare eligibility, will be required to apply for Medicare Part B and pay the cost of Medicare Part B, which is necessary in order to qualify for a Medicare supplement policy.

For Medicare eligible retirees on or after February 1, 2006, the City will provide insurance premium payment for ~~Blue Cross 65-a~~ Medicare supplement insurance ~~delete -Plan F~~ without prescription coverage, with the retiree paying a portion of the premium according to the schedule above. For retirees having served twenty (20) or more years, the City will pay the complete premium expense for Medicare Supplemental insurance should the retiree participate in the city provided benefit. The complete medical insurance premium expense for the spouse of that retiree will be paid for by the City if the spouse participated in family coverage of the City's employee medical insurance benefit on the effective date of the retiree's retirement.

Upon the death of a retired employee covered under the City's medical plan and whose spouse is covered as a dependent, the surviving spouse would be eligible to continue coverage under the

City's plan with the same share of cost and provisions stated above as were in effect upon the death of the retired employee.

This policy is subject to change to reflect any provisions mandated by healthcare legislation, both on the State and Federal level.

For all Employees hired after January 1, 2011: A retiree with 10 years of service shall pay 50% of the cost of the employee coverage. A retiree with 20 or more years of service shall pay 25% of the cost of the employee coverage. All dependant coverage will be the retiree's responsibility. At age 65, all employer provided health insurance benefits will cease.

B. COBRA – CONTINUATION COVERAGE

Under the federally mandated Consolidated Omnibus Budget Reconciliation Act, the City offers employees and their families the opportunity to temporarily extend their health insurance coverage in certain instances in which coverage under the group health plan would normally end.

Some examples of triggering events could be: reduction in employees hours resulting in loss of eligibility, termination of employment (voluntary or involuntary), dependent eligibility changes (age/student status), divorce, and legal separation.

Employees covered under the City plan have a right to continue coverage if they lose it through reduction in regular work hours or employment termination for reasons other than gross misconduct.

A spouse of a covered employee also has a right to continue coverage if coverage would be lost because the employee dies, employment is terminated, the employee and spouse become divorced or legally separated, or the employee becomes eligible for Medicare benefits.

Dependent children may also continue coverage if the employee dies, employment is terminated, the parents become divorced or legally separated, the employee becomes eligible for Medicare, or the child ceases to be a "dependent child" under the terms of the plan.

If termination or reduction in hours is the qualifying event that triggers lost coverage, continuation coverage can be in effect for 18 months. All other qualifying events will trigger continuation coverage that lasts up to 36 months. Coverage will end before 18 or 36 months, however, if certain other events take place (i.e. if the employee becomes eligible for coverage under another group health plan).

Employees and family members have the responsibility to inform the plan administrator about any change in status. Failure to do so may terminate rights to elect continued coverage. Those eligible for continuation coverage have 60 days from the date they would normally lose coverage to elect to continue under the plan.

Premium Payments

Failure to make timely premium payments may result in termination of coverage.

C. LIFE INSURANCE

The City provides basic life insurance to employees. The face value of the life insurance is two (2) times an employee's annual salary, not to exceed \$~~125~~180,000. The amount of life insurance may be reduced at an age defined in the plan document.

Additional life insurance is available for employees and dependents, the cost of which is born by the employee.

D. WORKERS' COMPENSATION

Compensation. Employees on occupational disability will only be compensated in accordance with the provisions for the Tennessee Worker's Compensation Law (T.C.A. 50-6-101 through 50-6-623). No compensation shall be paid for the first seven (7) days of disability resulting from the injury, excluding the day of injury. However, if disability extends beyond that period, compensation shall commence with the eighth (8th) day after the injury. In the event, however, the disability from the injury exists for a period as long as fourteen (14) days, then compensation shall be allowed beginning with the first day after the injury. The rate of compensation through worker's compensation is 66 2/3 percent of the employee's average weekly wages.

Vacation and sick leave will continue to accrue while on worker's compensation leave.

Employees may choose to use sick and/or vacation time in order to be paid for the unpaid time under worker's compensation (up to the first seven (7) days).

Employees must report the work-related accident to the immediate supervisor during the shift in which they occur. Failure to do so may result in benefits being denied.

Worker's compensation leave will be denied if the post-incident Alcohol/Drug test is failed.

The employee is responsible for the employee's portion of insurance premiums while out on workers' compensation leave if deductions cannot be made from a paycheck.

When an employee returns to work and is on light duty, see the Light Duty Policy.

Return to Maximum Medical Improvement. Upon reaching Maximum Medical Improvement (MMI), the employee's medical condition shall be assessed as to the permanent medical restrictions and their ability to perform the duties of their normal work assignment. If the injured employee cannot return to their regular position, the Human Resources Department in conjunction with the Department Head shall attempt to find employment within the employee's department or within another department. Reasonable accommodation will be provided to qualified disabled individuals unless the accommodation would pose an "undue hardship" on the City. Such attempts are not a guarantee that a position will be offered or that future employment is assured.

E. UNEMPLOYMENT COMPENSATION

The state of Tennessee offers unemployment benefits through the Employment Security Division. Unemployment insurance benefits provide income to individuals who have lost work through no fault of their own. The benefits are intended to partially offset the loss of wages while an unemployed worker searches for suitable work, or until his employer can recall him/her to work.

F. TENNESSEE CONSOLIDATED RETIREMENT SYSTEM (TCRS)

The City contributes to the Tennessee Consolidate Retirement System for all qualified full-time employees. The plan is non-contributory for all employees hired before January 1, 2013. Employees are vested after five (5) years of service. The plan document issued by TCRS controls specific employee eligibility and benefits. For more information, contact TCRS at 615-741-1971 or www.treasury.tn.gov/tcrs.

G. OTHER BENEFITS

Employee Assistance Program

The City provides an Employee Assistance Program at no direct expense to employees. The City of Goodlettsville's EAP Program is operated by outside consultants and available free of charge to employees and family members living in the immediate household.

The EAP is a confidential service guaranteed by state and federal laws as well as professional licensing regulations. Confidentiality will be maintained regarding all contacts to the extent allowed by law. Appointments are kept confidential and information is not included in personnel records nor revealed to supervisors, coworkers, family or friends. Should an employee be referred to the EAP by a supervisor, the EAP can only confirm for the supervisor, upon their request, if the contact was made and the dates on which meetings took place. No other information will be released to the supervisor without the consent of the employee or a legal requirement to do so. Specific information is released only when the employee has signed specific written consent, the law requires it, or there is concern for client safety or the safety of others.

Educational Assistance

Purpose. As an employer, the City of Goodlettsville recognizes the importance of and added benefits it derives from a well-educated workforce. In this regard, the City of Goodlettsville desires to monetarily assist its employees as they add to their voluntary individual educational experiences while in the employ of the City. This policy establishes how the City will reimburse an employee for various expenses incurred as a result of completing work-related or degree-directed educational courses and programs not required as a condition of employment with the City. As with all employee directed policies of the City of Goodlettsville, the City reserves the right to revise, amend or terminate this policy at any time. This policy is not a contract between the City and its employees. This policy is not a condition of employment between the City and its employees.

1. Employee Eligibility. An employee, who has been a regular full-time employee, for at least one (1) year, is eligible to participate in the Employee Educational Assistance Program.
2. Eligible Expenses. Expenses eligible for reimbursement are those related to fees required by the educational institution to be paid in order for a student to be enrolled as a full or part-time student or to be enrolled in a special educational program (i.e. tuition, maintenance, activity, lab, technology, etc.). Expenses incurred for books, supplies, meals, housing, transportation and special testing are not eligible for reimbursement. Expenses incurred while repeating a previously attempted course or program in which an incomplete or failing

grade was received are not eligible for reimbursement. Expenses incurred for a course that the employee withdraws from are ineligible for reimbursement.

3. Approval for Participation To be eligible for expense reimbursement under this policy, the employee must submit an educational plan to his / her immediate supervisor not later than twenty-one (21) calendar days prior to commencement of the school term in which the course or program will be attempted. The plan will include the name of the course(s), a brief description of the course and the anticipated date of course completion. The plan will be submitted prior to each school term and will be reviewed by the employee's supervisor, department head and city manager for approval for participation in this program.

The degree or certification must come from an accredited school. The degree or certification must be beneficial to the current or desired job within the City.

