



Philip Craighead
Mayor

CITY OF LEBANON

Office of the Mayor

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WORK SESSION – APRIL 5, 2016 - 5:30 P.M.

TOWN MEETING HALL, ADMINISTRATION BUILDING

Updated Airport Layout Plan Presentation

REGULAR CALLED CITY COUNCIL MEETING

AGENDA - APRIL 5, 2016 - 6:00 P.M.

TOWN MEETING HALL, ADMINISTRATION BUILDING

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE TO FLAG

4. ROLL CALL

5. APPROVAL OF MINUTES:

March 15, 2016 - Regular Called City Council Meeting

March 17, 2016 - Special Called City Council Meeting

March 31, 2016 - Special Called City Council Meeting

6. COMMUNICATION FROM CITIZENS:

7. COMMUNICATION FROM MAYOR:

8. REPORTS FROM COMMITTEES / ALDERMEN / OFFICERS:

9. OLD BUSINESS:

1. **Ordinance No. 16-5181**, second reading, to enter into an Interlocal Agreement with Wilson County Government for waste tires (feedstock) for the Gasification Plant's production of clean energy, by Jeff Baines, Commissioner of Public Works.

Line Item Transfer – Before the Fact:

2. **Ordinance No. 16-5182**, second reading, to authorize the purchase of a used roll off truck for Gasification Plant feedstock (wood waste) hauling (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works.

Line Item Transfer – Before the Fact:

3. **Ordinance No. 16-5183**, second reading, to amend the Agreement with PHG Energy Services for purchase of/contract for various equipment, accessories and services for logistical operation of the City of Lebanon Gasification Plant Project (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works.

10. NEW BUSINESS:

1. Council approval of a Certificate of Compliance for a Retail Package Store (Applicant: Brian Gleaves; West Main Wines & Spirits, LLC; 512-B West Main Street), by Robert Springer, Commissioner of Finance and Revenue.
2. **Resolution No. 16-1927**, to adopt and accept the updated Airport Layout Plan (approved by Lebanon Airport Commission; 2015-2016 Fiscal Year Budget), by Randy Laine, Engineering Director of Capital Projects.

Line Item Transfer – Before the Fact:

3. **Ordinance No. 16-5174**, first reading, to authorize a Line Item Transfer for the Beautification Fund (for the Think Green, Think Clean Project; 2015-2016 Fiscal Year Budget), by Robert Springer, Commissioner of Finance and Revenue.

Line Item Transfer – Before the Fact:

4. **Ordinance No. 16-5175**, first reading, to authorize a Line Item Transfer for the Jimmy Floyd Family Life Center (for Contractual Services; 2015-2016 Fiscal Year Budget), by Tim Hill, Floyd Center Director, and Robert Springer, Commissioner of Finance and Revenue.

Line Item Transfer – Before & After the Fact:

5. **Ordinance No. 16-5176**, first reading, to authorize Line Item Transfers for the Police Department (for Public Relations & Training; 2015-2016 Fiscal Year Budget), by Mike Justice, Police Chief, and Robert Springer, Commissioner of Finance and Revenue.

6. **Ordinance No. 16-5177**, first reading, to approve bids for the haul & disposal of sludge for the Water Plant (funds appropriated in the 2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Lisa Lane, Purchasing Agent.

Line Item Transfer – Before & After the Fact:

7. **Ordinance No. 16-5179**, first reading, to authorize Line Item Transfers for the Human Resources Department (for Postage/Shipping and Printing; 2015-2016 Fiscal Year Budget), by Sylvia Reichle, Human Resources Director, and Robert Springer, Commissioner of Finance and Revenue.

Line Item Transfer – Before & After the Fact:

8. **Ordinance No. 16-5180**, first reading, to authorize Line Item Transfers for the Accounting Department (2015-2016 Fiscal Year Budget), by Robert Springer, Commissioner of Finance and Revenue.

9. **Ordinance No. 16-5190**, first reading, to amend the Lebanon Municipal Code, Title 8, Chapter 2, relative to Special Event Beer Permits, by Mayor Philip Craighead.

10. **Ordinance No. 16-5191**, first reading, to enter into a Public/Private Partnership to develop an Industrial Park, by Mayor Philip Craighead.

11. **Ordinance No. 16-5192**, first reading, to enter into a Public/Private Partnership to develop an Industrial Park, by Mayor Philip Craighead.

11. ADJOURNMENT

CITY COUNCIL MEETING

March 15, 2016

The City Council met in regular session in the Town Meeting Hall of the City of Lebanon Administration Building at Castle Heights.

A Public Hearing was held at 5:56 p.m. for

- 1) Adopting a Plan of Services for the annexation of unaddressed property on Quarry Road (Tax Map 55; Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01) to be added to Ward 6 (120 acres), by Paul Corder, Planning Director. (Request by Mike Slarve and Nick Audino) (Reference Resolution No. 16-1915)

- 1) Tom Brashear, County Planning Director for Wilson County, and a resident of 204 Bethlehem Road in Lebanon, addressed the Plan of Services for the annexation of unaddressed property on Quarry Road. Specifically, Mr. Brashear was requested by the Road Commission and some of the County elected officials that represent the area, to address the first three items of the Public Hearing, and to come and issue a Statement of Opposition on their behalf, to the proposed annexation and proposed zoning assignment. He stated it is his understanding that most of the things he will bring up tonight, in an effort to try to crystallize why he believes they have chosen to oppose this proposed annexation and rezoning are going to be mimicked somewhat in a resolution that may be going to be going before the County Commission on Monday night, regardless of what tonight's City Council Meeting is in relation, again, to this annexation and rezoning.

Mr. Brashear read the following Statement of Opposition, "*Without further ado, the reasons for opposition, as I understand them are as follows---and this comes from discussion with the public, as well as discussions with the elected officials in the area, as well as discussions with the Road Commission at the last Road Commission meeting---the methodology of annexation in this instance has rankled county citizens in the area and county officials alike. While it may be legal, and there may be precedent for it, annexation in this manner leaves much to be desired in the way of taking responsibility for impacts to an area, particularly where the associated proposed city zoning assign request would permit densities some three to six times higher than currently permitted on other properties along Quarry Road. If I might elaborate a little bit, what I am specifically referring to is the methodology of proposing to reach the remainder of the city limits by way of a railroad right-of-way line, as opposed to the public right-of-way of the public road system that would otherwise serve this and the other developments in the area. The*

long-term functionality of Quarry Road without private development and jurisdictional responsibility being taken, whether it is city or county is in question. While we may be able to have private developers make limited improvements to sections of Quarry Road, at or near their road frontage at the time of their particular developments, the remainder of Quarry Road would likely have issues that need to be addressed by others, inclusive of City or County government. The current densities permitted by zoning at present with no sewer, and County unincorporated areas adjacent this proposal would typically, at present, be around one single family house per acre. However, densities proposed in this proposed municipally controlled development would likely fall between three and six units per acre. All while the City effectively bypasses responsibility for care and maintenance of the adjacent sections of Quarry Road, that would presumably remain in the County, and currently be used to access the property.

Secondly, regarding the associated proposed city zoning assignment of the property and its associated impacts to current road infrastructure, the County officials, myself included, are well aware that we would be given, or would likely be given an opportunity, once zoning is assigned by the current request and subject to the County to the road system that is right out in front of the development remaining in the County. We would be given an opportunity to evaluate and weigh in on the manner in which any future development of the property intersects and ties it into the current County road system. In fact, it is likely that, at that time, again, if it is a County road that it is intersecting into, the County Road Commission would evaluate the road connection and likely apply the currently minimum standard, which is a center turn lane on Quarry Road with a deceleration lane for northbound traffic--excuse me--a center turn lane for northbound traffic and a right deceleration lane for southbound traffic on Quarry Road as it enters the development. We would also likely require some form on transition from those turn lanes and deceleration lanes back to the standard road section that we see out there at Quarry Road right now. Those requirements or some specific alternative commitment by the developer that is approved by the County Road Commission would likely be enacted at the time of development. However, as County officials, we are still concerned over who is responsible for making necessary road and road related improvements to the remainder of Quarry Road, and do feel the current requested zoning assignment affords the best mechanism for seeking additional development related commitments from the developer that can be memorialized as requirements of zoning and related zoning assignment. From what County Planning staff knows of the City-zoned districts, which is decidedly less than what your current City Planning Director knows about them, it is our feeling that something along the lines of a planned development type zone district, such as, what I feel is your SP zone district, might be a more appropriate

avenue for enlisting some of those types of commitments we might wish to get out of the developer before seeing zoning approval assigned. Part of the reason for that is that type of zoning typically requires a master plan to be submitted as a matter of zoning. Infrastructure commitments and developing specific criterion can be established as a matter of zoning on the property, and thus dictate the manner in which the land owner may exercise his or her eventual right to additional density over and above minimum Road Commission policy requirements, and City regional subdivision regulations and other development requirements that you would typically enact anyways. This would hopefully have the added benefit of giving people the comfort of knowing with an increased level of confidence what type of density product they would end up with as the result of this proposed zoning assignment, whether or not they ultimately are in agreement with the City assigning that zoning district. At least it tells them what they are getting for sure, as it's a matter of zoning.

Lastly, I think I'll say, we in the County are not opposed to development, or development at heightened densities. In fact, we have got some areas where we develop at heightened densities in the County. But, we would like some ability, wherein there is some interaction between the City and the County to discuss and have input on such matters before final reading of an item scheduled. And what I am referring to there is that we did not find out about it amongst city officials, whether it is human error on our part or human error on the City of Lebanon's part about notification. We did not know anything about it until people started calling us the week of February 26th-February 27th timeframe. We also received a letter from the City Planning Department about that time, notifying us of second and final reading, and public hearing before the City Council. It's our understanding from members of the public that they too, were in many cases, not aware of the development moving forward until about that same timeframe. I can neither prove nor verify that from a public perspective; but, I can tell you what I have in my office evidence of, I didn't know about it until about February 26th or 27th, nor do I think the Mayor did. I believe that is going to conclude my comments. We do not, typically, as a County, come down into the City's business and their planning region, and weigh in; but, I do think that some of the things associated with this proposed annexation and development may have had some unique qualities including not using public road right-of-way to reach it. Thank you."

Councilor Rick Bell asked Mr. Brashear what the current zoning on this property is. Mr. Brashear responded he believes it is zone A-1. Mike Wrye announced it is zone R-2, to which Mr. Brashear commented, "It is not R-2. No, sir." But noted that he would verify that before the end of the public hearing.

2) Mark Abernathy, of 306 Quarry Road, whose residence is in very close proximity to the Quarry Road development, appreciates the opportunity to speak this evening. He is here tonight, as a concerned citizen and to speak on behalf of the Quarry Road Residence Alliance, which is a group of 100 residents who are concerned with and object to the annexation and rezoning of this parcel of land. He requested the City Council grant him a little bit of latitude while he expresses the opinions of the area residents. Mr. Abernathy asked that the citizens in attendance this evening who are present at tonight's meeting in order to voice their opposition to this proposed development please stand. Approximately 50 people in the audience stood up.

Mr. Abernathy stated, "I would also like to present to the City Council, and to Mayor Craighead, a petition signed by more than 200 area residents who oppose the annexation. You have heard from the Wilson County Road Commission regarding their concerns surrounding the conditions in this area. We as a group are in agreement with them and very much appreciate Wilson County's concerns for the citizens of the area, and for their interest in ensuring that development in this area is done responsibly, and that it is well suited and that the proper infrastructure is in place. We sincerely hope that after all of the facts are considered, the Lebanon City Council will agree with the County Road Commission, that this development annexation and rezoning in its current state is not well suited for the Quarry Road area. Proceeding, as it is written, would be detrimental to the area and to its infrastructure. Furthermore, we believe that there is an exceptionally high likelihood that this area will not be developed into the concept plan that was pitched to the Planning Commission. Your action to annex and rezone this parcel would substantially increase the value of the parcels that are in their current state in that annexation area. We believe that once the true cost of utilities and infrastructure are realized, that the developers will not have the resources to develop the parcel as they intend to do and they would instead opt to sell the property. Your action today with rezoning and annexing it, would pave the way for the property to be sold to a development company that could build anything they choose so long as it fits into the RM6 zoning requirements. This would include apartment complexes and low income housing, if they chose. It is our belief that annexing and developing the Quarry Road property would be irresponsible. The infrastructure in the area is not suitable for RM6 zoning."

Mr. Abernathy: I would like to ask if the City Council is familiar with the City of Lebanon Land Use Plan from 2006, the most recent Land Use Plan?

Mayor: Yes. Excuse me. Paul, when is the most recent one, 2006? Yes? Okay.

Mr. Abernathy: Yes. Okay, thank you. In the 2006 Land Use Plan adopted by the City of Lebanon, it states in there that the purpose of the plan is to provide the necessary tools to guide the City in planning and promoting orderly and balanced growth. It further states that it works to provide a framework for the City for land use decisions that will facilitate quality development and properly managed growth. And it goes on to say that land use should compliment their surroundings while maintaining a smooth transition to the next land use. We believe the essence of the request before the City Council is in direct opposition to the city's own best stated practices. We are simply asking the Council, tonight, to follow its very own adopted Land Use Plan. I would like to read to you the city's definition of high density residential as stated in your Land Use Plan. High density residential areas greater than five units per acre---they are marked by very dense residential uses that include duplexes, condominiums, apartment complexes, multi-family units, as well as single family dwellings. Because of their dense residential uses, this land designation should be near appropriate facilities, to include churches, schools and all other community related amenities; while, providing appropriate access to quality roads. There is a couple of notable points in the excerpts you just heard. The development is not going to be in proximity to appropriate facilities listed. In fact, the development will not even border the City, but instead will be an island surrounded by Wilson County on all sides and serviced by Wilson County Roads. It will not be in close proximity to schools or other amenities such as parks. Perhaps the most troubling of all, is that the plan's stated development, RM6, must provide appropriate access to quality roads. The proposal before you, simply put, does not provide that access to a quality road. You have heard from the County Road Commission, the roads in this area are not designed for and will not support a development of this nature. You will hear from some, as I have, that the developer will address the needs of the road once the zoning is approved. We believe that this is simply a false statement. The developer has stated to me that he would widen the road two feet from the Quarry development to Quarry Loop Road for approximately one half mile. Everyone familiar with this area, knows full well that 80% of the traffic in this area moves south on Quarry Road connecting to Interstate 40 at Beckwith Road.

Extensive and expensive roadwork would be needed for the entire four mile stretch of Quarry Road to support such a development. We do not believe this extensive road work will ever take place. In fact, I would like to call your attention to an e-mail that each of you, as well as myself received from your very own City Attorney, Mr. Andy Wright. And I would like to quote from his e-mail, *'Understand that while developers cannot legally make flooding worse--flooding and water runoff any worse, they are likewise under no obligation to make it better. If there are water problems now on Quarry Road, during heavy rains, as it appears in your photos there are, the developers just can't make them worse, they aren't required to make them go away.'*

Mr. Abernathy added, "Okay, so we don't have the ability to fix those roads. I would like to show the Council pictures of Quarry Road, if you would stand up and walk across so they can all see them. So, you can see what it looks like, back here, this is actually a City of Lebanon truck with one tire off the road as another car approaches; because, it can't pass side by side. So, we have got some serious road issues on Quarry Road. Quarry Road is narrow; it is hazardous; it's prone to flooding; it has sharp curves and steep drop-offs. The County has no plans to improve this road, and the City by its own statement cannot require the road to be improved to a safe level by the developer. Will the City of Lebanon go on record tonight, committing to the expense to improve the entire length of Quarry Road from the Beckwith Interchange all the way to Highway 70, alleviating all flooding, dangerous curves and steep drop-offs?"

