

1. Meeting Documents

1.I. June 9, 2015 BOMA Regular Meeting Agenda

Documents: [JUNE 9, 2015 BOMA MEETING AGENDA \(PDF\).PDF](#)

1.II. Minutes Of The May 12, 2015 Meeting (Note: These Are Draft Until Adopted By A Vote Of The BOMA)

Documents: [MINUTES OF THE MAY 12, 2015 MEETING \(PDF\).PDF](#)

1.III. Town Administrator's Report

Documents: [TOWN ADMINISTRATORS REPORT.PDF](#)

1.IV. Finance Report

Documents: [FINANCE REPORT.PDF](#)

1.V. Building Permit Report

Documents: [BUILDING PERMIT REPORT.PDF](#)

2. Unfinished Business

2.I. Public Hearing And Second Reading Of Ordinance 2015-003 - Amend Infrastructure Access

Documents: [PUBLIC HEARING AND SECOND READING OF ORDINANCE 2015-003 - AMEND INFRASTRUCTURE ACCESS.PDF](#)

2.II. Public Hearing And Second Reading Of Ordinance 2015-004 - FY2016 Budget

Documents: [PUBLIC HEARING AND SECOND READING OF ORDINANCE 2015-004 - FY2016 BUDGET.PDF](#)

2.III. Public Hearing And Second Reading Of Ordinance 2015-005 - FY2015 Budget Revisions

Documents: [PUBLIC HEARING AND SECOND READING OF ORDINANCE 2015-005 - FY2015 BUDGET REVISIONS.PDF](#)

2.IV. Public Hearing And Second Reading Of Ordinance 2015-006 - Parks And Recreation Committee

Documents: [PUBLIC HEARING AND SECOND READING OF ORDINANCE 2015-006 - PARKS AND RECREATION COMMITTEE.PDF](#)

3. New Business

3.I. Resolution 2015-009 - TDOT Agreement - 31/Columbia Pike Underpass

Documents: [RESOLUTION 2015-009 - TDOT AGREEMENT - 31 COLUMBIA PIKE UNDERPASS.PDF](#)

3.II. Resolution 2015-010 - Agreement With Environetics - Floating Baffle System

Documents: [RESOLUTION 2015-010 - AGREEMENT WITH ENVIRONETICS - FLOATING BAFFLE SYSTEM.PDF](#)

3.III. Resolution 2015-011 - Agreement With C&I Design - Community Center Renovation

Documents: [RESOLUTION 2015-011 - AGREEMENT WITH C AND I DESIGN - COMMUNITY CENTER RENOVATION.PDF](#)

3.IV. C&I Design Proposal (This Document Is Too Large To Upload - Contact Town Hall To View)

Town of Thompson's Station
Board of Mayor and Aldermen
Meeting Agenda
June 9, 2015

Meeting Called to Order

Pledge of Allegiance

Minutes –

- Consideration of the Minutes of the May 12, 2015 meeting

Public Comments –

Reports –

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5. **Resolution 2015-009** – Amendment to agreement with TDOT for the SIA road serving Mars Petcare for the construction of an underpass under Hwy 31/Columbia Pike.
6. **Resolution 2015-010** – To approve an agreement with Environetics, Inc for purchase and installation of a floating baffle system.
7. **Resolution 2015-011** – To approve an agreement with C&I Design, Inc. for architectural and design services – renovation and expansion of the Community Center building.

Adjourn.

This meeting will be held at 7:00 p.m. at Thompson's Station Community Center, 1555 Thompson's Station Road West

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Town of Thompson's Station
Board of Mayor and Aldermen
Minutes of the Meeting
May 12, 2015

Call to Order.

The meeting of the Board of Mayor and Aldermen of the Town of Thompson's Station was called to order at 7:00 p.m. on Tuesday, May 12, 2015 with the required quorum. Members and staff in attendance were: Mayor Corey Napier; Alderman Brinton Davis; Alderman Sarah Benson; Alderman Brandon Bell; Alderman Graham Shepard; Town Administrator Joe Cosentini; Finance Director Tammy Womack and Town Attorney Todd Moore. Town Recorder Chandra Boughton was unable to attend.

Pledge of Allegiance.

Consideration of Minutes. The minutes of the April 14, 2015 Regular Meeting were previously submitted.

Alderman Shephard moved to accept the minutes as submitted. The motion was seconded and carried unanimously.

Public Comments.

Ron Barrett of 1820 Cayce Springs Road discussed his concerns regarding the Town's zoning ordinance re-write.

BOMA Reports

Alderman Davis announced the soft opening of the new park will be held on May 30th (rain date is June 6th). Parks Committee Chairman Jim Van Vleet gave an update on current committee projects: hiring a consultant to create master plan for the parks; new train play set; new park signage.

Mayor Napier provided updates on a number of items: the Town is in the process of re-working it's storm water regulations; a new auditor will be hired; the purchase and installation of new flags with the Town logo.

Alderman Bell provided an update from the Telecommunications Task Force.

Town Administrator's Report

Mr. Cosentini reviewed his report and discussed a few non-agenda items: status of the Vintage Tollgate apartment project; status of the traffic study being conducted by RPM; status of the Land Development Ordinance being prepared by PlaceMakers; an update on wastewater projects.

Finance Report

Mr. Cosentini reviewed the financial documents from the packet and answered questions.

Unfinished Business:

First Reading of Ordinance 2015-003 – An Ordinance by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee Amending Article I – Title,

Purpose, Jurisdiction & Definitions and Article VII – Public Infrastructure of the Town of Thompson’s Station Zoning Ordinance.

Mr. Cosentini reviewed the item and recommended approval, noting that Ordinance 2015-003 would transfer into the new Zoning Ordinance being prepared by PlaceMakers. The Ordinance will also be brought before the Planning Commission at their next meeting (May 26, 2015). Alderman Shephard submitted a written statement supporting the ordinance.

After comments, Alderman Shephard moved to approve Ordinance 2015-003 on First Reading and set a Public Hearing on June 9, 2015 at 7:00pm. The motion was seconded and carried unanimously.

New Business:

First Reading of Ordinance 2015-004 – An Ordinance of the Town of Thompson’s Station, Tennessee Adopting the Annual Budget and Tax Rate for the Fiscal Year Beginning July 1, 2015 and Ending June 30, 2016.

Mayor Napier and Mr. Cosentini commented on the proposed budget. The budget has been reviewed during a BOMA work shop and by the Mayor Advisory Council. There will be no tax increase – property tax rate will be 10.3¢

After discussion, Alderman Davis moved to approve Ordinance 2015-004 on First Reading and set a Public Hearing on June 9, 2015 at 7:00pm. The motion was seconded and carried unanimously.

First Reading of Ordinance 2015-005 – An Ordinance of the Town of Thompson’s Station, Tennessee Amending Ordinance 14-006 Which Amends the Annual Budget for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015.

Mr. Cosentini reviewed the item, noting that most changes are revenue increases and just a few expense adjustments.

After discussion, Alderman Bell moved to approve Ordinance 2015-005 on First Reading and set a Public Hearing on June 9, 2015 at 7:00pm. The motion was seconded and carried unanimously.

First Reading of Ordinance 2015-006 – An Ordinance of the Town of Thompson’s Station, Tennessee to Amend Title 2 of the Municipal Code to Create a Parks and Recreation Advisory Board.

Mr. Cosentini reviewed the item. This ordinance will allow the parks committee to move from being an ad-hoc committee to a Board with decision making authority. Expense requests would continue to be approved by BOMA. Mayor Napier voiced his support of the creation of the new board.

After discussion, Alderman Davis moved to approve Ordinance 2015-006 on First Reading and set a Public Hearing on June 9, 2015 at 7:00pm. The motion was seconded and carried unanimously.

Resolution 2015-007 – A Resolution of the Town of Thompson’s Station, Tennessee Authorizing the Mayor and Town Administrator to Negotiate for the Acquisition of Real

Property Located East of Sedberry Road and South of I-840, Thompson’s Station, for a Public Park and Other Public Uses

Mr. Cosentini reviewed the item. The property is adjacent to the wastewater facility and Town park land. It has been evaluated for use as future drip fields and appraised for fair market value. Mr. Cosentini recommended approval and noted that any contracts would be approved by BOMA.

After discussion, Alderman Bell moved for approval of Resolution 2015-007 as submitted. The motion was seconded and carried unanimously.

Resolution 2015-008 – A Resolution of the Town of Thompson’s Station, Tennessee to Authorize the Town Administrator to Enter into Negotiations With C&I Design, Inc. for Architectural and Design Services for the Renovation and Expansion of the Community Center Building

Mr. Cosentini reviewed the item, noting that both firms interviewed were well qualified and the decision was difficult. Ultimately, the committee concluded that C&I would be most attentive to the Town’s needs and will produce a quality product.

After discussion, Alderman Davis moved for approval of Resolution 2015-008 as submitted. The motion was seconded and carried unanimously.

Adjourn

There being no further business, the meeting was adjourned at 7:46 p.m.


Corey Napier, Mayor

Chandra Boughton, Town Recorder

Phone: (615) 794-4333
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1550 Thompson's Station Road W.
P.O. Box 100
Thompson's Station, TN 37179

DATE: June 3, 2015
TO: The Board of Mayor and Aldermen (BOMA)
FROM: Joe Cosentini, Town Administrator 
SUBJECT: TA Report 6/09/2015

Agenda Items –

Unfinished Business

1. Ordinance 2015-003: This ordinance is unchanged since first reading and is recommended for approval upon public hearing.
2. Ordinance 2015-004: This ordinance will establish our operating and capital budget for Fiscal Year 2016. Our property tax rate remains unchanged at 10.3 cents per \$100.00 of assessed value and no adjustments have been made since first reading.
3. Ordinance 2015-005: This ordinance will revise our current fiscal year budget to more accurately reflect our year to date revenues and expenses. We have made a few additional minor adjustments to the general fund revision and one large adjustment on wastewater from first reading in order to account for item #6 on the BOMA agenda. We are shifting money from within the wastewater account from Consulting Engineers to Infrastructure Installed in order to cover the manufacturing and installation of the cell 2 baffle.
4. Ordinance 2015-006: This ordinance will establish the Parks and Recreation Advisory Board and is unchanged from first reading.

