



Board of Commissioners
Regular Meeting Agenda
Thursday, July 20, 2023, 6:00 PM
City Hall, Lakeland, Tennessee 38002

- I. CALL TO ORDER BY MAYOR:
- II. INVOCATION:
- III. PLEDGE:
- IV. ROLL CALL BY RECORDER:
- V. PUBLIC HEARING:
- VI. TREASURER'S REPORT:
 1. Interim June 2023 Treasurer's Report
- VII. REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:
 - Sheriff's Report
 - a. May 2023 Crime Report
 - b. June 2023 Crime Report
 - City Manager's Report
 - a. July City Manager's Report
 - Commissioners' Reports
 - a. Industrial Development Board - *Mayor Roman*
 - b. Lakeland Board of Education - *Vice-Mayor Wright*
 - c. Parks and Recreation & Natural Resources Board - *Commissioner Dial*
 - d. Municipal Planning & Design Review Commission - *Commissioner Atkinson*
- VIII. PUBLIC COMMENTS:
- IX. SEWERAGE COMMISSION BUSINESS:

X. CONSENT AGENDA:

1. Approval of Meeting Minutes from Previous Meetings:
 - a. Regular Meeting Minutes - June 15, 2023
 - b. Special Meeting Minutes - July 17, 2023

XI. REGULAR AGENDA:

1. **Ordinance - First Reading** - amending the fiscal year 2023 annual budget passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, O-5-2023, O-9-2023, and O-11-2023.
2. **Resolution** - authorizing the Mayor to execute a funding agreement between The City of Lakeland and The Lakeland Area Chamber of Commerce for fiscal year 2023-2024.
3. **Discussion and Possible Action** - Chamber of Commerce activities related to economic development in Lakeland. *Sponsored by Commissioner McCarter*
4. **Resolution** - authorizing the submittal of an application to the Tennessee Department of Transportation for the 2023 Statewide Partnership Program.
5. **Resolution** - authorizing the submittal of an application to the Tennessee Department of Environment and Conservation for the American Rescue Plan Competitive Grant program
6. **Resolution** - authorizing the Public Works Director to explore and apply for funding through State of Tennessee and/or Federal Emergency Management agencies for reimbursement of expenses related to the high wind event of June 25, 2023.
7. **Resolution** - approving the emergency procurement of debris removal and hauling services.
8. **Resolution** - approving the emergency procurement of contracted services for tree removal and pavilion demolition.
9. **Resolution** - approving the emergency procurement of downed and dangerous tree removal and hauling services.

10. **Resolution** - adopting an Information Security Program for the City of Lakeland.
11. **Resolution** - authorizing the City Manager to execute an agreement with Central Technologies, Inc. for Microsoft 365 annual license renewal.
12. **Resolution** - authorizing the City Manager to execute an agreement with Cityworks for annual license renewal.
13. **Resolution** - approving a Retainage Escrow Agreement between the City of Lakeland, Eutaw Construction Company, Inc. and Trustmark Bank for the Clear Creek Interceptor project.
14. **Resolution** - authorizing the City Manager to execute a letter of intent with The Lake District, LLC for the purchase of 7.3 acres located in The Lake District. *Sponsored by Mayor Roman*

XII. ANNOUNCEMENTS:

XIII. ADJOURNMENT:



CITY OF
LAKE LAND
TENNESSEE

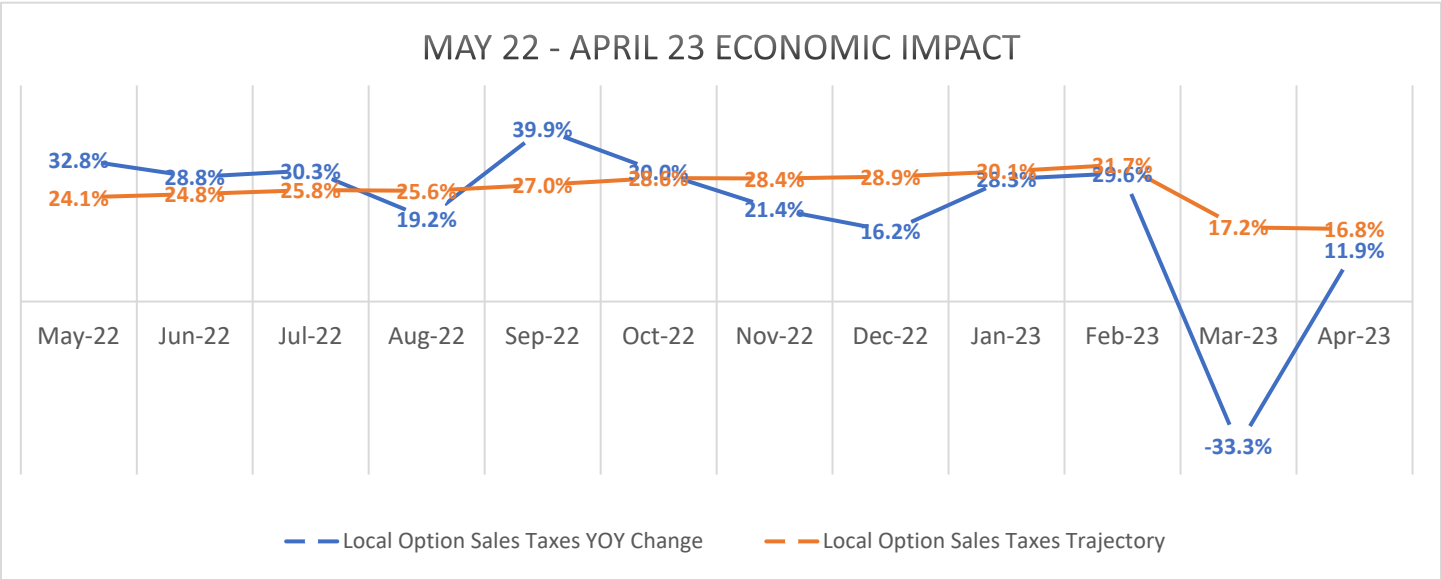


**INTERIM
JUNE 2023
TREASURER'S
REPORT**

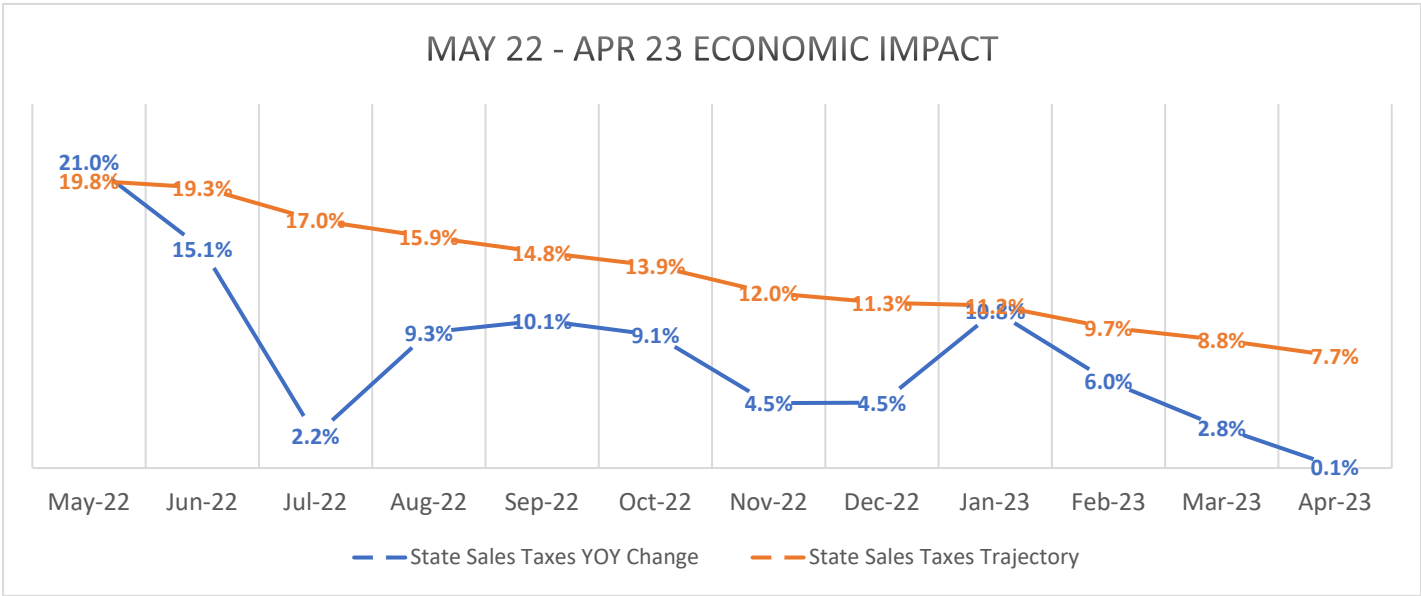
BOARD SUMMARY

The following Board Summary presents economic trends for General Fund and State Street Aid Fund. The Interim Treasurer’s Report provides the cash balances of each fund.

- General Fund:
 - **Economic Trends:** Local Option Sales Tax increase for amounts received in the month (two months prior transactions) was up 11.9% over the prior year. The long term trend is 16.8%

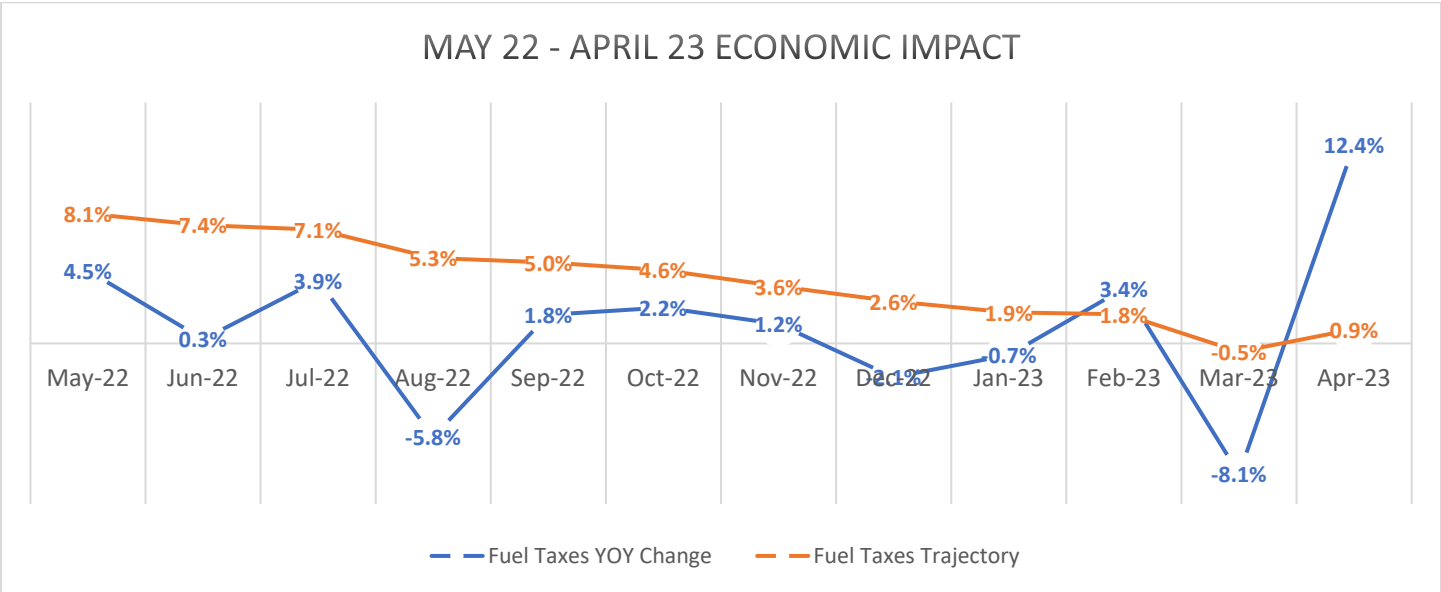


- **Economic Trends:** State Sales Tax were 0.1% higher than for the same period in FY22



BOARD SUMMARY (CONTINUED)

- State Street Aid Fund:
 - Economic Trends:** Fuel taxes experienced a 12.4% increase as compared to the same period in the prior year, with the trajectory (trailing 12-month average) is at 0.9%. Recent trends and news articles indicate that increased tele-commuting is holding down gas usage.