Councilor Bryan: Is that a question?

Mr. Abernathy: That's a question.

Mayor: I must say that if the property is annexed, and then, when a site plan does come through, then, at that time a lot of the road issues in that instance would be a major concern for the City then, and the safety of everyone traveling through there. So, I don't know exactly what would have to be done. I have been out there after a big rain to see how it was, and I have seen a lot of the water ponding on the sides and all like that. But, you know, there are issues that the County may need to be

looking to address; and I think they have addressed some going south of the entrance to this property.

Mr. Abernathy: Yeah.

Mayor: But, I mean, more than anything, safety would be part of whatever site plan--if a site plan were to come before the Planning Commission, they would be held to whatever is agreed on that site plan, to address those improvements, to answer your question.

Mr. Abernathy: Yeah, and I certainly appreciate that commentary. You know, again, it's our belief that the (City) Attorney states that they are not obligated to make the flooding go away. The County has no intentions of improving the roads, that we are aware of, at this point. The City cannot enforce the developer improving those roads to alleviate the flooding. Will the City pay to repair those roads and get them up to standard?

Mayor: I think some of those comments is that, as I said, if part of the decision was to make for them to go from that entrance up to Quarry Loop and widen that; and when you are doing that, that would be the appropriate time to try to do some improvements.

Mr. Abernathy: Simply--

Mayor: It just, you know, it's on out there, for the time in which to design and engineering of what would have to be done.

Mr. Abernathy: Um-hum. So, you know, there is a lot of jurisdictional issues between the County and their responsibility for the road and the City for their responsibility for the road and the developers for their portion. At this point, there is not a clear path to have a quality road in Quarry Road. The Lebanon City Land Use Plan specifies that we must have a quality road, access to a quality road, in that area, for RM6 zoning. We simply do not have a quality road. I would also ask the City Council to go on record today assuming the liability for the dangerous situation that will arise on this road if it does not follow, if it chooses not to follow its own Land Use Plan guidelines, or to heed to advise of the County Road Commission, and that of its citizens.

Councilor Burton: Sir, have you met with the developer on this project?

Mr. Abernathy: I have spoke to the developer on this phone, yes.

Councilor Burton: I'm talking about all of you people out here. Have they had a meeting with the developer?

Mr. Abernathy: All of the people have not had a meeting with the developer. And again, this kind of goes to the fact that all of this is moving much faster than what it should for the scope of the development that we are talking about. Many of the residents--- I was here at the last meeting last month, and I spoke in opposition to it--- I found out the day prior when the sign went up in front of the Quarry, okay. At that point, no residents on that road had any idea that this development was being planned.

Councilor Burton: Tom, a question for you. Why won't the Road Commission have any say so about the widening of this road?

Mr. Brashear: The Road Commission, in my understanding, in talking with Mr. Corder and Mr. Baines is that we would be given an opportunity as the Road Commission, as the Public Works authority over roads in the County to review the intersection of any proposed development with the County road system, as the case may be. Now the majority of this road frontage is not going to be in the City as currently proposed. It's going to be--with the exception of one small right-of-way crossing of railroad right-of-way that crosses over to the property--- the remainder of the frontage of the property, would remain in the County. So, I'm assuming that at the time of development the County would be given an opportunity to weigh in on how that occurs. What I outlined to you in my public comments was that they are recently adopted minimum policy, both in our County sub regulations and at the Road Commission is that you would be required to have a center turn lane, in all likelihood and a deceleration lane I think in the center turn lane going northbound and the deceleration lane going southbound, with some transition of the County road network back to widen it to that section--with most of that improvement occurring on the right-of-way side, that would be dedicated by the developer at the time of subdivision development. Above 50 lots in development, we also have a requirement for a traffic study to be undertaken. But, quite frankly, beyond what I just outlined, there is not a whole lot more that most developers can, or would be obligated to do without playing Attorney for a moment. One thing, I want to answer Mr. Bell's question, it is R1 zoned according to our zoning atlas. I'm sorry

for the confusion---without public sewer R1 typically affords a 40,000 square foot lot size. There is some provision for a 30,000 square foot lot size. But, in large part, if you are off or if you are not on public sewer in an R1 zone district, you are looking at, most of the time, a maximized 40,000 square foot lot pattern, rather than R2, which was mentioned to the public.

Councilor Bell: I have another question, since you are up there.

Mr. Brashear: Yes.

Councilor Bell: I know your position, and your job and stuff, and you probably can't answer this for somebody who is not here; but, obviously the County Road Commission has taken interest in the topic. Why haven't they gone down there and done something about the road before now?

Mr. Brashear: I can't answer that. I can tell you that I think they took umbrage with the idea that you were annexing and reaching the property, for not only reaching a property, but reaching a property and subsequently proposing significantly higher densities in a manner that didn't really address the road right-of-way that it is going to be served by, in large part.

Mayor: But, I must say that at the Planning Commission, when site plans are brought here, they meet all those -do all those things. Road studies would most definitely have to be done. I mean, that is what we do, here, in the City and just as you do.

Mr. Brashear: I would trust that you have a similar process that the County does; and I would trust that there would be some consideration of road improvements, be it by the City or the County at that time. Our question is, what happens outside of the limits of where we can legally require that?

Mayor: Thank you, Tom. Mr. Abernathy, I will let you finish on up and let you go on through and to Mr. Wrye and give him time.

Mr. Abernathy: That would be fantastic.

Mayor: Thank you.

Mr. Abernathy: So, again as Mr. Brashear said, it is all about what is outside the limits of what is able to be controlled with this subdivision. It will not provide access to quality roads, okay. The annexation and rezoning, if passed, would appear to all, to be an irresponsible attempt to grow the tax base for the City of Lebanon. It does not plan

for the amenities needed by the development residents; it is not in close proximity to area schools or parks; it does not provide a smooth transition from high density to low density and agricultural land; and, it certainly does not provide quality roads, that your own Land Use Study requests. This development is bad for the City; it is bad for the County; and it is bad for the citizens of the Quarry Road area. The County realizes that the proposed plan is poorly thought out; the Quarry Road Residents Alliance realizes that the plan is poorly thought out; and over 200 County residents realize that this plan is poorly thought out, many of them your constituents. At a very minimum, this plan should be returned to the Planning Commission for a second look and a more thorough evaluation before proceeding. We would strongly urge you to consider the welfare and long term impacts of the decision you are making today. We would ask that you join the large group of citizens gathered here today, along with the Wilson County Road Commission. We ask that you oppose this annexation and zoning. We ask that you walk with us on a path to responsible and well thought out development. Thank you.

3) Mike Wrye, Attorney for the proposed developers of the unaddressed property on Quarry Road, addressed the Mayor and Council on behalf of Mike Slarve and Nick Audino.

Mr. Wrye: Thank you, Mayor. Mike Wrye, Lose and Associates, representing Mike Slarve and Nick Audino. I will be brief, as I know we have been here for a while already; and I have no doubt that we will be here a while longer; as others will most probably wish to speak; but, there were a couple comments made that I felt compelled to respond to. First of all, with regard to Mike Slarve and Nick Audino, they have been residents of Wilson County and Lebanon a long time. I don't know that it was Mr. Abernathy's intent, but, to insinuate that their intentions are not as stated is simply false. They, of their own free will, have provided a comprehensive--I'm sorry a conceptual drawing that we have prepared for them that shows you exactly what they intend to do on the property. With regard to Quarry Road and it's status--if I may, and I'm going to ask my friend Jeff Baines to respond to this question--and we have had a brief conversation about it already. I believe you guys have taken a look at the width of Quarry Road. Is that not accurate?

Comm. Baines: We have.

Mr. Wrye: And is in not every bit as wide as say Castle Heights between, Leeville Pike and Highway 70?

Comm. Baines: It is, yes.

Mr. Wrye: Thank you. With regard to--you guys know me, I've been, I've worked for Lebanon for a long time. Born and raised here. Worked for this city for many years; and worked in the private sector and we have seen these things come in. I don't stand up here to belittle the residents concerns; I understand they are well founded. I will not change their minds. I simply want to point out that to insinuate that the intent is to, or that the end result of an annexation and zoning, is the flipping of a property and construction of low end, low income housing is simply inaccurate. And we are ignoring the fact that the property is zoned today. It could be developed today, with sewer. Sewer is reasonably close. It could be developed 150-160 lots. Tom, maybe you want to, maybe not; maybe you don't want to comment.

Mr. Brashear: I will comment.

Mr. Wrye: Oh, I'm sorry. 150-160 be reasonable? Wouldn't that be---

Mr. Brashear: ---- if you were on public sewer, you could go down to about a 25,000 square foot lot take down.

Mr. Wrye: 150-160 lots with mobile homes. Thank you.

4) Jenny Hibler, a resident of Quarry Road, stated, "I really appreciate everything everybody has said tonight. I live at 1059 Quarry Road. I just wanted to say that in the 13 years that I have lived there, there have been no less than probably 10 cars in my yard from going around a curve on Quarry Road. My mailbox has been knocked down numerous times; and I just don't think that Quarry Road, the way it is now---and I understand that you say it as wide as another road. But, daily we have to pull over for other cars to pass, and I think it would be wise for members of the Commission to spend some time on Quarry Road, either in the mornings or in the afternoons, and watch the traffic; because, it really is a lot more traffic than I think a lot of people realize. Thank you."

5) Corey Gerulis, of 110 Quarry Road, addressing the Council stated, "I have lived on Quarry Road for 22 years and it's been a small, country road the whole time I have been there. And I did a

driveway count. There's 110 residents on Quarry Road; and this new annexation would add another 400+ residents or units to Quarry Road; and right now that road can't handle it. So, we are definitely going to have to look at the annexation and see what it would do to our road; and if it does come down to that it passes on a site plan, then it is definitely going to have to be modified. Thank you."

6) Mark Barnett spoke regarding the proposed annexation, saying, "I hope I don't get booed. My name is Mark Barnett and I have lived in Lebanon since 1998. I was also incensed and I figured that Nick Audino would be brought up as to whether he is an upstanding person. I have dealt with him for years. I have a motor home. They maintain it. I'll tell you one thing about Nick Audino--if he says he will do something, he will do it. If you make the case that it has to be done, he will do it. He's, I think, number one, first class in everything he says. And some of these other objections, I don't know anything about that. But, I understand, as the Mayor said that that would be covered when the site plan was actually approved as whatever the plan was. I guarantee you that Nick is not a cheapskate. He has never lied to me. He has always been fair; and I just think he is a 100% great guy."

7) Teresa Agee stated, "Hello, my name is Teresa Agee. Thank ya'll for listening to me. I have lived on Quarry Road for 42 years. I was on Quarry Road when it was a gravel road. When they come through to pave the road they wanted 25 feet from the center on each side. This is how wide that road is--my daughter has wrecked on that road; and was in a coma; because, on the edge it just drops off. You have no area to pull over on some areas. This road is only about 50 feet wide, unless they have changed it and I haven't seen them change it since they paved it. I have had to put topsoil on my yard two times and possibly three, I can't remember. I need it again, because it floods so bad it has washed away all of my topsoil. Also, another thing that I am wondering about, does the City of Lebanon realize that when their police and fire departments go out of their jurisdiction, and an accident happens, what liability is that for the City? So, you know, that is something else you may want to consider--that, you know, going in and out of your jurisdiction with these vehicles, if any accident happens; because, these roads are narrow. I don't care what they say, they are narrow. I have lived on it 42 years. My husband's family lived their over 50. Thank ya'll. "

8) Jim Pirtle addressed the Council, "Thank you for allowing us to speak. My name is Jim Pirtle, I live at 385 Gwynn Place, which is a narrow lane that is approximately half way between Highway 70 and East Division on Quarry Road. I leave there every morning before daylight headed into Nashville to work, and the one thing that I see or what I have heard tonight is you could go in there tomorrow and start at Highway 70 and four lane it to the railroad tracks; but, the traffic is going to be like me. I come

out of Gwynn Place, turn right, I head through Beckwith to hit I-40. That's where everybody else goes. I drive a half ton four wheel drive truck. I stop in the mornings, and get off the road, to give the kids and the school buses room to get by. Between my road Gwynn and East Division, the road follows the old property lines. It goes--there are three 45° turns between there. The third one from my house--I have lived there, it was my parents place, they built in 1972--I lost them both in 2009; and I decided to buy the farm for one reason. Because they put Beckwith Road in for me to get around Mt. Juliet for me to get to the farm. I love it up there. I am Agriculture 1 (A1). I cut hay. We have gone through that road there, and talk about flooding, there have been times in the last three years that I have lived there, that there are people down where Hickory Ridge comes into it, that the water is so high, a small two door coup has stalled out right there in that curve, the water is so deep. So, you have got to take, again, that we are all passing each other. The only development on Hwy. 109 that turns out onto East Division, has made it awful. I call it the railroad bed. I go back a long way. I dread--I will go anyway, to go around the railroad bed, because we have that traffic there. But, you take the people that live there, the school buses in that type of development, there is going to be--all those people, maybe 75% of them are going to Nashville. They are not going to take the four lane road that the developer puts in back from the railroad track back Hwy 70. They are going through our Quarry Road. And I oppose it with all these other folks. Thank you."

8) Jeremy Manous, of 2647 Quarry Road, pointed out, "Another thing I have an issue with is blasting. These houses around here cannot take much more blasting. We are getting blasted from down around the Beckwith Interchange. We are getting blasted from the new tile plant. These houses cannot take a lot of blasting. So, in order to do this, it is going to require a lot of blasting. So, I would ask you tonight to oppose it with all of us and that's pretty much all I have, thank you."

9) Matthew Wyrick, of 3371 Beckwith Road, "I am in opposition to it, not because it went through Quarry Road--that's already been brought up, that's been beat to death, we know it's too narrow. My opposition is with the intersection of Beckwith Road and Quarry Road and East Division. Have any of you driven out there? It is a nightmare intersection, it's unsafe. You have got blind entrances that you are having to look over your shoulder and the way it is right now, with the traffic that's there---it is taxed beyond it's limit. To add anymore cars there, large trucks, construction vehicles--it just would make it even more unsafe. Thank you.

- 2) Annexing unaddressed property on Quarry Road, also identified as Tax Map 55, Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01, containing 120 acres in the records of the Wilson County Assessor of Property, to be added to Ward 6, by Paul Corder, Planning Director. (Request by Mike Slarve and Nick Audino) (Reference Resolution No. 16-1916)
(See item 1 of Public Hearing)

- 3) Requesting a zoning approval of 120 acres on unaddressed property on Quarry Road (Tax Map 55, Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01) to RM6 in Ward 6, by Paul Corder, Planning Director. (Request by Mike Slarve and Nick Audino) (Reference Ordinance No. 16-5150)
(See item 1 of Public Hearing)

- 4) Changing 813 North Cumberland Street from RD9 (Medium Density Residential) to CG (Commercial General) in Ward 1 (1.38 acres; Tax Map 58L, Group J, part of Parcel 30), by Paul Corder, Planning Director. (Reference Ordinance No. 16-5151)
No citizens chose to address the Mayor or City Council on this issue.