New Business

5. Resolution 2015-009: The approval of this item will amend the State Industrial Access (SIA) project ongoing with Tennessee Department of Transportation. The amendment consists of an addition of a pedestrian underpass on Rt. 31 which will be installed by TDOT contractors and funded by the Town. Total cost for the underpass is estimated at \$280,000 and has been included in our capital budget for next fiscal year.
6. Resolution 2015-010: This item will allow the Town to enter into a contract with Environetics for the manufacturing and installation of a baffle for cell 2 at the regional wastewater facility. The installation of this baffle will allow cell 2 to operate as an independent treatment cell with two distinct treatment areas with a total treatment capacity of 300,000 gallons per day. The \$40,000.00 cost of this project will be paid from the WW Infrastructure Installed category of the current wastewater budget.
7. Resolution 2015-011: This resolution will allow the Town to enter into a contract with C&I Design for the renovation of the Community Center. Phase 1 of this project will be conceptual design where C&I will develop up to four options for the Town to choose from and will cost \$8,200.00. Once a design is selected, C&I will work on preparing construction documents for the renovation and their fee will be 6.3% of the construction costs.

TOWN OF THOMPSON'S STATION
Current Cash Balance
31-May-15

	Amount
General Fund:	
Checking Account	\$ 281,366
Money Market Invest. Accts.	4,208,548

Total General Fund Cash	4,489,914
Less Developer Cash Bonds Held	(474,800)
Less County Privilege Tax Held	(124,460)

General Fund Cash Available	3,890,654

Wastewater Fund:	
Checking Account	118,428
Money Market Invest. Accts.	811,968

Wastewater Fund Cash Available	930,396

Total Cash Available for Use	\$ 4,821,050
	=====

Town of Thompson's Station
YTD Actual vs. Annual Budget
 July 2014 through May 2015

	Jul '14 - May 15	Budget	% of Budget
Income			
31111 · Real Property Tax Revenue	139,206	115,000	121%
31310 · Interest & Penalty Revenue	196		
31610 · Local Sales Tax - Trustee	645,106	550,000	117%
31710 · Wholesale Beer Tax	88,011	95,000	93%
31810 · City Portion of County Priv Tax	31,222	30,000	104%
31900 · CATV Franchise Fee Income	12,951	12,000	108%
32000 · Beer Permits	650	500	130%
32200 · Building Permits	441,208	325,000	136%
32230 · Submittal & Review Fees	52,946	30,000	176%
32245 · Miscellaneous Fees	1,855	500	371%
32250 · Administrative Fee Income	415		
32260 · Business Tax Revenue	36,471	81,000	45%
32300 · Impact Fees	673,181	500,000	135%
33320 · TVA Payments in Lieu of Taxes	25,091	29,000	87%
33510 · Local Sales Tax - State	180,944	170,000	106%
33520 · State Income Tax	199,839	150,000	133%
33530 · State Beer Tax	1,282	1,100	117%
33535 · Mixed Drink Tax	6,523	1,500	435%
33552 · State Streets & Trans. Revenue	4,933	5,500	90%
33553 · SSA - Motor Fuel Tax	43,392	48,000	90%
33554 · SSA - 1989 Gas Tax	6,956	7,700	90%
33555 · SSA - 3 Cent Gas Tax	12,911	14,300	90%
33725 · Greenways & Trails Grant	0	599,000	0%
36110 · Interest Earned - Banks	358		
36120 · Interest Earned - Invest. Accts	6,119	4,500	136%
36130 · Interest Income-Interfund Loan	13,333	14,000	95%
37746 · Pavilion & Comm. Ctr. Rental	13,394	4,000	335%
37747 · Pavilion Comm. Ctr Dep Refund	-6,700		
37990 · Other Revenue	6,894		
37999 · Loan Repayment From W/W Fund	55,556	57,000	97%
39999 · Budgeted Fund Balance - GF	0	1,409,350	0%
Total Income	2,694,244	4,253,950	63%
Expense			
41110 · Payroll Expense	412,282	468,000	88%
41141 · Payroll Taxes - FICA	25,458	28,000	91%
41142 · Payroll Taxes - Medicare	5,954	7,000	85%
41147 · Payroll Taxes - SUTA	2,851	3,000	95%
41161 · Board Member Expenses	0	500	0%
41172 · Election Expense	680	0	100%
41211 · Postage, Freight & Express Chgs	3,717	4,000	93%
41221 · Printing, Forms & Photocopy Exp	4,677	5,000	94%
41230 · Recording & Filing Fees	822	1,000	82%
41231 · Publication of Legal Notices	2,104	2,500	84%
41235 · Memberships & Subscriptions	3,409	6,000	57%
41241 · Utilities - Electricity	7,967	10,000	80%
41242 · Utilities - Water	1,510	2,300	66%
41244 · Utilities - Gas	1,635	2,000	82%
41245 · Telecommunications Expense	4,412	4,000	110%
41252 · Prof. Fees - Legal Fees	72,459	115,000	63%
41253 · Prof. Fees - Auditor	5,750	4,000	144%
41254 · Prof. Fees-Consulting Engineers	38,513	40,000	96%
41259 · Prof. Fees - Other	80,058	100,000	80%
41264 · Repairs & Maint - Vehicles	3,145	5,000	63%
41265 · Parks & Rec. Expense	89,580	120,000	75%
41266 · Repairs & Maint - Bldg	8,938	50,000	18%
41268 · Repairs & Maint-Roads, Drainage	273,671	505,500	54%
41269 · SSA - Street Repair Expense	70,000	70,000	100%
41270 · Vehicle Fuel & Oil Expense	8,908	15,000	59%
41280 · Travel Expense	224	2,000	11%
41285 · Continuing Education Expense	4,941	7,000	71%
41289 · Employee Retirement Expense	0	2,000	0%
41291 · Animal Control Services	0	3,200	0%
41300 · Economic Development Expense	185	15,000	1%
41311 · Office Expense	15,593	15,000	104%
41511 · Insurance - Property	1,926	2,000	96%
41512 · Insurance - Workers Comp.	11,801	12,200	97%
41513 · Insurance - Liability	4,309	4,400	98%
41514 · Insurance - Employee Medical	85,747	100,000	86%
41515 · Insurance - Auto	1,279	1,300	98%

	<u>Jul '14 - May 15</u>	<u>Budget</u>	<u>% of Budget</u>
41516 · Insurance - E & O	10,383	10,700	97%
41551 · Trustee Commission	3,388	3,000	113%
41691 · Bank Charges	590	2,000	30%
41720 · Donations	76,875	100,000	77%
41899 · Other Expenses	7,219	9,000	80%
41940 · Capital Projects	57,723	300,000	19%
41943 · Acquisition of Public Use Prop.	1,235,304	1,236,000	100%
41998 · Greenways & Trails Grant Exp.	17,170	700,000	2%
41999 · Safe Routes to School Expense	1,350	1,350	100%
49030 · Capital Outlay Note Payment	146,508	160,000	92%
Total Expense	<u>2,811,016</u>	<u>4,253,950</u>	<u>66%</u>
Net Income	<u><u>-116,772</u></u>	<u><u>0</u></u>	<u><u>100%</u></u>

Thompson's Station Wastewater Fund
YTD Actual vs. Annual Budget
July 2014 through May 2015

	Jul '14 - May 15	Budget	% of Budget
Income			
3100 · Wastewater Treatment Fees	392,485	350,000	112%
3101 · Septage Disposal Fees	158,138	150,000	105%
3105 · Late Payment Penalty	7,370		
3109 · Uncollectible Accounts	0	-5,000	0%
3300 · Tap Fees	641,394	475,000	135%
3902 · Interest Income - Invest Accts	526	200	263%
3999 · From Fund Balance	0	151,600	0%
4009 · Returned Check Charges	35		
Total Income	1,199,948	1,121,800	107%
Gross Profit	1,199,948	1,121,800	107%
Expense			
4010 · Payroll Expense	83,567	100,000	84%
4100 · Capital Expenditures	4,505	10,000	45%
4150 · WW Infrastructure Installed	100,152	125,000	80%
4210 · Permits & Fees Expense	8,882	10,000	89%
4220 · Laboratory Water Testing	3,560	9,000	40%
4230 · Supplies Expense	4,326	5,000	87%
4240 · Repairs & Maint. Expense	54,720	100,000	55%
4310 · Utilities - Electric	74,388	100,000	74%
4320 · Utilities - Water	1,298	1,500	87%
4390 · Insurance Expense	15,115	15,200	99%
4400 · Prof. Fees-Consulting Engineers	58,113	140,000	42%
4420 · Prof. Fees - Auditor	0	1,800	0%
4490 · Prof. Fees - Other	2,570	10,000	26%
4710 · Payroll Taxes - FICA	5,285	7,000	75%
4720 · Payroll Taxes - Medicare	1,236	1,500	82%
4730 · Payroll Taxes - SUTA	486	500	97%
4800 · Bank Charges	20	300	7%
4900 · Other Expense	600	1,000	60%
4990 · Depreciation Expense	252,087	275,000	92%
4993 · Loan Repayment-Franklin Synergy	101,852	112,000	91%
4994 · Interest Expense	21,461	26,000	83%
4995 · Interest Expense-Interfund Loan	13,333	14,000	95%
4999 · Loan Repayment to General Fund	55,556	57,000	97%
Total Expense	863,110	1,121,800	77%
Net Income	336,838	0	100%

Building Permit Report

Month: May

Year: 5/31/2015

Type of Building Permit	Number of Permits	Square Feet	Permit Fee	Town Impact Fee	County Privilege Tax	YTD Permit YTD	REC. LOT
New Residential	22	65,584	39,224.25	65,584.00	131,168.00	289.00	0.00
Non-residential	0	0	0.00	0	0	0	0
Other Building Types (Additions/Garages/Porches)	2		150				
Agricultural Buildings	0		0	0	0	0	0
Driveways							
Signs	2		20	0	0	0	0
Trailers			0				
Grading	0		0	0	0	0	0
Decks / Pools / Fences	0		0	0	0	0	0
Roofs	0		0				
Blasting	0		0				
Miscellaneous	0		0		0	0	0
Re-Inspections	70		3,500.00			0	0
Monthly Totals	96	65,584	46,394.95	65,584.00	131,168.00	June to May	0.00
						289.00	

SIGNATURE: Richard King
 Richard King, Building Codes Official

ORDINANCE NO. 2015-003

AN ORDINANCE BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE AMENDING ARTICLE I-TITLE, PURPOSE, JURISDICTION & DEFINITIONS AND ARTICLE VII-PUBLIC INFRASTRUCTURE OF THE TOWN OF THOMPSON'S STATION ZONING ORDINANCE.