JUNE 30,2023 CASH BALANCES



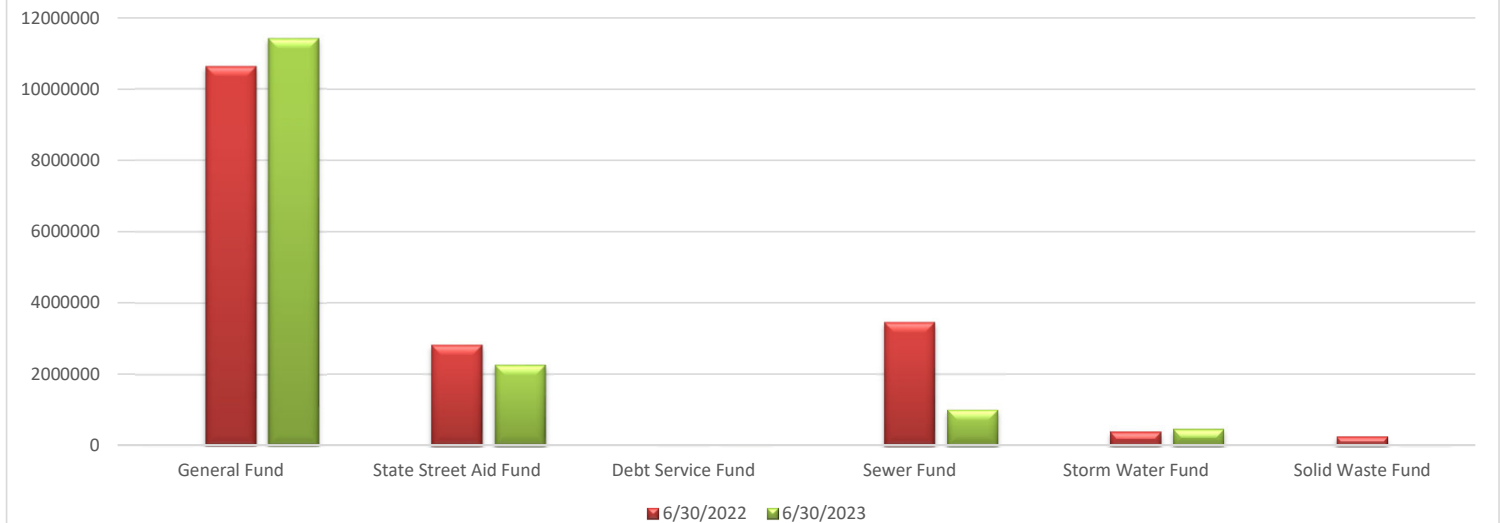
CITY OF LAKELAND

ALL FUNDS INTERIM REPORT

RECONCILED CASH AND CD BALANCES

	As of 6/30/2022	As of 5/31/2023	As of 6/30/2023	Change in Month	% Variance	Year over Year Variance	% Variance
General Fund	\$ 10,640,534	\$ 14,943,968	\$ 11,418,440	\$ (3,525,528)	-23.6%	\$ 777,906	7.3%
State Street Aid Fund	2,810,957	168,851	2,257,750	2,088,899	1237.1%	(553,207)	-19.7%
Debt Service Fund	45	45	54	9	20.0%	9	20.0%
Sewer Fund	3,437,725	1,181,082	1,009,612	(171,470)	-14.5%	(2,428,113)	-70.6%
Storm Water Fund	380,655	450,457	451,811	1,354	0.3%	71,156	18.7%
Solid Waste Fund	231,498	3,125	20,284	17,159	549.1%	(211,214)	-91.2%
	\$ 17,501,414	\$ 16,747,528	\$ 15,157,951	\$ (1,589,577)	-9.5%	\$ (2,343,463)	-13.4%

Cash Balance by Fund



Notes:

- General Fund decrease in cash from May is due to \$1.8 million in USDA High School Bond payments, and a \$1.9 million transfer to the State Street Aid Fund. Year over year increased with the acceptance of the APRA (Covid relief funds) into the General Fund Accounts.
- State Street Aid Fund cash increase over prior year is primarily due to timing of transfer from general fund in anticipation of increased FY23 paving project costs. The Year over year variance is due to the timing of paving projects.
- Sewer Fund decrease in cash from prior month is due to \$263k payment to City of Memphis in June for sewer infrastructure assets. The decrease in cash over prior year is primarily due to the transfer of the LGIP ARPA Fund (\$1.88M) which taken into the General Fund and a 637K Sewer debt payment.
- Storm Water Fund cash increase over prior year is due to the timing of capital outlays and the deferral of the Canabridge Cove pipe lining project in favor of the Oliver Creek bank stabilization.
- Solid Waste Fund increase in cash from May is due to a in fund-receivable being closed out. The decrease in cash as compared to the prior year is primarily a result of increased bulk pick up contractor fees being over budget.

Shelby County Sheriff's Office



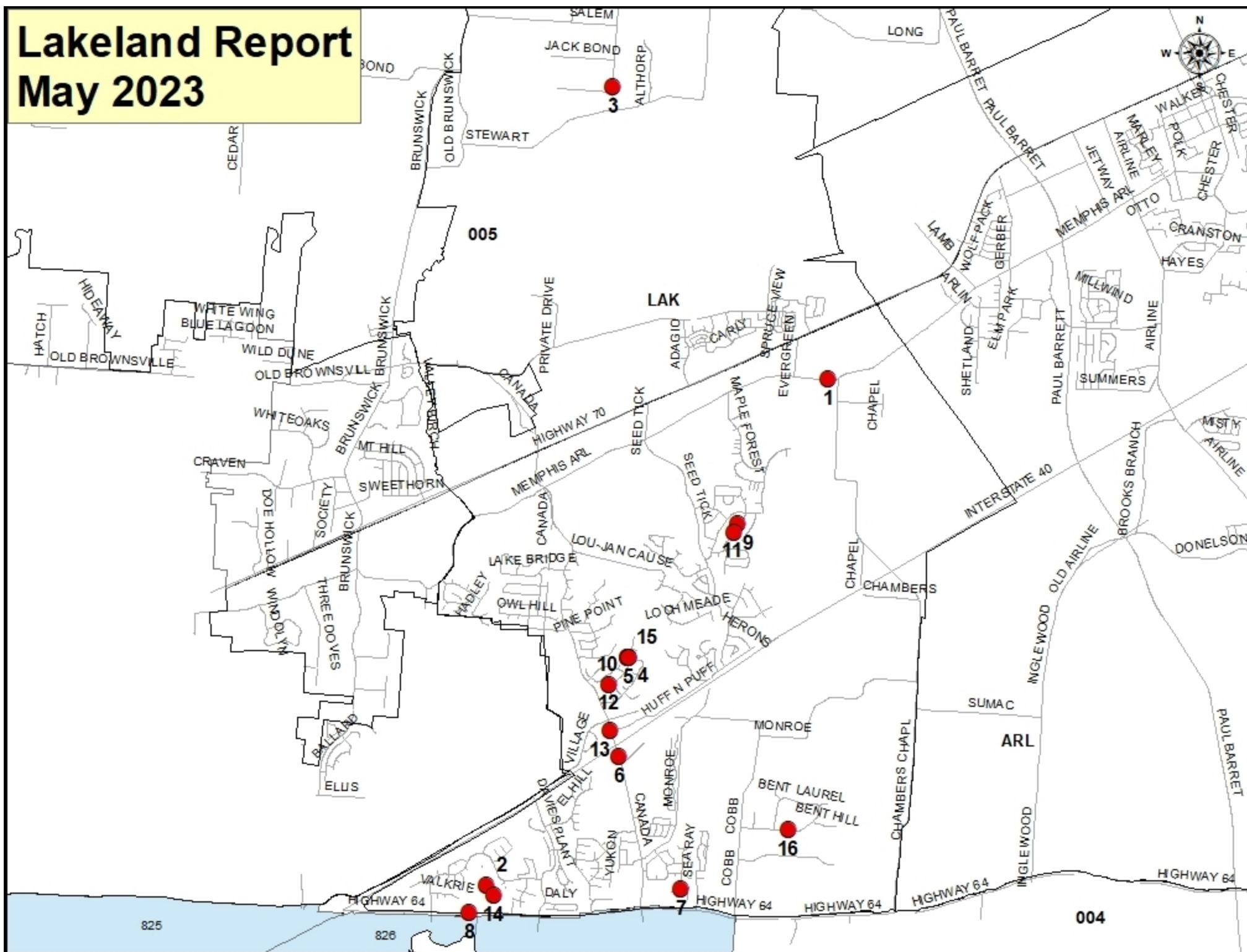
Crime Report

Lakeland

May 2023

Lakeland Report

May 2023



Incident Table

ID #	CASE NUMBER	DEPT DESC CODE	DATE OF INCIDENT	WKDY	HR_BLKs	METHOD OF ENTRY
1	2305003211SH	Burglary/Construction	5/4/2023 4:03:00 PM	Thu	1400-1800	THROUGH UNLOCKED DOOR
2	2305003182SH	MVT/Passenger Vehicle	5/4/2023 8:31:00 AM	Wed	1800-2200	BROKE CEILING
3	2305003101SH	Theft from Motor Vehicle	5/2/2023 3:51:00 PM	Tue	0600-1000	THROUGH UNLOCKED DOOR FRONT DOOR
4	2305003067SH	Theft from Motor Vehicle	5/2/2023 8:11:00 AM	Tue	2200-0200	SIDE WINDOW
5	2305003256SH	Vandalism/Misdemeanor	5/5/2023 11:41:00 AM	Fri	0200-0600	
6	2305003396SH	Burglary/Business	5/9/2023 3:42:00 AM	Tue	0200-0600	BROKE SIDE WINDOW
7	2305003357SH	Burglary/Residential	5/8/2023 1:20:00 AM	Mon	2200-0200	THROUGH UNLOCKED DOOR REAR DOOR
8	2305003558SH	Theft from Motor Vehicle	5/12/2023 9:40:00 AM	Fri	2200-0200	THROUGH UNLOCKED DOOR FRONT DOOR
9	2305003496SH	Theft from Motor Vehicle	5/10/2023 5:47:00 PM	Wed	1400-1800	THROUGH UNLOCKED DOOR
10	2305003461SH	Theft from Motor Vehicle	5/10/2023 8:27:00 AM	Wed	0200-0600	THROUGH UNLOCKED DOOR TRUNK
11	2305003476SH	Theft from Motor Vehicle	5/10/2023 10:37:00 AM	Wed	0200-0600	
12	2305003950SH	Burglary/Residential	5/19/2023 7:35:00 PM	Tue	0200-0600	LAWFUL GARAGE
13	2305003881SH	Theft from Building	5/18/2023 2:32:00 PM	Thu	0600-1000	THROUGH UNLOCKED DOOR FRONT DOOR
14	2305004163SH	Vandalism/Misdemeanor	5/24/2023 10:25:00 AM	Wed	0200-0600	
15	2305004453SH	Burglary/Residential	5/30/2023 5:22:00 PM	Tue	1400-1800	PRIED SIDE DOOR
16	2305004491SH	MVT/Passenger Vehicle	5/31/2023 4:01:00 PM	Tue	2200-0200	

All Incident Count

Incident	Count
Burglary/Business	1
Burglary/Construction	1
Burglary/Residential	3
Counterfeiting/Forgery	1
Drug Equipment Violation	1
Drugs/Narcotics Violation/Felony	1
MVT/Passenger Vehicle	2
Theft from Building	1
Theft from Motor Vehicle	6
Vandalism/Misdemeanor	2
Weapon Law Violations/Felony	2
Grand Total	21

Tracked Count

Tracked Crimes	May-23	Apr-23	May-22
Agg Assault	0	1	2
Burg Bus	1	2	0
Burg Const	1	1	0
Burg Res	3	0	0
MVT	2	2	0
Other Lar	0	2	4
Robb Ind	0	0	0
Theft Fm Bldg	1	0	2
Theft fm Mot Veh	6	3	1
Vandalism	2	1	2
Totals	16	12	11