4. Reimbursement Amounts and Rates. Reimbursement for eligible expenses will not exceed \$1,800.00 per fiscal year (July 1 – June 30) per employee. Reimbursement will be at the following rates:

100% for grade of A or B

50% for grade of C

0% for grade of D or F

For courses or special programs required in pursuit of a certification, license or professional designation, presentation of documentation by the employee that the certification, license, or professional designation has been received without qualification is required for 100% reimbursement under this policy.

5. Reimbursement Processing. The employee's request for reimbursement will be processed upon presentation to the City of documentation from the educational institution that:
 - a. the course or program has been completed;
 - b. the employee has previously paid the educational institution for expenses to be reimbursed.

Upon successful completion of any class(s) and / or program referenced in section 3 of this policy the employee will be reimbursed 50% of eligible expenses in accordance to section 5 of this policy. After completion of three (3) months of employment an additional 25% will be reimbursed. After completion of six (6) months of employment, the remaining 25% will be reimbursed.

Deferred Compensation Plan

Voluntary contributions can be made by the employee at a pre-taxed rate.

Long Term Disability Benefits

Premiums for long term disability insurance are paid by the City. There is a 6 month exclusionary period.

SECTION VI – DRUG AND ALCOHOL TESTING POLICY

INTRODUCTION

The City of Goodlettsville (City) has a longstanding commitment to providing a safe, quality-oriented and productive work environment consistent with the standards of the community in which we operate. Alcohol and drug abuse pose a threat to the health and safety of City employees and to the security of our equipment and facilities. Employees of the City are public employees and must foster the public trust by preserving employee reputation for integrity, honesty and responsibility. For these reasons, the City is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy continues to apply to all employees and all applicants for employment of the City. The Human Resources Department is responsible for policy administration.

EMPLOYEE ASSISTANCE AND DRUG-FREE AWARENESS

Illegal drug use and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems is available from the Human Resources Department, who has been trained to make referrals and assist employees with drug/alcohol problems. The City provides an Employee Assistance Program (EAP).

The City will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other City policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Such employees will be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are safety-sensitive or require driving, or have violated this policy previously. Once a drug test has been scheduled, the employee will have forfeited their right to be granted a leave of absence for treatment and possible discipline, up to and including discharge, will be unavoidable.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees must notify his/her supervisor prior to going on-duty if taking any medication that may impair them. Employees should not, however, disclose underlying medical conditions.

WORK RULES

Whenever employees are working, are operating any City vehicle, are present on City premises, or are conducting City related work off-site, they are prohibited from:

- using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);

- having the presence of an illegal drug in an employee or applicant's system
- possessing or consuming alcohol on City premises or testing positive for alcohol as defined by this policy.

The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while performing City business or while in a City facility, is prohibited.

The City will not allow any employee to perform their duties while taking prescribed drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist.

TRAINING

The City provides training to supervisors who may determine reasonable suspicion.

REQUIRED TESTING

Post-offer: All applicants must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

Reasonable Suspicion: Employees are subject to testing based upon (but not limited to) observations by supervision of apparent workplace use, possession or impairment. Human Resources and the City Manager shall be consulted before sending an employee for testing. All levels of supervision making this decision must document specific observations concerning speech, appearance, behaviors or body odor that create a reasonable suspicion that the person is under the influence of illegal drugs and/or alcohol. If the results of the observation indicate further action is justified, the manager/supervisor should confront the employee with the documentation in the presence of another member of management. *Under no circumstances will any employee be allowed to drive themselves to the testing facility.*

Post-incident: Employees are subject to testing when they are involved in an accident that damage a vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring off-site medical attention.. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. *Under no circumstances will any employee be allowed to drive themselves to the testing facility if reasonable suspicion is observed by the supervisor.*

Follow-up: Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending upon the circumstances and the employee's work history/record, the City may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City for a minimum of one (1) year but not more than two (2) years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not comply with the EAP provider's recommendations or tests positive after completing the EAP provider's recommendations, they will be subject to immediate discharge from employment.

Random: All employees are subject to random urine drug testing. Commercial driver's license (CDL) operators are placed in a separate pool and tested for drugs and alcohol. Non-CDL operators will be placed in a separate pool and tested for drugs. A maximum of two hours will be allowed between notification of an employee's selection for random testing and the actual presentation for specimen collection.

Transfer: Employees transferring to a safety sensitive position or a position that requires a CDL shall undergo drug testing.

COLLECTION AND TESTING PROCEDURES

Employees subject to reasonable suspicion alcohol testing shall be driven to a City designated facility and directed to provide breath specimens. Breath specimens shall be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .02 or more, a second breath specimen shall be tested at least 15 minutes later. The results of the second test shall be determinative. For purposes of this Policy, test results generated by law enforcement or medical providers may be considered by the City as work rule violations. The Goodlettsville Police Department cannot perform alcohol testing unless it is required in its investigation of a motor vehicle accident.

Employees subject to reasonable suspicion drug testing shall be driven to a City designated medical facility and directed to provide urine specimens. Applicants and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substituted specimens. Collected specimens shall be sent to a certified laboratory and tested for evidence of illegal drugs and controlled substances at the discretion of the City. The laboratory shall screen all specimens and confirm all positive screens. There shall be a chain of custody from the time specimens are collected through testing and storage.

The laboratory shall transmit all positive drug test results to a Medical Review Officer ("MRO") retained by the City, who shall offer persons with positive results a reasonable opportunity to rebut or explain the results. In no event shall a positive test result be communicated to the City until such time that the MRO has confirmed the test to be positive. Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant's or employee's own expense. Such requests must be made within 72 hours of notice of test results. If the second lab fails to reconfirm the first labs results, then the employee or applicant will be treated as passing the test.

CONSEQUENCES

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply/re-test in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. *If the employee refuses to be tested yet is believed to be impaired by management, then under no circumstances will the employee be allowed to drive himself or herself home.*

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol/drug reasonable suspicion testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision and Human Resources.

CONFIDENTIALITY

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the MRO shall be kept confidential to the extent required by law in compliance with the Tennessee Open Records Act and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

INSPECTIONS

The City reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

CRIMES INVOLVING DRUGS

The City prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on City premises or while conducting City business. City employees are also prohibited from misusing legally prescribed or OTC drugs. Law enforcement personnel shall be notified, as appropriate, where criminal activity is suspected.

The City does not desire to intrude into the private lives of its employees, but recognizes that employee's off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the City reserves the right to take appropriate disciplinary action for drug usage/sale/distribution while off City premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to Human Resources within five days. Failure to comply will result in automatic discharge. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with the City.

DEFINITIONS

"City Premises" includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, lockers, places and vehicles owned, leased or managed by the City or on any site on which the City is conducting business.

"Illegal Drug" means a substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional. (Controlled substances are listed in Schedules I-V of 21 C.F.R. Part 1308.)

“Refuse to Cooperate” means to obstruct the collection or testing process; to submit an altered, adulterated, or substituted sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

“Under the Influence of Alcohol”, Appearance, behavior, speech or bodily odors that reasonably cause a supervisor to conclude that an employee has consumed alcohol.

“Positive Test for Alcohol” means an alcohol concentration equal to or greater than .02.

“Under the Influence of Drugs” Appearance, behavior, speech or bodily odors that reasonably cause a supervisor to conclude that an employee may have consumed a controlled substance.

“Positive Test for Drugs” means presence of an illegal controlled substance in an employee’s urine specimen.

REASONABLE SUSPICION AND POST-INCIDENT TESTING PROTOCOL

1. The employee will be advised that the City believes that there is reasonable suspicion to believe that he/she is affected by illegal drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
2. The employee will be transported to any one of the City’s contracted testing facilities. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*
3. Prior to leaving for the testing facility, supervision/management will contact the testing facility to inform them that staff from the City will be arriving and will need a drug and/or alcohol test completed.
4. The employee to be tested MUST present a PHOTO ID (i.e., a driver’s license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the employee brings this with them when leaving the City premises.
5. The employee to be tested must sign a consent form provided by/at the testing facility. Refusal to sign is addressed under the “Consequences” section of this document.
6. When leaving the testing facility, the supervisor/manager MUST make arrangements to transport the person home (unless testing results are immediate).