WHEREAS, the Board of Mayor and Aldermen of the Town of Thompson's Station have heretofore adopted the Zoning Ordinance;

WHEREAS, on December 2, 2014, the Board of Mayor and Aldermen requested that the Planning Commission review the need for an amendment to the zoning ordinance regarding exclusive easements;

WHEREAS, on February 24, 2015, the Planning Commission reviewed the easement language and determined it was necessary to amend Article VII the Zoning Ordinance;

WHEREAS, on March 10, 2015, the Board of Mayor and Aldermen reviewed on first reading a proposed amendment to Article I , VII, and VIII to address private telecommunications easements where they deferred the item to May 2015 to allow for the town attorney and town consultants to weigh in further;

WHEREAS, on May 12, 2015, the Board of Mayor and Aldermen has reviewed the recommended changes and has determined, based upon the Planning Commission recommendation, a review of the modifications, and the record as a whole, that it is in the best interest of the Town to update Article I and VII of the Town's Zoning Ordinance (Exhibit A);

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, as follows:

Section 1. That Article I and VII of the Town of Thompson's Station Zoning Ordinance as amended is hereby adopted (Exhibit A).

Section 2. This ordinance shall take effect immediately upon second reading and its publication in a newspaper of general circulation after final reading by the Board of Mayor and Aldermen, the public welfare requiring it.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee, on the _____ day of _____, 2015.

Corey Napier, Mayor

ATTEST:

Chandra Boughton, Town Recorder

Passed First Reading: May 12, 2015

Passed Second Reading:

Submitted to Public Hearing on the ____ day of _____, at 7:00 p.m., after being advertised in the Williamson AM Newspaper on the ____ day of _____, 2015.

APPROVED AS TO FORM AND LEGALITY:

Todd Moore, Town Attorney

ARTICLE I
TITLE, PURPOSE, JURISDICTION & DEFINITIONS

1400 DEFINITIONS

Purpose

The purpose of this section is to establish a set of definitions to define terminology contained within the Zoning Ordinance ...

Definitions

Comprehensive Plan: the Comprehensive Plan of the Town of Thompson's Station that refers to the goals and policies for the development and maintenance of the Town outlined by the Board of Mayor and Aldermen.

Easement: the right to use private property for specific and limited purposes, including but not limited to, utilities, **telecommunication**, drainage, landscaping and roadways.

Legal, non-conforming lot: a parcel which was lawfully established, formed or subdivided and is not inconsistent with the zoning standards in which it is now located.

Legal, non-conforming use: a use or activity which was lawfully permitted prior to the adoption of an ordinance modification which prohibited the use.

Town: the Town of Thompson's Station, Tennessee.

ARTICLE VII
PUBLIC INFRASTRUCTURE

7000 ROAD STANDARDS

7010 Access

7020 Road Right of Way Construction

7030 Private Roads

7100 UTILITIES AND TELECOMMUNICATION

7110 Utility and Technology Easements

7120 Access Requirement

7010 Access

- A. Direct access, by residential lots, to arterials and collectors shall be discouraged ...
- B. All nonresidential uses shall be discouraged from taking more than one point of access ...
- C. Access points on collectors shall be separated by a minimum of two hundred (200) feet ..

7020 Road Right-of-Way Construction

Roads and their rights-of-way shall be constructed and provided in accordance with Thompson's Station Subdivision Regulations ...

7030 Private Roads

Private roads serving developments of less than one (1) unit per five acres are permitted for residential developments provided they conform fully to the Town's standards for public roads ...

7100 UTILITIES AND TELECOMMUNICATION

All new developments shall be required to install underground utilities, including but not limited to water, electric, sewer, fiber optic, cable, etc. to the satisfaction of the utility provider and the Town Planning Commission.

7110 Utility and Technology Easements

Easements shall be provided for proposed utilities and technology (private and public). The utility and telecommunication provider shall take such actions as necessary to ensure the coordination and continuation of utility and technology easements established on adjacent properties.

Utility and technology easements shall be combined where the combination of such easements is reasonable. All easements shall be indicated on plats.

7120 Access Requirement

Except as otherwise specifically provided herein, all building or building areas on lots within the Town shall have permanent and direct access to a public easement for utilities and/or telecommunication.

No buildings may be constructed within the Town without such access. Access shall be suitable to provide ingress and egress to the buildings and other structures for water, sewer, telephone, cable, internet or any other similar telecommunication service, whether such service is offered through public and/or private entities. Any obstruction or encumbrance on such access, including any private easement that purports to prohibit or restrict access, shall be deemed a nuisance and in violation of this ordinance.

ORDINANCE 2015-004

**AN ORDINANCE OF THE TOWN OF THOMPSON'S STATION, TENNESSEE
ADOPTING THE ANNUAL BUDGET AND TAX RATE FOR THE FISCAL YEAR
BEGINNING JULY 1, 2015 AND ENDING JUNE 30, 2016.**

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

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

WHEREAS, the Board of Mayor and Aldermen has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the Board will consider final passage of the budget.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE AS FOLLOWS:

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows for fiscal year 2015-2016:

General Fund	FY 2013-2014 Actual	FY 2014-2015 Estimated	FY 2015-2016 Proposed
Local taxes	\$1,012,003	\$994,000	\$931,000
Licenses and Permits	1,067,989	1,063,300	868,000
Intergovernmental	497,887	958,200	906,100
Capital Outlay Note Proceeds	1,153,000	0	0
Other Revenue	80,134	89,000	76,500
Total Revenues	3,811,013	3,104,500	2,781,600
Beginning Fund Balance	3,125,039	4,085,500	2,983,050
Total Available Funds	\$6,936,052	\$7,190,000	\$5,764,650

State Street Aid Fund	FY 2013-2014 Actual	FY 2014-2015 Estimated	FY 2015-2016 Proposed
Intergovernmental	\$68,163	\$70,000	\$70,000
Total Revenues	68,163	70,000	70,000
Beginning Fund Balance	72,288	10,494	10,494
Total Available Funds	\$140,451	\$80,494	\$80,494

Wastewater Fund	FY 2013-2014 Actual	FY 2014-2015 Estimated	FY 2015-2016 Proposed
Wastewater Fees	\$431,849	\$495,000	\$545,000
Tap Fees	588,592	600,000	475,000
Other Revenue	381	200	300
Total Revenues	1,020,822	1,095,200	1,020,300
Beginning Fund Balance	11,021,542	11,325,049	11,298,449
Total Available Funds	\$12,042,364	\$12,420,249	\$12,318,749

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds including annual Mayoral and Aldermen salaries at \$10,000 and \$5,000 respectively, as follows:

General Fund	FY 2013-2014 Actual	FY 2014-2015 Estimated	FY 2015-2016 Proposed
Government Administrative	\$2,337,348	\$3,241,450	\$1,264,500
Streets	448,911	505,500	418,100
Capital Projects	47,863	300,000	1,680,000
Debt Service	16,430	160,000	160,000
Total Appropriations	2,850,552	4,206,950	3,522,600
Surplus/(Deficit)	960,461	(1,102,450)	(741,000)
Ending Fund Balance	\$4,085,500	\$2,983,050	\$2,242,050

State Street Aid Fund	FY 2013-2014 Actual	FY 2014-2015 Estimated	FY 2015-2016 Proposed
Streets	\$129,957	\$70,000	\$70,000
Total Appropriations	129,957	70,000	70,000
Surplus/(Deficit)	(61,794)	0	0
Ending Fund Balance	\$10,494	\$10,494	\$10,494

Wastewater Fund	FY 2013-2014 Actual	FY 2014-2015 Estimated	FY 2015-2016 Proposed
Wastewater Department	\$699,911	\$938,800	\$818,300
Debt Service	17,404	183,000	202,000
Total Appropriations	717,315	1,121,800	1,020,300
Surplus/(Deficit)	303,507	(26,600)	0
Ending Fund Balance	\$11,325,049	\$11,298,449	\$11,298,449

SECTION 3: At the end of the current fiscal year the governing body estimates balances/ (deficits) as follows:

General Fund	\$2,242,050
State Street Aid Fund	\$10,494
Wastewater Fund	\$11,298,449

SECTION 4: That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Principal	Interest Requirements	Debt Authorized and Unissued	Principal Outstanding at June 30
Bonds	\$0	\$0	\$0	\$0
Notes	\$2,153,000	\$56,500	\$0	\$1,917,330
Capital Leases	\$0	\$0	\$0	\$0
Other Debt	\$0	\$0	\$0	\$0

SECTION 5: During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed By Appropriations	Proposed Amount Financed By Debt
Greenway Trail	\$850,000	\$0
Parks	\$380,000	\$0
Town Center	\$350,000	\$0
Community Center Design	\$50,000	\$0
Critz Lane Design	\$50,000	\$0

SECTION 6: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except for an

actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 7: A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 8: There is hereby levied a property tax of \$.103 per \$100 of assessed value on all real and personal property.