END OF PRESENTATION

Shelby County Sheriff's Office

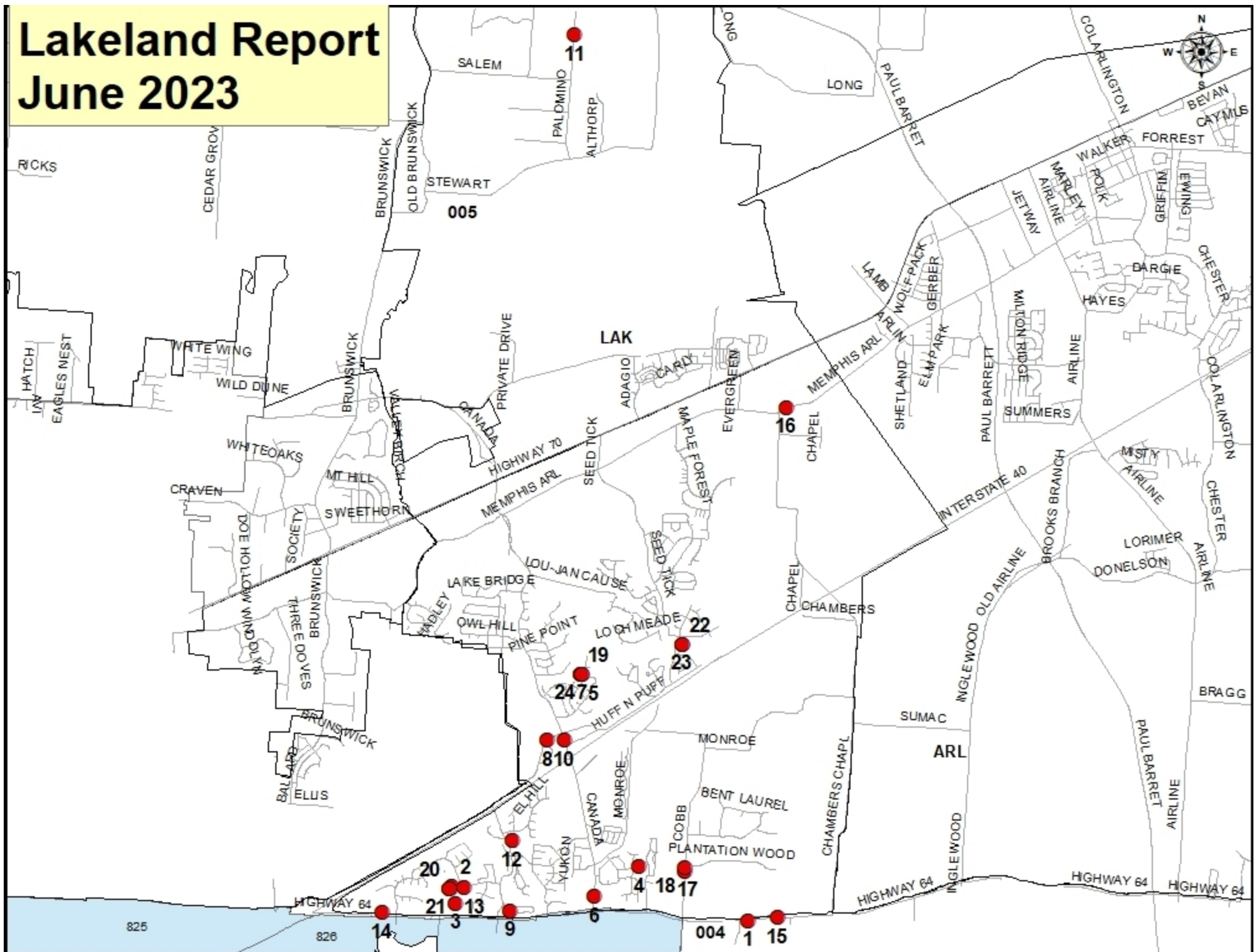


Crime Report

Lakeland
June 2023

Lakeland Report

June 2023



Incident Table

ID #	CASE NUMBER	DEPT DESC CODE	DATE OF INCIDENT	WKDY	HR_BLKs	METHOD OF ENTRY
1	2306003051SH	Burglary/Business	6/2/23 2:20	Fri	0200-0600	PRIED SIDE DOOR
2	2306003111SH	Theft from Motor Vehicle	6/2/23 22:00	Sat	0200-0600	BROKE SIDE WINDOW
3	2306003116SH	Theft from Motor Vehicle	6/2/23 18:00	Sat	0200-0600	BROKE FRONT DOOR
4	2306003313SH	Vandalism/Misdemeanor	6/8/23 3:40	Thu	0200-0600	
5	2306003745SH	Aggravated Assault	6/18/23 9:49	Sun	0600-1000	PICKED
6	2306003491SH	Shoplifting/Misdemeanor	6/11/23 6:00	Sun	2200-0200	LAWFUL FRONT DOOR
7	2306003587SH	Theft from Building	6/14/23 12:30	Wed	1400-1800	THROUGH UNLOCKED DOOR FRONT DOOR
8	2306003475SH	Vandalism/Felony	6/9/23 19:50	Sun	0200-0600	
9	2306003568SH	Vandalism/Felony	6/7/23 17:00	Sun	0200-0600	
10	2306003635SH	Vandalism/Misdemeanor	6/13/23 2:10	Wed	1000-1400	
11	2306004038SH	Aggravated Assault	6/24/23 19:18	Sat	1800-2200	
12	2306003775SH	Burglary/Residential	6/19/23 0:50	Mon	2200-0200	REAR DOOR
13	2306003992SH	Burglary/Residential	6/23/23 15:53	Fri	1400-1800	KICKED FRONT DOOR
14	2306003857SH	MVT/Motorcycle	6/19/23 17:50	Tue	2200-0200	
15	2306004040SH	MVT/Passenger Vehicle	6/24/23 22:15	Sat	2200-0200	THROUGH UNLOCKED DOOR FRONT DOOR
16	2306004023SH	Other Larceny/Commercial Construction	6/23/23 18:00	Sat	2200-0200	
17	2306003988SH	Other Theft/Non-Specific	6/23/23 14:03	Fri	1400-1800	
18	2306003987SH	Other Theft/Non-Specific	6/23/23 14:03	Fri	1400-1800	
19	2306003872SH	Theft from Motor Vehicle	6/21/23 2:53	Wed	0200-0600	THROUGH UNLOCKED DOOR REAR DOOR
20	2306000198SH	MVT/Passenger Vehicle	6/27/23 4:22	Tue	0200-0600	BROKE SIDE WINDOW
21	2306004121SH	MVT/Passenger Vehicle	6/27/23 4:22	Tue	0200-0600	BROKE SIDE WINDOW
22	2306000268SH	Other Theft/Non-Specific	6/22/23 0:00	Thu	0200-0600	
23	2306000264SH	Other Theft/Non-Specific	6/22/23 0:00	Thu	0200-0600	TOOK APART
24	2306004084SH	Vandalism/Felony	6/25/23 23:00	Sun	2200-0200	

All Incident Count

Incident 	Count
Aggravated Assault	2
Burglary/Business	1
Burglary/Residential	2
Carjacking	1
Counterfeiting/Forgery	1
Drug Equipment Violation	2
Drugs/Narcotics Violation/Felony	4
Extortion/Blackmail	1
Intimidation	1
MVT/Motorcycle	1
MVT/Passenger Vehicle	3
Other Larceny/Commercial Construction	1
Other Theft/Non-Specific	4
Shoplifting/Misdemeanor	1
Simple Assault	1
Stolen Property (possession/selling etc.)	1
Theft from Building	1
Theft from Motor Vehicle	3
Vandalism/Felony	3
Vandalism/Misdemeanor	2
Grand Total	36

Tracked Count

Tracked Crimes	Jun-23	May-23	Jun-22
Agg Assault	2	0	0
Burg Bus	1	1	0
Burg Const	0	1	0
Burg Res	2	3	1
MVT	4	2	2
Other Lar	6	0	3
Robb Ind	0	0	0
Theft Fm Bldg	1	1	0
Theft fm Mot Veh	3	6	3
Vandalism	5	2	6
Totals	24	16	15

END OF PRESENTATION

CITY OF
LAKE LAND
TENNESSEE

City Manager's Report
(DRAFT)

CITY OF
LAKE LAND
TENNESSEE
City Manager's Report

BOC Priorities Linkage

BOC Priorities Linkage

Public Safety	Economic Development
10 - RES - Info Security Program	
Parks and Recreation Improvements	Enhance City Planning
Road Maintenance	Administrative Support / Other
	1 - ORD - FY23 Budget Amendment 2 - RES - FY24 Chamber Funding Agreement 3 - Discussion of Chamber Activities 4 - RES - TDOT Funding application - New Canada Road 5 - RES - TDEC grant application - Interceptor Project 6 - RES - TEMA/FEMA grant application - High Wind Event 7 - RES - Debris removal and hauling, contract 8 - RES - Tree removal and pavilion demolition 9 - RES - Parks tree removal and hauling 11 - RES - MS365 annual license renewal 12 - RES - Cityworks annual license renewal 13 - RES - Escrow agreement - Interceptor Project 14 - RES - LOI for land in The Lake District

CITY OF
LAKELAND
TENNESSEE
City Manager's Report

Recreation and Entertainment

City Manager's Report

Recreation and Entertainment

- Recreation –
 - Youth Flag Football –
 - 6U, 8U, 10U Divisions, Register through 7.23
 - Practice begins 7.31, games begin 8.14
 - Youth Soccer –
 - Ages 3 to 14, Register through 8.6
 - Practice begins 8.28, games begin 9.9
 - Adult Flag Football –
 - Ages 18 +, Register through 8.25
 - Games begin 9.9
- Entertainment –
 - LAMP Concerts –
 - Saturday 7.22 at 6:30 – Amber McCain Band
 - Saturday 8.26 at 6:30 – Twin Soul
 - Saturday 9.23 at 6:30 – Six Feet Thunder
 - Movie Nights –
 - Friday 8.4 at dusk – The Bad Guys



CITY OF
LAKE LAND
TENNESSEE
City Manager's Report

City Staff Highlights

City Manager's Report

City Staff Highlights

Anniversaries



Adam Francis

IT Systems & Support Analyst

Jul 19

2nd Anniversary!



Blake Patton

Jul 8

4th Anniversary!



City Manager's Report Questions?



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
CITY HALL. LAKELAND. TENNESSEE 38002**

- I. **CALL TO ORDER BY MAYOR:** The meeting was called to order by Mayor Josh Roman at 6:00 p.m. on Thursday, June 15, 2023.
- II. **INVOCATION:** Offered by Mayor Roman.
- III. **PLEDGE:** Mayor Roman led the pledge to the flag.
- IV. **ROLL CALL BY RECORDER:** Mayor Josh Roman, Commissioner Jim Atkinson, Commissioner Michele Dial, and Commissioner Connie McCarter were present. Vice-Mayor Wesley Wright was absent.

Staff personnel in attendance were City Manager Michael Walker, City Engineer Emily Harrell, Planning Director Paul Luker, Finance Director Carlin Stuart, Parks and Recreation Director Patrick O'Mara, Public Works Director Daniel Lovett, Staff Engineer Luis Camarillo Hernandez, Accounting Manager Victoria Stubblefield, City Recorder Debra Murrell and City Attorney Will Patterson.

V. **PUBLIC HEARING:**

1. **Ordinance – Second and Final Reading – adopting the annual budget and tax rate for the fiscal year beginning July 1, 2023, and ending June 30, 2024.**

For the record:

- Comments were heard from the following:
 - Tom Skrmetti – 3000 block of Lighthouse Cv
 - Susan Skrmetti – 3000 block of Lighthouse Cv
 - Susan Richardson - 9000 block of Green Spruce
 - Tommy Cates - 9000 block of Windward Slope
 - Joanne Cain - 9000 block of Mosswood Ln
 - Erin Hensley - 9000 block of Windward Slope
 - Rodrigo Sosa - 9000 block of Windward Slope
 - Jim McCarter - 3000 block of Stonecrest Circle
 - Kevin Pickering - 10000 block of Mt. McKenzie Rd
 - Martha Higdon - 10000 block of Dropseed Dr
 - Larissa Dacus - 9000 block of Huff N Puff Rd
 - Alan Larrabee - 3000 block of Lighthouse Cv
 - Robin Larrabee - 3000 block of Lighthouse Cv
 - Michael Wicinski - 3000 block of Stonecrest Circle
 - Jeremy Burnett - 4000 block of Canada Rd
 - Scott Benjamin - 9000 block of Huff N Puff Rd
 - Shan Khan - 3000 block of Lighthouse Ln
 - Michelle Childs - 4000 block of Pine Hill Cv S



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
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2. **Ordinance – Second and Final Reading** – amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, O-5-2023, and O-9-2023.

For the record:

- No comments were heard.

VI. TREASURER’S REPORT:

April and May 2023 Treasurer’s Report – Presented by Finance Director Carlin Stuart.

VII. REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:

- Sheriff’s Report: Moved to next month’s agenda due to an emergency call.
- City Manager’s Report: City Manager Michael Walker offered the June 2023 report.
 - City Recorder Debra Murrell was named the Super Star staff member for the month of June with special recognition and presentation of a plaque given for 25 years of service.

For the record: Mayor Roman made a motion to move the Commissioners’ Report to the end of the agenda, seconded by Commissioner Atkinson.

Motion carried, voice vote, 4 in favor 0 against. (4-0)

For the record: Commissioner McCarter requested items # 15 & 16 be moved up on the agenda. The request was objected to by Mayor Roman.

- Commissioners’ Reports: *(moved to the end of the agenda)*

VIII. PUBLIC COMMENTS:

For the record: No comments were heard at this time.

IX. SEWERAGE COMMISSION BUSINESS:

X. CONSENT AGENDA:

1. Approval of Meeting Minutes from Previous Meetings:

- a. Regular Meeting Minutes – May 18, 2023

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

When the question was called the consent agenda was approved as presented, voice vote, 4 in favor 0 against (4-0).



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
CITY HALL, LAKE LAND, TENNESSEE 38002**

XI. REGULAR AGENDA:

1. **Ordinance – Second and Final Reading** – adopting the annual budget and tax rate for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Dial.

Discussion ensued.

When the question was called the second and final reading of the ordinance passed as presented, roll call vote, 3 in favor 1 against (3-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

For the record: The meeting was recessed at 7:37 p.m. and reconvened at 7:46 p.m.