SECTION IX – WORKPLACE HARASSMENT & VIOLENCE

The City of Goodlettsville, Tennessee is committed to providing a professional work environment that maintains employee equality, dignity, and respect. In keeping with this commitment, the City strictly forbids discriminatory practices, including sexual harassment and other forms of harassment, as defined in this policy. Any harassment prohibited by this policy, whether verbal, physical or environmental, is unacceptable and will not be tolerated, whether it occurs in the workplace or at outside work-sponsored activities. The City will take immediate, positive steps to stop such harassment when it occurs.

A. HARASSMENT POLICY

The City prohibits any verbal, physical or visual conduct which could offend, intimidate or create a hostile working environment for any individual on the basis of race, color, religion, national origin, gender, age, disability, genetic information or any other characteristics protected by federal, state or local law. The City also specifically prohibits sexual harassment, which is defined in this policy as sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, directed towards employees of either sex.

The conduct prohibited by the preceding paragraph will not be tolerated under any circumstances, including cases where the conduct is unwelcome, and /or:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the individual's performance or of creating an intimidating, hostile or offensive working environment.

The types of behavior that may constitute prohibited harassment include, but are not limited to:

1. Making derogatory, vulgar, or graphic written or oral statements or jokes regarding race, color, religion, national origin, disability, gender, sexuality, sexual experience or any other characteristics protected by federal, state or local law;
2. Sexual harassment or unwelcome sexual advances;
3. Requesting sexual favors;
4. Verbal or physical conduct of a sexual nature in the form of pinching, grabbing, patting or propositioning;
5. Making explicit or implied job threats or promises in return for submission to sexual favors;
6. Making inappropriate sex-oriented comments on appearance;
7. Stating embarrassing sex-oriented stories;
8. Displaying sexually explicit or pornographic material, no matter how the material is displayed; and/or
9. Sexual assault on the job by supervisors, fellow employees, or, on occasion, non-employees.
10. Sending and/or displaying sexually explicit text messages and/or emails.

Note: Sexual harassment, for purposes of this policy, includes conduct directed by men toward women, conduct directed by men toward men, conduct directed by women toward men, and conduct directed by women toward women.

Scope. This policy applies to all officers and employees of the City, including but not limited to full-time and part-time employees, elected officials, permanent and temporary employees, employees covered or exempt from the personnel rules or regulations of the City, and employees working under contract for the City. Additionally it applies to conduct directed towards a City employee in the City workplace by someone who is not directly related to the City, such as a vendor, consultant, client, customer, or other City contact.

Responsibility: It shall be the joint responsibility of managers and supervisors of the City to ensure adherence to this policy. All managers and supervisors will assist in the coordination and the implementation of this policy. All supervisors and managers have the duty of ensuring that no individual or employee is subjected to sexual harassment or any other form of unlawful workplace harassment, and of maintaining a workplace free of such harassment. Supervisors and managers shall discuss this policy with employees and assure them that they are not required to endure any form of unlawful harassment.

Complaint Procedure The City encourages employees to report all perceived incidents of harassment, regardless of the position of the alleged offender. ***Any employee who has a harassment complaint against a supervisor, coworker, visitor, customer or other person, must bring the problem to the employer's attention.***

Any employee who feels he/she is subject to workplace harassment should immediately contact one of the people listed below with whom the employee feels most comfortable. Employees have the right to circumvent the employee chain-of-command when selecting the person to complain to about workplace harassment. Complaints may be made verbally or in writing to his/her immediate supervisor, Department Head, or Human Resources Director.

If an employee is uncomfortable reporting harassment to any of these people, or if the employee believes that the complaint was not properly addressed, the employee should report the incident to the City Manager or the City Attorney.

When filing his/her complaint, the employee should be prepared to provide the following information:

1. His/her name, department, and position title;
2. The name of the person or people committing the harassment, including title(s), if known;
3. The specific nature of the harassment, how long it has gone on, any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as a result of the harassment, or any other threats made against the employee as a result of the harassment;
4. Witnesses to the harassment, if any; and
5. Whether the employee has previously reported the harassment and, if so, when and to whom.

Reporting and Investigating Complaints

The Human Resources Director is the person the City designates as the investigator of workplace harassment complaints against the employees. In the event the harassment complaint is against

the Human Resources Director, the investigator shall be an employee appointed by the City Manager. The City may elect to use an investigator not employed by the City to conduct factual investigations otherwise performed by the Human Resources Director. The investigator hired by the City shall be certified as a Mediator under Tennessee Supreme Court Rule 31. When any employee makes an allegation of workplace harassment, the person to whom the complaint is made shall:

1. Immediately prepare a report of the complaint according to the complaint procedure section and submit it to the Human Resources Director:
2. Make and keep a written record of the investigation at the time the verbal interview is in progress, including notes on:
 - a. Verbal responses made to the investigator by the person complaining of harassment;
 - b. Witnesses interviewed during the investigation;
 - c. The person against whom the complaint of harassment was made; and
 - d. Any person contacted by the investigator in connection with the investigation.
3. Within five (5) days of receiving the complaint, prepare and present the findings to the Human Resources Director in a report, which will include:
 - a. The written statement of the person complaining of harassment,
 - b. The written statement of witnesses,
 - c. The written statement of the person against whom the complaint of harassment was made,
 - d. All the investigator's notes connected to the investigation.

Action on Complaints of Workplace Harassment

Upon receiving an investigation report of a workplace harassment complaint, the Human Resources Director shall immediately review the report. If the Human Resources Director determines that the report is not complete in some respect, he/she may question the person complaining of workplace harassment, the person against whom the complaint has been made, witnesses to the conduct in question, or any other person who may have knowledge about the harassment.

Based upon the report and his/her own investigation (where a separate investigation is made), the Human Resources Director shall, within a reasonable time, determine whether the conduct in question constitutes harassment. In making that determination, he/she shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct, the context in which the alleged actions occurred, and the behavior of the person complaining. Whether harassment took place or not will be determined on a case-by-case basis.

If the City Manager determines that the harassment complaint is founded, he/she may discipline the employee consistent with his/her authority under the municipal charter, ordinances, resolutions, or rules governing employee discipline.

The disciplinary action shall be consistent with the nature and severity of the offense, the employee's rank, and any other factors the City Manager believes relate to fair and efficient administration of the municipal government. This includes, but is not limited to, the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. The disciplinary action may include warning, reprimand, suspension, demotion, or dismissal. Determining the level of disciplinary action shall also be made on a case-by-case basis. **A written record shall be kept of imposed disciplinary actions.**

In all events, an employee found guilty of workplace harassment shall be warned not to retaliate in any way against the person making the complaint, witnesses, or any other person connected with the investigation.

In cases where workplace harassment is committed by a non-employee against a city government employee in the workplace, the Human Resources Director shall take whatever lawful action is necessary against the non-employee to bring the harassment to an immediate end.

The employee will be notified of a decision or of the status of the investigation as soon as possible.

There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven.

There will be no discrimination or retaliation against any other individual who participates in the investigation of a harassment complaint.

Disciplinary action (up to discharge) will also be initiated against employees who make false or frivolous accusations, such as those made maliciously or recklessly, and against employees who knowingly fail to report instances of workplace harassment or fail or refuse to cooperate in a harassment complaint investigation.

Actions taken by the City to investigate and resolve harassment complaints shall be conducted confidentially to the extent practicable and appropriate, and consistent with the Tennessee Open Records Act, in order to protect the privacy of persons involved.

B. WORKPLACE VIOLENCE

The City maintains a zero tolerance policy toward workplace violence, or the threat of violence, by any of its employees, customers, the general public, and/or anyone who conducts business with the City. The City recognizes that each employee is entitled to a safe and secure work environment that is free from intimidation, threats, or violent acts.

Workplace violence includes, but is not limited to harassment, threats, physical attacks, or property damage. A threat is the expression of intent to cause physical and/or mental harm

regardless of whether the person communicating the threat has the present ability to carry out the threat. Physical attack is intentional hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects. Property damage is intentional damage to property, which includes property owned by the City, employees, or others.

Each incident of violent behavior, whether it is committed by an employee or external entity, must be reported to the supervisor and Human Resources. The Human Resources Director is the party designated to investigate any claims of workplace violence.

Upon completion of an investigation, a written report will be presented to the City Manager. If it is determined that the information is correct, immediate and appropriate disciplinary action will be taken against the employee guilty of workplace violence. It is in direct violation of this policy to engage in any act of workplace violence.