SECTION 9: This annual operating and capital budget ordinance and supporting documents shall be submitted to the Controller of the Treasury or Comptroller's Designee for approval if the Town has notes issued pursuant to Title 9, Chapter 21, *Tennessee Code Annotated* or loan agreements with a public building authority issued pursuant to Title 12, Chapter 10, *Tennessee Code Annotated* approved by the Comptroller of the Treasury or Comptroller's Designee within fifteen (15) days of its adoption. This budget shall not become the official budget for the fiscal year until such budget is approved by the Comptroller of the Treasury or Comptroller's Designee in accordance with Title 9, Chapter 21, *Tennessee Code Annotated* (the "Statutes".) If the Comptroller of the Treasury or Comptroller's Designee determines that the budget does not comply with the Statutes, the Governing Body shall adjust its estimates or make additional tax levies sufficient to comply with the Statutes, or as directed by the Comptroller of the Treasury or Comptroller's Designee. If the Town does not have such debt outstanding, it will file this annual operating budget and capital budget ordinance and supporting documents with the Comptroller of the Treasury or Comptroller's Designee.

SECTION 10: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 11: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 12: If any section, clause, provision of this ordinance is held to be invalid or un-constitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision of this ordinance.

SECTION 13: This ordinance shall take effect July 1, 2015, the public welfare requiring it.

Corey Napier, Mayor

ATTEST:

Chandra Boughton, Town Recorder

Submitted to Public Hearing on _____, 2015 at 7:00 p.m. after publication of notice of public hearing by advertisement in the _____ newspaper on _____, 2015.

Passed 1st Reading: _____

Passed 2nd Reading: _____

ORDINANCE 2015-005

**AN ORDINANCE OF THE TOWN OF THOMPSON'S STATION,
TENNESSEE AMENDING ORDINANCE 14-006 WHICH AMENDS THE ANNUAL
BUDGET FOR THE FISCAL YEAR BEGINNING
JULY 1, 2014 AND ENDING JUNE 30, 2015.**

WHEREAS, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and

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

WHEREAS, the Board of Mayor and Aldermen may amend the annual budget as deemed necessary.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF THOMPSON'S STATION, TENNESSEE AS FOLLOWS:

SECTION 1: Amendments to the General Fund budget line items are as follows:

- a. Real Property Tax Revenue is increased from \$115,000 to \$138,000.
- b. Local Sales Tax – Trustee Revenue is increased from \$550,000 to \$650,000.
- c. Beer Permits is increased from \$500 to \$650.
- d. Building Permits Revenue is increased from \$325,000 to \$440,000.
- e. Submittal & Review Fees is increased from \$30,000 to \$35,000.
- f. Miscellaneous Fees is increased from \$500 to \$650
- g. Impact Fees Revenue is increased from \$500,000 to \$615,000.
- h. State Beer Tax is increased from \$1,100 to \$1,300.
- i. Mixed Drink Tax is increased from \$1,500 to 3,400.
- j. Interest Earned – Investment Accounts is increased from \$4,500 to \$6,000.
- k. Pavilion & Community Center Rental is increased from \$4,000 to \$12,000.
- l. Budgeted Fund Balance is decreased from \$1,409,350 to \$1,067,450.
- m. Payroll Expense is increased from \$468,000 to \$485,000.
- n. Payroll Taxes – FICA is increased from \$28,000 to \$31,000.
- o. Payroll Taxes – Medicare is increased from \$7,000 to \$7,500.
- p. Postage, Freight & Express Chgs is increased from \$4,000 to \$5,000
- q. Printing, Forms & Photocopy Exp is increased from \$5,000 to \$6,000
- r. Telecommunications Expense is increased from \$4,000 to \$5,000
- s. Professional Fees – Auditor is increased from \$4,000 to \$6,000
- t. Office Expense is increased from \$15,000 to \$16,500.
- u. Trustee Commission is increased from \$3,000 to \$4,000.

SECTION 2: Amendments to the Wastewater Fund budget line items is as follows:
a. Tap Fees Revenue is increased from \$475,000 to \$600,000.
b. WW Infrastructure Installed is increased from \$125,000 to \$145,000.
c. Prof. Fees – Consulting Engineers is decreased from \$140,000 to \$120,000.

SECTION 3: The amended budget is detailed in the attached Budget Worksheet.

SECTION 4: No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 5: All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 6: All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

SECTION 7: If any section, clause, provision of this ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, such holdings shall not affect any other section, clause, provision of this ordinance.

SECTION 8: This ordinance shall take effect July 1, 2014, the public welfare requiring it.

Corey Napier, Mayor

ATTEST:

Chandra Boughton, Town Recorder

Submitted to Public Hearing on May 07, 2015 at 7:00 p.m. after publication of notice of public hearing by advertisement in the _____ newspaper on _____, 2015.

Passed 1st Reading: _____

Passed 2nd Reading: _____

Town of Thompson's Station
YTD Actual vs. Annual Budget
 July 2014 through May 2015

	<u>Jul '14 - May 15</u>	<u>Budget</u>	<u>% of Budget</u>
Income			
31111 · Real Property Tax Revenue	139,206	138,000	101%
31310 · Interest & Penalty Revenue	196		
31610 · Local Sales Tax - Trustee	645,106	650,000	99%
31710 · Wholesale Beer Tax	88,011	95,000	93%
31810 · City Portion of County Priv Tax	31,222	30,000	104%
31900 · CATV Franchise Fee Income	12,951	12,000	108%
32000 · Beer Permits	650	650	100%
32200 · Building Permits	441,208	440,000	100%
32230 · Submittal & Review Fees	52,946	35,000	151%
32245 · Miscellaneous Fees	1,855	650	285%
32250 · Administrative Fee Income	415		
32260 · Business Tax Revenue	36,471	81,000	45%
32300 · Impact Fees	673,181	615,000	109%
33320 · TVA Payments in Lieu of Taxes	25,091	29,000	87%
33510 · Local Sales Tax - State	180,944	170,000	106%
33520 · State Income Tax	199,839	150,000	133%
33530 · State Beer Tax	1,282	1,300	99%
33535 · Mixed Drink Tax	6,523	3,400	192%
33552 · State Streets & Trans. Revenue	4,933	5,500	90%
33553 · SSA - Motor Fuel Tax	43,392	48,000	90%
33554 · SSA - 1989 Gas Tax	6,956	7,700	90%
33555 · SSA - 3 Cent Gas Tax	12,911	14,300	90%
33725 · Greenways & Trails Grant	0	599,000	0%
36110 · Interest Earned - Banks	358		
36120 · Interest Earned - Invest. Accts	6,119	6,000	102%
36130 · Interest Income-Interfund Loan	13,333	14,000	95%
37746 · Pavilion & Comm. Ctr. Rental	13,394	12,000	112%
37747 · Pavilion Comm. Ctr Dep Refund	-6,700		
37990 · Other Revenue	6,894		
37999 · Loan Repayment From W/W Fund	55,556	57,000	97%
39999 · Budgeted Fund Balance - GF	0	1,067,450	0%
Total Income	2,694,243	4,281,950	63%
Expense			
41110 · Payroll Expense	412,282	485,000	85%
41141 · Payroll Taxes - FICA	25,458	31,000	82%
41142 · Payroll Taxes - Medicare	5,954	7,500	79%
41147 · Payroll Taxes - SUTA	2,851	3,000	95%
41161 · Board Member Expenses	0	500	0%
41172 · Election Expense	680	0	100%
41211 · Postage, Freight & Express Chgs	3,717	5,000	74%
41221 · Printing, Forms & Photocopy Exp	4,677	6,000	78%
41230 · Recording & Filing Fees	822	1,000	82%

Town of Thompson's Station
YTD Actual vs. Annual Budget
 July 2014 through May 2015

	<u>Jul '14 - May 15</u>	<u>Budget</u>	<u>% of Budget</u>
41231 · Publication of Legal Notices	2,104	2,500	84%
41235 · Memberships & Subscriptions	3,409	6,000	57%
41241 · Utilities - Electricity	7,967	10,000	80%
41242 · Utilities - Water	1,510	2,300	66%
41244 · Utilities - Gas	1,635	2,000	82%
41245 · Telecommunications Expense	4,412	5,000	88%
41252 · Prof. Fees - Legal Fees	72,459	115,000	63%
41253 · Prof. Fees - Auditor	5,750	6,000	96%
41254 · Prof. Fees-Consulting Engineers	38,513	40,000	96%
41259 · Prof. Fees - Other	80,058	100,000	80%
41264 · Repairs & Maint - Vehicles	3,145	5,000	63%
41265 · Parks & Rec. Expense	89,580	120,000	75%
41266 · Repairs & Maint - Bldg	8,938	50,000	18%
41268 · Repairs & Maint-Roads, Drainage	273,671	505,500	54%
41269 · SSA - Street Repair Expense	70,000	70,000	100%
41270 · Vehicle Fuel & Oil Expense	8,908	15,000	59%
41280 · Travel Expense	224	2,000	11%
41285 · Continuing Education Expense	4,941	7,000	71%
41289 · Employee Retirement Expense	0	2,000	0%
41291 · Animal Control Services	0	3,200	0%
41300 · Economic Development Expense	185	15,000	1%
41311 · Office Expense	15,593	16,500	95%
41511 · Insurance - Property	1,926	2,000	96%
41512 · Insurance - Workers Comp.	11,801	12,200	97%
41513 · Insurance - Liability	4,309	4,400	98%
41514 · Insurance - Employee Medical	85,747	100,000	86%
41515 · Insurance - Auto	1,279	1,300	98%
41516 · Insurance - E & O	10,383	10,700	97%
41551 · Trustee Commission	3,388	4,000	85%
41691 · Bank Charges	590	2,000	30%
41720 · Donations	76,875	100,000	77%
41899 · Other Expenses	7,219	9,000	80%
41940 · Capital Projects	57,723	300,000	19%
41943 · Acquisition of Public Use Prop.	1,235,304	1,236,000	100%
41998 · Greenways & Trails Grant Exp.	17,170	700,000	2%
41999 · Safe Routes to School Expense	1,350	1,350	100%
49030 · Capital Outlay Note Payment	146,508	160,000	92%
Total Expense	<u>2,811,015</u>	<u>4,281,950</u>	<u>66%</u>
Net Income	<u><u>-116,772</u></u>	<u><u>0</u></u>	<u><u>100%</u></u>