2. **Ordinance – Second and Final Reading** – amending the fiscal year 2023 annual budget, passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, O-5-2023, and O-9-2023.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

When the question was called the second and final reading of the ordinance passed as presented, roll call vote, 3 in favor 1 against (3-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

3. **Resolution** – approving a professional services agreement with A2H, Inc. for the design of Davies Plantation Road Bike / Pedestrian Improvements project.

Commissioner Dial moved to bring this item to the floor, seconded by Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 1 against



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(3-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

4. Resolution – approving an agreement with Complete Demolition Services, LLC for building demolition.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Dial.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 1 against

(3-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

5. Resolution – approving an agreement with FALU Security Corporation for security services.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Dial.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 1 against

(3-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

6. Resolution – approving Change Order # 1 for the City Hall ADA Interior Improvement project.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Dial.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).



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CITY HALL. LAKELAND. TENNESSEE 38002**

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

For the record: The next item was moved up on the agenda without objection.

7. **Resolution** – authorizing the Parks and Recreation Director to explore and apply for the Blue Cross Healthy Places grant through the Blue Cross Blue Shield of Tennessee Foundation. *(Previously item # 12)*

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

8. **Resolution** – approving an agreement with Trotz Real Estate Services, Inc. for appraisal services related to the Oliver Creek Sewer Interceptor project. *(Previously item # 7)*

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, voice vote, 4 in favor 0 against (4-0).

9. **Resolution** – approving an agreement with Roof Pro, LLC for Fire Station #1 roof improvements. *(Previously item # 8)*

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

Commissioner McCarter moved to seek more bids.

Motion died for lack of a second.



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
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More discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 1 against (3-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

For the record: Commissioner McCarter called for a point of order asking if the City Manager could share with others since it is an open meeting. Mayor Roman ruled that it was a private conversation between the City Manager and himself.

10. Resolution – adopting a revised internal control manual of the City of Lakeland. (Previously item # 9)

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

11. Resolution – replacing the existing and adopting a senior center policy for the City of Lakeland, Tennessee. (Previously item # 10)

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
CITY HALL. LAKELAND. TENNESSEE 38002**

12. **Resolution** – authorizing the City Manager to enter into an independent contractor agreement for a youth recreation soccer program. (Previously item # 11)

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

13. **Resolution** – proclaiming July 2023 as Parks and Recreation Month in the City of Lakeland, Tennessee.

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

14. **Resolution** – adopting a development agreement between The Industrial Development Board of The City of Lakeland, Tennessee, and The City of Lakeland, Tennessee, for the Lakeland Gateway.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 4 in favor 0 against (4-0).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
CITY HALL. LAKELAND. TENNESSEE 38002**

For the record: Commissioner Dial requested to add an additional agenda item. Commissioner McCarter objected.

Commissioner moved to add the additional item to the agenda, seconded by Commissioner Atkinson.

Motion carried, roll call vote, 3 in favor 1 against (3-1)

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

15. Discussion – current business and development and future business and development activities in Lakeland.

Commissioner McCarter moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

For the record: Mayor Roman stated his objection to having this discussion at this time was that reports will be forthcoming from the Industrial Development Board and would like to defer this item.

The item was tabled without objection.

16. Discussion – City Staff update on Chamber of Commerce activities related to economic development in Lakeland.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

For the record: Mayor Roman stated he would bring back the information to the board.

17. Discussion and Possible Action – regarding Neighborhood Watch liaison.

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

Mayor Roman moved that the Neighborhood Watch liaison fall under the Community Advisory Board, seconded by Commissioner Dial.



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
CITY HALL. LAKELAND. TENNESSEE 38002**

Motion carried, roll call vote, 4 in favor 0 against (4-0)

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Yea
Mayor Roman	Yea

18. Resolution – authorizing the Parks and Recreation Director to explore and apply for the State of Tennessee Department of Intellectual and Developmental Disabilities Inclusive Playground Grant. (Added to the Agenda)

Commissioner Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

Discussion ensued.

For the record: The resolution was read into record by Commissioner Dial.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 0 against 1 abstention (3-0-1).

Commissioner Atkinson	Yea
Commissioner Dial	Yea
Commissioner McCarter	Abstain
Mayor Roman	Yea

- Commissioners' Reports:
 - a. Industrial Development Board Meeting – Mayor Roman (N/A)
 - b. Lakeland Board of Education – Vice-Mayor Wright (N/A)
 - c. Municipal Planning & Design Review Commission – Commissioner Atkinson offered a report.
 - d. Parks and Recreation & Natural Resources Board – Commissioner Dial offered a report.
 - e. Neighborhood Watch – Commission McCarter offered a report.

XII. ANNOUNCEMENTS:

XIII. ADJOURNMENT: There being no other business on which to act, the meeting was adjourned without objection at 9:23 p.m. on Thursday, June 15, 2023.

These minutes were approved on July 20, 2023.



**BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2023, 6:00 P.M.
CITY HALL. LAKELAND. TENNESSEE 38002**

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

Draft



**BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
MONDAY, JULY 17, 2023, 6:00 P.M.
CITY HALL. LAKE LAND. TENNESSEE 38002**

- I. **CALL TO ORDER BY MAYOR:** The meeting was called to order by Mayor Josh Roman at 6:00 p.m. on Monday, July 17, 2023.
- II. **INVOCATION:** Offered by Mayor Roman.
- III. **PLEDGE:** Mayor Roman led the pledge to the flag.
- IV. **ROLL CALL BY RECORDER:** Mayor Josh Roman, Vice-Mayor Wesley Wright, Commissioner Michele Dial, and Commissioner Connie McCarter were present. Commissioner Jim Atkinson was absent.

Staff personnel in attendance were City Manager Michael Walker, Planning Director Paul Luker, Finance Director Carlin Stuart, and City Attorney Will Patterson.

- V. **PUBLIC HEARING:**
- VI. **TREASURER'S REPORT:**
- VII. **REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:**
- VIII. **PUBLIC COMMENTS:**
- IX. **SEWERAGE COMMISSION BUSINESS:**
- X. **CONSENT AGENDA:**
- XI. **REGULAR AGENDA:**

- 1. **Resolution – approving partial settlement of the condemnation proceeding authorized by Resolution R-65-2023 and authorizing the deposit of additional funds with the Court Clerk.**

Commissioner Dial moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.

For the record: Commissioner McCarter requested an Alta Survey for the properties.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 1 against (3-1).

Vice-Mayor Wright	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea



**BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
MONDAY, JULY 17, 2023, 6:00 P.M.
CITY HALL. LAKE LAND. TENNESSEE 38002**

2. **Resolution** – authorizing the purchase of property owned by Quantum Hotels, L.L.C. pursuant to Resolution R-60-2023.

Mayor Roman moved to bring this item to the floor, seconded by Vice-Mayor Wright.

Discussion ensued.

When the question was called the resolution passed as presented, roll call vote, 3 in favor 1 against (3-1).

Vice-Mayor Wright	Yea
Commissioner Dial	Yea
Commissioner McCarter	Nay
Mayor Roman	Yea

XII. ANNOUNCEMENTS:

- XIII. ADJOURNMENT:** There being no other business on which to act, the meeting was adjourned without objection at 6:40 p.m. on Monday, July 17, 2023.

These minutes were approved on July 20, 2023.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

Meeting Cycle: Thursday, July 20, 2023

Subject: **Ordinance - First Reading** - amending the fiscal year 2023 annual budget passed by ordinance O-10-2022, as amended by ordinances O-12-2022, O-13-2022, O-5-2023, O-9-2023, and O-11-2023.

Staff Contact: Carlin Stuart, Finance Director

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve ordinance O-12-2023.

BUDGET IMPACT

The budget impact of this ordinance is as listed in Section 1 of the ordinance - to increase expenditures in the Solid Waste fund by \$135,000, and to increase transfers out in the General Fund by \$63,500.

DISCUSSION

Partially due to the increased vegetative disposal fees related to the leaf collection program, the cost of contracted service in the Solid Waste Fund is anticipated to exceed the original budget by approximately \$200,000. The original budget was \$835,000, and the estimate for fiscal year 2023 is \$1,035,000. Of this overage, approximately \$65,000 can be absorbed within the Solid Waste Fund through budgetary transfers, leaving the remaining \$135,000 as the needed budget amendment.

Additionally, the Solid Waste Fund budget anticipated a remaining fund balance as of June 30, 2023, of approximately \$71,500, prior to this amendment. As appropriations are increasing \$135,000, a transfer of \$63,500 is needed from the General Fund to avoid negative fund balance in the Solid Waste Fund.

City Staff will likewise be reviewing the Solid Waste Fund budget for fiscal year 2024 to ensure that estimates are correct and propose any modifications at a later time.

ORDINANCE O-12-2023

AMENDING THE FISCAL YEAR 2023 ANNUAL BUDGET, PASSED BY ORDINANCE O-10-2022, AS AMENDED BY ORDINANCES O-12-2022, O-13-2022, O-5-2023, O-9-2023, AND O-11-2023

- WHEREAS,** the City of Lakeland adopted the fiscal year 2022-2023 budget by passage of Ordinance O-10-2022 on June 9, 2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-12-2022 on August 11, 2022, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-13-2022 on October 6, 2022, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022 and amended by Ordinance O-12-2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-5-2023 on March 9, 2023, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022 and amended by Ordinance O-12-2022 and Ordinance O-13-2022; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-9-2023 on May 4, 2023, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022 and amended by Ordinances O-12-2022, O-13-2022, and Ordinance O-5-2023; and,
- WHEREAS,** the City of Lakeland adopted Ordinance O-11-2023 on June 15, 2023, amending the fiscal year 2022-2023 annual budget originally set in Ordinance O-10-2022 and amended by Ordinances O-12-2022, O-13-2022, O-5-2023, and Ordinance O-9-2023; and,
- WHEREAS,** expenditures in the City of Lakeland's funds are expected to differ from the budget, as amended:

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Lakeland, Tennessee, that changes be made to the fiscal year 2022-2023 annual budget as follows:

- SECTION 1.** Ordinances O-10-2022, O-12-2022, O-13-2022, O-5-2023, O-9-2023, and O-11-2023 are hereby amended to increase budgeted expenditures in Solid Waste Fund accounts 424 E 43260 920 (SDW – Contracted Services) by one hundred thirty five thousand dollars (\$135,000), increase budgeted other financing sources in Solid Waste Fund Account 424 R 37950 (Transfer in – General Fund) by sixty-three thousand five hundred dollars (\$63,500), and increase budgeted other financing uses in General Fund account 110 E 41625 710 (Transfer Out – Solid Waste) by sixty-three thousand five hundred dollars (\$63,500).

ORDINANCE O-12-2023

AMENDING THE FISCAL YEAR 2023 ANNUAL BUDGET,
PASSED BY ORDINANCE O-10-2022, AS AMENDED BY
ORDINANCES O-12-2022, O-13-2022, O-5-2023, O-9-2023, AND O-11-2023

- SECTION 2.** The Board of Commissioners authorizes the Finance Director to cause said changes to be made in the accounting system.
- SECTION 3.** All ordinances in conflict with the provisions of this ordinance are hereby repealed. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application.
- SECTION 4.** This ordinance shall take effect the latter of fifteen (15) days after first reading or immediately upon final passage, the public welfare requiring it.

First Reading: July 20, 2023

Public Hearing:

Final Reading:

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - authorizing the Mayor to execute a funding agreement between The City of Lakeland and The Lakeland Area Chamber of Commerce for fiscal year 2023-2024.

Staff Contact: Michael Walker, City Manager

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-97-2023.

BUDGET IMPACT

Funding for this resolution is included in original appropriations for the General Fund for fiscal year 2024.

DISCUSSION

The attached resolution and agreement represent the continued City support of the Chamber of Commerce. The Chamber continues to collaborate with the City for promotion of business retention and expansion and marketing of the City to potential investors and developers.

RESOLUTION R-97-2023

AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A FUNDING
AGREEMENT BETWEEN THE CITY OF LAKELAND AND
THE LAKELAND AREA CHAMBER OF COMMERCE FOR FISCAL YEAR 2023-2024

WHEREAS, the Lakeland Area Chamber of Commerce (the “Chamber”) provides value to the City of Lakeland, Tennessee, through business retention and expansion, marketing and promotion, and public relations related to economic development; and,

WHEREAS, the Board of Commissioners of the City of Lakeland, Tennessee, desires to supplement the operational costs of the Chamber while providing oversight of the performance of their duties; and,

WHEREAS, funding for this purchase is appropriated in the Fiscal Year 2024 Annual Budget for the General Fund:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the Mayor and City Manager are hereby authorized to execute an agreement with The Lakeland Area Chamber of Commerce, attached hereto, for annual support of twenty-four thousand dollars (\$24,000).