Employees who have knowledge of an act of workplace violence or of another employee's intent to commit an act of violence against a co-worker, supervisor or citizen have an obligation to report such information to their supervisor. Failure to report or refusal to cooperate in an investigation regarding workplace violence may result in disciplinary action. Any employee who acts in good faith by reporting real or implied violent behavior will not be subject to any form of retaliation or harassment. Any action of this type resulting from a report of violent behavior must be reported to Human Resources for investigation.

SECTION VIII – MISCELLANEOUS POLICIES

A. OFFICIAL TRAVEL ADMINISTRATIVE PROCEDURES

1. TRAVEL REQUESTS

All travel must be approved by the Department Head prior to making any reservations or registrations. The City Manager must approve all Department Head travel. To ensure reimbursement for official travel, an approved travel authorization form is required. Lack of pre-approval does not prohibit reimbursement, but it does assure reimbursement within the limits of the city travel policy. All costs associated with the travel should be reasonably estimated and shown on the travel authorization form. An approved authorization form is needed before advanced expenses are paid or travel advances are authorized. A copy of the conference program, if applicable, should be attached to the form. If the program is not available prior to the travel, submit it with the reimbursement form.

2. TRAVEL DOCUMENTATION

It is the responsibility of the authorized traveler to

- A.** Prepare and accurately describe the travel;
- B.** Certify the accuracy of the reimbursement request;
- C.** Note on the reimbursement form all direct payments and travel advances made by the city; and
- D.** File the reimbursement form with the necessary supporting documents and original receipts. The reimbursement form should be filed with the finance department within 10 days of return or at the end of the month, whichever is more practical.

3. TRANSPORTATION

- A. All potential costs should be considered when selecting the modes of transportation. For example, airline travel may be cheaper than automobile when time away from work and increased meal and lodging costs are considered. When time is important, or when the trip is so long that other modes of transportation are not cost beneficial, air travel is encouraged.
- B. If the traveler goes outside the state by means other than air, the reimbursement will be limited to air fare at tourist or economy class, ordinary expenses during the meeting dates, and one day's meals and motel before and after the meeting. The traveler will be required to take annual leave for any additional time taken beyond the day before and the day after the meeting dates.
- C. **Exceptions.** When the traveler extends the trip with personal time to take advantage of discount fares, the reimbursement will be limited to the lesser of the:
 - 1. Actual expenses incurred; or
 - 2. Amount that would have been incurred for the business portion only. The calculations for the business portion of the trip must be made using the least expensive rates available.

All expenses and savings associated with extending the trip must be submitted with the expense reimbursement form.

D. Air

- 1. When possible, the traveler should make full use of discounts for advance airline reservations and advance registration. The traveler should request conference, government, or weekend rates, whichever is cheaper, when making lodging or rental car reservations. The city will pay for tourist or economy class air travel. The traveler should get the cheapest reasonable fare and take advantage of discount fares. Airline travel can be paid by direct billing to the city.
- 2. Mileage credits for frequent flyer programs accrue to the individual traveler. However, the city will not reimburse for additional expenses such as circuitous routing, extended stays, layovers to schedule a particular carrier, upgrading from economy to first class for travelers to accumulate additional mileage or for other personal reasons.
- 3. The city will not reimburse travel by private aircraft unless authorized in advance by the city manager.

E. Rail or Bus

The city will pay for actual cost of ticket.

F. Vehicles

- 1. Automobile transportation may be used when a common carrier cannot be scheduled, when it is more economical, when a common carrier is not practical, or when expenses can be reduced by two or more city employees traveling together.
 - a. **Personal Vehicle.** Employees should use city vehicles when possible. Use of a private vehicle must be approved in advance by the city manager. The city will pay a mileage rate not to exceed the rate allowed by the federal or state schedule, whichever the city adopts. The miles for reimbursement shall be paid from origin to destination and back by the

most direct route. Necessary vicinity travel related to official city business will be reimbursed. However, mileage in excess of the Rand McNally mileage must be documented as necessary and business-related. If an indirect route is taken, the Rand-McNally mileage table will be used to determine the mileage to be reimbursed.

- i. If a privately owned automobile is used by two or more travelers on the same trip, only the traveler who owns or has custody of the automobile will be reimbursed for mileage. It is the responsibility of the traveler to provide adequate insurance to hold harmless the city for any liability from the use of the private vehicle.
 - ii. In no event will mileage reimbursement, plus vicinity travel and associated automobile costs, exceed the lowest reasonable available air fare and associated air fare travel costs.
 - iii. Travelers will not be reimbursed for automotive repair or breakdowns when using their personal vehicle.
- b. **City Vehicle.** The city may require the employee to drive a city vehicle. If a city vehicle is provided, the traveler is responsible for seeing that the vehicle is used properly and only for acceptable business. The employee will be reimbursed for expenses directly related to the actual and normal use of the city vehicle when proper documentation is provided. Out-of-town repair cost to the city vehicle in excess of \$100 must be cleared with the department head before the repair is authorized.
- c. **Rental Cars.** Use of a rental car is not permitted unless it's less expensive or otherwise more practical than public transportation. Approval of car rental is required in advance by the city manager. Always request the government or weekend rate, whichever is cheaper. Anyone who uses a rental car for out-of-state travel must obtain liability coverage from the vendor.
- d. Fines for traffic or parking violations will not be reimbursed by the city.
- e. Reasonable tolls will be allowed when the most direct travel route requires them.

G. Taxi, Limousine and Other Transportation Fares

- A. When an individual travels by common carrier, reasonable fares will be allowed for necessary ground transportation. Bus or limousine service to and from airports should be used when available and practical. The city will reimburse mileage for travel to and from the local airport and parking fees, provided such costs do not exceed normal taxi/limousine fares to and from the airport. Receipts are required.
- B. For travel between lodging quarters and meetings, conferences, or meals, reasonable taxi fares will be allowed. Original receipts are required for claims of \$5 or more. Transportation to and from shopping, entertainment, or other personal trips is the choice of the traveler and not reimbursable.

- C. Reimbursement claims for taxis, limousines, or other ground transportation must be listed separately on the expense form, claiming the destination and amount of each fare.

4. LODGING

The amount allocated for lodging shall not ordinarily exceed the maximum per diem rates authorized by the federal or state rate schedule, whichever is chosen by the city.

- A. If the city reimburses using the federal rates, the Government Services Administration provides guidelines for determining the maximum that can be reimbursed for lodging. These amounts are available on line at <http://www.gsa.gov>. The rates are the maximum reimbursable rates for hotel rooms plus appropriate taxes.
- B. If the city chooses Tennessee's reimbursement rate, the amount varies according to location, and does not include appropriate taxes. State rates for travel reimbursement can be found in the state regulations online at www.state.tn.us/finance/act/policy8.pdf.
- C. Original lodging receipts must be submitted with the reimbursement form. *Photocopies are not acceptable.*
- D. If a traveler exceeds the maximum lodging per diem, excess costs are the responsibility of the traveler.
- E. If the best rate is secured, and it still exceeds the maximum lodging per diem, the city manager may authorize a higher reimbursement amount.
- F. Even if it costs more, travelers may be allowed to stay at the officially designated hotel of the meeting; however, more moderately priced accommodations must be requested whenever possible. It will be the traveler's responsibility to provide documentation of the "officially designated meeting site" room rates, if these rates are higher than the normal reimbursable amounts.
- G. If two or more city employees travel together and share a room, the lodging reimbursement rate will be the maximum of two single rooms. If an employee shares a room with a non-employee, the actual cost will be allowed up to the maximum reimbursable amount. The receipt for the entire amount must be submitted with the expense form.

5. MEALS AND INCIDENTALS

- A. Receipts are required for meals and incidentals. The authorized traveler may be reimbursed the daily amount based on the rate schedule and the authorized length of stay. The per diem meal amounts are expected to cover meals, tips, porters and incidental expenses. The authorized traveler will not be reimbursed more than this.
- B. Whether meals may be claimed depends on when the traveler leaves and returns to the official station. The traveler's official station is home or work, whichever produces the least cost to the city. When partial day travel is involved, the current per diem allowance is determined as follows:

<u>MEAL</u>	<u>IF DEPARTURE BEFORE</u>	<u>IF RETURN AFTER</u>
Breakfast	7 a. m.	8 a. m.
Lunch	11 a. m.	1:30 p. m.

Dinner

5 p. m.

6:30 p. m.