Thompson's Station Wastewater Fund
YTD Actual vs. Annual Budget
 July 2014 through May 2015

	<u>Jul '14 - May 15</u>	<u>Budget</u>	<u>% of Budget</u>
Income			
3100 · Wastewater Treatment Fees	392,485	350,000	112%
3101 · Septage Disposal Fees	158,138	150,000	105%
3105 · Late Payment Penalty	7,370		
3109 · Uncollectible Accounts	0	-5,000	0%
3300 · Tap Fees	641,394	600,000	107%
3902 · Interest Income - Invest Accts	526	200	263%
3999 · From Fund Balance	0	26,600	0%
4009 · Returned Check Charges	35		
Total Income	<u>1,199,948</u>	<u>1,121,800</u>	<u>107%</u>
Gross Profit	1,199,948	1,121,800	107%
Expense			
4010 · Payroll Expense	83,567	100,000	84%
4100 · Capital Expenditures	4,505	10,000	45%
4150 · WW Infrastructure Installed	100,152	145,000	69%
4210 · Permits & Fees Expense	8,882	10,000	89%
4220 · Laboratory Water Testing	3,560	9,000	40%
4230 · Supplies Expense	4,326	5,000	87%
4240 · Repairs & Maint. Expense	54,720	100,000	55%
4310 · Utilities - Electric	74,388	100,000	74%
4320 · Utilities - Water	1,298	1,500	87%
4390 · Insurance Expense	15,115	15,200	99%
4400 · Prof. Fees-Consulting Engineers	58,113	120,000	48%
4420 · Prof. Fees - Auditor	0	1,800	0%
4490 · Prof. Fees - Other	2,570	10,000	26%
4710 · Payroll Taxes - FICA	5,285	7,000	76%
4720 · Payroll Taxes - Medicare	1,236	1,500	82%
4730 · Payroll Taxes - SUTA	486	500	97%
4800 · Bank Charges	20	300	7%
4900 · Other Expense	600	1,000	60%
4990 · Depreciation Expense	252,087	275,000	92%
4993 · Loan Repayment-Franklin Synergy	101,852	112,000	91%
4994 · Interest Expense	21,461	26,000	83%
4995 · Interest Expense-Interfund Loan	13,333	14,000	95%
4999 · Loan Repayment to General Fund	55,556	57,000	97%
Total Expense	<u>863,112</u>	<u>1,121,800</u>	<u>77%</u>
Net Income	<u>336,836</u>	<u>0</u>	<u>100%</u>

ORDINANCE NO. 2015-006

**AN ORDINANCE OF THE TOWN OF THOMPSON'S STATION, TENNESSEE, TO
AMEND TITLE 2 OF THE MUNICIPAL CODE TO CREATE A PARKS AND
RECREATION ADVISORY BOARD.**

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town to create a Parks and Recreation Advisory Board to help manage, operate and maintain the Town's Parks and Parks & Recreation Programs.

NOW, THEREFORE, BE IT ORDAINED by the Town of Thompson's Station as follows:

Section 1. That Title 2 of the Municipal Code, Boards and Commissions, is hereby amended by added a new Section 2, as set forth below:

PARKS AND RECREATION ADVISORY BOARD

SECTION

2-201. Creation authority, purpose, and title.

2-202. Membership and terms.

2-203. Officers.

2-204. Function.

2-205. Administration.

2-206. Compensation and funding.

2-201. Creation authority, purpose, and title. Pursuant to Town of Thompson's Station Charter and Tennessee Code Annotated, § 11-24-102(b)(1), there is hereby created an advisory body, the Town of Thompson's Station Parks and Recreation Advisory Board (hereinafter as the "Parks Board"), for the purpose of providing the Board of Mayor and Aldermen with planning assistance and guidance as to the effective creation, operation, and maintenance of parks and recreation facilities and/or recreation programs of the Town. Except as specifically delegated in this chapter, the authority to fund, create, operate, and maintain parks and recreation facilities and to conduct recreation programs shall be retained by the Board of Mayor and Aldermen.

2-202. Membership and terms. The membership of the Parks Board shall consist of seven (7) members appointed by and serving at the will and pleasure of the Board of Mayor and Aldermen. One of the members of the Parks Board shall be an alderman of the Town. The Parks Board members shall serve a term of three (3) years before re-appointment consideration, except that the alderman appointment shall be re-considered after each municipal election. The mayor shall serve as an ex-officio member of the Parks Board during his or her respective term.

2-203. Officers. The members of the Parks Board shall elect a chairman and vice-chairman and such officers shall be appointed for the same term as their membership terms. Any vacancy in these offices shall be filled by the Parks Board for the remainder of such term.

2-204. Function. The Parks Board may provide guidance and/or advise the Board of Mayor and Aldermen and Town Staff on any matters related to the creation, operation, and maintenance of parks and recreation facilities and/or recreation programs of the Town. The Parks Board may adopt rules and regulations governing the use of parks and recreation facilities or programs. Town Staff shall be solely responsible for the enforcement of any such rules. In addition, subject to funds budgeted by the Board of Mayor and Aldermen and the Town's purchasing policies, the Parks Board may authorize expenditures for improvements to the Town's parks and recreation facilities and/or as may be necessary to attract and host events or programs at or in such facilities. The Parks Board shall not be responsible for the supervision of Town staff, the hiring, dismissal or discipline of employees, or the expenditure of public funds.

2-205. Administration. The Parks Board shall adopt by-laws as needed to conduct its business and shall adopt a regular meeting schedule in coordination with Town Staff. All Parks Board meetings shall be advertised and open to the public in accordance with the Tennessee Open Meetings law. Minutes shall be recorded for each meeting.

2-206. Compensation and funding. All members of the Parks Board shall serve without pay. Incidental funding for operations of the Parks Board may be provided by the Board of Mayor and Aldermen in the Town's annual Budget.

Section 2. All Prior Conflicting Ordinances Repealed; Interpretation. That upon the effective date of this ordinance, all prior ordinances and resolutions in conflict herewith be repealed. In case of conflict between this ordinance or any part hereof, and the whole or part of any existing ordinance of the City, the provision that establishes the higher standard shall be controlling.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 4. Effective date. This ordinance shall take effect upon publication in a newspaper of general circulation within the Town after final reading, the public welfare requiring.

Duly approved and adopted by the Board of Mayor and Aldermen of the Town of Thompson's Station, Tennessee.

Corey Napier, Mayor

ATTEST:

Chandra Broughton, Town Recorder

Passed First Reading: _____

Passed Second Reading: _____

Submitted to Public Hearing on the ____ day of _____ 2015, at 7:00 p.m., after being advertised in the *Williamson AM* Newspaper on the ____ day of _____, 2015.

APPROVED AS TO FORM AND LEGALITY:

Todd Moore, Town Attorney

RESOLUTION NO. 2015-009

**A RESOLUTION OF THE TOWN OF THOMPSON'S STATION, TENNESSEE
TO APPROVE AN AMENDMENT TO THE LOCAL AGENCY PROJECT
AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF
TRANSPORTATION FOR THE SIA ROAD SERVING MARS PETCARE FOR THE
CONSTRUCTION OF AN UNDERPASS UNDER HIGHWAY 31/COLUMBIA PIKE IN
THE AMOUNT OF \$279,900 AND TO AUTHORIZE THE MAYOR TO EXECUTE SAID
AGREEMENT.**

WHEREAS, the Town of Thompson's Station, Tennessee, is vitally interested in the economic welfare of its citizens and wishes to provide the necessary leadership to enhance the area's capabilities for growth and development, and

WHEREAS, the Industrial Highway Act of 1959 authorizes the TDOT to contract with cities and counties for the construction and maintenance of "Industrial Highways" to provide access to industrial areas and to facilitate the development and expansion of industry within the State of Tennessee, and

WHEREAS, the Town and the TDOT previously entered into a project agreement for the construction and maintenance of improvements to Highway 31/Columbia Pike and an Industrial Access Road to serve Mars Petcare; and

WHEREAS, the Board of Mayor and Aldermen have determined that it is in the best interest of the Town to amend the original agreement with TDOT to allow for the construction of an underpass crossing under Highway 31/Columbia Pike.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station as follows:

That the Amendment to the Local Agency Project Agreement between the Town of Thompson's Station and the State of Tennessee Department of Transportation attached hereto as Exhibit A, is approved and that the Mayor is hereby authorized to execute said Agreement on behalf of the Town.

RESOLVED AND ADOPTED this _____ day of _____, 2015.