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

**2023-2024 FUNDING AGREEMENT BETWEEN THE CITY OF LAKELAND AND
THE LAKELAND AREA CHAMBER OF COMMERCE**

THIS AGREEMENT is entered into this 20th day of July, 2023, by and between the **CITY OF LAKELAND**, a Tennessee municipal corporation established under the laws of the State of Tennessee (hereinafter referred to as "the City") with a principal address of 10001 Highway 70, Lakeland, Tennessee, 38002, and **The Lakeland Area Chamber of Commerce**, a not-for-profit Tennessee corporation (hereafter referred to as "the Chamber"), with a principal address of 10001 Highway 70, Lakeland, Tennessee, 38002.

WITNESSETH

WHEREAS, the Chamber exists to promote 1) Business Advocacy by assisting in identifying and eliminating challenges within the business community at large; 2) Economic Development by serving as effective private sector partners for the community and public sector partners in utilizing resources with greater flexibility and confidentiality; 3) Marketing of the community at large in local and out-bound promotional programs for the community as a place to live and work; and 4) Community development by serving as an important voice in supporting community development projects in a cost effective and independent manner; and

WHEREAS, the Chamber has applied to the City for funds for contracted services in order to provide such services and/or programs as are set forth in Exhibit "A" attached hereto (hereinafter "Services") and incorporated herein by this reference; and

WHEREAS, the City and Chamber have determined that the public will benefit from such Services in order to promote the general health, welfare and/or safety of the community and that the provision of such Services is in the best interests of the City, and, to that end, the City has appropriated funds to be paid to the Chamber for such Services; and

WHEREAS, the Chamber commits to making available the necessary qualified and trained personnel, resources, materials and supplies to perform such Services as set forth in this Agreement; including, but not limited to, a part-time coordinator, professional economic development consulting, and an independent Board of Directors; and

WHEREAS, the City desires to enter into an agreement with the Chamber whereby the Chamber will receive and disburse said funds of the City for the purpose of providing the Services in accordance with the terms and conditions set forth herein;

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

1. **INCORPORATION OF RECITALS.** The recitals set forth above are true and correct and are incorporated herein and made a part of this Agreement.

2. **FUNDING.** The City has appropriated for the period commencing July 1, 2023, and ending June 30, 2024, in monthly installments of \$2,000 to be administered and disbursed by the Chamber solely for the purposes set forth herein (hereinafter "Funds"). The Chamber will also possess the ability to seek/request reimbursable expenses and other incidental from the City (for example, travel expenses, promotional material design and duplication, etc.). The Chamber hopes for a continued funding relationship from the City as is the traditional arrangement between

other municipalities and their local chambers within Shelby County as we continue to prove the value of the Chamber's efforts to the City and community; however, the Chamber will continue to solicit financial contributions, grants, appropriations, sponsorships, public and private government funding, and in-kind contributions to support the organization, with a long-term goal to generate majority funding from those sources. The City will oversee the Chamber's progress toward funding goals as outlined in Exhibit "B".

3. **PAYMENTS.** Under the terms and conditions of this Agreement, the City agrees to contribute the Funds to the Chamber in monthly installments, unless otherwise approved and authorized in writing by the City Manager and the Finance Director of the City. Payments by the City shall be contingent upon the following:

- (a) receipt and approval by the City of the records specified in Paragraph 4 of this Agreement;
- (b) inclusion of the oversight provisions in sub-recipient agreements as set forth in Paragraph 7 of this Agreement;
- (c) compliance with such other oversight and administrative requirements specifically set forth in Exhibit "B" of this Agreement; and
- (d) continuing faithful performance of all of the provisions of this Agreement by the Chamber.

4. **PERFORMANCE MEASURES; PROGRESS AND FINANCIAL REPORTS.** The City shall use the Performance Measures listed in Exhibit "A" to determine the effectiveness of the Services provided by the Chamber. The Chamber agrees to the oversight measures outlined in Exhibit "B", which shall be consistent with the Services and Performance Measures, and shall detail the expenditure of the Funds in attachments to and/or minutes of the Chamber's regular business meetings. Copies of such financial reports and minutes shall be available for review by the City Manager, as needed. Failure to comply with these oversight requirements shall constitute grounds for termination of this Agreement and may result in the ineligibility of the Chamber to receive contributions from the City.

5. **BOARD MEETINGS.** A member of City staff, designated by the City Manager, shall be permitted to attend board meetings, upon request to do so. The City shall receive electronic copies of Chamber Board Meeting minutes after each meeting (normally monthly).

6. **NONPROFIT STATUS.** The Chamber shall maintain its corporate, non-profit status in the State of Tennessee and will pursue and secure 501(c)6 status with the Federal Internal Revenue Service for the term of this Agreement. If the Chamber should, during the term of this Agreement, lose its corporate or non-profit status, it shall immediately notify the City within ten (10) days of the event. Upon such an event, the City reserves the right to immediately terminate this Agreement and discontinue distribution of Funds to the Chamber.

7. **NONDISCRIMINATION.** The Chamber agrees to provide the Services without regard to race, color, creed, sex, age, national origin, or disability.

8. **ACCOUNTING.** The Chamber shall utilize and maintain such records and practices regarding receipts and disbursements of the Funds as to be in accordance with generally accepted accounting principles. All such records shall be open to inspection by the City or by the City's designee during normal business hours during the term hereof and for a period of three (3) years after the termination of this Agreement.

9. **MONITORING.** The Chamber shall permit the City to monitor the Services and the Chamber's records and facilities, and/or interview the Chamber's clients or employees in order to ensure compliance with the terms of this Agreement. The Chamber shall, to assist monitoring of its program, provide to the City or the City's designee access to all client records and such other information as the City may deem necessary. The Chamber shall interact with City staff during regular hours of business for the purposes of continual monitoring of this agreement, and to coordinate mutual program activities.

10. **TERM.** Unless earlier terminated, this Agreement shall remain in effect for the period commencing July 1, 2023, and terminating June 30, 2024. This agreement will be reviewed annually with the potential for reapplication for support in the City of Lakeland's Budgeting Cycle.

11. **TERMINATION.** This Agreement may be terminated by either party at any time, with or without cause, upon no less than thirty (30) days' notice in writing to the other party. Said notice shall be delivered by certified mail or in person to the business address of the party upon whom such notice is served.

12. **DEFAULT.** The following shall constitute an Event of Default under this Agreement:

- (a) Chamber's failure to provide the Services in accordance with the terms and conditions of this Agreement;
- (b) Chamber makes a material representation in any certification or communication submitted by the Chamber to the City in an effort to induce the contribution of the Funds or the administration thereof that is later determined by the City to be false, misleading, or incorrect in any material manner; or
- (c) Chamber's failure to comply with any of the terms and conditions in this Agreement.

Upon the occurrence of any Event of Default, or any other breach of this Agreement, the City shall have the authority to terminate this Agreement and discontinue the Funds and/or exercise all rights and remedies available to it under the terms of this Agreement under statutory law, or under common law.

13. **NO WAIVER.** The continued performance by either party hereto, pursuant to the terms of this Agreement, after an Event of Default shall not be deemed a waiver of any rights by the City. Furthermore, the waiver of any default by the City shall in no event be construed as a waiver of rights with respect to any other default, past or present.

14. **CONSTRUCTION; SEVERABILITY.** This Agreement shall be construed in accordance with the laws of the State of Tennessee. It is agreed by and between the parties that if any covenant, condition or provision contained in this Agreement is held to be invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any other covenants, conditions or provisions herein contained.

15. **NONASSIGNABILITY.** The Chamber may not assign its rights hereunder without the prior written consent of the City. Failure to comply with this section may result in immediate termination of this Agreement.

16. **NO JOINT VENTURE.** It is mutually understood and agreed that nothing contained in this Agreement is intended, or shall be construed, as in any way creating or establishing the relationship as partner or joint ventures between the parties hereto or as constituting the Chamber as the agent or representative of the City for any purpose or in any manner whatsoever.

17. **VENUE.** Any litigation occurring as a result of this Agreement shall be held in the courts of Shelby County, Tennessee and shall be governed by the laws of the State of Tennessee. The Chamber agrees to notify the City of an occurrence of any incident or action filed against the agency, such as but not limited to, lawsuits, injuries, or allegations of abuse or neglect.

18. **CORPORATE TABLES.** The Chamber agrees that, if it holds any fund raising events during the term of this Agreement at which "corporate tables" are sold, the City shall receive a table without cost in consideration of the contribution provided to the Chamber under this Agreement.

20. **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof; any representations or statement heretofore made with respect to such subject matter, whether verbal or written, are merged herein. No other agreement, whether verbal or written, with regard to the subject matter hereof shall be deemed to exist. This Agreement may only be modified in writing, signed by both parties.

21. **NOTICE.** Any notices to be delivered hereunder shall be in writing and be deemed to be delivered when (i) hand delivered to the person hereinafter designated, or (ii) deposited in the United States Mail, addressed to a party at the addresses set forth opposite the party's name below, or at such other address as the applicable party shall have specified, from time to time, by written notice to the other party delivered in accordance herewith:

City: City of Lakeland
Attn: City Manager
10001 Highway 70
Lakeland, TN 38002

Chamber: Lakeland Area Chamber of Commerce
Wil Ashworth, President
10001 Highway 70
Lakeland, TN 38002

IN WITNESS WHEREOF, the parties hereto have executed these presents and have set their hands and seals the day and year first above written.

CITY OF LAKELAND, TENNESSEE

By:

Mayor

By:

City Manager

**STATE OF TENNESSEE
COUNTY OF SHELBY**

PERSONALLY APPEARED before me, the undersigned authority, MAYOR JOSH ROMAN, well known to me, and known to me to be the Mayor of the City of Lakeland,

And MR. MICHAEL WALKER, well known to me, and known to me to be the City Manager of the City of Lakeland, and acknowledged before me that they executed the foregoing instrument on behalf of the City of Lakeland as its true act and deed, and that they were duly authorized to do so.

WITNESS my hand and official seal this _____ day of _____, 2023.

NOTARY PUBLIC _____

Print Name: _____

My Commission Expires: _____

**THE LAKELAND AREA CHAMBER OF
COMMERCE**

By: _____
President

Federal I.D. No. : _____

**STATE OF TENNESSEE
COUNTY OF SHELBY**

PERSONALLY APPEARED before me, the undersigned authority, Mr. Wil Ashworth, well known to me, and known to me to be the President of the Lakeland Area Chamber of Commerce and acknowledged before me that he executed the foregoing instrument on behalf of the Lakeland Area Chamber of Commerce as its true act and deed, and that he was duly authorized to do so.

WITNESS my hand and official seal this _____ day of _____, 2023.

NOTARY PUBLIC _____

Print Name: _____

My Commission Expires: _____

EXHIBIT “A” EXECUTIVE SUMMARY

The Lakeland Economic Development (LED) initiative is designed as an endeavor of the Lakeland Area Chamber of Commerce to work with the City of Lakeland and other constituents to promote and sustain economic development within the Lakeland Area. As a result of planning processes conducted by LED and other community groups, the Lakeland Chamber believes the most immediate (and promising) strategy is one to protect and grow opportunities within the business sector.

Support of Existing Businesses

The existing business community is a ready source for expansion and additional investment. The principal components of Chamber support would be to educate and organize existing businesses to support and provide a voice for community efforts for economic development and the implementation of the City of Lakeland’s Economic Development Strategic Plan. The existing business plan calls for existing businesses in Lakeland to be visited and engaged each year of the program. Our feedback has been that both the business and residential communities support this approach, but understand the need for organizational leadership, which this program would provide. The goal would be that at least 65% of the existing business community would be engaged in this program each year.

Areas of Service

Three broad areas of service have been identified to be offered as a value added benefit to the City of Lakeland:

- Business retention and expansion that will include a business visitation program
- Marketing/Promotion at various venues including special events, business conventions, publications, and public relations presence
- Tourism

Other Efforts

The Chamber will document efforts toward increasing funding resources. The Chamber will provide in its quarterly reports the use of funds provided by the City, and other revenue generated by the Chamber to improve funding leverage (for example, in grant-writing, etc.).

EXHIBIT “B”

OVERSIGHT

The Chamber will report progress toward the services in this agreement monthly at its regular Chamber board meetings. Chamber board meetings will be open to attendance by the City Manager. The Board of Commissioners of the City of Lakeland may also appoint a liaison to attend the Chamber board meetings.

The City Manager, or Lakeland City Staff designee, will attend each Chamber board meeting and receive and review board meeting minutes and associated attachments and financial reports to ensure compliance with the terms and performance measures of this Agreement.

A Chamber representative will appear before the Board of Commissioners of the City of Lakeland (the “BOC”) to provide an update on progress toward the goals contained herein upon thirty (30) days written notice, communicated through the City Manager.

Additional regular contact with the City’s Planning Director will occur during business hours to provide for monitoring of services, and to coordinate shared efforts. The City Manager and/or Planning Director may engage the Chamber board as necessary regarding services.

The Chamber will electronically deliver and/or mail any requested existing reports and records by mutually agreed means to:

City of Lakeland
Attn: City Manager
10001 Highway 70
Lakeland, TN 38002
citymanager@lakelandtn.org

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - authorizing the submittal of an application to the Tennessee Department of Transportation for the 2023 Statewide Partnership Program.