- 5) To abandon the City of Lebanon's Interest in a portion of Old Maddox Simpson Parkway between Maddox Simpson Parkway and the Nashville & Eastern Railroad Right-of-Way in Ward 3, by Paul Corder, Planning Director. (Request by General Manager Robert C. Streeter, Georgia-Pacific Corrugated, LLC) (Reference Ordinance No. 16-5152)
No citizens chose to address the Mayor or City Council on this issue.

- 6) To amend Title 14, Section 14.502, (A) RR - Rural Residential Agricultural District, (B) RS20 – Low Density Residential District, (C) RS12 – Medium Density Residential District, (D) RD9 – Medium Density Residential District, (E) RS6 – High Density Residential District, (G) R2 – High Density Residential, and Table 5.1, and Title 14, Section 14.1004, RP2 District – Medium Density Residential/Professional Office, and Table 10.1, to allow a maximum height of three (3) stories, by Paul Corder, Planning Director. (Reference Ordinance No. 16-5153)
No citizens chose to address the Mayor or City Council on this issue.
The Public Hearing was adjourned at 6:45.

Mayor Craighead called the Regular Called City Council Meeting to order at 6:46 p.m.

Invocation was given by T.O. Cragwall Chairman of the Airport Commission.

Engineering Director of Capital Projects Randy Laine led the Pledge of Allegiance to the United States Flag.

Council members present: Lanny Jewell, Fred Burton, Rob Cesternino, Bernie Ash, Tick Bryan and Rick Bell. Also present were Robert D. Springer, Commissioner of Finance and Revenue; Andy Wright, City Attorney; and Council Secretary, Jaci Diebner.

Approval of Minutes:

Motion was made by Councilor Tick Bryan, seconded by Councilor Fred Burton, to approve the minutes of the March 1, 2016, Regular Called City Council Meeting. Motion carried unanimously. Minutes were approved.

Lebanon Airport Commission receives Best Governing Body of the Year Award:

T.O. Cragwall, Chairman of the Airport Commission, announced this past week that the Tennessee Airports Conference was held by the Tennessee Aeronautics Association in Murfreesboro, Tennessee. There was a great group from Lebanon, including the Mayor and Councilor Fred Burton, Commissioner Jeff Baines and Director Randy Lane. At the luncheon meeting, as has been the custom over the years, airports are recognized with awards. The one the Lebanon Airport received is special, in that it recognizes the body that is responsible for the success of our Lebanon Airport. The Lebanon Airport Commission was presented with an award for Best Governing Body on behalf of the City of Lebanon. He took the opportunity to tell the Council he is proud, please and honored to present this award to the Council; because they are the ones that make our airport successful.

Mayor Craighead stated the commitment of the City Council to the Lebanon Airport and what that will do for Lebanon, Wilson County as a whole is very important. The new terminal that we are in the process of building has been noticed by other municipal airports, whose 90/10 grant monies have spent. However, the Lebanon City Council recognized that the need for a new terminal was in the best interest of the City, but also for the Aeronautics Board and Wilson County. The Mayor thanked and congratulated the Council for their support of the airport.

Communication from Citizens:

No citizens chose to address the Mayor or City Council at this time.

Communication from Mayor:

Mayor Philip Craighead announced the annual Easter Egg Hunt, sponsored by the City of Lebanon Gas Department for the last several decades, will be held on March 26, 2016. The event, as usual, is held at the Fairgrounds. The Mayor hopes that everyone will be able to come join in the fun.

Reports from Mayor Pro Tem / Committees / Aldermen / Officers:

1) Councilor Jewell apologized for coughing as he has been a little under the weather. He asked that Commissioner of Public Works Jeff Baines announce the information regarding the Annual Spring Clean-Up, in order that citizens can be prepared to take advantage of the service offered by the City.

Commissioner Baines relayed that the Clean Up will begin Monday, April 4; however, citizens need to have their items out to the road by April 3, in order that they will not be missed by the early morning crews. The clean up will last for two weeks, so the next scheduled date will begin April 10. The trucks only run two routes so have it out no later than April 10 to get your pick up on the second week. This will guarantee pick by the second week.

Councilor Jewell, referencing the many police vehicles at area schools this morning, in response to school lockdowns, wanted to thank the Police Department for the light show this morning. He appreciates the Police for their hard work and showing up in force. The Mayor advised the person responsible was captured.

2) Councilor Fred Burton requested that Public Works begin their mosquito spraying early this year, due to the Zika virus and the fact that weather conditions have made it possible for the mosquitoes to be extremely bad this year. Commissioner Baines stated they can possibly move up the date. The Mayor agreed if the weather stays as it has been we are going to need to start spraying.

3) Councilor Tick Bryan thanked everyone for coming to the Council Meeting tonight to voice their opinions. He noted normally the crowd is not this big at a Council Meeting; however, he made sure to point out that citizens are welcome to come to the meeting every first and third Tuesday of the month, adding it is usually very exciting here.

Councilor Bryan is aware of Quarry Road's narrow path; and, it has been that way since it was paved the first time when it was a gravel road. Councilor Bryan added, "But, I would be wondering if it were me living out there, what is holding up the Road Commission from fixing the road. It needs widening. It needs some attention. Why in 40 years has nothing been done to that road? We had people talk about accidents, and one lady said her daughter was in a coma. There's obviously some low spots and there are some bad curves. What are they waiting on? That's what I would like to know. If I were all of you, I would show up at the next Road Commission Meeting and ask them. I've never heard so many complaints about a road that nothing has been done. And I have been down that road several times. I used to run a route for Prospect, Inc. and I have hit a few possums on that road. I have a friend that lives on that road and I wondered back then, you know, why they allow this. I know they have a lot of roads in the County they have got to take care of; but, if there was a survey ever done on that road, that has to be high on the priority list. At least, I sure would see to it that it was. That's all I got."

Councilor Burton: I have got one question to the Chairman of the Planning Commission.

David Taylor: David Taylor, Chairman of the Lebanon Planning Commission.

Councilor Burton: My question was, were these issues brought up when it was at the Planning Commission level, prior to being sent to us?

David Taylor : We didn't have a large crowd to and come talk to us about it at the Planning Commission. We had the developers and we had some people. There were some questions asked by the Planning Commission, as to what the situation---we did not get into the County Road portion of that at all. What we were concerned with was the access and with the developers came in with the new road. That was the access that we were concerned about, that they work with the City, or the County and the City, to get that done. "

Mayor Craighead: To be safe.

Councilor Burton: What about the other issues they have been talking about?

David Taylor: Most of the issues they have been talking about, were the road. As far as the development, we didn't get into anything as far as the development, because we don't do that until we do the site plans. And it is our responsibility as the Planning Commission, at that point, to look to see if it would be a good project as presented by the developers to forward that to the City Council; wherein, then that those things would be brought. We do make a comment at the end that if anybody has

any questions, or comments they would like to make, be sure to attend the subsequent City Council Meetings.

Mayor: And they did.

David Taylor: And they have.

Councilor Cesternino: David, I have another question for you.

David Taylor: Sure.

Councilor Cesternino: And as the Planning Commission, when we get to the site plan, we historically are very stringent. For a perfect example: when we recently approved it on Fairview, we did require some work to be done to the streets in conjunction with that. Did we not?

David Taylor: We also will look at that, and I can't tell you how many times we have requested the traffic counts, site distances, and those things. We also are concerned about what the zoning will do to the property with the type of facilities can go in.

Mayor: Thank you David.

David Taylor: Sure.

Comm. Baines: Mayor, if I could, add some clarity to that question, just from a staff perspective from an insurance standpoint. Staff have looked at that project and Mike sitting here tonight very well knows this. Staff has already identified that the road is an issue with that project. Most folks know that. They expect to have to do a traffic study. It is unique here because it is a County road, that it what is unique here; but we made it very well aware to you folks out there, that the road is an issue. How they respond to the study, that is something to be looked at and evaluated by, in this case, the Road Commission will evaluate that. Understand, we have identified that way back, early in the game, that road is a concern. So, your point that the road is a concern, is not something that hasn't brought up already on the front end, for what that is worth to you.

Councilor Ash: Is this the proper time to make a motion?

Mayor: No.

Councilor Ash: I'll wait. I've got time.

Consent Agenda:

The Mayor read the items for the Consent Agenda, asking if there was any discussion on each item. There was none.

Motion was made by Councilor Fred Burton, seconded by Councilor Rick Bell, to accept the consent agenda. Motion carried unanimously. Consent Agenda was accepted and all Ordinances under the Consent Agenda were read and passed on second/final reading.

Ordinance No. 16-5160, second reading, to establish Pay Rate for Part-Time and Seasonal Employees (2015-2016 Fiscal Year Budget), by Mayor Philip Craighead, Councilor Fred Burton, and Councilor Rob Cesternino.

PASSED SECOND/FINAL READING

Ordinance No. 16-5162, second reading, to authorize a budget amendment for the Gas Department (to replace 10 year old iPads; 2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before the Fact*)

PASSED SECOND/FINAL READING

Ordinance No. 16-5163, second reading, to approve the lease, renewal lease, and rental rates for Row A and Row B T-Hangars at the Lebanon Municipal Airport (2015-2016 and 2016-2017 Fiscal Year Budgets), by TO Cragwall, Airport Commission Chairman, and Jeff Baines, Commissioner of Public Works.

PASSED SECOND/FINAL READING

Ordinance No. 16-5164, second reading, to appropriate funds for the expansion of the Water/Sewer Building on Carver Lane to be leased by the Police Department (2015-2016 Fiscal Year Budget), by Mayor Philip Craighead. (*Line Item Transfer – Before the Fact*)

PASSED SECOND/FINAL READING

Old Business:

Resolution No. 16-1915, adopting a Plan of Services for the annexation of unaddressed property on Quarry Road (Tax Map 55; Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01) to be added to Ward 6 (120 acres), by Paul Corder, Planning Director. (Request by Mike Slarve and Nick Audino) (Passed 1st Reading – 2/16/16)

Councilor Ash: I make a motion that, first of all, with the County's involvement that we heard tonight, and the testimony I've heard tonight, I think we are moving a little bit fast. My motion is to move items 1, 2, and 3 be returned to the Planning Commission for further study.

Motion was made by Councilor Ash, seconded by Councilor Burton, to defer said Resolution No. 16-1915 and the subsequent Resolution Ordinance No. 16-1916 and subsequent Ordinance No. 16-1950, which are all addressing the unaddressed property on Quarry Road, be returned to the Planning Commission for further study.

Mayor Craighead: Okay, I have a--

Councilor Cesternino: Discussion?

Mayor Craighead: Wait. This is--all right, you are trying to lump up all three together here?

Councilor Ash: Yes.

Mayor Craighead: So, that would be Resolution No. 16-1915, Resolution No. 15-1916, and Ordinance No. 16-5150, we have a first and second to move it to the Planning Commission for consideration. But, that is just on the zoning. I mean, they haven't turned in a site plan. I have a first and second, discussion now.

Councilor Cesternino: A couple of comments that I would like to make. First of all, it has cleared the Planning Commission. The Planning Commission has recommended that they send it to this body. Secondly, the elected officials from the County that you are referring to---could you please name those individuals, for the record. Who sent you hear?

Mr. Brashear: Yes, sir. The Road Commission consists of Jeff Joines, Kenny Reich, Mayor Hutto, and two more.

Comm. Baines: Scruggs.

Mr. Brashear: Terry Scruggs,

Comm. Baines: Becky.

Mr. Brashear: --and Becky Siever. And Jim Emberton, asked me as well. He is the County Commissioner that represents the district.

Councilor Cesternino: Okay, and I will note for the record, I did receive some e-mails from a lot of the constituents. I did not receive a single e-mail for phone call from these County's elected officials, to discuss this. Not one. And not one of them has come up to this podium to speak about an issue--that you have a road that has some problems, in the County. This is a legal annexation. It was sent to us by our Planning Commission. Once it's approved, then we will do what we always do, which is we will send it back to our Planning Commission to get a site plan that is right, a site plan that is fair; and we will not approve it when there are safety issues. We didn't approve it in Fairview until they addressed those issues. And I have the utmost confidence in this City to do the right thing, as we try to do every time we step up to this plate. And I find it disheartening that we would have a Planning Commission thing that is sent to us and then the minute that we get some push back, to send it back to Planning. Because, we have a site plan process that they will have to go through. That's all I have.

Mayor Craighead: Okay, any other discussion?

Councilor Jewell: Just real quick. I guess Andy, just a little bit of guidance, because, I mean, this is kind of new, I guess, to me. As far as sending it back like this. So, I'm asking for your guidance opinion, like I usually do.

Attorney Wright: If it is what this body wants, it's fine.

Councilor Ash: Yeah, I think we have heard--I've heard stuff, different things tonight that I think makes me want to slow down and just take another look at it. That's all I'm asking.

Mayor Craighead called for a roll call vote on the deferral.

Councilors voted as follows:

Jewell: yes

Burton yes

Cesternino: no

Ash: yes

Bryan: no

Bell: no

Mayor: no

With a tie vote of three yes and three yes, the Mayor broke the tie by voting no. Motion to defer failed for lack of majority.

Motion was made by Councilor Cesternino, seconded by Councilor Bell, to pass said Resolution.

Mayor Craighead called for a roll call vote on the Main Motion.

Councilors voted as follows on the Main Motion:

Jewell:	pass,	no
Burton		no
Cesternino:	yes	
Ash:		no
Bryan:	yes	
Bell:	yes	
Mayor:	yes	

With a tie vote of three yes and three no, the Mayor broke the tie by voting yes. Motion carried by majority vote. Resolution was read and passed.

Resolution No. 16-1916, annexing unaddressed property on Quarry Road, also identified as Tax Map 55, Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01, containing 120 acres in the records of the Wilson County Assessor of Property, to be added to Ward 6, by Paul Corder, Planning Director. (Request by Mike Slarve and Nick Audino) (Passed 1st Reading – 2/16/16)

Motion was made by Councilor Bell, seconded by Councilor Cesternino, to pass said Resolution.

Mayor Craighead called for a roll call vote.

Councilors voted as follows:

Jewell:	pass,	no
Burton		no
Cesternino:	yes	
Ash:		no
Bryan:	yes	
Bell:	yes	
Mayor:	yes	

With a tie vote of three yes and three no, the Mayor broke the tie by voting yes. Motion carried by majority vote. Resolution was read and passed.

Ordinance No. 16-5150, second reading, requesting a zoning approval of 120 acres on unaddressed property on Quarry Road (Tax Map 55, Parcels 60.05, 60.06, 60.07, 60.08, 60.09 and 67.01) to RM6 in Ward 6, by Paul Corder, Planning Director. (Request by Mike Slarve and Nick Audino)

Motion was made by Councilor Bryan, seconded by Councilor Bell, to pass said Ordinance on second/final reading.