Corey Napier, Mayor

ATTEST:

Chandra Boughton, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION
LOCAL PROGRAMS DEVELOPMENT OFFICE
SUITE 600, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TN 37243-1402
(615) 741-5314

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

May 27, 2015

The Honorable Cory Napier
Mayor, Town of Thompson's Station
1550 Thompson's Station Road West
P.O. Box 100
Thompson's Station, TN 37179

Re: State Industrial Access Road serving Mars Petcare
Thompson's Station, Williamson Co
PIN: 117457.00
Federal Project Number: N/A
State Project Number: 94953-3501-04
Agreement Number: 120105

Dear Mayor Napier:

I am attaching an amendment to the original contract. The amendment replaces the Exhibit A and Pages 1-3 of Exhibit B with a new Exhibit A for Amendment 1 and Exhibit B for Amendment 1, Pages 1-3. Please review the amendment and advise me if it requires further explanation. If you find the amendment satisfactory, please execute it in accordance with all rules, regulations and laws, obtain the signature of the attorney for your agency, and return it to me along with your Non-Participating Deposit of \$279,900.00 for the construction of the Underpass. Once the amendment is fully executed, we will send a copy to you for your records.

If you have any questions or need any additional information, please contact Ms. Maria Hunter at 615-532-3632 or maria.hunter@tn.gov.

Sincerely,

Whitney Sullivan
Transportation Manager

Attachment

Amendment Number: 1

Agreement Number: 120105

Project Identification Number: 117457.00

Federal Project Number: N/A

State Project Number: 94953-3501-04

**FOR IMPLEMENTATION OF SURFACE TRANSPORTATION
PROGRAM ACTIVITY**

THIS AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20__ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the Town of Thompson's Station (hereinafter called the "Agency") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

"State Industrial Access Road Serving Mars Petcare"

The language of AGREEMENT # 120105 dated January 23, 2013 Exhibit A and Pages 1-3 of Exhibit B is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment **1** and Exhibit B for Amendment **1**.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

TOWN OF THOMPSON'S STATION

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

By: _____ Date _____ By: _____ Date _____
Corey Napier Mayor John C. Schroer Commissioner

APPROVED AS TO
FORM AND LEGALITY

APPROVED AS TO
FORM AND LEGALITY

By: _____ Date _____ By: _____ Date _____
J. Todd Moore City Attorney John Reinbold General Counsel

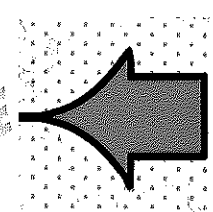
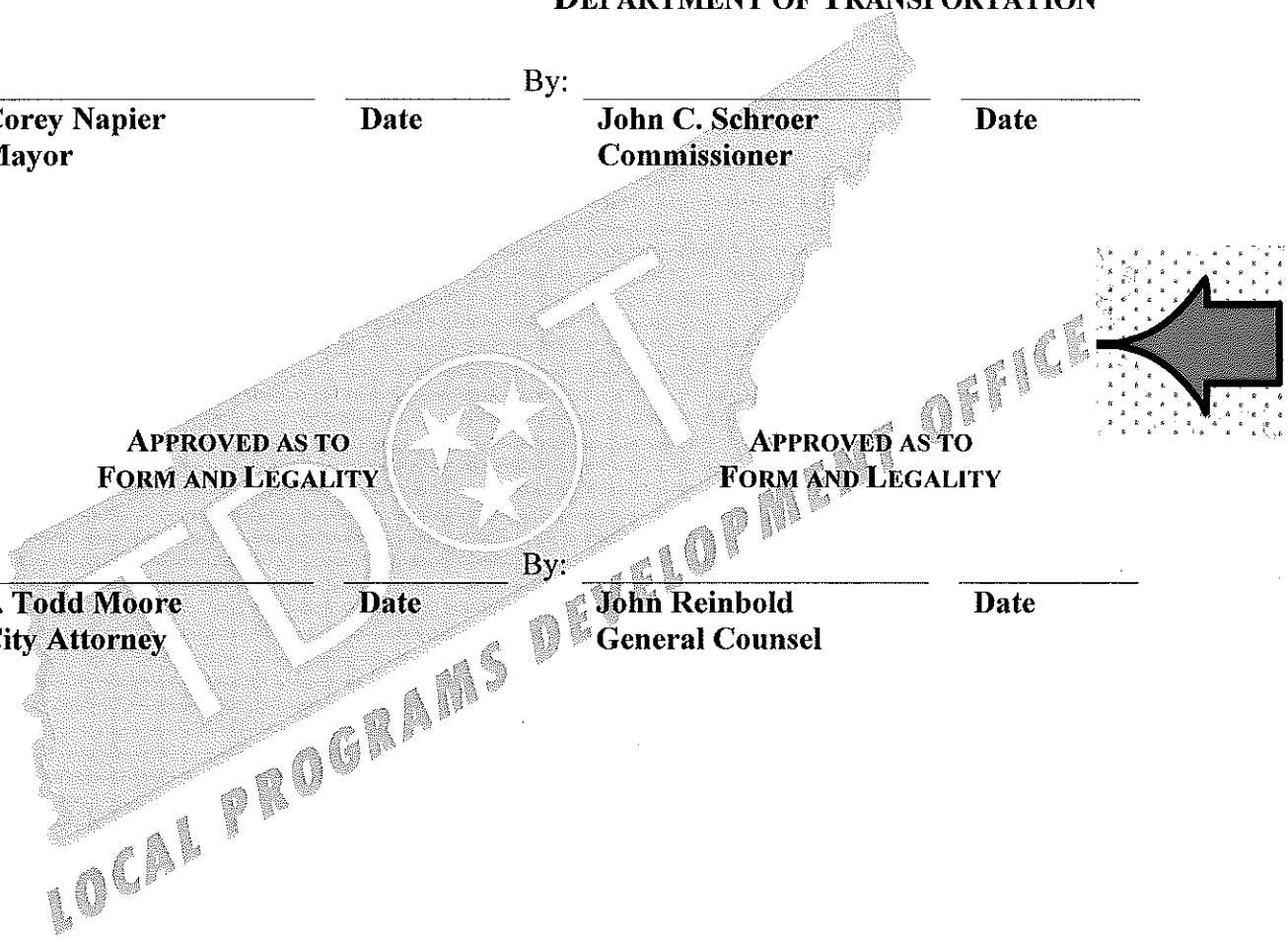


EXHIBIT "A" for Amendment I

CONTRACT No.: 120105
PROJECT IDENTIFICATION No.: 117457.00
STATE PROJECT No.: 94953-3501-04

PROJECT DESCRIPTION: STATE INDUSTRIAL ACCESS RD SERVING MARS PETCARE

TYPE OF WORK: WIDEN AND RESURFACING

PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE-N	SIA	0%	100%	0%	\$300,800.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE-D	SIA	0%	100%	0%	\$71,000.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
ROW	SIA	0%	100%	0%	\$2,820,261.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
CONST	SIA	0%	100%	0%	\$1,690,000.00
CONST	NON-PART	0%	0%	100%	\$279,900.00
CONST	CEI	0%	100%	0%	\$169,000.00

INELIGIBLE COST: One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said state or federal funds is ruled ineligible at any time by the Federal Highway Administration due to any action on the part of the Agency.

LEGISLATIVE AUTHORITY: Industrial Highway Act of 1959, TCA 54-5-401, et seq.

STATE INDUSTRIAL ACCESS ROAD

TO SERVE

Mars Petcare

**Town of Thompson's Station
Williamson County, Tennessee**

PREPARED BY

**TENNESSEE DEPARTMENT OF TRANSPORTATION
PROJECT MANAGEMENT DIVISION**

Revised May 21, 2015

INTRODUCTION AND LOCATION

The Town of Thompson's Station in Williamson County has submitted an application to the Tennessee Department of Transportation (TDOT) requesting assistance in providing access to serve Mars Petcare, which is constructing a Research & Development (R&D) facility for their Phase 1 development in the southeast corner of the SR-840/SR-6 (US-31, Columbia Pike) intersection and sometime in the not too distant future they will proceed with Phase 2 to construct a new headquarters facility adjacent to the R&D facility that will employ 1200. This new R&D facility will develop and test new pet foods. During Phase 1 the industry plans to invest \$90 million in land, construction and equipment that will employ 144 with an average annual payroll of \$9,962,035. The plant will be served by approximately 4 heavy trucks per day, but multiple smaller delivery trucks will be coming in and out through the day.

PROPOSED IMPROVEMENT AND COST

The proposed improvement will consist of extending the 5-lane section of SR-6 for approximately 2,040 feet south of SR-840, then begin tapering down another 1,210 feet to the existing 2-lane section. Incorporated within these limits will be the access opening for Critz Lane, which will be re-aligned by Thompson Station. The project will include grading, base, drainage, paving, guardrail, signage, and pavement markings for access to the Mars Petcare R&D facility in their Phase 1 and their inevitable Phase 2. If warranted, a signal at the re-aligned Critz Lane intersection can be installed through the TDOT Spot Safety Program

Every attempt will be made to avoid the box culvert under SR-6; however, the Town has asked that the Department look at adding an additional box to accommodate a pedestrian passage to connect their greenway. They will be responsible for the cost and it will be added to the final TDOT construction estimate as a non-participating item. The entrance to the new facility will need to have a warrant study to provide a signal at this location, but their main concern will be at their Phase 2 entrance with 1200 employees trying to get in and out. As stated earlier, a warrant study will also be required at the re-aligned intersection at Critz to determine if a signal will be installed.

The roadway base and surface is proposed to consist of 10 inches of stone base, 3 inches of "A" mix, 2 inches of "B-M2" mix, and 1.25 inches of "D" mix. All of the project improvements will be on SR 6; therefore TDOT has agreed to cover all project costs: preliminary engineering, right-of-way and construction. The location of existing Utilities on Private Easement has been identified and every attempt to avoid them will be made to reduce cost.