Staff Contact: Emily Harrell, City Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-94-2023.

BUDGET IMPACT

There is no budgetary impact related to this resolution.

DISCUSSION

The Tennessee Department of Transportation ("TDOT") is soliciting applications for the 2023 Statewide Partnership Program which supports local jurisdictions in maximizing their funding dollars for strategic transportation investments. The City proposes to apply for additional funds to cover increased construction costs expected on the New Canada Road project. TDOT will notify applicants of funding awards by the end of the calendar year. At this time, the City anticipates no match will be required.

RESOLUTION R-94-2023

AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TENNESSEE
DEPARTMENT OF TRANSPORTATION FOR THE 2023 STATEWIDE PARTNERSHIP
PROGRAM

WHEREAS, the City of Lakeland, Tennessee, (the “City”) desires to apply for financial assistance for the construction of New Canada Road; and,

WHEREAS, the Tennessee Department of Transportation is soliciting applications for the 2023 Statewide Partnership Program to provide additional funds to local jurisdictions for transportation investments; and,

WHEREAS, the City proposes to apply for the Statewide Partnership Program to cover expected construction cost increases on New Canada Road:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the City Engineer is authorized to submit an application to Tennessee Department of Transportation for the 2023 Statewide Partnership Program.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - authorizing the submittal of an application to the Tennessee Department of Environment and Conservation for the American Rescue Plan Competitive Grant program

Staff Contact: Emily Harrell, City Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-98-2023.

BUDGET IMPACT

There is no budgetary impact from this resolution.

DISCUSSION

The Tennessee Department of Environment and Conservation is accepting applications for the American Rescue Plan Competitive Grant program. Eligible projects include water and wastewater projects focused on regionalization, water reuse, and resource protection. The City proposes to apply for funds for the Oliver Creek Interceptor project. A match is required for the grant based on the City's ability to pay index, however Shelby County Government has allocated funds to assist local governments in Shelby County with the ARP match.

RESOLUTION R-98-2023

AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR THE AMERICAN
RESCUE PLAN COMPETITIVE GRANT PROGRAM

WHEREAS, the City of Lakeland, Tennessee, (the “City”) desires to apply for a grant to fund a portion of the Oliver Creek Interceptor project; and,

WHEREAS, the Tennessee Department of Environment and Conservation is soliciting applications for the American Rescue Plan Competitive Grant program for water and wastewater projects focused on regionalization, water reuse, and resource protection; and,

WHEREAS, the City proposes to apply for the American Rescue Plan Competitive Grant Program to provide additional funds for the Oliver Creek Interceptor project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the City Engineer is authorized to submit an application to Tennessee Department of Environment and Conservation for the American Rescue Plan Competitive Grant Program.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - authorizing the Public Works Director to explore and apply for funding through State of Tennessee and/or Federal Emergency Management agencies for reimbursement of expenses related to the high wind event of June 25, 2023.

Staff Contact: Daniel Lovett, Public Works Director

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve resolution R-88-2023.

BUDGET IMPACT

There is no budgetary impact related to this resolution.

DISCUSSION

As noted in other areas of this agenda, the High Wind Event of June 25th caused significant damage in the City of Lakeland, which necessitated additional costs beyond normal operations. This resolutions authorizes City Staff to seek grant reimbursement for any and/or all of these additional costs.

RESOLUTION R-88-2023

AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXPLORE AND APPLY FOR FUNDING THROUGH STATE OF TENNESSEE AND/OR FEDERAL EMERGENCY MANAGEMENT AGENCIES FOR REIMBURSEMENT OF EXPENSES RELATED TO THE HIGH WIND EVENT OF JUNE 25, 2023

- WHEREAS,** on June 25, 2023, the City of Lakeland (the “City”) experienced a highly dangerous and destructive High Wind Event within the City; and,
- WHEREAS,** due to the June 25, 2023, High Wind Event and its impact on the City, a public emergency existed in the City pursuant to state and local law; and,
- WHEREAS,** on June 28, 2023, Mayor Josh Roman issued a State of Emergency Declaration under the authority granted by Tennessee Code Annotated 58-2-1120, 58-2-104, 38-9-101 *et seq.* and all other applicable laws; and,
- WHEREAS,** the significance of the resulting damage and debris necessitated additional employee compensation and related benefits for overtime, the procurement of contracted emergency debris removal and hauling services, and caused property damage to City-owned facilities; and,
- WHEREAS,** the City’s *Internal Control Manual* requires that all grant applications be presented to the Board of Commissioners of the City of Lakeland, Tennessee, (the “Board”) for approval prior to submission; and,
- WHEREAS,** the Board desires that City Staff explore and apply for funding through State of Tennessee and/or Federal Emergency Management agencies disaster recovery funds for reimbursement of costs related to the High Wind Event of June 25, 2023:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the Public Works Director is hereby authorized and directed to explore and apply for funding through State of Tennessee and/or Federal Emergency Management agencies disaster recovery funds for reimbursement of expenses related to the High Wind Event of June 25, 2023.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - approving the emergency procurement of debris removal and hauling services.

Staff Contact: Daniel Lovett, Public Works Director

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-87-2023.

BUDGET IMPACT

Funds will be expended from the Solid Waste Fund, with subsequent budget amendments for the total expenditure as well as any FEMA/TEMA reimbursement revenues.

DISCUSSION

RESOLUTION R-87-2023

APPROVING THE EMERGENCY PROCUREMENT OF
DEBRIS REMOVAL AND HAULING SERVICES

-
- WHEREAS,** on June 23, 2023, the City of Lakeland (the “City”) experienced a highly dangerous and destructive High Wind Event within the City; and,
- WHEREAS,** due to the June 23, 2023, High Wind Event and its impact on the City, a public emergency existed in the City pursuant to state and local law; and,
- WHEREAS,** on June 28, 2023, Mayor Josh Roman issued a State of Emergency Declaration under the authority granted by Tennessee Code Annotated 58-2-1120, 58-2-104, 38-9-101 *et seq.* and all other applicable laws; and,
- WHEREAS,** the City of Lakeland’s Financial Policies Manual allows for emergency expenditures with approval of the City Manager; and,
- WHEREAS,** the significance of the resulting damage and debris necessitated the procurement of contracted emergency debris removal and hauling services in response to the High Wind Event of June 23, 2023, with the City Manager’s approval, such services which were available to begin the week of July 10, 2023; and,
- WHEREAS,** reimbursement of the cost of such services will be sought through State of Tennessee and/or Federal Emergency Management agencies disaster recovery funds:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the purchase enumerated and estimated below is hereby subsequently authorized and approved:

1. Public Works supplemental contracted debris removal and hauling services from DRC Emergency Services, at the rates and estimates enumerated on the quote hereby attached as Exhibit A.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



6702 Broadway, Galveston, TX 77552 – 888-721-4372

www.drcusa.com

July 10, 2023

Daniel Lovett
Public Works Director
City of Lakeland

Re: EMERGENCY DEBRIS REMOVAL SERVICES

Dear Mr. Lovett,

DRC Emergency Services appreciates the opportunity to give the City of Lakeland an estimate to supplement the City's force account with emergency debris removal and hauling services.

Scope of Work

DRC has the equipment and capability to respond with different types of debris removal equipment depending on the nature and size of the project, work area and client need. DRC crews will mobilize to the designated work area and report to the City of Lakeland supervisor in that area. Crews will cover routes at the direction of the supervisor. DRC intends to load and haul the debris to your designated temporary disposal site.

DRC submits the following estimate for the hazardous tree removal, vegetation removal and hauling services within the City of Lakeland.

Line-Item Description	Estimated Qty	Rate	Total
Loading and Hauling Vegetative Debris to TDS	12,000.00	\$ 8.25	\$ 99,000.00
Removal of Hazardous Limbs (2" diameter @ break)	500.00	\$ 85.00	\$ 42,500.00
Removal of Hazardous Trees (>36" diameter)	10.00	\$ 300.00	\$ 3,000.00
Removal of Hazardous Trees (24.1" - 36" diameter)	10.00	\$ 200.00	\$ 2,000.00
Removal of Hazardous Trees (12.1" - 24" diameter)	25.00	\$ 125.00	\$ 3,125.00
Removal of Hazardous Trees (6.1"-12" diameter)	5.00	\$ 45.00	\$ 225.00
			\$ 149,850.00

Thank you for your consideration. If we may offer any additional information or clarifications, please let us know, we look forward to working with the City of Georgetown again.

Sincerely,

Kristy Fuentes
Vice President, Secretary, Treasurer

Accepted By:

City Representative

Date

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - approving the emergency procurement of contracted services for tree removal and pavilion demolition.

Staff Contact: Michael Walker, City Manager

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve resolution R-89-2023.

BUDGET IMPACT

The cost of the contracted service will be recorded in the General Fund during fiscal year 2024, to be absorbed by budget transfers or budget amendments, to be determined as the current fiscal year progresses.

DISCUSSION

Under the emergency expenditure authorization, the City Manager had quotes obtained for tree removal and pavilion demolition, working hand-in-hand with the City's insurance carriers. The majority of this cost was related to the cut up and haul away of the large tree; insurance only covers the tree removal from the pavilion, and demolition of the pavilion (but not tree cut up and haul away). Those costs not covered by insurance will be sought for reimbursement from TEMA/FEMA.

While not required under the financial policies manual, multiple quotes were obtained. The initial quote for this work from another vendor was approximately \$17,000 - due to the high cost, City Staff reached out to B&W Excavating for an additional estimate, based upon past experience with this vendor serving the City previously on the I.H. Park pavilion demolition.

RESOLUTION R-89-2023

APPROVING THE EMERGENCY PROCUREMENT OF CONTRACTED SERVICES
FOR TREE REMOVAL AND PAVILION DEMOLITION

- WHEREAS,** on June 25, 2023, the City of Lakeland (the “City”) experienced a highly dangerous and destructive High Wind Event within the City; and,
- WHEREAS,** during the High Wind Event the City Hall Park pavilion was destroyed by a fallen tree; and,
- WHEREAS,** due to the June 25, 2023, High Wind Event and its impact on the City, a public emergency existed in the City pursuant to state and local law; and,
- WHEREAS,** on June 28, 2023, Mayor Josh Roman issued a State of Emergency Declaration under the authority granted by Tennessee Code Annotated 58-2-1120, 58-2-104, 38-9-101 *et seq.* and all other applicable laws; and,
- WHEREAS,** the City of Lakeland’s Financial Policies Manual allows for emergency expenditures with approval of the City Manager; and,
- WHEREAS,** the significance of the resulting damage and debris necessitated the procurement of contracted emergency tree removal and pavilion demolition services in response to the High Wind Event of June 25, 2023, with the City Manager’s approval, such services which were available to begin the week of July 10, 2023; and,
- WHEREAS,** reimbursement of the cost of such services will be partially reimbursed by the City’s insurance carrier, with remaining cost reimbursement sought through State of Tennessee and/or Federal Emergency Management agencies disaster recovery funds:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that contracted tree removal and demolition services from B & W Excavating in the amount of twelve thousand seven hundred fifty dollars (\$12,750) is hereby subsequently authorized and approved.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

B&W EXCAVATING

P O BOX 80408
MEMPHIS, TN. 38108
Phone: 901-354-2474

INVOICE

INVOICE 23-0142
DATE:6-10-23

CCITY OF LAKE LAND
10001 HIGHWAY 70
LAKE LAND TN. 38002
DIRECT 901-876-2719
MOBLE 901-827-8662
WWW.LAKE LANDTN.GOV
ATTN: MICHAEL WALKER

SALESPERSON	ADDRESS	REQUISITIONER	SHIPPED VIA	F.O.B. POINT	TERMS
THOMAS BOLTON	1245 7 TH ST.				[Due on receipt]

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	DEMOLITION OF PAVILLION AND CUT DOWNED TREE OFF AT GROUND LEVEL AND HAUL AWAY		10,250.00
	BUT WILL LEAVE SLAB		
	DIG UP STUMP AND HAUL AWAY		2,500.00
	WILL BACK FILL WITH DIRT		
SUBTOTAL			12,750.00
SALES TAX			
SHIPPING & HANDLING			
TOTAL DUE			12,750.00

Make all checks payable to B&W EXCAVATING
If you have any questions concerning this invoice, contact THOMAS BOLTON 901-859-2196

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - approving the emergency procurement of downed and dangerous tree removal and hauling services.

Staff Contact: Patrick O'Mara, Parks & Recreation Director

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve resolution R-96-2023.

BUDGET IMPACT

The cost of the contracted service will be recorded in the General Fund during the fiscal year 2024, to be absorbed by budget transfers or budget amendments, to be determined as the current fiscal year progresses.

DISCUSSION

Under the emergency expenditure authorization, quotes were obtained for tree removal of large downed and dangerous trees within the City's parks. These costs were due to the large trees that were downed, and often twinned with another large tree that then became unstable. These trees require the use of specialized equipment for removal. Those costs not covered by insurance will be sought for reimbursement from TEMA/FEMA.