Mayor Craighead called for a roll call vote.

Councilors voted as follows:

Jewell:	no
Burton	no
Cesternino:	yes
Ash:	no
Bryan:	yes
Bell:	yes
Mayor:	yes

With a tie vote of three yes and two no, the Mayor broke the tie by voting yes. Motion carried by majority vote. Ordinance was read and passed on second/final reading.

Motion was made by Councilor Bell, seconded by Councilor Cesternino to suspend the rules for discussion. Motion carried unanimously. Rules were suspended.

Mayor Craighead: (address Mr. Wrye) Mike, the one thing I must say, though, before site plans come, I would very much advise a public meeting or something, just to make sure that everyone know what we are looking at and try to get all the concerns so that when it comes through that we can assure everyone that this will be a quality development and be a value to them.

Mr. Wrye: Yes, sir. I think can speak for my clients, if you will nod? They are more than happy to do that. In point of fact, my clients have offered to meet with the residents; and the residents actually requested that they provide the materials; but, that they not be there is person. At least on one occasion. So, we have not yet arrived at a convenient date for all; but, that is not a problem. Thank you.

Mayor Craighead: I think that there is still plenty of time before a site plan comes. A lot of issues are going to have to be addressed for the City, as well as, for the residents. But, I think before we come to the Planning Commission, I would very much advise that you do have that meeting or two up front.

Mr. Wrye: Yes, sir.

Councilor Jewell requested the Council be informed of the happenings between the City and County regarding this issue. He would like to be kept in the loop on new developments; because this is a new issue.

The Mayor replied, "It is, like we say, when we go to a planning meeting, the entrances and the roads, and the three lanes--just like what Tom mentioned of having the turning lanes and everything. Those kind of things will have to be addressed. But, if it goes beyond that, that is something, too, that--well, the County is going to be involved in that at the early stage on this, also. But how far out they go and what other improvements, that will be things to be more after they do the road study. And that way let them have the meetings and do a lot of ironing out of a lot of the issues, before it gets back to the Planning Commission."

Councilor Ash suggested that when the site plan does come back through the Planning Commission, that that meeting be scheduled at a time that is more feasible for the citizens to come. The Mayor pointed out that the Planning Commission Meeting is a 5:00 p.m. The preliminary meeting is at 10:00 a.m.

Ordinance No. 16-5151, second reading, changing 813 North Cumberland Street from RD9 (Medium Density Residential) to CG (Commercial General) in Ward 1 (1.38 acres; Tax Map 58L, Group J, part of Parcel 30), by Paul Corder, Planning Director.

Motion was made by Councilor Burton, seconded by Councilor Jewell, to pass said Ordinance on second/final reading. Motion carried unanimously. Ordinance was read and passed on second/final reading.

Ordinance No. 16-5152, second reading, to abandon the City of Lebanon's Interest in a portion of Old Maddox Simpson Parkway between Maddox Simpson Parkway and the Nashville & Eastern Railroad Right-of-Way in Ward 3, by Paul Corder, Planning Director. (Request by General Manager Robert C. Streeter, Georgia-Pacific Corrugated, LLC)

Motion was made by Councilor Cesternino, seconded by Councilor Bell, to pass said Ordinance on second/final reading. Motion carried unanimously. Ordinance was read and passed on second/final reading.

Ordinance No. 16-5153, second reading, to amend Title 14, Section 14.502, (A) RR - Rural Residential Agricultural District, (B) RS20 – Low Density Residential District, (C) RS12 – Medium Density Residential District, (D) RD9 – Medium Density Residential District, (E) RS6 – High Density Residential District, (G) R2 – High Density Residential, and Table 5.1, and Title 14, Section 14.1004, RP2 District – Medium Density Residential/Professional Office, and Table 10.1, to allow a maximum height of three (3) stories, by Paul Corder, Planning Director.

Motion was made by Councilor Jewell, seconded by Councilor Burton, to pass said Ordinance on second/final reading.

Councilor Burton brought forth discussion regarding five story buildings not being allowed in this zoning. Planning Director Paul Corder explained that is only in this zone. There are some districts that allow for five stories. Other zones will allow more stories and one will allow 7 stories. This ordinance only pertains to those districts zoned for 3 stories. We wanted to clarify some issues we had with some architects that said they would have to do flat tops on every building, if we left the footage--so we are just doing stories.

Councilor Burton asked if a company came in and wanted to build a 5 story building, does this mean they couldn't do it? Mr. Corder replied, in certain zones, they can.

Councilor Jewell noted what brought this about, was that some of the buildings contained decorative type roofing and steeper pitches; therefore, a footage amount may not allow enough room versus a story which could contain more footage.

Motion carried unanimously. Ordinance was read and passed on second/final reading.

New Business:

Resolution No. 16-1920, to name the new Fire Hall in honor of Arah Preston and Joe Hayes, by Councilor Bernie Ash.

Motion was made by Councilor Ash, seconded by Councilor Cesternino, to amend said Resolution to add the name of Arah Preston along with her husband Henry Preston to Fire Hall #3 and to add the name of Joe Hayes to the new Fire Hall when it is built.

Councilor Cesternino offered an amendment to include the name of Mayor Bobby Jewell on the new Fire Hall. After discussion among the Mayor and Councilors it was noted that former Mayor Bobby Jewell's major passion was with parks and recreation; therefore, perhaps in the future we could name a park for Mayor Jewell. Councilors agreed. Councilor Cesternino joked that this would mean "the Mayor is on the record that we are building another park."

Motion to amend carried unanimously. Resolution was amended to reflect the addition of the name of Arah Preston along with her husband Henry Preston to Fire Hall #3 and to add the name of Joe Hayes to the new Fire Hall when it is built.

Motion was made by Councilor Ash, seconded by Councilor Bell, to pass said Resolution as amended. Main motion carried unanimously. Resolution was read and passed as amended.

Ordinance No. 16-5165, first reading, to authorize RPM Transportation Consultants, LLC to prepare a Signal Timing Optimization Study for the Highway 109 Corridor from Interstate 40 to Hickory Ridge Road (funds available in 2015-2016 Fiscal Year Budget), by Randy Laine, Engineering Director of Capital Projects.

Motion was made by Councilor Burton, seconded by Councilor Bryan, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Resolution No. 16-1921, to authorize and approve a proposal with the Tennessee Department of Transportation for the extension of the box culvert at the intersection of Sparta Pike and Brisikin Lane, State Project No. 95008-4207-04 (funding is 100% State of Tennessee), by Randy Laine, Engineering Director of Capital Projects.

Motion was made by Councilor Burton, seconded by Councilor Cesternino, to pass said Resolution. Motion carried unanimously. Resolution was read and passed.

Ordinance No. 16-5166, first reading, to approve and adopt the Lebanon Fire Department Fee Schedule (2015-2016 Fiscal Year Budget), by Chris Dowell, Fire Chief, and Robert Springer, Commissioner of Finance and Revenue.

Motion was made by Councilor Cesternino, seconded by Councilor Burton, to pass said Ordinance on first reading.

Councilor Jewell called for discussion, requesting Fire Chief Chris Dowell to explain the fee schedule to citizens. It is his understanding that these fees are lower than what surrounding cities are. Fire Chief Dowell agreed, they made comparisons with neighboring cities such as Hendersonville and Mt. Juliet, and there is still room to go up. Councilor Jewell has a special place in his heart for the "mom and pop" operations and wants to make sure this fee schedule will not affect any citizen, families or mom and pop stores. Chief Dowell said these fees strictly address the big contractors coming in and building big stuff.

Commissioner Springer stated, "It is fees also based on size. In other words square footage, the number of alarm panels and the number of alarms, etc. Mom and Pop operations are going to have minimal on any of that. Lanny, what I would say about this --and one of the reasons that I supported it so strongly--is the City of Lebanon is giving away what everybody else has a fee to recover some of its cost in doing. Not only just one time; but, annually. And if you are giving it away--somebody is having to pay for it. So, what it means is that you have got residents, just your normal mom and pop people living in the City of Lebanon, that are subsidizing a huge complex sitting off somewhere on the outskirts of town. And I don't think that's fair. So, this is not trying to make money; this will just be recovering a fraction of what the City spends every year. So, we are trying to look after where mom and pop live in the City."

Motion carried unanimously. Ordinance was read and passed on first reading.

Ordinance No. 16-5167, first reading, to authorize the hiring of two additional patrol officers for the Lebanon Police Department (2015-2016 Fiscal Year Budget), by Mike Justice, Interim Police Chief, and Sylvia Reichle, Human Resources Director.

Motion was made by Councilor Burton, seconded by Councilor Cesternino, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Resolution No. 16-1922, initial resolution authorizing the incurrence of indebtedness by the City of Lebanon, Tennessee, of not to exceed \$5,000,000, by the execution with the Public Building Authority of the City of Clarksville, Tennessee, of a loan agreement to provide funding for a public works project and to fund the incidental and necessary expenses related thereto (Legends Drive Project Expansion; 2015-2016 Fiscal Year Budget), by Mayor Philip Craighead.

Motion was made by Councilor Burton, seconded by Councilor Cesternino, to pass said Resolution.

Councilor Jewell asked when the bids will come in on that. Commissioner Springer explained they will be in on Thursday. He also noted that we are going to be under an extremely tight timeframe within the 60 day window that the bid is going to be good. So, if it is determined that it is accepted, we are going to be pushing it to get the loan work done. This is simply getting it set up so that we can go ahead and start the paperwork processing; however, it does not obligate the City of follow through. If the Council rejects the bids, we do not borrow the money. If you turn it down, we have not borrowed the money.

Councilor Ash asked what the City of Clarksville has to do with this. City Attorney Andy Wright replied it has to go through the Tennessee Municipal League bonding process, and this is based on the a pool of cities and Clarksville was the first model.

Motion carried unanimously. Resolution was read and passed.

Resolution No. 16-1923, authorizing a loan pursuant to a loan agreement between the City of Lebanon, Tennessee, and the Public Building Authority of the City of Clarksville, Tennessee, in the principal amount of not to exceed \$5,000,000; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such Public Building Authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; consenting to the assignment of the City's obligation under such loan agreement; and certain other matters (to fund the Legends Drive Expansion), by Mayor Philip Craighead.

Motion was made by Councilor Burton, seconded by Councilor Cesternino, to pass said Resolution. Motion carried unanimously. Resolution was read and passed.

Ordinance No. 16-5168, first reading, changing unaddressed property on Leeville Pike from RR (Rural Residential Agricultural) to RS12 (Medium Density Single Family Residential 12,000) in Ward 4 (34.35 acres; Tax Map 79, Parcels 51.06 and 51.07), by Paul Corder, Planning Director. (Request by Steve Gruver)

Motion was made by Councilor Ash, seconded by Councilor Cesternino, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Ordinance No. 16-5169, first reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing the area of Stumpy Lane, Walnut Grove Road and Murfreesboro Road from CO (Commercial/Office) and RMU (Residential Mixed Use) to CO (Commercial/Office) and LDR (Low Density Residential), by Paul Corder, Planning Director.

Motion was made by Councilor Bryan, seconded by Councilor Cesternino, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Ordinance No. 16-5170, first reading, changing 1235, 1249, 1253, and 1295 Murfreesboro Road and unaddressed property on Murfreesboro Road from RR (Rural Residential Agricultural) to CS (Commercial Service) in Ward 3 (17.43 acres; Tax Map 92, Parcels 16, 18, 19, 20.01 and 53.03), by Paul Corder, Planning Director. (Request by Melvin Sloan, Nancy Comer and Charles Dornan)

Motion was made by Councilor Cesternino, seconded by Councilor Bryan, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Ordinance No. 16-5172, first reading, to amend Title 14 by adding Section 14.804 (J) to create Conservation Development Design Guidelines, by Paul Corder, Planning Director.

Motion was made by Councilor Cesternino, seconded by Councilor Bell, to pass said Ordinance on first reading.

Councilor Jewell questioned when this goes through, will this be setting it up to be a Planning Commission decision? Planning Director Paul Corder agreed and stated once the final reading goes through, then the Planning Commission will most likely look at man of the subdivision regulations. Once that is done, it will be treated similar to a variance, and will to have to show some hardship. We will be looking at some of the things the City wants. We will be looking at flood plains to be left alone, steep slopes to be left alone, public spaces to be added. But, it will stay at the Planning Commission level.

Councilor Jewell's concern is the existing subdivisions and will the Planning Commission be able to address this. In other words, stated Council Jewell, will this give them the leeway to exercise trying to protect that subdivision or will their hands be tied? Mr. Corder stated that would exist within the subdivision's regulations and it has not been approved yet. So, nothing has been done; however, they still could do something. Mr. Corder anticipates that some kind of buffer between subdivisions will be required for the lower density. Councilor Jewell would like to see the Planning Commission given the authority to protect the subdivision, rather than being strapped down.

This was formerly referred to as cluster development; however, it was changed by request advised Mr. Corder.

Motion carried unanimously. Ordinance was read and passed on first reading.

Resolution No. 16-1924, adopting a Plan of Services for the annexation of 418 Stumpy Lane and unaddressed property on Murfreesboro Road/U.S. 231 (Tax Map 92, Parcels 53.04 and 53.05; 24.17 acres) to be added to Ward 3, by Paul Corder, Planning Director. (Request by Jimmy Comer, Hendrick Contracting and Charles Dornan)

Motion was made by Councilor Cesternino, seconded by Councilor Bryan, to pass said Resolution. Motion carried unanimously. Resolution was read and passed.

Resolution No. 16-1925, annexing unaddressed property at 418 Stumpy Lane and unaddressed property on Murfreesboro Road/U.S. 231, also identified as Tax Map 92, Parcels 53.04 and 53.05, containing 24.17 acres in the records of the Wilson County Assessor of Property to be added to Ward 3, by Paul Corder, Planning Director. (Request by Jimmy Comer, Hendrick Contracting and Charles Dornan)

Motion was made by Councilor Cesternino, seconded by Councilor Bell, to pass said Resolution. Motion carried unanimously. Resolution was read and passed.

Ordinance No. 16-5171, first reading, requesting a zoning approval of 24.17 acres on 418 Stumpy Lane and unaddressed property on Murfreesboro Road/U.S. 231 (Tax Map 92, Parcels 53.04 and 53.05) to CS (Commercial Service) and RR (Rural Residential Agricultural) in Ward 3, by Paul Corder, Planning Director. (Request by Jimmy Comer and Hendrick Contracting)

Motion was made by Councilor Cesternino, seconded by Councilor Bryan, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Resolution No. 16-1926, in support of the GHSO Alcohol Countermeasures Grant Application, by Mike Justice, Interim Police Chief.

Motion was made by Councilor Burton, seconded by Councilor Bryan, to pass said Resolution. Motion carried unanimously. Resolution was read and passed.

Ordinance No. 16-5173, to authorize budget amendments for the Police Department, by Mike Justice, Interim Police Chief.

Motion was made by Councilor Cesternino, seconded by Councilor Burton, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

The Regular City Council Meeting of March 15, 2016, adjourned at 7:18 p.m.