The estimated costs for this project are as follows:

Preliminary Engineering	\$371,800
Right-of-Way	\$2,523,033
Utilities	\$297,228
Construction	\$1,690,000
Contingency/Inflation (10% of const. estimate)	\$169,000
Non-participating cost of underpass	\$279,900
TOTAL Estimated Project Cost	\$5,330,961

ECONOMIC ANALYSIS

As an indicator of the economic feasibility of this proposal, a benefit cost ratio was calculated. This ratio is a comparison of monetary benefit of project to the cost of the project, expressed in present value. The benefit is estimated from projected sales tax revenue generated by the added jobs and the actual property and personal taxes that will be collected on the capital investment over a period of 10 years. The cost is the sum of the estimated project cost and the present value of the annual maintenance over 10 years.

This ratio was found to be **1.81 to 1**, which indicates that the proposal is sound from an economic standpoint.

RESOLUTION NO. 2015-010

**A RESOLUTION OF THE TOWN OF THOMPSON'S STATION, TENNESSEE
TO APPROVE AN AGREEMENT WITH ENVIRONETICS, INC. FOR THE
PURCHASE AND INSTALLATION OF A FLOATING BAFFLE SYSTEM AND TO
AUTHORIZE THE MAYOR TO EXECUTE SAID AGREEMENT.**

WHEREAS, the Town has advertised request for proposals for a floating baffle system for its regional wastewater treatment system with certain specified attachments (the "Equipment"); and

WHEREAS, the Town did not receive any responses to its request for proposal, but previously received a proposal from Environetics, Inc.; and

WHEREAS, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town to enter into an agreement with Environetics, Inc. to purchase the Equipment as more particularly described in the contract attached hereto for the amount of Thirty-eight Thousand Nine Hundred and Fifty Dollars (\$38,950.00), and to authorize the Mayor to sign said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station as follows:

That the Contract between the Town of Thompson's Station and Environetics, Inc. is approved and that the Mayor is hereby authorized to execute said Agreement on behalf of the Town.

RESOLVED AND ADOPTED this _____ day of December 2015.

Corey Napier, Mayor

ATTEST:

Chandra Boughton, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney



ENVIRONETICS, INC.

1201 Commerce St., Lockport, IL 60441
Phone: 815-838-8331 Fax: 815-838-8336

PRICE QUOTATION

QUOTE NUMBER: 15033-A
Date: Apr 23, 2015

To: ALL BIDDING CONTRACTORS

Project Name: Thompsons Station WWRF
Cell 2 Refining Project
Location: Thompsons Station, Tennessee

Inquiry Date: Apr 23, 2015 Ship Via: Best Way
Rep Firm: Kazmier & Assoc. F.O.B.: Jobsite
Salesman: Lindsey Case Prepaid X Collect

Terms: NET 30-120 Day Ret Cap
Estimate: Quote: X
Quote Valid For 30 Days Maximum

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1 Ea.	ENVIRONETICS DIRECTOR™ FLOATING BAFFLE SYSTEM Lined Lagoon Flow Through Window Design Material: ENV-3004-12 (30 Mil Polyester Reinforced EIA)		\$28,150.00
1 Ea.	Baffle: 248-ft 0-in Long by 30-ft 0-in Skirt Depth 1 Ea. Flotation Collar w/Ø6-in [152mm] x 8-ft [2.4M] Polystyrene Flotation Fully Encapsulated in Baffle Collar Material 1 Ea. Baffle Skirt w/Ballast Chain in Bottom Hem 1 Ea. Continuous Ø5/8-in [16mm] HDG Bottom Ballast Chain 2 Sets 1/8-in by 2-in by 12-in [3mm by 50mm by 304mm] SST End Connector Plates with Bolts, Nuts & Washers 2 Ea. 2:1 End Miter (see Note 4) 2 Ea. Ø1/4-in [6mm] by 35-ft [7.62M] SST Berm Anchor Cable (Miter End to Berm Anchor Post - See Note 4) 2 Ea. Berm Post Winch with Mounting Bracket 1 Ea. 66-in by 66-in Reinforced Flow Through Window 1 Ea. Bolt Through Connector 2 Ea. Mid-Lagoon Anchoring Hardware (see Note 5) 1 Set 1/8-in by 2-in by 12-in [3mm by 50mm by 304mm] SST Collar Plates with Bolts, Nuts & Washers 1 Set Ø3/8-in [9mm] SST Shoulder Eyebolt/Eyenu 1 Set Ø1/4-in [6mm] by 96-ft SST Anchor Cable with Ø5/16-in [8mm] SST Quicklink for Concrete Anchor 2 Each: 100 Pound (min) Concrete Tire Anchor	Included	Included
Note:	Berm Posts Supplied And Installed By Others (See Note 4)	Not Included	Not Included
Note:	Taxes	Not Included	Not Included
		Subtotal	\$28,150.00
1 Ea.	Floating Baffle Installation On-Site Baffle Installation (3 Men / 3 Days / 1 Trip) Includes Labor, Materials and Equipment used for Baffle Installation Standard Insurance Coverage Included, Limits Available Uopn Request Additional Coverage available at Additional Cost Proposal Based on Prevailing Wage Rates Bid, Payment and/or Performance Bonds Excluded Offloading of Materials: By Others	\$8,700.00	\$8,700.00
1 Ea.	Two (2) Year Warranty from the Date of Installation	Included	Included
1 Ea.	Shipping & Handling - Protective Freight To Jobsite	\$2,100.00	\$2,100.00
		Total U.S. Dollars	\$38,950.00
Estimated Freight Cost:	3943 Lbs.	\$.53 Per Lb.	\$2,100.00
		Additional	Included X

NOTES:

- 1). ENVIRONETICS, INC. accepts Purchase Order which is to be accepted ONLY with one signed copy of this quote.
- 2). Terms to be approved upon submittal of current financial statements and Environetics credit application form.
- 3). Shipment is estimated 4 to 6 weeks after receipt of approved submittal data.
- 4). Use Existing: Two (2) Berm Anchor Posts.
- 5). Installing Contractor Shall Supply and Install Two (2) Concrete Tire Anchors (100 lb. Min) per Mid-Lagoon Anchor Point

BY: Richard Winters ENVIRONETICS, INC. TITLE: Vice President DATE: Apr 23, 2015



ENVIRONETICS, INC.

1201 Commerce St., Lockport, IL 60441
Phone: 815-838-8331 Fax: 815-838-8336

PRICE QUOTATION

Quote Number 15033-A
Date: Apr 23, 2015

To: ALL BIDDING CONTRACTORS

Project Name: Thompsons Station WWRF
Cell 2 Relining Project
Location: Thompsons Station, Tennessee

CONDITIONS:

- A). THE PRICES AND TERMS ON THIS QUOTATION ARE NOT SUBJECT TO VERBAL CHANGES OR OTHER AGREEMENTS UNLESS APPROVED IN WRITING BY ENVIRONETICS, INC.
- B). ALL QUOTATIONS AND AGREEMENTS ARE CONTINGENT UPON STRIKES, ACCIDENTS, FIRES, AVAILABILITY OF MATERIALS AND ALL OTHER CAUSES BEYOND OUR CONTROL.
- C). PRICES ARE BASED ON COSTS AND CONDITIONS EXISTING ON DATE OF QUOTATION. PRICES MAY BE CHANGED AT TIME OF SHIPMENT.
- D). ENVIRONETICS, INC. WARRANTS ITS MATERIALS AND WORKMANSHIP TO BE FREE OF DEFECTS FOR A PERIOD OF (2) TWO YEARS FROM DATE OF SHIPMENT FROM ENVIRONETICS. WARRANTIES MUST BE IN WRITING TO BE VALID.
- E). LIABILITY SHALL IN NO EVENT EXCEED THE AMOUNT OF THE SALE PRICE OF THE MATERIAL SOLD TO THE PURCHASER. ENVIRONETICS, INC. SHALL NOT BE LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, OR CONSEQUENTIAL DAMAGES ARISING FROM LOSS OF PRODUCTION OR ANY OTHER LOSSES OWING TO FAILURE OF THE PRODUCT.
- F). TERMS INCONSISTENT WITH THOSE STATED HEREIN WHICH MAY APPEAR ON PURCHASER'S FORMAL ORDER WILL NOT BE BINDING ON THE SELLER.
- G). A 15% CANCELLATION CHARGE WILL BE APPLIED TO ALL ORDERS UNTIL DATE OF PRODUCTION. UPON DATE OF PRODUCTION, AND THEREAFTER, NO CANCELLATION SHALL BE ALLOWED, EXCEPT AS MAY BE NEGOTIATED IN WRITING BETWEEN ENVIRONETICS, INC. AND THE PURCHASER.
- H). DATE OF PRODUCTION SHALL BE DETERMINED BY ENVIRONETICS, INC. UPON RECEIPT OF APPROVED SUBMITTALS.
- I). THIS PRICE QUOTATION SHALL BE GOVERNED BY THE LAWS OF ILLINOIS. IF ANY PROVISION OF THIS PRICE QUOTATION IS MORE RESTRICTIVE THAN PERMITTED BY LAW, THIS PRICE QUOTATION WILL BE LIMITED ONLY TO THE EXTENT NECESSARY TO BRING THIS PRICE QUOTATION WITHIN THE LAW OF SUCH JURISDICTION AND OTHER PROVISIONS OF THE PRICE QUOTATION WITH REMAIN IN FULL FORCE.
- J). 2% PER MONTH (24% ANNUALLY) SHALL BE CHARGED ON INVOICES PAID OVER 30 DAYS AFTER SHIPMENT.
- K). TITLE TO THE MATERIALS AND EQUIPMENT DELIVERED BY ENVIRONETICS SHALL PASS TO THE OWNER UPON PAYMENT IN FULL.