**Generally, lunch will not be reimbursed unless overnight travel is involved. Lunch may be reimbursed if departure is before 11 a.m. and the employee is eligible to be reimbursed for dinner.*

***When overnight travel is involved, dinner reimbursement is made regardless of departure time.*

- C. Regardless of which reimbursement rate the city uses, the amounts include tip, gratuity, etc. The hour and date of departure and return must be shown on the expense reimbursement form.
- D. The excess cost of an official banquet may be allowed provided proper documentation or explanation is submitted with the expense reimbursement form. If a meal is included as part of a conference or seminar registration, or is included with the air fare, then the allowance for that meal should be subtracted from the total allowance for the day. For example, if a dinner is included as part of the conference fee, the maximum meal allowance for the day should be reduced by the allowed dinner amount.

PLEASE NOTE: The City of Goodlettsville has selected to reimburse travelers at the federal travel regulation rates. The city's rates will automatically change when the federal rates are adjusted, which typically occurs annually.

6. MISCELLANEOUS EXPENSES

- A. Registration fees for approved conferences, conventions, seminars, meetings and other educational programs will be allowed and will generally include the cost of official banquets, meals, lodging and registration fees. Registration fees should be specified on the original travel request form and can include a request for pre-registration fee payment.
- B. The traveler may be reimbursed for personal phone calls while on official travel, but the amount will be limited to \$5 per day.
- C. A \$4 allowance will be reimbursable for hotel/motel check-in and baggage handling expenses.
- D. Laundry, valet service, tips and gratuities are considered personal expenses and are not reimbursable.
- E. For travel outside the United States, all expenses claimed must be converted to U.S. dollars. The conversion rate and computation should be shown on each receipt.

7. ENTERTAINMENT

The city may pay for certain entertainment expenses provided that the:

- A. Entertainment is appropriate in the conduct of city business;
- B. Entertainment is approved by the city manager;
- C. Group or individuals involved are identified; and
- D. Documentation is attached to the expense form to support the entertainment expense claims.

To request reimbursement for authorized entertainment expenses, be sure to include with the expense reimbursement form:

- A. Required receipts. All requests must be supported by original receipts from the vendor (restaurant, caterer, ticket office, etc.) Reasonable tips and gratuities included on the receipt *by the vendor* are reimbursable.
- B. A disclosure and explanation statement, explaining the purpose of the entertainment and identifying the group and the number of people entertained (or individual names listed if not a recognized group).

If the city manager is the person filing the claim, then it must be approved by the governing board before the finance officer authorizes payment.

8. TRAVEL RECONCILIATION

- A. Within 10 days of return from travel, or by the end of the month, the traveler is expected to complete and file the expense reimbursement form. It must be certified by the traveler that the amount due is true and accurate. Original lodging, travel, taxi, parking and other receipts must be attached.
- B. If the city provided a travel advance or made advanced payment, the traveler should include that information on the expense form. In the case of advances, the form should have a reconciliation summary, reflecting total claimed expenses with advances and city prepayments indicated. The balance due the traveler or the refund due the city should be clearly shown below the total claim on the form or in a cover memo attached to the front of the form.
- C. If the traveler received a travel advance and spent less than the advance, the traveler should attach a check made payable to the city for that difference.
- D. The city manager will address special circumstances and issues not covered in this ordinance on a case-by-case basis.

9. DISCIPLINARY ACTION

Violation of the travel rules can result in disciplinary action for employees. Travel fraud can result in criminal prosecution.

B. USE OF CITY VEHICLES AND EQUIPMENT

All City vehicles and equipment are for official use only. No other person other than a City employee may operate a City vehicle or piece of machinery. Drivers and/or operators must have a valid Tennessee driver's license and a good driving record and be approved by the department head or the City Manager.

The strict use of seat belts is mandatory as a Tennessee law and City safety requirement. The only exceptions are for mechanics testing equipment and sanitation drivers while making normal pickups.

All City vehicles are smoke-free. No employee or passenger may smoke in any City vehicle.

All City property, uniforms and equipment must be returned upon termination of employment.

The use of cellular phones or any device through which digital voice, text or data is transmitted or received for any purpose by the operator of a city vehicle is allowed only when:

1. The vehicle being operated is safely outside the traffic lanes of any street, road, driveway or highway, and
- [2.](#) The transmission control of the vehicle is securely in the "Park" position.
- [2.3. In handsfree mode.](#)

Exceptions to this allowance are:

1. Use by city personnel responding, as officially dispatched, to an emergency situation and where use of the device enhances the effectiveness of the response, and
2. Use by city personnel seeking assistance when the vehicle being operated is in an extraordinary situation and cannot be safely removed from the traffic lanes of a street, road, driveway or highway.

In all cases, operation of city vehicles will comply with all other applicable city rules and policies regarding safe operation of vehicles.

Employees are not allowed to text, email, or use a personal digital assistant (PDA) other than the telephone function as noted above (in exceptions) while driving City vehicles or equipment.

C. DRIVING RECORDS

Any employee who is required as an employment condition to possess and maintain a valid Tennessee driver's or commercial driver's license or any employee who drives a city vehicle must **immediately**, before reporting for duty the next workday, inform his/her supervisor if his/her license becomes denied, expired, restricted, suspended, or revoked any time during employment with the City. Periodic review of employees' driving records will be conducted by Human Resources.

D. EMPLOYEE PARKING ON CITY PROPERTY

At no time does the City assume responsibility for loss or damage to employee vehicles or their contents, including any losses arising from fire, theft, weather or personal liability. At no time will an employee's personal vehicle be parked in designated parking areas reserved for visitors, certain city officials and handicapped persons.

E. CUSTOMER COURTESY

Any contact with customers / citizens will be handled in a professional manner. Professionalism, politeness and courtesy are essential.

Lack of courtesy and/or professionalism will result in disciplinary action up to and including termination.

F. DRESS CODE

Employees are required to wear clothing suitable to the type of work done and to the environment in which the employee works. Clothing should be neat, clean and in good taste, and should not constitute a safety hazard.

Shorts, sneakers, visible underwear, T-shirts, sweat suits, and other items of casual clothing that are inappropriate for a work environment or disruptive to other employees will not be permitted, except when approved by Department Head. Employees arriving at work dressed inappropriately will be sent home to change, with no pay for time so spent unless leave time is used. Repeated violations of the dress code will lead to disciplinary actions.

Uniforms will only be provided to personnel required to wear a City uniform, such as Sworn Police Officers, Fire Fighters and Public Works Employees. At the discretion of the department head, office employees may be supplied with shirts to be worn at work that clearly designates them as an employee of the City. Employees may voluntarily purchase additional approved logo shirts to wear to work.

G. NON-SMOKER PROTECTION ACT

The City complies with the Non-Smoker Protection Act of 2007 which prohibits smoking in all City owned buildings, equipment, and vehicles. All employees who operate City-owned vehicles are prohibited from smoking in the vehicle or piece of equipment. This includes other occupants that may be being transported in the vehicles.

H. EMPLOYEES' ACCESS TO PERSONNEL RECORDS AND MANAGEMENT FILES

Under normal circumstances, employees may have access to personnel files. The basic guidelines for access are as follows:

Employees may review their personnel file. If the employee disagrees with any information found therein, the employee may place a written disagreement, which will be attached to the specific document, in the files. The department head or the Human Resources Director must be present when any file is reviewed.

An employee desiring to access the personnel file of another employee must follow the procedures for open records requests.

Employees' Access Procedures

Employees may contact **Human Resources** for an appointment to view their personnel file.

DISCLOSURE OF EMPLOYEE RECORDS AND INFORMATION

The City will collect, retain, use, disclose, and maintain the confidentiality of employee information as required by law.

I. ETHICS

APPLICABILITY

This chapter is the code of ethics for personnel of the City of Goodlettsville. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not,

including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal" and "municipality" include these separate entities.

Definition of "personal interest."

(1) "Personal interest" means:

- (a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or
- (b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or
- (c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), step parent(s), grandparent(s), sibling(s), child(ren), or step child(ren).

(2) The words "employment interest" includes a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter.

Disclosure of personal interest by official with vote.

An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself/herself from voting on the measure.

Disclosure of personal interest in non-voting matters.

An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself/herself from the exercise of discretion in the matter.

Acceptance of gratuities. etc.

An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

- (1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or
- (2) That might reasonably be interpreted as an attempt to influence his action, or reward him/her for past action, in executing municipal business.

Use of information.

(1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself/herself or any other person or entity.

Use of municipal time, facilities, etc.

(1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself/herself.

(2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality.