Attest:

Approved:

Robert D. Springer
Commissioner of Finance & Revenue

Philip Craighead
Mayor

Secretary:

Jaci Diebner

ORDINANCE NO. 16-5173

DROP IN

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE BUDGET AMENDMENTS FOR THE POLICE DEPARTMENT

WHEREAS, the Lebanon City Council approved and adopted the 2015 – 2016 fiscal year budget on June 2, 2015 by Ord. No. 15-4924; and

WHEREAS, budget amendments are necessary for the Police Department to cover the cost of moving the mobile storage system to the new building; and

WHEREAS, the appropriate budget amendments are incorporated on the attached table by reference as if stated verbatim herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the FY 2015 – 2016 City of Lebanon budget in the following manner to disassemble and move the existing spacesaver mechanical assist mobile storage system to the new building for the Police Department:

Department: Police			
From:	11042100-73310	Gas	\$27,000.00
To:	11042100-72900	Contractual Services	\$10,000.00
	11042100-73200	Operating Supplies	\$17,000.00

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.

BUDGET AMENDMENT FORM

FY 2015-2016

FINANCE DEPT

2016 MAR -4 AM 10: 51

FOR ACCOUNTING PURPOSES ONLY	
BGT #	_____
POSTED	_____
REF #	_____
INITIALS	_____

DEPARTMENT Police

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042100-73310	gas	\$ 27,000.00	
Total		\$ 27,000.00	

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
110-42100-72900	Contractual Services		\$ 10,000.00
110-42100-73200	Operating Supplies		\$ 17,000.00
Total			\$ 27,000.00

REQUESTED BY William Glover

DATE 3/3/2016

DEPARTMENT HEAD 

DATE 3-3-16

COMM. OF FINANCE 

DATE 3-7-16

MAYOR _____

DATE _____

REASON FOR THIS TRANSFER:

To pay for the disassembly and move of existing spacesaver mechanical assist mobile storage system in evidence room to new building, reassembly with all existing materials and new spacesaver B rails

REVISED 10-8-2013

Paul Corder

From: Philip Craighead
Sent: Monday, March 7, 2016 7:59 PM
To: Paul Corder; mwrye@loseassoc.com; Debbie Jessen; Rick Bell
Subject: Fwd: Quarry Road Development

Thought I would pass this along.

Sent from my iPad

Begin forwarded message:

From: Tracy Fialkowski <tmkowski@yahoo.com>
Date: March 7, 2016 at 4:45:32 PM CST
To: "philip.craighead@lebanontn.org" <philip.craighead@lebanontn.org>
Subject: Quarry Road Development
Reply-To: Tracy Fialkowski <tmkowski@yahoo.com>

Dear Mayor Craighead,

My name is Tracy Fialkowski. My husband, Richard and I have lived at 400 Quarry Road for 20 years. We love this area and had planned to live out the rest of our lives on this property.

It recently came to my attention that the owner of the rock quarry has requested that the City of Lebanon annex his 100+ acres into the City of Lebanon. He says his intent is to build 400+ houses on the property. If you are familiar with Quarry Road, I am sure you realize that there is no way that our narrow road can handle traffic for 800 or more vehicles, in addition to the traffic that currently uses this road.

I feel I would have to sell my property and home if this project is allowed to be built and am afraid that I could not find anything comparable to what I have now.

I plan to attend the meeting on March 15 and respectfully ask that you please not approve the annexation and RM6 zoning for the Quarry Road property.

Sincerely,

Tracy Fialkowski
400 Quarry Road
Mt. Juliet, TN 3722

Paul Corder

From: Steve DePass <sdepass@comcast.net>
Sent: Thursday, March 10, 2016 7:28 PM
To: Rick Bell; Tick Bryan; Bernie Ash; Rob Cesternino; Fred Burton; Lanny Jewell
Cc: Philip Craighead; glasgowscot1@att.net; Randall Hutto; Paul Corder; Richard Donovan; info@wilsoncountyroads.com; Tom Brashear
Subject: Quarry Road Annexation Comments, pictures of road

Hello,

I live at 448 Quarry Road, about 50 feet from the proposed City of Lebanon annexation of the Rock Quarry property, which Nick Audino is trying to develop as a stated 400 unit High Density zoned subdivision.

I, and a group of people known as Quarry Road Residents Alliance, are asking the City Council to reconsider, delay, and possibly vote against this proposed annexation, that the City of Lebanon Planning Commission has approved, and sent to City Council for approval. The Second Reading and Final Reading is set for March 15 2016.

If approved, the plat would be zoned as RM 6, the Highest Density zoning, and would allow up to 600 units to be built on this rock quarry property, which we estimate could add about 1,000 cars a day to use Quarry Road. We currently have about 110 houses on the ENTIRE length of Quarry Road, a County road about 3 miles long, with no sewers, several areas that have no shoulders, and in fact, have a drop off of over 2 feet. The proposed addition of 2 feet to the width of the road by developer would not address flooding at all, and may in fact worsen it. Not would two feet of asphalt added help the drop offs located on this road. Personal note: I usually come to a stop, and if able, pull off the road to allow school buses to pass safely. The attached pictures show two recent rainy days, one of which is typical, the other is a heavy rain.

It seems this Wilson County road is not quite designed, or built to handle this type or amount, of traffic; as the drainage, width, shoulders, and design are all substantially below what the City usually considers adequate for a project of this type. It certainly does not meet the requirements of annexation for RM 6 which requires access to a High Quality Road.

Also, some have raised the issue of liability for City police and fire having to travel down this County road to access a City annexed "island" property, since the property does not physically join any current City property. (The annexation is being accomplished by drawing a line down the railroad tracks right of way, to encompass this island of land surrounding an abandoned rock quarry. Not being an attorney or well-versed in this issue, I simply defer to the experts as to whether this is an issue or not.) Note: none of the houses on either side of this property, which fronts ONLY Quarry Road, are being proposed for annexation into the City.

It seems clear that Wilson County's participation will need to be included in this endeavor, since the County will be maintaining the road for the City.

And, in a related matter, Wilson County Road Commission has taken a position of being opposed to this project. (Reported in the Lebanon Democrat newspaper)

In our meetings to this date, we have not had a single resident speak in favor of this project. These residents plan to attend City Council meeting in opposition to the project.

I also ask you, to consider the safety of this project, as it currently exists, and delay, or vote against this annexation and rezoning. These comments have not addressed Quality of Life issues that others have expressed. Thank you,

March 15, 2016

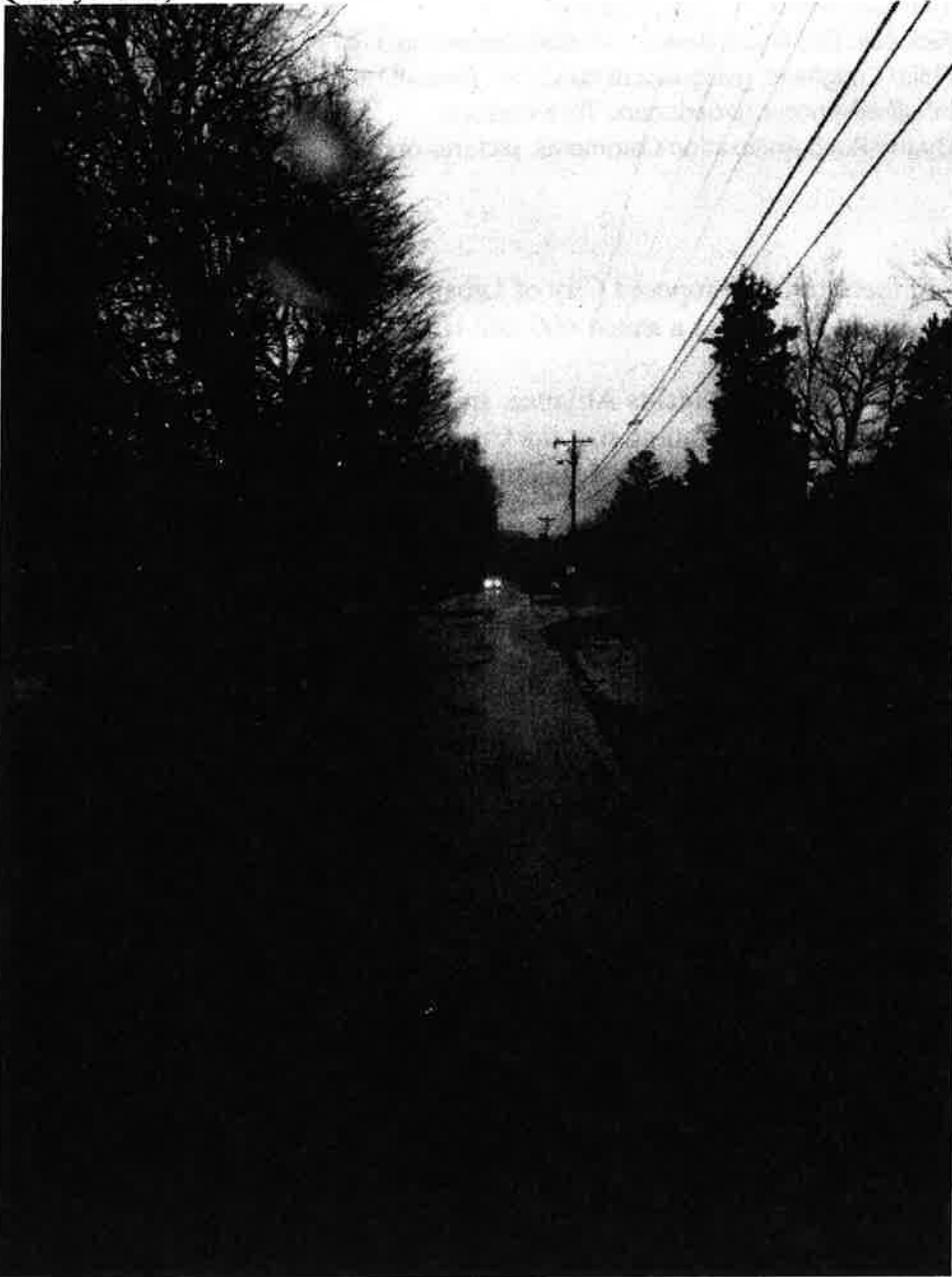
Regular Called City Council Meeting Attachments

Page 4 of 33

Steve

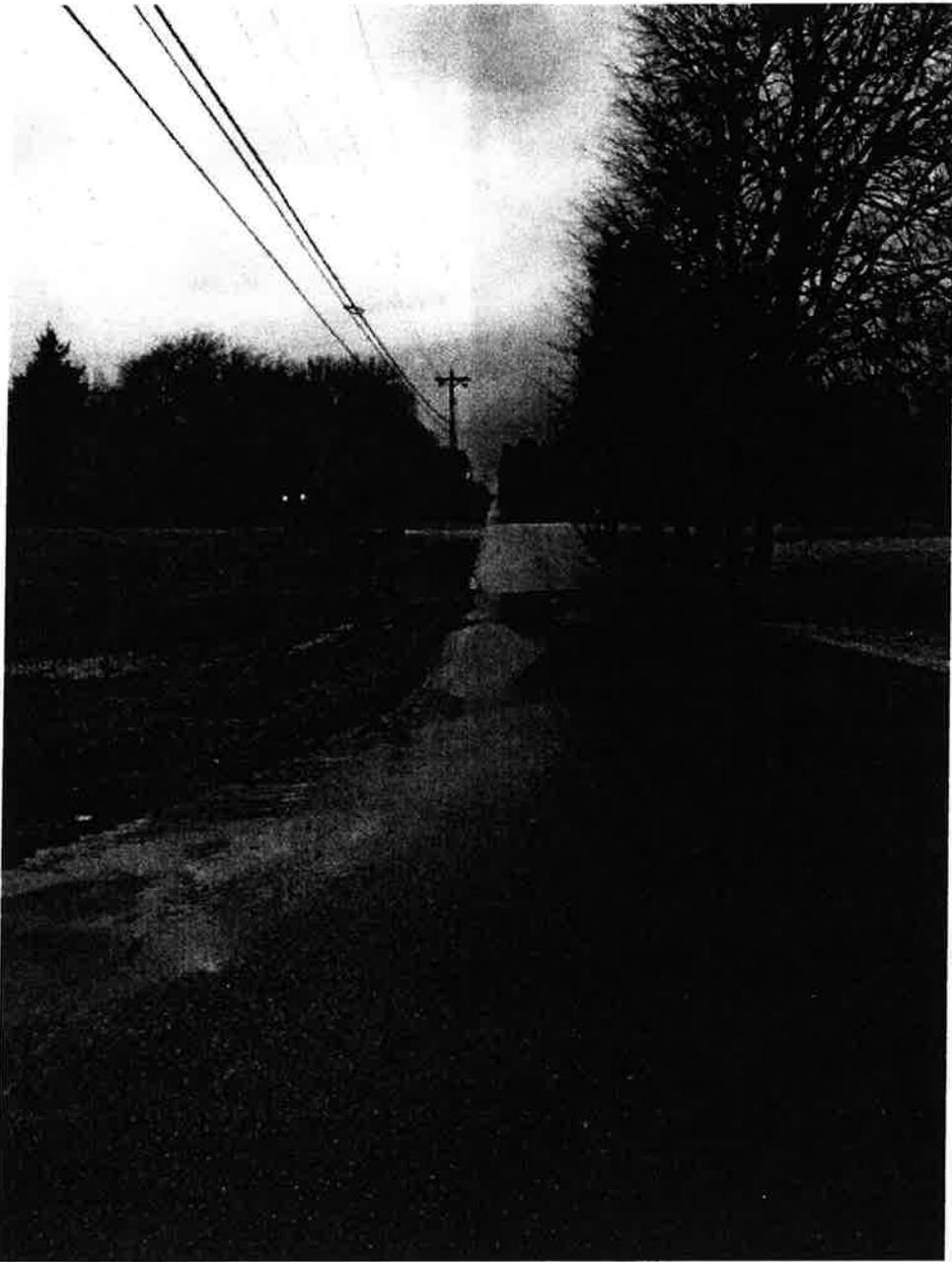
usSteve DePass

448 Quarry Road, Mount Juliet TN



3712





sdepass@comcast.net

"Live in such a way that if anyone should speak badly of you, no one will believe it."

Paul Corder

From: Philip Craighead
Sent: Thursday, March 10, 2016 11:05 AM
To: Debbie Jessen; Paul Corder; Rick Bell; Mike Wrye
Subject: FW: STOP THE QUARRY ROAD DEVELOPMENT

Thank you for your correspondence. I will pass your concerns on to others who have an interest in the decision making process.

Philip Craighead

From: fertittal@aol.com [mailto:fertittal@aol.com]
Sent: Thursday, March 10, 2016 10:35 AM
To: Philip Craighead <philipcraighead@lebanontn.org>
Subject: STOP THE QUARRY ROAD DEVELOPMENT

March 10, 2016

Re: Stop the Quarry Development

Mr. Mayor,

I urge you to vote against the proposed annexing and rezoning development on Quarry Road. Most of the families that live on this road have lived here for decades, some even growing up on this road and have never left, have tried to preserve their "country" property to pass down to generations. Those of us who moved here years ago, did so because we wanted to be in the country surrounded by nature and wildlife and eventually retire in a peaceful setting. We are close enough to the city as we want to be.