ORDER CONFIRMATION:

BY (PRINT NAME): _____ TITLE: _____

SIGNATURE: _____ DATE: _____

Return copy of this Price Quotation with Authorized Signature to Environetics, Inc. with Original Purchase Order to confirm order.

RESOLUTION NO. 2015-011

**A RESOLUTION OF THE TOWN OF THOMPSON'S STATION, TENNESSEE
TO APPROVE AN AGREEMENT WITH C & I DESIGN, INC. FOR ARCHITECTURAL
AND DESIGN SERVICES FOR THE RENOVATION AND EXPANSION OF THE
COMMUNITY CENTER BUILDING.**

WHEREAS, the Town has advertised and received responses to its Request for Qualifications ("RFQ") for a firm to provide architectural and design services and to make recommendations to the Town related to the renovation and expansion of the Community Center building (the "Project"); and

WHEREAS, based on the responses received, the interviews conducted and the recommendation of the Town Administrator, the Board of Mayor and Aldermen has determined that it is in the best interest of the Town to enter into an agreement with C & I Design, Inc. for the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the Town of Thompson's Station as follows:

That the agreement with C & I Design, Inc. for architectural and design services for the renovation and expansion of the Community Center building, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved and the Mayor is authorized to sign said Agreement on the behalf of the Town.

RESOLVED AND ADOPTED this _____ day of _____, 2015

Corey Napier, Mayor

ATTEST:

Chandra Boughthon, Town Recorder

APPROVED AS TO LEGALITY AND FORM:

Todd Moore, Town Attorney

CONTRACT FOR ARCHITECTURAL SERVICES

THIS CONTRACT made this ____ day of _____ 2015, by and between **C & I Design, Inc.**, a Tennessee corporation (hereinafter "Architect"), and the **Town of Thompson's Station**, a Tennessee municipal corporation (hereinafter "Town").

WHEREAS, the Town intends to periodically utilize the services of Architect for professional services related to the renovation and expansion of the Town's Community Center; and

WHEREAS, the Town has advertised and received responses to Request for Qualifications ("RFQ") for a contractor to provide these services and to make recommendations to the Town related to the renovation and expansion of the Town's Community Center (the "Project"); and

WHEREAS, the Town has selected Architect for the Project.

NOW THEREFORE, that the Architect and the Town agree as follows:

Section 1. Scope of Work; Amendments – The Architect shall perform the following work:

- a) Conduct an analysis of the existing Community Center and provide recommendations for a reorganization of the space and a proposed expansion to the building. The technical analysis and evaluation shall:
 - Clearly identify improvements to the existing space/layout of the building.
 - Assess the pros and cons of a building expansion to incorporate office space for Town Hall.
 - Identify and recommend for the most feasible options for an expansion.
- b) Prepare detailed plans to support the most feasible alternative for the building and its expansion.
- c) Prepare all necessary construction documents for the approved layout of the facility.

The Architect shall submit for the Town's approval, a schedule for the completion of each of the phases of the above work. Upon approval, this schedule shall become an addendum to this Contract, and Architect shall comply with said schedule except for good cause or delays caused by the Town.

The Scope of Work may be amended by approval of a new or additional Work Orders, provided that any such amendment must be approved by Resolution of the Town's Board of Mayor and Aldermen. No extra work shall be authorized without the prior written approval of the Town. The parties understand and agree that future projects involving additional services and/or construction supervision may require a new agreement.

The Scope of Work shall include all normal architectural, civil, structural, mechanical, electrical, engineering and design services necessary for the Project to comply with codes and function as intended. The Scope of Work described above is not intended as a complete list of all services necessary or required for the Project.

Architect shall not participate as a bidder or in concert with any potential bidder(s) for construction of the Project unless specifically requested and authorized by the Town as approved by the Board of Mayor and Aldermen.

Section 2. Compensation – The Architect will invoice the Town monthly based on the rate schedule attached hereto as Exhibit A. Invoices shall include a detailed description of the work

accomplished. The Town also agrees to pay Architect for the following reimbursable expenses, at cost: outsourced printing services and out of area travel expenses.

Section 3. Time of Completion – The work to be performed under this Contract shall be commenced as soon thereafter as reasonably possible and Architect shall perform all work as expeditiously as is consistent with professional skill and care and in accordance with the schedule referenced in Section 1.

Section 4. Ownership of Project Documents. All documents, including but not limited to, all drawings, plans, design calculations, bid and construction documents, produced by the Town and/or Architect pursuant to this Contract shall be and remain the property of the Town, except that the Architect may retain a copy of any documents upon completion of the Project. Architect shall not use said documents on any other project without the written consent of the Town. Architect represents that it has the right to use all products or services furnished under this Contract that such use does not infringe upon any copyright, trademark, service mark or patent.

Section 5. Insurance Requirements – The Architect shall procure and maintain for the duration of the Contract, at its own expense, insurance as set forth in Exhibit B attached hereto, said documents to be incorporated in this Contract by reference.

Specifically, the Architect is responsible for work-related injuries of the Architect's employees and subcontractors. The Architect must provide all equipment and supervision for this Contract and assume responsibility for all uninsured subcontractors. The policies described herein shall be issued by insurance companies that are licensed to conduct business in the State of Tennessee. The Architect must provide a thirty (30) day prior notice of cancellation, non-renewal, or material change in coverage.

Section 6. Compliance With Laws – The Architect must comply with all applicable federal, state, and local laws.

Section 7. Indemnity Requirement – The Architect agrees to protect, defend, and save the Town, its elected and appointed officials, agents, employees, and volunteers harmless from and against any and all claims, demands, and causes of action of any kind or character, including the cost of their defense, arising in favor of the Architect's employees or third parties on account of bodily or personal injuries, death or damage to property arising out of or in any way resulting from the act or omissions of the Architect and/or its agents, employees, subcontractors, representative or the Town under this Contract. Architect shall also indemnify and hold harmless the Town for and against any claims of infringement of an intellectual property right.

Section 8. Independent Contractor. The relationship of Architect to the Town will be that of an independent contractor. Architect will be solely and entirely responsible for its acts and for the acts of its agents, employees, servants and subcontractors done during the performance of the Contract.

Section 9. Assignment. Under no circumstances may the Architect assign or transfer its interest in this Contract, including assigning work to subcontractors, without prior written consent of the Town.

Section 10. Term; Termination. The Term of this Contract shall begin on the date it is executed and shall continue until (a) *Convenience*. The Town may terminate this Contract at the Town's convenience upon notice to the Architect.

(b) *Breach; Default*. The Town may terminate or cancel this Contract for any breach of the terms of this Contract by Architect.

(c) *Notice and compensation in event of Termination.* Upon receipt of notice of termination, Architect shall immediately discontinue all work and services hereunder and upon payment for work performed, deliver to the Town all documents, data, reports, plans, computer files and other information accumulated in performing this Contract, whether complete or incomplete. The Town shall pay the Architect for all work and services through the time of notice of termination and for any work necessary to compile and deliver the above documents to the Town.

Section 11. Miscellaneous. (a) *Applicable laws; jurisdiction; venue.* The laws of the State of Tennessee will govern this Contract and the Chancery Court for Williamson County, Tennessee, shall have jurisdiction and be the appropriate venue for any action arising out of this Contract.

(b) *Severability.* If any provision of this Contract is held unenforceable, the remaining portions shall remain in full force and effect.

(c) *Entire agreement.* This Contract represents the entire agreement between the parties, and expressly replaces, supersedes, and cancels any prior oral or written agreement or communications on this subject matter.

(d) *Amendments; Waiver.* Other than as specified herein, this Contract may only be supplemented, modified, or waived in a writing signed by all parties. The waiver by a party of any performance by the other party, or of any of a party's rights hereunder, shall not be, and shall not be deemed to be, a waiver of any subsequent obligation of performance, default, or right of the same or similar kind.

(e) *Force Majeure.* Neither party shall be responsible to the other for any delay in performance or non-performance due to any cause such as flood, fire, explosion, natural disaster, act of God, act of terror, or any other cause beyond its control, providing such delay or non-performance could not be avoided by the reasonable endeavors of the party seeking relief by reason thereof.

(f) *Attorneys fees.* In the event it is necessary for the Town to file suit to enforce the terms of this Contract, it shall be entitled to recover all costs of enforcement, including reasonable attorney's fees.

(g) *No Collusion.* Architect warrants that it has not employed or retained any person or company other than a bona fide employee, to solicit or secure this Contract and has not paid or agreed to pay any person, company, or other entity a fee or commission resulting from the award of this Contract.

(h) *No Conflict of Interest.* Any work performed by the Architect's employees, sub-consultants or contractors, on this project shall prohibit said persons from contracting with, working for, or otherwise assisting any potential bidder to do any project-related work for the bidder. It is the responsibility of the Architect to inform the Town of any business relationship which may be construed as a conflict of interest. Any conflict of interest may be a cause for immediate termination of the Contract.

(i) *Standard of care.* Architect shall at all times exercise at least reasonable care, skill, diligence and professional competency for the work and services provider under this Contract.

(j) *Non-discrimination.* The Town is an equal opportunity affirmative action employer, drug-free workplace, with policies of nondiscrimination on the basis of race, sex religion, color, national or ethnic origin, age disability, or military service. Architect agrees that it does not and shall not, in the performance of its duties herein, discriminate against any employee or applicant for employment because of age, race, sex, national origin, ancestry or disability as defined by federal or state law.

IN WITNESS WHEREOF, the parties hereto have executed this Contract, the day and year first above written.

Town of Thompson's Station

C&I Design, Inc.

BY _____
Corey Napier, Mayor

BY _____

DRAFT