Use of position or authority

(1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.

(2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for him/her or others that are not authorized by the charter, general law, or ordinance or policy of the municipality.

Outside employment

An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality's charter or any ordinance or policy.

Ethics complaints.

(1) The city attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(2) (a) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his own initiative when he acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b) The city attorney may request the governing body to hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interests in a particular matter.

(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the municipality's governing body, the governing body shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the governing body determines that a complaint warrants further investigation, it shall authorize an investigation by the city attorney or another individual or entity chosen by the governing body.

(3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

(4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel provisions rather than as a violation of this code of ethics.

Violations.

An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter or other applicable law, and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action.

¹ State statutes dictate many of the ethics provisions that apply to municipal officials and employees. For provisions relative to the following, see the Tennessee Code Annotated (T.CA) sections indicated:

- Campaign finance - T.CA Title 2, Chapter 10.
- Conflict of interests-T.CA §§6-54-107, 108; 12-4-101, 102.
- Conflict of interests disclosure statements - T.CA § 8-50-501 and the following sections.
- Consulting fee prohibition for elected municipal officials - T.CA §§ 2-10-122, 124
- Crimes involving public officials (bribery, soliciting unlawful compensation, buying and selling in regard to office) - T.CA § 39-16-101 and the following sections.
- Crimes of official misconduct, official oppression, misuse of official information - T.CA § 39-16-401 and the following sections
- Ouster law - T.CA § 8-47-101 and the following sections.
- A brief synopsis of each of these laws appears in the appendix of the municipal code.

J. COMPUTER USE, PURCHASING AND MONITORING

PURPOSE

The purpose of the City of Goodlettsville's Information and Communication Technology Policy is to provide guidance to those City officials and employees who have legitimate access to various City systems and equipment and use those systems and pieces of equipment in the performance of their jobs.

SCOPE

Systems and equipment covered by this policy include, but are not limited to, telephones (both land-line and mobile), pagers, voice-mail, telephone answering machines, computers, software, internet, electronic mail, printers, typewriters, any recording device, photocopy machines, personal digital assistants (PDA) and facsimile machines.

OWNERSHIP AND RIGHT OF ACCESS BY THE CITY OF GOODLETTSVILLE

All systems and equipment are the property of the City of Goodlettsville. Also, all communications, information and files (either paper or electronic) composed, sent, received and/or stored in or on the systems and equipment are the property of the City of Goodlettsville. As City property, the City has the right to access all communications and information sent over its communications systems and monitor the use of such systems at any time. The City reserves the right to remove, replace, or access computer items without the employee's consent.

PERSONAL USE

The technology, systems and equipment covered by this policy are designed and intended for use by officials and employees of the City of Goodlettsville for conducting the City's official business. While Section 4-204 of the Goodlettsville Municipal Code restricts the use of City resources to official use only, the minor, incidental, infrequent, irregular and occasional use for an employee's non-commercial, personal business, both during and after normal working hours, is allowed and acceptable so long as they are not used in such a manner as to incur any direct expense upon the City. Personal use of personally owned or City equipment must never interfere with work activity.

With regard to personal use, it is subject to the same requirements and guidance supplied in this and related City policies and is done so with the understanding that violating the intent and spirit of this policy may result in disciplinary action being taken against the employee.

EXPECTATION OF PRIVACY

City of Goodlettsville officials and employees who have access to the City resources covered by this policy should understand that they have no legitimate expectation of privacy with regard to their use. Files, records, communications and messages composed, created, transmitted, shared and/or stored in or on systems or equipment may be subject to the Tennessee Open Records Act. Information may be retrieved even after deletion.

PROHIBITED USES

While the City of Goodlettsville provides the resources and encourages their use, certain restrictions are necessary to avoid improprieties and to avoid possible adverse public perceptions. Therefore, these resources will not be used:

- a. To solicit others for commercial ventures, religious or political causes;
- b. For illegal, harassing, libelous or obscene purposes during or outside City business hours;
- c. In any manner that would violate the property rights of others, including unauthorized copyrighted text, images or programs, trade secrets or other confidential proprietary information or trademarks or service marks used in any infringing fashion;
- d. To transmit or use communications that contain offensive or inflammatory messages, ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, age, disability or religious beliefs or practices.
- e. In any manner that is disruptive, offensive to others or harmful to morale.

MANAGEMENT OF POLICY VIOLATIONS

Use by officials and employees of City of Goodlettsville of resources is done so with the understanding that violating the intent and spirit of this policy may result in disciplinary action being taken against the employee. Violations of the policy will be managed according to the employee discipline process of the City.

COMPUTER PURCHASE AND USAGE

The purchase of data, software, and hardware and computer items shall be in accordance with current purchasing procedures in order to ensure compatibility with existing systems.

All requests for computer items should be forwarded to the Information Technology (IT) Department. All computer items should be installed by the IT department.

COPYRIGHT

City purchases and licenses the use of various computer software for business purposes and does not own the copyright to the software or its related documentation. Unless authorized by the software developer, City does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. City prohibits the illegal duplication of software and its related documentation. City shall provide training for computer applications which are installed for employees use. Training programs are designed to provide employees with specific instructions about each software application including how the software should be used and/or should be used for City business.

Employees should notify their immediate supervisor, the Information Technology [Director Department](#) or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

K. SOCIAL NETWORKING WEBSITES

Social networking websites, such as Facebook, [Tik Tok](#), [Delete -MySpace](#), Twitter, etc., should not be visited on-duty, and /or with City equipment, and/or with City's internet access (including wireless) unless used for approved City business. At no time should City business be conducted on a social networking website without approval of the Department Head.

Display of Uniform or Logo. Photographic images and/or video images of City or departmental logos, uniforms, employees in uniform, City vehicles or equipment should not be used on personal websites, email or other media outlets without approval.

L. USE AND MONITORING OF E-MAIL POLICY

The City of Goodlettsville provides electronic mail (e-mail) to employees for their use in performing their duties for the City. These materials explain the City's rules and expectations for the proper use of electronic mail. This document also sets forth the City's policy with respect to when e-mail messages may be monitored by other people within the City, as well as the circumstances under which e-mail messages may be disclosed to persons outside the city administration. For example, access to e-mail may be granted to external users, such as other cities' employees, special task-force members, or pursuant to a lawful subpoena.

All electronic mail is a local government record and may be considered a "public record" for the purposes of the Tennessee Public Records Act. Under the Public Records Act, certain e-mail communications may be open to public access and inspection. In addition, such communications may be subject to discovery under the Tennessee or Federal Rules of Civil Procedure.

Ownership: All electronic systems, computers, and other hardware, software, temporary or permanent files, and any related systems or devices used in the transmission, receipt, or storage of e-mail are the property of the City of Goodlettsville. E-mail messages are considered to be

City property. Also, they may be retrieved from storage even after the sender and the recipient have deleted them.

Responsibilities: Records Manager. The City of Goodlettsville will designate a records manager or other individual who will be designated as a coordinator for public records generated by e-mail. It is the responsibility of this individual to accommodate members of the public who request access to e-mail. The records manager will also keep a log on the use of public access to the system and develop an efficient procedure to be used for public access to e-mail communications. The records manager may also provide and/or coordinate user training.

Individuals Requesting Access to E-mail. Depending on the circumstances and resources, searches requested pursuant to the Public Records Act will be made either by the requestor or a city representative. Any requestor claiming a qualified disability will be accommodated by the City of Goodlettsville in accordance with the Americans with Disabilities Act.

Statement of Policy and Overview of Usage Policy. It is City of Goodlettsville policy that the e-mail system, like other city assets, is used only for the benefit of the City. Use of e-mail that violates city policies or state and/or federal law is prohibited and may lead to disciplinary action up to and including termination. All employees who use e-mail will certify that they have read and fully understand the contents of this policy by signing the attached acknowledgment. Any and all statements and opinions made by individuals using e-mail, whether implied or expressed, are those of the individual and not necessarily the opinions of the City of Goodlettsville or its management.

Privacy. Employees should be aware that others for a variety of valid reasons might read e-mail messages. City of Goodlettsville employees and officials who have access to the City's e-mail system should understand that they have no legitimate expectation of privacy with regard to e-mail messages. No such messages shall be either composed or sent which, if publicly disclosed, would disgrace, discredit, harm or embarrass any person, regardless of whether he/she is an official or employee of the City. Although this statement applies to many other types of city correspondence, the informal nature of e-mail may lead one to forget or ignore the fact that e-mail is considered to be the private property of the sender or the recipient, even if passwords or encryption codes are used for security reasons.