Our homes are already taking a hit from the surrounding blasting that is going on off 109 and Rutland Road. They most certainly will suffer major damage when the blasting starts at the quarry. Our road is a one lane, curvy country road that is already a huge cut through road. I cannot image what changing the zoning to RM6 will do to the deterioration of Quarry Road. We do not want it widened, as we do not want to lose part of our yards to aid in what is sure to open up our area to additional traffic, heavy equipment and possible crime if this development is approved.

Please do not misunderstand the meaning of my email. We are not a bunch of backwoods country people who are opposed to change or development, providing it makes sense for our community. High density zoning makes no sense out here. Let's be honest, there is no gated retirement community going to happen, when we have Dell Webb at Providence. This is a way for the owner to get the zoning changed and flip this property for low income, single and multi-family dwellings packed in like sardines. We would be far more

receptive to the idea of a lower density zoning and nicer development so that people could enjoy what myself and my neighbors have enjoyed for so long. We are not a stingy community. We understand why someone would want to live out here, but we want it to be the right fit.

Again, I urge you to consider the families that this would effect. I appreciate you taking the time to read this.

Regards,

Lisa Cunningham



Philip Craighead, Mayor

Paul Corder, AICP
Planning Director
200 North Castle Heights Avenue
Lebanon, Tennessee 37087
Phone: (615-444-3647)
Fax: (615-444-1515)

Dear Resident of Lebanon and Wilson County,

The City Council and Planning Commission of the City of Lebanon is conducting a random survey of the citizens of Lebanon and the surrounding area. The results of this survey will be a key source of public input as the city makes important decisions regarding future growth and development. You may complete the survey online at www.xxxxxxxxxxxxxxxxxx.com using the four character code at the top of this page or return your survey in the enclosed, postage-paid envelope, by xxxxxxxx2016.

I hope you will take a few minutes to complete this survey. We will use the results to evaluate future projects so we can serve the public better.

Sincerely,

Paul Corder
200 North Castle Heights Avenue
Lebanon, Tennessee 37087
paul.corder@lebanontn.org
615-444-3647 ext. 2321

1. Please rate your overall satisfaction with the following services and characteristics within the city limits of Lebanon.

		Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied	No Opinion
a.	Lebanon-Wilson County Public Library					
b.	Location of City parks					
c.	City park facilities					
d.	Planning of the city					
e.	Preservation of historic sites					
f.	Roadway aesthetics					
g.	Availability of trails					
h.	Public gathering places					
i.	Open space preservation					
j.	Traffic flow					
k.	Availability of youth activities					
l.	Convenience of shopping & restaurants					
m.	Variety of Shopping & restaurants					
n.	Housing options					
o.	Stormwater drainage					
p.	Appearance of commercial developments					
q.	Recycling options					
r.	Rate of growth					
s.	Trash services					
t.	Cultural facilities					
u.	Senior housing options					
v.	Entertainment options					
w.	Availability of bike lanes					
x.	Availability of sidewalks					
y.	Transit options					
z.	Quality of Police					
aa.	Quality of the fire department					
bb.	Emergency services					
cc.	Reliability of sewer services					
dd.	Quality of water services					
ee.	Airport					
ff.	Quality of the Jimmy Floyd Center					
gg.	Cedar Grove Cemetery					
hh.	Quality of natural gas service					
ii.	Quality of road maintenance					

Comments _____

2. Which **THREE** services and characteristics from the list in Question #1 do you think are the most important issues facing the City of Lebanon today?

1.____ 2.____ 3.____

Comments _____

3. How satisfied are you with the quality of life in Lebanon? (circle 1)

Very Satisfied Satisfied Dissatisfied Very Dissatisfied No Opinion

Comments _____

4. How often does someone in your household use each park? (Daily, weekly, monthly or yearly)

	Daily	Weekly	Monthly	Yearly
Jimmy Floyd Center				
Jimmy Floyd outdoor pool				
Don Fox Park				
Don Fox wading pool				
Cedar City Trail (near Don Fox and the Jimmy Floyd Center)				
Cedar City Trail (near Byars Dowdy and Winfree Bryant)				
Baird Park (ballfields)				
Harold Greer indoor basketball				
Airport Soccer fields				
Elkins Park/Hobbs Field				

Comments _____

5. Which of the following activities would someone in your household participate in if the city provided it?

10k run	
5k run	
Activity Centers	
Aerobics	
Amphitheater	
Archery	
Arts and crafts	
Baseball fields	
Beach volleyball	
Biking trails	
Boating	
Bocce ball	
Cannery	
Community Centers	
Community Gardens	
Computers	
Concerts	
Cooking	
Dancing	
Disc golf	
Dog parks	
Drama	
Equestrian trails	
Farmers Markets	
Festivals	
Fishing	
Football	
Gardening	
Golf courses	
Golf driving range	
Grilling	
Gymnastics	
Half marathon	
Hang Gliding	
Hiking	
Historic Farms	
Historic homes	
Horse shoes pits	

Hot Air Balloons	
Ice Hockey	
Ice skating	
Indoor basketball	
Indoor meeting space	
Indoor volleyball	
Lacrosse	
Large community parks	
Marathon	
Martial Arts	
Mini-golf	
Mountain biking trails	
Natural areas	
Nature trails	
Outdoor basketball courts	
Outdoor exercise stations	
Picnic Shelters	
Playgrounds	
Pottery	
Racquetball	
Rock climbing	
Roller Hockey	
Rugby	
Running Track	
Shooting range	
Shuffleboard	
Skateboard Park	
Sledding hills	
Small neighborhood parks	
Soccer fields	
Softball fields	
Splash parks	
Swimming pools	
Tennis Courts	
Walking	
Wally ball	
Weight lifting	
Zip lines	

Other _____

6. Do you work in the City of Lebanon?

Yes _____ No _____

7. Are you currently employed?

Yes _____ No _____

8. Do you primarily buy groceries in the City of Lebanon?

Yes _____ No _____

9. Not including groceries, where do you primarily shop? _____

- a. Lebanon b. Mt. Juliet c. Nashville d. Murfreesboro e. Gallatin
- f. Hendersonville g. Cookeville h. Franklin

Other (please specify) _____

10. How often do you:

	Daily	Weekly	Monthly	Yearly
Go out to dinner in the City of Lebanon				
Go out to dinner outside the City of Lebanon				
Ride the Music City Star to commute to or from work				
Ride the Music City Star for entertainment				
Visit the Lebanon Museum				
Visit the Farms Market				

Comments _____

11. In your opinion what is currently the greatest strength of the City of Lebanon?

12. In your opinion what is currently the greatest weakness of the City of Lebanon?

13. In your opinion what is the greatest opportunity for the City of Lebanon in the next 5 years?

14. In your opinion what is the greatest threat for the City of Lebanon in the next 5 years?

15. What kind of transportation would you use if it was provided? (select all that apply)

Bikes	
Buses	
Car	
Carpool	
Golf cart	
Horse	
Horse and Carriage	
Planes	
Segway	
Sidewalks	
Street cars	
Taxis	
Trails	
Trains	
Trolleys	
Uber/Lyft	
Other:	

Comments _____

16. Is your neighborhood a good place to raise children?

Yes ___ No ___

17. If you could live anywhere would you choose? (select one of the options below): ___

a. a big city b. a suburb c. a small town d. rural area

Comments _____

18. If given the choice which one of the following communities would you prefer to live in?

Community ____

Community A:

- There are only single-family houses on large lots.
- There are a few sidewalks and they are disconnected.
- Places such as shopping, restaurants, a library, and a school are within a few miles of your home and you have to drive most places.
- There is enough parking when you drive to local stores, restaurants, and other places.
- Public transportation such as bus or commuter rail is distant or unavailable.

Community B:

- There is a mix of single-family houses, townhouses, apartments, and condominiums on various sizes lots.
- Almost all of the streets have sidewalks.
- Places such as shopping, restaurants, a library, and a school are within a few blocks of your house and you can either walk or drive.
- Parking is limited when you decide to drive to stores, restaurants, and other places.
- Public transportation, such as bus or commuter rail are nearby.

Comments _____

19. What is your age?

Under 20 ____ 20 to 30 ____ 30 to 40 ____ 40 to 50 ____

50 to 60 ____ 60 to 70 ____ 70 to 80 ____ Over 80 ____

20. What race or ethnicity do you identify yourself as? _____

21. What is your annual household income?

Under \$30,000 ____ \$30,000 to \$45,000 ____ \$45,000 to \$70,000 ____

\$70,000 to \$100,000 ____ \$100,000 to \$150,000 ____ Over \$150,000 ____

22. Which of the following best describes your primary place of residence?

Single Family Home ___

Duplex (two units or households)___

Small condo/apartment/townhome development (3 to 20 units or households)___

Larger condo/apartment/townhome complex (More than 20 units or households)___

Other _____

23. Do you own the home or unit you live in?

Yes ___ No ___

24. How much is your monthly rent or mortgage?

Under \$500 ___ \$500 to \$800 ___ \$800 to \$1200 ___

\$1200 to \$2000 ___ Over \$2000 ___

25. Number of vehicles owned by someone in your household? ___

26. Please use the back of this page for any other comments:

Paul Corder

From: Philip Craighead
Sent: Thursday, March 10, 2016 11:05 AM
To: Debbie Jessen; Paul Corder; Rick Bell; Mike Wrye
Subject: FW: STOP THE QUARRY ROAD DEVELOPMENT

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Philip Craighead

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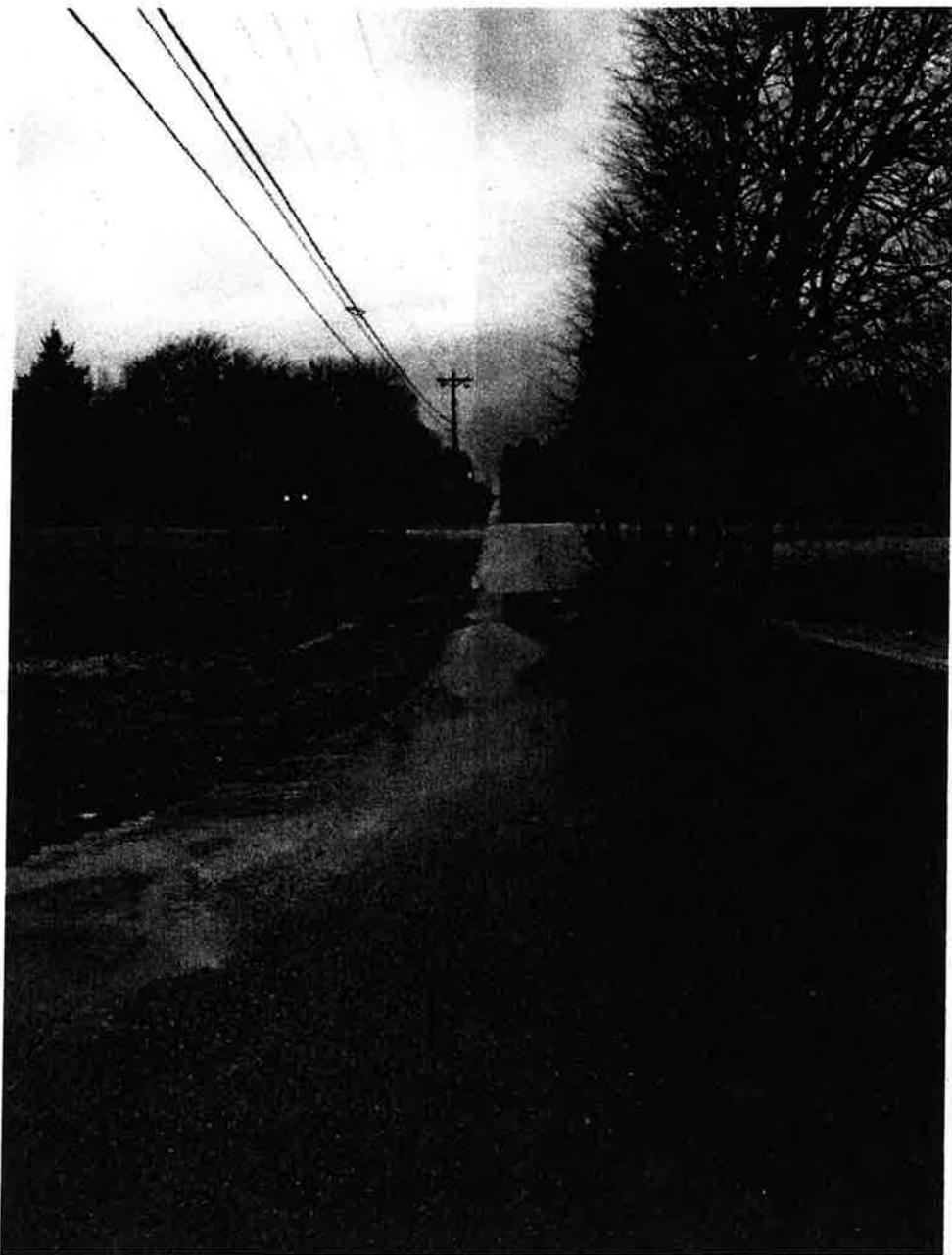
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Regards,

Lisa Cunningham





sdepass@comcast.net

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Paul Corder

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Cc: Philip Craighead; glasgowscot1@att.net; Randall Hutto; Paul Corder; Richard Donovan; info@wilsoncountyroads.com; Tom Brashear
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I live at 448 Quarry Road, about 50 feet from the proposed City of Lebanon annexation of the Rock Quarry property, which Nick Audino is trying to develop as a stated 400 unit High Density zoned subdivision.

I, and a group of people known as Quarry Road Residents Alliance, are asking the City Council to reconsider, delay, and possibly vote against this proposed annexation, that the City of Lebanon Planning Commission has approved, and sent to City Council for approval. The Second Reading and Final Reading is set for March 15 2016.

If approved, the plat would be zoned as RM 6, the Highest Density zoning, and would allow up to 600 units to be built on this rock quarry property, which we estimate could add about 1,000 cars a day to use Quarry Road. We currently have about 110 houses on the ENTIRE length of Quarry Road, a County road about 3 miles long, with no sewers, several areas that have no shoulders, and in fact, have a drop off of over 2 feet. The proposed addition of 2 feet to the width of the road by developer would not address flooding at all, and may in fact worsen it. Not would two feet of asphalt added help the drop offs located on this road. Personal note: I usually come to a stop, and if able, pull off the road to allow school buses to pass safely. The attached pictures show two recent rainy days, one of which is typical, the other is a heavy rain.

It seems this Wilson County road is not quite designed, or built to handle this type or amount, of traffic; as the drainage, width, shoulders, and design are all substantially below what the City usually considers adequate for a project of this type. It certainly does not meet the requirements of annexation for RM 6 which requires access to a High Quality Road.

Also, some have raised the issue of liability for City police and fire having to travel down this County road to access a City annexed "island" property, since the property does not physically join any current City property. (The annexation is being accomplished by drawing a line down the railroad tracks right of way, to encompass this island of land surrounding an abandoned rock quarry. Not being an attorney or well-versed in this issue, I simply defer to the experts as to whether this is an issue or not.) Note: none of the houses on either side of this property, which fronts ONLY Quarry Road, are being proposed for annexation into the City.