While not required under the financial policies manual, multiple quotes were obtained. The initial quote from another vendor was approximately \$50,000 - due to the high cost, City Staff reached out to Harrison Tree Service for an additional estimate, based upon recommendation from Lakeland Citizen recommendations and received the estimate in Exhibit A.

RESOLUTION R-96-2023

APPROVING THE EMERGENCY PROCUREMENT OF
DOWNED AND DANGEROUS TREE REMOVAL AND HAULING SERVICES

- WHEREAS,** on June 25, 2023, the City of Lakeland (the “City”) experienced a highly dangerous and destructive High Wind Event within the City; and,
- WHEREAS,** due to the June 25, 2023, High Wind Event and its impact on the City, a public emergency existed in the City pursuant to state and local law; and,
- WHEREAS,** on June 28, 2023, Mayor Josh Roman issued a State of Emergency Declaration under the authority granted by Tennessee Code Annotated 58-2-1120, 58-2-104, 38-9-101 *et seq.* and all other applicable laws; and,
- WHEREAS,** the City of Lakeland’s Financial Policies Manual allows for emergency expenditures with approval of the City Manager; and,
- WHEREAS,** the significance of the resulting damage and debris necessitated the procurement of contracted emergency debris removal and hauling services in response to the High Wind Event of June 25, 2023, with the City Manager’s approval, such services which were available to begin the week of July 10, 2023; and,
- WHEREAS,** reimbursement of the cost of such services will be sought through State of Tennessee and/or Federal Emergency Management agencies disaster recovery funds:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the purchase enumerated and estimated below is hereby subsequently authorized and approved:

1. Parks and Recreation supplemental contracted debris removal and hauling services from Harrison Tree Services, at the rates and estimates enumerated on the quote hereby attached as Exhibit A.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



Harrison Tree Service

"Arboriculture Professional"

9476 Stewart Rd.
Lakeland, Tn. 38002
www.harrison-tree.com

Offered To: City of Lakeland
Attn: Jeremy
10001 Highway 70
Lakeland, Tn. 38002

(901) 430-1547
jdjones0212@gmail.com
pomara@lakelandtn.org
afisher@lakelandtn.org

Estimate

Proposal: 063023-03

Date: June 30, 2023

Office: (901) 722-5712

Cellular: (901) 331-0597

Fax: (901) 829-7780

E-mail: mitch@harrison-tree.com

Job Site: see below

Item #	Description	Amount
Lakeland City Hall		
1	Large Southern Red Oak tree along the West side of the main building - Elevate the canopy and do a complete cleanout of the entire tree by removing major deadwood, hangers, any visible/applicable damaged or diseased limbs, and thin out tree appropriate to its size and species to reduce "sail effect" in windstorms. This includes the removal of the broken/hanging limbs from the storm damage and doing repair pruning as needed.	\$ 1,980.00
2	2 young uprooted Water Oak trees along the West side of the City Hall soccer field - Take both down to short stumps.	\$ 2,475.00
3	Dead/decaying Elm tree at the bridge going over the creek behind City Hall and near the playground - Take the tree down to a short stump.	\$ 1,875.00
DISCOUNT: If awarded the entire bid to be done at the same time, you may take a \$500 discount.		
IH Managerial Park - 4523 Canada Rd. 38002		
4	Grove of 6 trees near the concert pavilion - Elevate the canopies as needed and remove the broken/hanging/damaged limbs and do complete cleanouts of each as described in Item #1.	\$ 4,475.00
5	Severely damaged Hickory tree down the hill from Item #4 - Take the tree down to a short stump.	\$ 3,680.00
6	Dead tree near the trail head steps across from Item #5 - Take the tree down to a short stump.	\$ 3,240.00
DISCOUNT: If awarded the entire bid to be done at the same time, you may take a \$1,500 discount.		
Zadie Kuehl Park - 3065 Yukon Dr. 38002		
7	Cut up and remove the fallen Red Oak tree back to the stump and take down to a short stump the Post Oak tree that is still standing beside it.	\$ 4,375.00
7a	Grind out stumps, if desired. (leave mulch)	\$ 375.00
Bid includes hauling all tree debris to a legal dumpsite and cleanup of all work areas		

[Click on the icons below to check our credentials and reviews.](#)



Previous Awards
2019, 2018, 2017, 2015

OFFICE NOTES:

Quotation is valid for 90 days from the date listed above

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - adopting an Information Security Program for the City of Lakeland.

Staff Contact: Josh Thompson, ITS Director

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-93-2023.

BUDGET IMPACT

There is no budgetary impact related to this item.

DISCUSSION

Information Security has become an integral part of business operations for organizations of all sizes and industries. Threats to unlawfully access networks and systems are a constant risk as attacks can have serious consequences, including damage to reputation, financial losses, and legal liabilities. The overall objective of an information security program is to protect the information and systems that support the operations and assets of the agency. A robust information security program helps protect your technology assets and physical space from attacks outside and inside your organization. This program will allow the City to reduce risk, build resilience, and improve the City's security posture as well as meet state mandates related to cybersecurity.

RESOLUTION R-93-2023

ADOPTING AN INFORMATION SECURITY PROGRAM FOR THE CITY OF
LAKELAND

WHEREAS, the City of Lakeland, Tennessee, (the “City”) recognizes that information security is of utmost importance; and,

WHEREAS, the protection of critical infrastructure is vital to public safety; and,

WHEREAS, an Information Security Program containing appropriate policies must be developed and maintained:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the Information Security Program, attached hereunto, is hereby adopted and effective immediately.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - authorizing the City Manager to execute an agreement with Central Technologies, Inc. for Microsoft 365 annual license renewal.

Staff Contact: Josh Thompson, ITS Director

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-90-2023.

BUDGET IMPACT

This expenditure is appropriated in the Fiscal Year 2024 Annual Budget for the General Fund.

DISCUSSION

The Microsoft 365 (MS365) environment allows users to access cloud and desktop-based applications and services within the Microsoft Windows platform. MS365 requires an annual licensing agreement for access to these applications and services. Executing this agreement will allow staff to maintain access to documents, business applications, and collaborative environments within the MS365 platform.

RESOLUTION R-90-2023

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH
CENTRAL TECHNOLOGIES, INC. FOR MICROSOFT 365 ANNUAL LICENSING
RENEWAL

WHEREAS, the City of Lakeland, Tennessee, (the “City”) desires to purchase licensing for Microsoft 365 business applications; and,

WHEREAS, Central Technologies, Inc. offers licensing to Microsoft 365 applications; and,

WHEREAS, funding for this purchase is appropriated in the Fiscal Year 2024 Annual Budget for the General Fund:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the City Manager is hereby authorized to purchase Microsoft 365 licensing renewal in the amount of Fourteen Thousand, Three Hundred And Ninety-Three Dollars and Sixty-Eight Cents (\$14,393.68).

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder



We have prepared a quote for you

MS O365 Licenses

Quote # 016181
Version 1

Prepared for:

City of Lakeland Tennessee

Michael Walker
mwalker@lakelandtn.org



Products

Description		Price	Qty	Ext. Price
1907422	Microsoft Exchange Online (Plan 1)	\$47.04	37	\$1,740.48
1907423	Microsoft Office 365 E1	\$115.36	37	\$4,268.32
1907424	Microsoft Office 365 E3	\$270.48	31	\$8,384.88
Subtotal:				\$14,393.68

MS O365 Licenses



Prepared by:

Knoxville HQ

Chris Scoggins
901-230-8490
cscoggins@centralinc.com

Prepared for:

City of Lakeland Tennessee

10001 Hwy 70
Lakeland, TN 38002
Michael Walker
(901) 867-2717
mwalker@lakelandtn.org

Quote Information:

Quote #: 016181

Version: 1
Delivery Date: 04/26/2023
Expiration Date: 05/05/2023

Quote Summary

Description	Amount
Products	\$14,393.68
Total: \$14,393.68	

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

Knoxville HQ

Signature: 
Name: Chris Scoggins
Title: Account Executive
Date: 04/26/2023

City of Lakeland Tennessee

Signature: _____
Name: Michael Walker
Date: _____



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - authorizing the City Manager to execute an agreement with Cityworks for annual license renewal.

Staff Contact: Josh Thompson, ITS Director

STAFF RECOMMENDATION

City staff recommends the Board of Commissioners approve Resolution R-91-2023.

BUDGET IMPACT

This expenditure is appropriated in the Fiscal Year 2024 Annual Budget for the General Fund.

DISCUSSION

The Cityworks platform contains two primary components: an asset management system (AMS) and a permitting and land development system (PLL). The AMS applications include Service Requests, Inspections and Work Orders for use in work management environments. The PLL components assist with permitting applications and development tracking. Built exclusively on Esri ArcGIS technology, the Cityworks web GIS-centric platform combines the authoritative asset inventory in the City's GIS with business process applications for managing workflow, scheduling resources, and prioritizing activities in the traditional office or the mobile environment.

RESOLUTION R-91-2023

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH
CITYWORKS FOR ANNUAL LICENSING RENEWAL

WHEREAS, the City of Lakeland, Tennessee, (the "City") desires to purchase asset management, permitting, and development tracking applications; and,

WHEREAS, Cityworks provides those applications by license subscription; and,

WHEREAS, funding for this purchase is appropriated in the Fiscal Year 2024 Annual Budget for the General Fund:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the City Manager is hereby authorized to renew Cityworks licensing in the amount of Forty Thousand Dollars (\$40,000).

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

Contact Information

Contact Name:	Josh Thompson	Prepared By Name:	Jenn Miya
Customer:	Lakeland, City of (TN)	Prepared By Phone:	(801) 872-9528
Contact Address:	10001 Hwy 70 Lakeland, TN 38002	Prepared By Email:	jmiya@cityworks.com

Quote Lines

Product Name	Quantity	Net Unit Price
AMS/PLL ELA Premium	1.00	USD 40,000.00
Respond - AMS	1.00	USD 0.00
Mobile Native Apps (iOS/Android) - AMS	1.00	USD 0.00
Storeroom	1.00	USD 0.00
Equipment Checkout	1.00	USD 0.00
Contracts	1.00	USD 0.00
Cityworks for Excel	1.00	USD 0.00
Cityworks Analytics - AMS	1.00	USD 0.00
eURL - AMS	1.00	USD 0.00
Workload - AMS	1.00	USD 0.00
Web Hooks - AMS	1.00	USD 0.00
Service Request API	1.00	USD 0.00
Work Order API - Extended	1.00	USD 0.00
Inspection API	1.00	USD 0.00
Storeroom API	1.00	USD 0.00
Metrics API	1.00	USD 0.00
Operational Insights	1.00	USD 0.00
Citizen Engagement API	1.00	USD 0.00
CCTV Interface for PACP	1.00	USD 0.00
Pavement Management	1.00	USD 0.00
PLL Native Mobile Apps ELA License	1.00	USD 0.00
Respond PLL ELA License	1.00	USD 0.00
Cityworks Analytics - PLL	1.00	USD 0.00
Public Access - PLL	1.00	USD 0.00
Case API - Extended	1.00	USD 0.00

Product Name	Quantity	Net Unit Price
PLL Public Access API	1.00	USD 0.00
eURL - PLL	1.00	USD 0.00
TOTAL:		USD 40,000.00

Maintenance Start Date: 7/1/2023 Maintenance End Date: 6/30/2024

Quote Notes:

Terms and Conditions

Payment Terms

Payment due within 30 days

IF YOUR ORGANIZATION REQUIRES A PURCHASE ORDER, PLEASE CONTACT YOUR FINANCE DEPARTMENT TO BEGIN THE APPROVAL PROCESS TO AVOID PAYMENT DELAYS.

All quotations are valid for ninety-days (90) from the date above, unless otherwise stated in this quotation form. All prices quoted are in USD, unless specifically provided otherwise, above. These prices and terms are valid only for items purchased for use and delivery for the Customers listed above.

Unless otherwise referenced, this quotation is for the Cityworks software products referenced above only. Pricing for implementation services (installation, configuration, training, etc.), or other software applications is provided separately and upon request.

The procurement, installation and administration of the Esri software or any other third-party software utilized in conjunction with Cityworks will be the responsibility of the Customer.

For "on-prem" installations, the procurement, installation and administration of the RDBMS utilized in conjunction with Cityworks will be the responsibility of the Customer. Currently, Cityworks supports Oracle and SQL Server. The procurement, installation and administration of the infrastructure (hardware and networking) utilized in conjunction with Cityworks will be the responsibility of the Customer.

This quotation and the pricing information herein is confidential and proprietary and may not be copied or released other than for the express purpose of the current system Software and Product selection and purchase. This information may not be given to outside parties or used for any other purpose without written consent from Azteca Systems, LLC or unless otherwise specifically permitted by law. If a "public access" or similar request is made, Customer, shall notify Azteca Systems, prior to any disclosure.