Monitoring. The City of Goodlettsville reserves the right to monitor messages under certain circumstances, as enumerated in this document. Supervisors have the authority to inspect the contents of any equipment, files, calendars, or electronic mail of their subordinates in the normal course of their supervisory responsibilities and without the express permission from the user(s). An individual qualified in data management shall extract stored e-mail messages when requested to do so by authorized supervisory personnel.

Reasons for monitoring or retrieving e-mail messages include the following:

1. During the course of an investigation that has been triggered by indications of impropriety,
2. When it is necessary to locate substantive information relevant to a breach of security of the e-mail system,
3. At any time there may be system hardware or software problems,
4. For regular system maintenance,
5. Any messages relevant to a lawsuit or other legal action involving the city, and
6. A suspicion of a crime or a violation of this policy.

The City of Goodlettsville will disclose any e-mail message to law enforcement officials if legally required to do so. In addition, e-mail messages may be retrieved if there is a need to perform work or provide a service when the user-employee is unavailable.

Personal Use. Should employees make incidental use of e-mail to transmit personal messages, those messages will be treated no differently than other messages and may be accessed, reviewed, copied, deleted, or disclosed. There should not be an expectation that a message would never be disclosed to or read by others beyond its original intended recipient(s).

Authorized Uses. Supervisors or department heads may authorize the use of e-mail to send and receive messages and to subscribe to list-servers from recognized professional organizations and entities relating to the official duties of the city. All employees are authorized to use e-mail as they would any other official city communication tool. Communication by e-mail is encouraged when it results in the most efficient or effective means of communication.

Uses Subject to Approval. The following uses require the written approval of the employee's supervisor or department head:

1. Using hardware, related computer equipment, and software not owned or purchased by the city for e-mail related to city business.
2. Reading electronic mail of another employee without prior written approval. However, an employee's supervisor may inspect the contents of e-mail pursuant to the section entitled "Ownership" in this policy.
3. Encrypting any e-mail message unless specifically authorized to do so and without depositing the encryption key with the computer administrator or immediate supervisor prior to encrypting any messages. If an employee is allowed to encrypt e-mail, this does not mean that e-mail is intended for personal communication nor does it suggest that encrypted e-mail messages are the private property of the employee.

Prohibited Uses. The following actions are prohibited:

1. Intercepting, eavesdropping, recording, or altering another person's e-mail message;
2. Forwarding a message sent without the sender's permission, including chain letters;
3. Adopting the identity of another person on any e-mail message, attempting to send electronic mail anonymously, or using another person's password;
4. Misrepresenting yourself or your affiliation with the City of Goodlettsville in any e-mail message;
5. Sending an e-mail that contains racial, religious, or sexual slurs or jokes, or harassing, intimidating, abusive, or offensive material to or about others;
6. Using e-mail for any personal commercial or promotional purpose, including personal messages offering to buy or sell goods or services;
7. Using e-mail to conduct employee organization, association, or union business; and
8. Sending or receiving any software in violation copyright law.

Confidential Information Employees must exercise a greater degree of caution in transmitting confidential information via e-mail than with other forms of communications. Why? It paves the way for another person to redistribute such information almost effortlessly. Confidential information should never be transmitted or forwarded to other employees inside or outside the City of Goodlettsville who do not have a "need to know." To reduce the chance that confidential information inadvertently may be sent to the wrong person, avoid misuse of distribution lists and

make sure that any lists used are current. If unsure whether certain information is confidential, consult your supervisor or department head. Examples of information that either are or may be considered confidential include but are not limited to:

1. Certain personal information from a person's personnel file, including medical records about employees and personal, identifying information of undercover detectives, such as home addresses, telephone numbers, identities of family members and Social Security numbers;
2. Information relating to an administrative hearing and litigation of a civil or criminal nature;
3. Information that, if released, would give a competitive advantage to one prospective bidder over another for City of Goodlettsville contracts;
4. Private correspondence of elected officials;
5. Trade secrets or commercial or financial information of outside businesses;
6. Information related to the regulation of financial institutions or securities;
7. Information regarding an ongoing criminal investigation; and
8. Taxpayer information.

E-mail messages that contain confidential information should have a confidentiality declaration printed at the top of the message in a form similar to the following:

"THIS MESSAGE CONTAINS CONFIDENTIAL INFORMATION OF THE CITY OF GOODLETTSVILLE. UNAUTHORIZED USE OR DISCLOSURE IS PROHIBITED."

Since copies of e-mail may be backed up or sent to other systems, information system personnel who should not know the content of the message can easily retrieve them later. Therefore, employees should keep in mind that e-mail may not be the best form of communication with respect to certain types of confidential information.

Messages to Legal Counsel All messages to and from legal counsel seeking or giving legal advice should be marked with the following legend in all capital letters at the top of the page: "CONFIDENTIAL ATTORNEY / CLIENT PRIVILEGED INFORMATION." In addition, to preserve the attorney/client privilege, messages to and from legal counsel should never be sent to distribution lists or forwarded to anyone else. It is best if such messages are not retained on a network e-mail system. If a copy of an attorney/client privileged communication needs to be retained, it should be printed and filed in an appropriate place.

Copyright Infringement The ability to attach a document to an e-mail message for distribution may increase the risk of copyright infringement as prohibited by federal law. A user can be liable for the unauthorized copying and distribution of copyrighted material through e-mail systems. Accordingly, you should not copy and distribute by e-mail any copyrighted material of a third party, such as software, database files, documentation, articles, graphics files, and downloaded information, unless you confirm in advance from appropriate sources that the City of Goodlettsville has the right to copy or distribute such material. Any questions concerning these rights should be directed to the city attorney.

Retention of E-mail .Deletion of Messages. The City of Goodlettsville strongly discourages the local storage of large numbers of e-mail messages. Retention of messages takes up large amounts of storage space on the network server. In addition, because e-mail messages can contain confidential information, it is desirable to limit the number, distribution, and availability of such messages. Of course, if the message contains information that must be preserved as a

permanent record, it must be saved and archived. Any email or document that pertains to a legal case cannot be deleted or destroyed.

Policy Violations. Violations of this policy will be reviewed on a case-by-case basis and can result in disciplinary action up to and including termination. All e-mail messages are subject to all state and federal laws that may apply to the use of e-mail. In addition, violations of this policy or misuse of the e-mail system could result in civil or criminal prosecution.

M. MISUSE OF CITY PROPERTY

Misuse of City property violates the values of integrity, respect, and continuous improvement of the City. Misuse of property may include, but is not limited to, misusing or taking property of others without permission, or misusing or misappropriating funds, misuse of copyrighted material, vandalism, embezzlement, using City resources/positions, business cards/ identification/ security badges for unauthorized business or personal reasons or personal gain.

N. CONDUCT AT WORK

Conduct at work is governed by rules intended to make relationships secure and efficient. These rules are not intended to cover all occasions which may result in disciplinary action. These are broadly stated and all employees are expected to use good judgment and to take responsibility for their own conduct. Employment with the City is at-will.

Examples of violations that lead to corrective action up to and including termination:

- Lack of common decency of speech and actions
- Failure to observe common-sense safety rules and practices
- Theft of City property
- Gross Misconduct – offense punishable as a felony
- Action that threatens the services or integrity of the City
- Insubordination
- Fighting, provoking a fight, drinking, intoxication or the improper use or presence of drugs on the job or on City property at any time.
- Sexual activity on duty – Employee sexual activity while on duty is forbidden. Any employee found to have engaged in sexual activity while on duty will be terminated. Under no circumstance shall any employee engage in sexual activity on City property or in City vehicles.

O. OCCUPATIONAL SAFETY AND HEALTH

In compliance with Public Chapter 561 of the State of Tennessee, the City of Goodlettsville established the Occupational Safety and Health Program for the employees of the City of Goodlettsville by Ordinance number 01-612.

The City shall provide a safe and healthful place and condition of employment, keep adequate records of all occupational accidents and illnesses, provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards.

The City Safety Committee will meet periodically and review safety concerns for the City and make recommendations for mitigation when necessary. The Human Resources Director will direct the work of this committee.

Safety is every employee's responsibility. If an unsafe condition is found or an accident occurs, contact your supervisor immediately. Any safety suggestions should be forwarded to your supervisor or the Safety Committee.