It seems clear that Wilson County's participation will need to be included in this endeavor, since the County will be maintaining the road for the City.

And, in a related matter, Wilson County Road Commission has taken a position of being opposed to this project. (Reported in the Lebanon Democrat newspaper)

In our meetings to this date, we have not had a single resident speak in favor of this project. These residents plan to attend City Council meeting in opposition to the project.

I also ask you, to consider the safety of this project, as it currently exists, and delay, or vote against this annexation and rezoning. These comments have not addressed Quality of Life issues that others have expressed. Thank you,

Steve

usSteve DePass
448 Quarry Road, Mount Juliet TN



3712

Paul Corder

From: Philip Craighead
Sent: Monday, March 7, 2016 7:59 PM
To: Paul Corder; mwrye@loseassoc.com; Debbie Jessen; Rick Bell
Subject: Fwd: Quarry Road Development

Thought I would pass this along.

Sent from my iPad

Begin forwarded message:

From: Tracy Fialkowski <tmkowski@yahoo.com>
Date: March 7, 2016 at 4:45:32 PM CST
To: "philip.craighead@lebanontn.org" <philip.craighead@lebanontn.org>
Subject: Quarry Road Development
Reply-To: Tracy Fialkowski <tmkowski@yahoo.com>

Dear Mayor Craighead,

My name is Tracy Fialkowski. My husband, Richard and I have lived at 400 Quarry Road for 20 years. We love this area and had planned to live out the rest of our lives on this property.

It recently came to my attention that the owner of the rock quarry has requested that the City of Lebanon annex his 100+ acres into the City of Lebanon. He says his intent is to build 400+ houses on the property. If you are familiar with Quarry Road, I am sure you realize that there is no way that our narrow road can handle traffic for 800 or more vehicles, in addition to the traffic that currently uses this road.

I feel I would have to sell my property and home if this project is allowed to be built and am afraid that I could not find anything comparable to what I have now.

I plan to attend the meeting on March 15 and respectfully ask that you please not approve the annexation and RM6 zoning for the Quarry Road property.

Sincerely,

Tracy Fialkowski
400 Quarry Road
Mt. Juliet, TN 3722



Philip Craighead, Mayor

Paul Corder, AICP
Planning Director
200 North Castle Heights Avenue
Lebanon, Tennessee 37087
Phone: (615-444-3647)
Fax: (615-444-1515)

Dear Resident of Lebanon and Wilson County,

The City Council and Planning Commission of the City of Lebanon is conducting a random survey of the citizens of Lebanon and the surrounding area. The results of this survey will be a key source of public input as the city makes important decisions regarding future growth and development. You may complete the survey online at www.xxxxxxxxxxxxxxx.com using the four character code at the top of this page or return your survey in the enclosed, postage-paid envelope, by xxxxxxxxx2016.

I hope you will take a few minutes to complete this survey. We will use the results to evaluate future projects so we can serve the public better.

Sincerely,

Paul Corder
200 North Castle Heights Avenue
Lebanon, Tennessee 37087
paul.corder@lebanontn.org
615-444-3647 ext. 2321

1. Please rate your overall satisfaction with the following services and characteristics within the city limits of Lebanon.

		Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied	No Opinion
a.	Lebanon-Wilson County Public Library					
b.	Location of City parks					
c.	City park facilities					
d.	Planning of the city					
e.	Preservation of historic sites					
f.	Roadway aesthetics					
g.	Availability of trails					
h.	Public gathering places					
i.	Open space preservation					
j.	Traffic flow					
k.	Availability of youth activities					
l.	Convenience of shopping & restaurants					
m.	Variety of Shopping & restaurants					
n.	Housing options					
o.	Stormwater drainage					
p.	Appearance of commercial developments					
q.	Recycling options					
r.	Rate of growth					
s.	Trash services					
t.	Cultural facilities					
u.	Senior housing options					
v.	Entertainment options					
w.	Availability of bike lanes					
x.	Availability of sidewalks					
y.	Transit options					
z.	Quality of Police					
aa.	Quality of the fire department					
bb.	Emergency services					
cc.	Reliability of sewer services					
dd.	Quality of water services					
ee.	Airport					
ff.	Quality of the Jimmy Floyd Center					
gg.	Cedar Grove Cemetery					
hh.	Quality of natural gas service					
ii.	Quality of road maintenance					

Comments _____

2. Which **THREE** services and characteristics from the list in Question #1 do you think are the most important issues facing the City of Lebanon today?

1.____ 2.____ 3.____

Comments _____

3. How satisfied are you with the quality of life in Lebanon? (circle 1)

Very Satisfied Satisfied Dissatisfied Very Dissatisfied No Opinion

Comments _____

4. How often does someone in your household use each park? (Daily, weekly, monthly or yearly)

	Daily	Weekly	Monthly	Yearly
Jimmy Floyd Center				
Jimmy Floyd outdoor pool				
Don Fox Park				
Don Fox wading pool				
Cedar City Trail (near Don Fox and the Jimmy Floyd Center)				
Cedar City Trail (near Byars Dowdy and Winfree Bryant)				
Baird Park (ballfields)				
Harold Greer indoor basketball				
Airport Soccer fields				
Elkins Park/Hobbs Field				

Comments _____

5. Which of the following activities would someone in your household participate in if the city provided it?

10k run	
5k run	
Activity Centers	
Aerobics	
Amphitheater	
Archery	
Arts and crafts	
Baseball fields	
Beach volleyball	
Biking trails	
Boating	
Bocce ball	
Cannery	
Community Centers	
Community Gardens	
Computers	
Concerts	
Cooking	
Dancing	
Disc golf	
Dog parks	
Drama	
Equestrian trails	
Farmers Markets	
Festivals	
Fishing	
Football	
Gardening	
Golf courses	
Golf driving range	
Grilling	
Gymnastics	
Half marathon	
Hang Gliding	
Hiking	
Historic Farms	
Historic homes	
Horse shoes pits	

Hot Air Balloons	
Ice Hockey	
Ice skating	
Indoor basketball	
Indoor meeting space	
Indoor volleyball	
Lacrosse	
Large community parks	
Marathon	
Martial Arts	
Mini-golf	
Mountain biking trails	
Natural areas	
Nature trails	
Outdoor basketball courts	
Outdoor exercise stations	
Picnic Shelters	
Playgrounds	
Pottery	
Racquetball	
Rock climbing	
Roller Hockey	
Rugby	
Running Track	
Shooting range	
Shuffleboard	
Skateboard Park	
Sledding hills	
Small neighborhood parks	
Soccer fields	
Softball fields	
Splash parks	
Swimming pools	
Tennis Courts	
Walking	
Wally ball	
Weight lifting	
Zip lines	

Other _____

6. Do you work in the City of Lebanon?

Yes _____ No _____

7. Are you currently employed?

Yes _____ No _____

8. Do you primarily buy groceries in the City of Lebanon?

Yes _____ No _____

9. Not including groceries, where do you primarily shop? _____

a. Lebanon b. Mt. Juliet c. Nashville d. Murfreesboro e. Gallatin

f. Hendersonville g. Cookeville h. Franklin

Other (please specify) _____

10. How often do you:

	Daily	Weekly	Monthly	Yearly
Go out to dinner in the City of Lebanon				
Go out to dinner outside the City of Lebanon				
Ride the Music City Star to commute to or from work				
Ride the Music City Star for entertainment				
Visit the Lebanon Museum				
Visit the Farms Market				

Comments _____

11. In your opinion what is currently the greatest strength of the City of Lebanon?

12. In your opinion what is currently the greatest weakness of the City of Lebanon?

13. In your opinion what is the greatest opportunity for the City of Lebanon in the next 5 years?

14. In your opinion what is the greatest threat for the City of Lebanon in the next 5 years?

15. What kind of transportation would you use if it was provided? (select all that apply)

Bikes	<input type="checkbox"/>
Buses	<input type="checkbox"/>
Car	<input type="checkbox"/>
Carpool	<input type="checkbox"/>
Golf cart	<input type="checkbox"/>
Horse	<input type="checkbox"/>
Horse and Carriage	<input type="checkbox"/>
Planes	<input type="checkbox"/>
Segway	<input type="checkbox"/>
Sidewalks	<input type="checkbox"/>
Street cars	<input type="checkbox"/>
Taxis	<input type="checkbox"/>
Trails	<input type="checkbox"/>
Trains	<input type="checkbox"/>
Trolleys	<input type="checkbox"/>
Uber/Lyft	<input type="checkbox"/>
Other:	<input type="checkbox"/>

Comments _____

16. Is your neighborhood a good place to raise children?

Yes ___ No ___

17. If you could live anywhere would you choose? (select one of the options below): _____

a. a big city b. a suburb c. a small town d. rural area

Comments _____

18. If given the choice which one of the following communities would you prefer to live in?

Community ____

Community A:

- There are only single-family houses on large lots.
- There are a few sidewalks and they are disconnected.
- Places such as shopping, restaurants, a library, and a school are within a few miles of your home and you have to drive most places.
- There is enough parking when you drive to local stores, restaurants, and other places.
- Public transportation such as bus or commuter rail is distant or unavailable.

Community B:

- There is a mix of single-family houses, townhouses, apartments, and condominiums on various sizes lots.
- Almost all of the streets have sidewalks.
- Places such as shopping, restaurants, a library, and a school are within a few blocks of your house and you can either walk or drive.
- Parking is limited when you decide to drive to stores, restaurants, and other places.
- Public transportation, such as bus or commuter rail are nearby.

Comments _____

19. What is your age?

Under 20 ____ 20 to 30 ____ 30 to 40 ____ 40 to 50 ____

50 to 60 ____ 60 to 70 ____ 70 to 80 ____ Over 80 ____

20. What race or ethnicity do you identify yourself as? _____

21. What is your annual household income?

Under \$30,000 ____ \$30,000 to \$45,000 ____ \$45,000 to \$70,000 ____

\$70,000 to \$100,000 ____ \$100,000 to \$150,000 ____ Over \$150,000 ____

22. Which of the following best describes your primary place of residence?

Single Family Home ____

Duplex (two units or households) ____

Small condo/apartment/townhome development (3 to 20 units or households) ____

Larger condo/apartment/townhome complex (More than 20 units or households) ____

Other _____

23. Do you own the home or unit you live in?

Yes ____ No ____

24. How much is your monthly rent or mortgage?

Under \$500 ____ \$500 to \$800 ____ \$800 to \$1200 ____

\$1200 to \$2000 ____ Over \$2000 ____

25. Number of vehicles owned by someone in your household? ____

26. Please use the back of this page for any other comments:

SPECIAL CALLED CITY COUNCIL MEETING

March 17, 2016

The City Council met in a special called session in the Town Meeting Hall of the City of Lebanon Administration Building at Castle Heights.

Mayor Philip Craighead called the Special Called City Council Meeting to order at 8:00 a.m.

Council members present: Lanny Jewell, Fred Burton, Rob Cesternino, Bernie Ash, Tick Bryan and Rick Bell . Also present were; Andy Wright, City Attorney; and Jaci Diebner, Council Secretary.

CONSENT AGENDA:

The Mayor read the items for the Consent Agenda, asking if there was any discussion on each item. There was none.

Motion was made by Councilor Rob Cesternino, seconded by Councilor Fred Burton, to accept the consent agenda. Motion carried unanimously. Consent Agenda was accepted and all Ordinances were read and passed on second/final reading

Ordinance No. 16-5165, second reading, to authorize RPM Transportation Consultants, LLC to prepare a Signal Timing Optimization Study for the Highway 109 Corridor from Interstate 40 to Hickory Ridge Road (funds available in 2015-2016 Fiscal Year Budget), by Randy Laine, Engineering Director of Capital Projects.

PASSED SECOND/FINAL READING

Ordinance No. 16-5166, second reading, to approve and adopt the Lebanon Fire Department Fee Schedule (2015-2016 Fiscal Year Budget), by Chris Dowell, Fire Chief, and Robert Springer, Commissioner of Finance and Revenue.

PASSED SECOND/FINAL READING

Ordinance No. 16-5167, second reading, to authorize the hiring of two additional patrol officers for the Lebanon Police Department (2015-2016 Fiscal Year Budget), by Mike Justice, Interim Police Chief, and Sylvia Reichle, Human Resources Director.

PASSED SECOND/FINAL READING

Ordinance No. 16-5173, second reading, to authorize budget amendments for the Police Department (Contractual Services & Operating Supplies; to disassemble & move mobile storage system to new building, reassemble & purchase rails; 2015-2016 Fiscal Year Budget), by Mike Justice, Interim Police Chief, and Robert Springer, Commissioner of Finance and Revenue.

PASSED SECOND/FINAL READING

The Special Called City Council Meeting of March 17, 2016 adjourned at 8:01 p.m.

Attest:

Approved:

Robert D. Springer
Commissioner of Finance & Revenue

Philip Craighead
Mayor

Secretary:

Jaci Diebner

SPECIAL CALLED CITY COUNCIL MEETING

March 31, 2016

The City Council met in a special called session in the Town Meeting Hall of the City of Lebanon Administration Building at Castle Heights.

Mayor Philip Craighead called the Special Called City Council Meeting to order at 8:00 a.m.

Council members present: Lanny Jewell, Fred Burton, Rob Cesternino, Tick Bryan and Rick Bell. Also present were Robert Springer, Commissioner of Finance and Revenue; and Jaci Diebner, Council Secretary. Absent: Councilor Bernie Ash.

Mayor Craighead announced the Tennessee Development District Association held a meeting this past Tuesday, March 28, 2016. The Tennessee Development District Association (TDDA) is an association of the nine statewide regional planning and economic development organizations to promote intergovernmental cooperation on growth and development issues, including regional and statewide concerns.

This year, the TDDA has presented the City of Lebanon with the John S. Wilder Award for the Renovation of our Town Square. This is a prestigious honor that is given to one district within the nine districts. This particular award is in recognition of the "Success Starts on the Square." The Mayor thanked the Council for making the Square renovation happen. He believes that everyone is beginning to see the positive results that it is making for us.

NEW BUSINESS:

Ordinance No. 16-5181, first reading, to enter into an Interlocal Agreement with Wilson County Government for waste tires (feedstock) for the Gasification Plant's production of clean energy, by Jeff Baines, Commissioner of Public Works.

Commissioner Baines noted that the title of the Ordinance should read Interlocal Agreement rather than Partnership. The Mayor agreed.

Motion was made by Councilor Cesternino, seconded by Councilor Bell, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Ordinance No. 16-5182, first reading, to authorize the purchase of a used roll off truck for Gasification Plant feedstock (wood waste) hauling (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works. (*Line Item Transfer – Before the Fact*)

Motion was made by Councilor Bryan, seconded by Councilor Bell, to pass said Ordinance on first reading. Motion carried unanimously. Ordinance was read and passed on first reading.