Software Licensing

All Azteca Systems software offered in this quotation are commercial off-the-shelf (COTS) software developed at private expense, and is subject to the terms and conditions of the signed "Cityworks Software License and Maintenance Agreement" ("Agreement") and any and all addendums or amendments thereto. A fully executed copy of the Agreement and any addendum(s) is required before delivery and installation and usage of the software is subject to the terms of the current license agreement.

The terms and conditions of the executed Cityworks Software License Agreement apply to this Quote unless otherwise specifically stated herein. Any additional or conflicting terms set forth in any purchase orders, invoices, or other standard form documents exchanged during the ordering process, other than product descriptions, quantities, pricing, and dates are void and of no effect.

Delivery method is by way of download through Azteca Systems, LLC. customer support web portal.

Taxes

Prices quoted do not include any applicable state, sales, local, or use taxes unless so stated. In preparing your budget and/or Purchase Order, please allow for any applicable taxes, including, sales, state, local or use taxes as necessary. Azteca Systems reserves the right to collect any applicable sales, use or other taxes tax assessed by or as required by law. Azteca Systems reserves the right to add any applicable tax to the invoice, unless proof with the order is shown that your organization or entity is tax exempt or if it pays any applicable tax directly.

International Customers

These items are controlled by the U.S. government and authorized for export only to the country of ultimate destination for use by the ultimate consignee or end-user(s) herein identified. They may not be resold, transferred, or otherwise disposed of, to any other country or to any person other than the authorized ultimate consignee or end-user(s), either in their original form or after being incorporated into other items, without first obtaining approval from the U.S. government or as otherwise authorized by U.S. law and regulations.

Your signature indicates your acceptance of this Quote, and that you have read and accepted the Terms and Conditions set forth above.

Accepted by:

Title

____/____/____
Date

Azteca Systems, LLC - Cityworks | 11075 South State Street Suite 24, Sandy, UT 84070 | Corporate Main 801-523-2751 | Corporate Fax 801-523-3734



Board of Commissioners

Meeting Cycle: Thursday, July 20, 2023

Subject: **Resolution** - approving a Retainage Escrow Agreement between the City of Lakeland, Eutaw Construction Company, Inc. and Trustmark Bank for the Clear Creek Interceptor project.

Staff Contact: Emily Harrell, City Engineer

STAFF RECOMMENDATION

City Staff recommends the Board of Commissioners approve Resolution R-95-2023.

BUDGET IMPACT

There is no budgetary impact resulting from this resolution.

DISCUSSION

Eutaw Construction Company is under contract to construct the Clear Creek Interceptor project. The City withholds a retainage of 5% on each pay application. Per TCA 66-34-104 all retainage held throughout the contract shall be deposited into an interest-bearing escrow account. The account will be owned by the Contractor, however these funds will not be available to the Contractor until the City releases the funds at the completion of the project. The escrow account will be established through Trustmark Bank, which is a City-approved financial institution.

RESOLUTION R-95-2023

APPROVING A RETAINAGE ESCROW AGREEMENT BETWEEN THE CITY OF
LAKELAND, EUTAW CONSTRUCTION COMPANY, INC. AND TRUSTMARK BANK
FOR THE CLEAR CREEK INTERCEPTOR PROJECT

WHEREAS, the City of Lakeland, Tennessee, (the “City”) has contracted with Eutaw Construction Company for the construction of the Clear Creek Interceptor; and,

WHEREAS, TCA 66-34-104 requires the City to deposit all retainage held on the project in an interest bearing account; and,

WHEREAS, the Contractor will not have access to the funds in the escrow account until the City signs a release at the completion of the project:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the City Manager is authorized to execute, and the City Recorder attest a Retainage Escrow Agreement between the City of Lakeland, Eutaw Construction Company, Inc. and Trustmark Bank for the Clear Creek Interceptor project.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee, this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

RETAINAGE ESCROW
AGREEMENT

THIS RETAINAGE ESCROW AGREEMENT (the "Agreement"), made and entered into this ____ day of _____, _____ by and among **CITY OF LAKELAND, TENNESSEE** ("Owner"), and **EUTAW CONSTRUCTION COMPANY, INC.** ("Construction Contractor"), and **TRUSTMARK BANK** ("Escrow Agent"), a _____ state-chartered bank, with offices located at _____.

WITNESSETH:

WHEREAS, the Owner and Construction Contractor have heretofore entered _____ into a construction contract dated the 4th day of May, 2023, (the "Contract") whereby the Construction Contractor will make improvements to certain real property of the Owner pursuant to a certain project known as Clear Creek Interceptor Sanitary Sewer Phase A ("the Project") with such Contract providing that the Owner is to retain a percentage of all trade contractor payment requests made by the Construction Contractor (the "retainage") all as more specifically set forth in such Contract to which specific reference is hereby made;

WHEREAS, T.C.A. § 66-34-104 requires that the retainage be placed in a separate, interest bearing escrow account and that the funds therein shall be, at the time of deposit, the sole and separate property of the trade contractor from whom the retainage is owed;

WHEREAS, Escrow Agent has agreed to act as escrow agent to receive and hold the retainage paid to it until the receipt of a release by the Owner.

NOW THEREFORE, in consideration of the foregoing premises and the mutual covenants and promised hereinafter set forth, the parties hereto agree as follows:

(1) Construction Contractor agrees to establish a separate interest-bearing escrow account with the Escrow Agent and the Owner further agrees to pay all

retainage held pursuant to the Contract to the Escrow Agent for deposit in the escrow account.

(2) Said interest-bearing escrow account shall be owned by Construction Contractor and the trade contractors, to whom the retainage is owed.

(3) Upon the satisfactory completion of the Project, or a portion thereof, as evidenced by a written Release, substantially in the form attached hereto as Exhibit A, executed by the Owner and provided to the Escrow Agent, all, or a portion of, the retainage together with interest earned thereon, shall be paid to the Construction Contractor for payment to the trade contractors from whom the retainage was withheld.

(4) Should a dispute arise as between the Owner and Construction Contractor such that the Owner fails to execute and deliver a Release to the Escrow Agent, or in the event that the Owner and the Construction Contractor become involved in litigation over the funds held by the Escrow Agent in escrow, the Escrow Agent agrees to hold the money and pay the retainage to neither the Owner nor the Construction Contractor until a final order of a court of record in Tennessee so directs the Escrow Agent to whom to pay said funds, or the Escrow Agent is presented with a written agreement between the Owner and Construction Contractor as to how much of the retained funds should be paid to whom. In the event that the parties mutually agree in writing to close the Escrow Account and direct the Escrow Agent as to where the retainage should be sent, the Escrow Agent shall follow such instruction and be released of any further obligation under this Agreement. In the event that litigation ensues between Owner and Construction Contractor, Escrow Agent shall tender into the registry or custody of any court of competent jurisdiction in Davidson County, Tennessee all assets or property held by Escrow Agent pursuant to the terms of this Agreement, together with such pleadings as it deems appropriate, and thereupon be discharged from all further duties and liabilities under this Agreement. EACH PARTY HEREBY EXPRESSLY WAIVES THEIR RIGHT TO A TRIAL BY JURY OF ANY CLAIM ARISING UNDER OR RELATED TO THIS AGREEMENT, WHETHER NOW EXISTING OR HEREAFTER ARISING. Any expenses incurred by Escrow Agent, including but not limited to Escrow Agent's reasonable attorney's fees associated

with any litigation, shall immediately upon the Escrow Agent's demand be reimbursed to the Escrow Agent by the Owner and Construction Contractor, each of whom shall be jointly and severally liable for the expenses. Further, Escrow Agent may resign as escrow agent at any time, whereupon Escrow Agent shall transfer the retainage funds to another financial institution selected by the Owner and Construction Contractor.

(5) In the event that a dispute arises as provided in 4. herein, the Escrow Agent shall bear no responsibility to the Construction Contractor or any trade contractor for the nonpayment of the funds to the Construction Contractor for payment to one or more trade contractors.

(6) For an in consideration of the use of the money in the escrow account, the Escrow Agent agrees to hold said funds in an interest-bearing escrow account and to pay over the funds in said escrow account to the appropriate party according to the directions stated herein.

(7) The Escrow Agent may not assign or transfer its responsibility as escrow agent hereunder to another escrow agent without first obtaining the written consent of the Owner and the Construction Contractor.

(8) Owner and Construction Contractor hereto agree to indemnify and hold Escrow Agent harmless from any loss, damages, or liabilities of any kind whatsoever, whether foreseen or unforeseen, whether direct or indirect arising out of or in connection with this Agreement, the retainage, the escrow account, and the funds contained therein, or the performance of the Escrow Agent's obligations hereunder, as allowed by law, except liability resulting from Escrow Agent's gross negligence or willful misconduct. Escrow Agent may rely upon the signatures on any correspondence from either or both of Owner and/or Construction Contractor as being the authentic signatures of the Owner or Construction Contractor or, if the Owner or Construction Contractor are not natural persons, of persons duly authorized to act on behalf of the Owner or Construction Contractor. This Agreement supplements, rather than replaces, Escrow Agent's deposit account agreement, terms and conditions, and other standard documentation in effect from time to time with respect to the escrow account, as these may be updated or amended by Escrow Agent from time to

time in connection therewith (the “Account Documentation”). The Account Documentation will continue to apply to the escrow account and such services, and the respective rights, powers, duties, obligations, liabilities and responsibilities of the parties thereto and hereto, to the extent not expressly conflicting with the provisions of this Agreement (however, in the event of any such conflict, the provisions of this Agreement shall control). Escrow Agent shall have no obligation to specifically notify any other parties hereto of any changes to the Account Documentation, including, without limitation, any changes to Escrow Agent’s schedule of fees and charges, each of the parties hereto agrees shall have been deemed received to the extent such changed documentation is made available on Escrow Agent’s website.

(9) Escrow Agent shall not be bound by any modification, amendment, termination, cancellation, rescission or supersession of this Agreement unless the same shall be in writing and signed by all of the other parties hereto and hereunder are effected thereby, unless it shall have given prior written consent thereto. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one and the same agreement. Handwritten signatures to this Agreement transmitted by facsimile, email or other similar electronic transmission (for example, through the use of a Portable Document Format or “PDF file) shall be valid and effective to bind the party so signing.

ATTEST:

CITY OF LAKE LAND,
TENNESSEE:

By: _____

Michael Walker
City Manager

APPROVED AS TO FORM & LEGALITY:

City Attorney

Contractor:

ATTEST:

Eutaw Construction Company, Inc.

BY: _____

BY: _____

Bank:

ATTEST:

Trustmark Bank

BY: _____

BY: _____

EXHIBIT A
RELEASE

The undersigned, as owner of certain real property located in Lakeland, Shelby County, Tennessee which has been improved pursuant to a construction contract with **Eutaw Construction Company Inc**, (hereinafter "Contractor"), hereby notifies Trustmark Bank that Contractor has represented to the undersigned that Contractor has either reached final completion or has substantially completed with regards to the **Clear Creek Interceptor Sanitary Sewer Phase A project**, pursuant to such contract. Based on Contractor's representations, the undersigned hereby authorizes Trustmark Bank to release \$_____, paid and held in escrow, pursuant to that certain Retainage Agreement between the Contractor, and Trustmark Bank dated the ____ day of _____, _____. This RELEASE is executed for the sole purpose of releasing the amount (s) held in escrow as aforesaid and this RELEASE specifically does not, nor shall it be construed to, release, waive or otherwise affect any obligations of Contractor to comply with the construction contract or any claims, causes of action or rights which the undersigned has or may have against Contractor arising out of said contract or relating to the work performed there under.

ATTEST:

CITY OF LAKELAND,
TENNESSEE

BY: _____

BY: _____

STATE OF TENNESSEE
COUNTY OF SHELBY

Affiant makes oath that the above is true. As sworn before me, a notary public, this
__ day of _____.

Notary Public (Seal)

My commission Expires: _____

RESOLUTION R-92-2023

AUTHORIZING THE CITY MANAGER TO EXECUTE A LETTER OF INTENT WITH
THE LAKE DISTRICT, LLC FOR THE PURCHASE OF 7.3 ACRES LOCATED IN THE
LAKE DISTRICT

WHEREAS, The Lake District planned development is a mixed use project that includes hotels, restaurants, retail, office, single family residential, and multi-family residential uses; and,

WHEREAS, the Board of Commissioners of the City of Lakeland, Tennessee (the "Board") seeks to acquire land within The Lake District for future public use; and,

WHEREAS, the Board desires to enter into a nonbinding letter of intent for the purchase of approximately 7.3 acres within The Lake District as depicted in the attached Exhibit A:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Lakeland, Tennessee, that the City Manager is authorized to negotiate and execute a nonbinding letter of intent for the purchase of approximately 7.3 acres within The Lake District, subject to Board of Commissioners approval prior to final negotiated purchase.

APPROVED AND ADOPTED by the Board of Commissioners of the City of Lakeland, Tennessee this 20th day of July 2023, the public welfare requiring it.

Josh Roman, *Mayor*

ATTEST:

Debra Murrell
City Recorder