P. PHOTOGRAPHY PARTICIPATION

The Policy of the City of Goodlettsville relative to Employee Participation in Photographic Events Produced In or On City Property

Purpose. The City of Goodlettsville receives frequent requests to allow photographic events to take place in or on City property that may also include a request to utilize City employees and equipment in the production of those events. While the City attempts to accommodate any appropriate request, it has the responsibility, as an employer, to control the time spent by on-the-job employees in the photographic event. As importantly, the City has a responsibility to assure that an employee's wish to participate or not in the event is respected. This policy specifies the conditions under which City employees on the job can be utilized in photographic events in or on City property.

The City utilizes a photographic event location agreement with entities utilizing City property and equipment in photographic events that specifies the conditions under which the property and equipment can be used.

Scope. Historically, photographic events that have been produced in or on City property have included educational programs, documentaries, entertainment and music videos, commercial and promotional advertisements and political advertisements. The City anticipates it will continue to receive requests to produce similar events in or on City property as well as utilize on-the-job City employees in those events. This policy applies to all photographic events, regardless of the nature of the event.

Additionally and specifically, this policy prohibits the use of photography of City of Goodlettsville employees (while on the job), facilities and equipment in any way that could be construed as an endorsement by the City of Goodlettsville government of any political candidate, cause or position.

Procedure

- A. Written request to utilize on-the-job City employees in a photographic event will be received by the employee's department head at least ten (10) calendar days prior to the date of the event. The request will state the intended purpose and use of the finished photographic production, the date(s) the employee(s) will be utilized and the length of time the employee(s) will be utilized each day.
- B. The department head will forward the request to the City Manager after certifying:

- a. The requesting entity has formally executed a location agreement with the City to utilize property and equipment,
 - b. The use of a City employee in the photographic event will not impede or alter the typical work patterns and/or schedule of the employee,
 - c. The City will incur no additional operating expense by allowing employees to participate in the photographic event, and
 - d. The employee is voluntarily agreeable to participate.
- C. The City Manager will render a final decision regarding the request and inform the requesting party of the decision.

Compensation to the City. If the request to use City employees in the photographic event is granted, the requesting party will compensate the City at a rate of \$250.00 per hour per employee utilized. A minimum charge of \$500.00 per employee utilized will be imposed.

Q. LIGHT DUTY POLICY

The City of Goodlettsville is committed to providing work, when possible, for employees who have been placed under restrictions by a physician due to an injury or illness. Such work will be provided subject to availability. Employees on temporary modified duty must furnish a written update of their medical condition to the Human Resources Department from the treating physician after each visit in order to remain in the temporary job.

Temporary Assignment. Temporary modified duty assignments will be reevaluated weekly and/or following each doctor visit. Temporary assignments are limited to a maximum of 90 days. If an extension is necessary beyond 90 days, it will be reviewed by the Department Head and the City Manager. Any employee who is eligible for temporary modified duty and refuses the assignment could be denied all workers' compensation benefits and are subject to dismissal as a result of not being able to perform their assigned duties.

Light Duty for Non-Work Related Conditions. Light duty may be offered to employees who are injured off the job or have a non-work related medical condition. A job must be available that meets the employees' restrictions from a doctor. Non-work related light duty will be restricted to 90-days.

Americans with Disabilities Act (ADA). Reasonable accommodation will be provided to qualified disabled individuals unless the accommodation would pose an "undue hardship" on the City. Such attempts are not a guarantee that a position will be offered or that future employment is assured.

R. POLITICAL ACTIVITY & COMMUNICATION WITH ELECTED OFFICIALS

According to Section 6-21-106 of the Goodlettsville City Charter, no City employee shall take any active part in or contribute any money toward the nomination or election of any candidate for election to the board of commissioners, except to answer such questions as may be put to them and as they may desire to answer.

A violation of this policy shall subject the offenders to removal from office or employment and to punishment of not more than fifty dollars (\$50.00) for each offense.

An employee of the City of Goodlettsville has a right to communicate with Elected Public Officials under the Employee Political Freedom Act ("PEPFM") T.C.A. §§ 8-50-601-604. The City will not

discipline, threaten to discipline or discriminate against any employee for communication with an Elected Public Official unless the statement to the Elected Public Official is untrue.

S. ON-CALL AND CALL- BACK

Call-Back. All employees are subject to call back. Employees not exempt from the overtime provisions of the FLSA who are called back to work after the normal work shift has ended and after having left the work premises to perform previously unscheduled work for the City shall be guaranteed pay for a minimum of two (2) hours, all of which shall count as time worked for the purpose of calculating overtime.

On-Call. On-call service is necessary for the proper maintenance and functioning of certain City services. It is the duty and responsibility of each on-call employee to be available by some reliable means of communication at all times.

When a non-exempt on-call employee is called out, he/she shall receive two (2) hours minimum pay, all of which shall count as time worked for purposes of calculating overtime.

An employee who is on-call and who fails to report for duty at the specified City job site within 45 minutes or less of receiving notice may be subject to disciplinary action up to and including termination.

SECTION IX – SEPARATIONS AND DISCIPLINARY ACTIONS

A. TYPES OF SEPARATIONS

All separations of employees from positions with the City shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, layoff, disability, death, retirement, and dismissal. At the time of separation and prior to final payment, all records, assets, and other City property in the employee's custody must be transferred to the department. Any amount due because of shortages shall be withheld from the employee's final compensation. Reimbursement cannot result in the employee being paid less than the federal minimum wage.

B. RESIGNATION

In the event an employee decides to leave the City's employ, a 2-week notice shall be given to his/her supervisor in writing so that arrangements for a replacement can be made. In such a case, employees will be expected to return any/or all City equipment assigned. An unauthorized absence from work for a period of two (2) consecutive working days will be considered as a voluntary termination.

Voluntary Termination

An employee is considered to have voluntarily terminated employment when:

Quitting or refusing to work;

Overstaying a leave of absence without approval;

Unreported or unapproved absence for two consecutive workdays.

At the discretion of the City Manager, any employee may be considered for reinstatement, without loss of seniority, within two workdays from the date last worked.

C. RETIREMENT

Employees retiring from the City with benefits from TCRS shall receive upon retirement a monetary gift equal to \$50 for each year of service with the City.

D. DEATH

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

E. EXIT INTERVIEWS

All voluntarily separated employees will be required to participate in an exit interview with the Human Resource Director. The main purpose of this interview is to ascertain whether the reason for an employee's separation is founded on a misunderstanding that might be corrected by either the City or the employee. Any information that may improve future working conditions in the City is always welcome.

F. DISCIPLINARY ACTION

All City employees are at-will employees of the City. The City reserves the right to discharge at-will employees for cause or for no reason, except that no employee will be discharged for reasons that are prohibited by state and federal law. There may be occasions when the City takes disciplinary actions short of termination against employees. These actions in no way create a property right in employment for at-will employees. No employee or representative of the City can change an employee's at-will status.

Disciplinary Steps (except in extreme cases and approved by the City Manager)

1. Counsel – Address the problem with the employee. Informal Counsel by supervisor with employee. Supervisor makes desk notes of meeting.
2. Written Notice – Summarize the problem. Note in employee's personnel file.
3. Written Warning – Document infractions to date. Warning placed in employee's personnel file.
4. Suspension – Employee is suspended without pay. Documentation placed in personnel file. Supervisor and Department Head must seek approval from the City Manager for suspension.
5. Termination – Employee is terminated with the recommendation of the Department Head and approval of the City Manager.

Depending on the severity and the number of occurrences, any step above may be bypassed. Additional disciplinary action options may include, but not limited to, a probationary period and/or

a demotion. A probationary period is a specified period of time during which an individual's performance or conduct is evaluated based on a disciplinary action. A demotion is defined as a permanent reassignment to a position with a lower pay grade, skill requirement and/or level of responsibility than the employee's current position. The City Manager must approve all suspensions, demotions, probationary periods and terminations.

G. PROBLEM REVIEW

When an employee has a job-related problem, the employee should first approach his/her immediate supervisor on an informal basis to try to work out a solution.

If the initial approach is not satisfactory to the employee, the matter should progress through the employee's chain of command including the employee's department head. If the problem progresses to the City Manager level, details of the employee's problem must be stated in writing.

Includes updates since original adoptions: Nepotism, Longevity, Tuition Reimbursement, TCRS, Probationary Period.