Ordinance No. 16-5183, first reading, to amend the Agreement with PHG Energy Services for purchase of/contract for various equipment, accessories and services for logistical operation of the City of Lebanon Gasification Plant Project (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works. (*Line Item Transfer – Before the Fact*)

Motion was made by Councilor Bryan, seconded by Councilor Cesternino, to pass said Ordinance on first reading.

Councilor Burton questioned if Commissioner Baines could provide a target date for when the equipment will be here. Commissioner Baines stated the equipment should be here within the next two or three months. Scott McCrae will be updating everyone on Tuesday night. However, Commissioner Baines asked if he would go ahead and update everyone now.

Project Manager Scott McCrae stated, "As the project has been developing PHG has run into some minor changes which has put us about three weeks behind. We are predicting four weeks push back on that. Our fully operation date on that is now September 15, 2016; which is four weeks behind where we were originally starting. However, they made some good changes in the process. They are going to bring some local contractors in that weren't involved before; for some local folks to be working on the building. So, that is a positive out of that and also it gives us a little bit of breathing time to fully set up for our operation. We would have been ready and fully functional August 15; but, it gives us a little bit of breathe time to make sure we dot the (i)s and cross the (t)s for functionality. We will give you a full update Tuesday as well. If you have any questions I would be happy to answer them."

Mayor Craighead noted, "I know Jeff, Scott, Lincoln, Lee, and everyone has been working really hard to pull all of the pieces together.

The good thing about this, is that with all of them talking with each other they seem to find better ways than what they had originally thought, so, they are always going down a little different path; but, it is always to improve the whole operation. So, thank you for all of that."

Motion carried unanimously. Ordinance was read and passed on first reading.

The Special Called City Council Meeting of March 31, 2016 adjourned at 8:07 p.m.

Attest:

Approved:

Robert D. Springer
Commissioner of Finance & Revenue

Philip Craighead
Mayor

Secretary:

Jaci Diebner

Waste Tire Interlocal Agreement

Date _____

Prepared for:

Wilson County Solid Waste
Urban Type Public Facilities Board
% Cindy Lynch
378 Dump Road
Lebanon, TN 37087

Prepared by:

City of Lebanon
Jeff Baines, Commissioner of Public Works
200 North Castle Heights Avenue
Suite 300
Lebanon, TN 37087

Objective:

The City of Lebanon (City) and Wilson County (County) Governments are proposing to partner enter into an interlocal agreement in support of the Waste-To-Energy (Gasification) Project to be located at the Waste Water Treatment Plant on Hartmann Drive. The City is responsible for all infrastructure, equipment and operations. The County is responsible for supporting the project with waste tires from various businesses and other sources.

Concept:

The City shall collect and recycle County produced and generated tires for ~~\$0.95~~ \$0.90 per tire (service fee).

The following conditions apply:

The City shall provide a permitted, state approved collection location(s) within Lebanon and/or Wilson County. All tires brought in must be de-rimmed and free of mixed debris, hazardous material, and relatively free of water and dirt. ~~Tires brought in that do not meet this requirement may be subject to a fee for labor cost to prepare for recycling.~~ All tires will be recycled to meet or exceed state law and regulations.

Tires from County dealers, residences, and second hand vendors will be accepted at the City location(s). All tires will be weighed and counted. Manifest for all tires and scale tickets will be reported to the County Solid Waste Department for review along with a monthly invoice. The City reserves the right to negotiate hauling, transportation, and other related fees with tire producers in the County. All tires brought into the facility will be invoiced to the County regardless of the source. Appropriate documentation will be generated with reports. The County agrees to supply a roll off container at the landfill for any tires brought into that facility and will be responsible for transporting to the City drop off location. By entering this agreement, the County will significantly reduce transportation cost incurred on a yearly basis.

Agreement Attached

ORDINANCE NO. 16-5181

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO ENTER INTO AN INTERLOCAL WITH WILSON COUNTY GOVERNMENT FOR
WASTE TIRES (FEEDSTOCK) FOR THE GASIFICATION PLANT'S PRODUCTION
OF CLEAN ENERGY**

WHEREAS, the City of Lebanon (City) entered into an agreement with PHG Energy for the development of the gasification (waste-to-energy) project per Ordinance No. 15-4849 in February 2015; and

WHEREAS, the City qualified and received a \$3.5 million Qualified Energy Conservation Bond loan from the Tennessee Department of Environment and Conservation (TDEC); and

WHEREAS, the City received a \$250,000 Clean Tennessee Energy Grant; and

WHEREAS, TDEC considers disposal of waste tires as a critical need for a safe and clean environment; and

WHEREAS, waste tires may be utilized as feedstock for the Gasification Plant and converted to safe and clean energy; and

WHEREAS, Wilson County Government (County) is responsible to TDEC for waste tire disposal for waste tires in Wilson County; and

WHEREAS, an interlocal agreement between City and County governments indicates leadership in providing a safe and clean environment for both today and future generations.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance and Revenue are hereby authorized to enter into the Waste Tire Interlocal Agreement, attached hereto by reference as if appearing verbatim herein, with Wilson County Government.

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: 3/31/16

Passed second reading: _____

Waste Tire Interlocal Agreement

Date _____

Prepared for:

Wilson County Solid Waste
Urban Type Public Facilities Board
% Cindy Lynch
378 Dump Road
Lebanon, TN 37087

Prepared by:

City of Lebanon
Jeff Baines, Commissioner of Public Works
200 North Castle Heights Avenue
Suite 300
Lebanon, TN 37087

Objective:

The City of Lebanon (City) and Wilson County (County) Governments are proposing to ~~partner~~ enter into an interlocal agreement in support of the Waste-To-Energy (Gasification) Project to be located at the Waste Water Treatment Plant on Hartmann Drive. The City is responsible for all infrastructure, equipment and operations. The County is responsible for supporting the project with waste tires from various businesses and other sources.

Concept:

The City shall collect and recycle County produced and generated tires for ~~\$0.95~~ \$0.90 per tire (service fee).

The following conditions apply:

The City shall provide a permitted, state approved collection location(s) within Lebanon and/or Wilson County. All tires brought in must be de-rimmed and free of mixed debris, hazardous material, and relatively free of water and dirt. ~~Tires brought in that do not meet this requirement may be subject to a fee for labor cost to prepare for recycling.~~ All tires will be recycled to meet or exceed state law and regulations.

Tires from County dealers, residences, and second hand vendors will be accepted at the City location(s). All tires will be weighed and counted. Manifest for all tires and scale tickets will be reported to the County Solid Waste Department for review along with a monthly invoice. The City reserves the right to negotiate hauling, transportation, and other related fees with tire producers in the County. All tires brought into the facility will be invoiced to the County regardless of the source. Appropriate documentation will be generated with reports. The County agrees to supply a roll off container at the landfill for any tires brought into that facility and will be responsible for transporting to the City drop off location. By entering this agreement, the County will significantly reduce transportation cost incurred on a yearly basis.

Agreement Attached

GENERAL CONDITIONS
INTERLOCAL SERVICE AGREEMENT

Agreement Date _____

City of Lebanon (City) or any of its applicable subsidiaries or affiliates performing hereunder (City) hereby warrants to Wilson County Solid Waste (County) that all Waste Tires collected from County shall be recycled in accordance with the waste tire rules enacted by governing local, state and federal regulatory agencies.

City requests County contact Liberty and request contract termination effective October 1, 2016 ±. City understands County may need to negotiate Liberty contract termination schedule. Notwithstanding County will pay City for all tires collected and disposed of by the City upon execution of this Agreement.

1. Term. The initial term of this Agreement shall be thirty-six (36) months, commencing on the Effective Date of Service ("Term"). On each anniversary of the Effective Date of Service, the Term shall automatically be extended by one (1) additional year unless, at least sixty (60) days prior to any such anniversary, one party hereto notifies the other party hereto, in writing, that it does not wish to extend the Term beyond the then current expiration date. Such automatic extension and option to cancel such automatic extension shall continue until this Agreement expires in accordance with the terms of this provision, or is terminated as otherwise provided herein, or is terminated by the mutual agreement of the parties hereto. Should County lease or sell the landfill to a third party this contract shall remain in effect.

2. Exclusivity. City has invested and based upon this Agreement will invest capital, expertise, time and resources to perform this Agreement. Accordingly, during the Term of this Agreement, (1) County agrees to deal, negotiate, and contract exclusively with City for any and all Waste Tire related services provided by City to County under this Agreement, including without limitation, the transportation, processing, recycling, resale, and/or disposal of Waste Tires (collectively, 'Services'), (2) County agrees not to deal, negotiate, and/or contract with any other person, corporation, or other entity-whether directly and/or indirectly- for Services, and (3) in connection with this Agreement, the parties agree that each will not, directly or indirectly, interfere with, circumvent or attempt to circumvent, avoid, by-pass, hinder, evade, or obviate (a) one another, (b) each other's interests in or to the benefits of this Agreement, and/or (c) the interests or relationships that either party has with any other person, corporation, or other entity including without limitation customers, manufacturers, producers, sellers, buyers, vendors, brokers, dealers, distributors, refiners, and/or shippers to affect, changes, increase, decrease, and/or avoid, directly or indirectly, the obligations of one another under this Agreement.

3. Fees, Charges and Payment. County shall pay City for its Services in accordance with the Service Fees set forth on the first page of this Agreement and these General Conditions. County shall pay City at City's address on page 1 of this Agreement. The Service Fees and other charges set forth herein ~~shall~~ may be adjusted after the first anniversary of the Effective Date of Service to reflect (a) increases in the Consumer Price Index (provided that such increases require the prior approval of County). All payment shall be due within fifteen (15) days of invoice. County is responsible for any and all environmental cost recovery charges, environmental compliance charges or other similar charges related to upgrading or maintaining County's facilities, including without limitation as such charges are incurred in order to operate any or all of its facilities at operating standards which are in excess of what may be required by applicable federal, state or local environmental laws or regulations. All permitting, transportation, and collecting practices at the landfill are the responsibility of the County unless otherwise notified. All permitting, transportation, and collecting practices at the City sites are the responsibility of the City unless otherwise notified. Should any state rule be implemented resulting in an increase of operational cost(s) to City or a decrease in reimbursement to County, County and City agree fees shall be ~~adjusted~~ renegotiated in good faith.

4. **Diversion.** City shall maintain a permitted, clean, up to date drop off location(s) for all tires associated with the County. These locations shall be equipped with scales and staff to appropriately document, catalog, and report weights and counts for County for their purposes.

5. **Governmental Taxes, Fees and Charges.** County shall be responsible for any and all taxes, fees or other charges imposed by local, state or federal laws and/or regulations upon the collection, transportation, processing, recycling and/or disposal of County's Waste Tires.

6. **Equipment.** All equipment for collection, and storage at the landfill facility shall be the responsibility of the County and maintained by the County. No equipment will be provided in this contract unless notified. If necessary, the City will provide a roll off container to aid in volume and hauling.

7. **Waste Tires.** County warrants that the Waste Tires delivered to City shall be in as dry a condition as possible (no more than 10 milliliters of water in each) and shall be free of oil, petroleum and any other hazardous or toxic wastes as defined by local, state or federal laws and/or regulations. It is understood and agreed that County shall not deliver to City any split or chopped tires, solid rubber tires, baled tires, tires containing a heavy accumulation of dirt, or tires exceeding 54 inches in height or 18 inches in width or any waste other than Waste Tires (collectively, "Unacceptable Waste"). County further agrees that if any Unacceptable Waste is delivered by County, City may, at its election, (i) return such Unacceptable Waste to County, or (ii) charge a negotiated supplemental fee to County for special handling and/or disposal of such Unacceptable Waste.

8. **Title.** Title to the Waste Tires shall pass to City upon either the (i) payment of City's Service Fees and other charges due for such Waste Tires, or (ii) removal of such Waste Tires by City from County's premises, and (iii) a monthly collection report shall be generated for County. If County fails to pay City's Service Fees and/or other charges, City, at its option, may unload and/or return County's Waste Tires, in which event County shall remain liable to City for 100% of the Service Fees and other charges due for such Waste Tires. Notwithstanding the foregoing, title to and liability for Non-Conforming Tires shall always remain with County.

9. **Provision of Services, if applicable.** To the extent not otherwise covered by insurance, City shall be responsible for damages to County's property directly resulting from any actions of City, its agents or employees in connection with providing the Services to County pursuant to this Agreement; provided, however, that City shall not be responsible for any damages if County was aware of any condition affecting County's property which contributed to or caused such damage and did not inform City.

10. **Indemnity and Related Provisions.** County agrees, to the extent allowed by Tennessee law, to pay, indemnify, defend, and hold harmless City and its employees, agents, and representatives from and against any and all claims, causes of actions, controversies, demands, damages, losses, costs, fines and/or liabilities (collectively, 'Causes of Action') relating to and/or arising out of (1) the operation, use, or possession of the equipment by County, (2) each and every deficiency, defect, characteristic, and/or other condition of County's property and/or Waste Tires, including the delivery of Unacceptable Waste, (3) County's breach or nonperformance of any covenant, provision, representation or warranty made by County hereunder, (4) County's activities in connection with this Agreement or the Services, and (5) County's violation of any laws or regulations, save and except for Causes of Action resulting from City's willful misconduct or grossly negligent conduct. This provision applies to and includes without limitation claims and causes of action for death, personal injury, and/or damage to property or the environment. This indemnification specifically includes any injury to County's employees that may result from the employee's handling or loading of Waste Tires.

11. **Insurance.** In addition to County's obligations under Section 6 hereof, County shall maintain insurance ~~in types and amounts appropriate for similarly situated persons. Without limiting the foregoing, County shall carry insurance adequate to cover all potential liabilities related to its business and its indemnification obligations under this Agreement as required by state law.~~

12. **Right to Compete.** County grants City the right to compete with any offer which County receives (or intends to make) relating to the provision of Waste Tire collection, transportation, processing, recycling, resale and/or disposal services upon the termination of this Agreement, and agrees to give City written notice of any such offer and a reasonable opportunity to respond to it. If City agrees to provide services on the same terms as those set forth in the offer, County shall contract with City for such services.

13. **Default and Remedies.** In the event either party breaches this Agreement and fails to cure any such breach within ~~five (5)~~ thirty (30) days of written notice thereof, the non-defaulting party shall have all rights and remedies set forth in this Agreement and all rights and remedies available at law or in equity.

14. **Force Majeure.** Except for their respective obligations to pay any sums of money due hereunder, each party hereto shall be excused for any delay or failure in the performance of their respective obligations hereunder, and shall not be liable for failure to perform or considered in default hereunder, if and to the extent that such delay or failure is caused by occurrences beyond such party's reasonable control and is not caused by such party, including, but not limited to, governmental laws or regulations, strikes or other labor disputes, civil commotion, sabotage, acts of terrorism, war, fire, casualty, flood, earthquake, explosion, weather, or acts of God.

15. **Notice.** Any notice to be given hereunder shall be in writing and shall be delivered by hand, certified mail or overnight courier to the respective party at the address set forth below or such other address as either party shall designate by written notice to the other party. Any such notice shall be deemed effectively served as of the date of delivery unless delivery is refused or cannot be made, in which event notice shall be deemed given upon mailing.

Wilson County Government
Wilson County Solid Waste Director
378 Dump Rd.
Lebanon, TN 37087
Phone: 615-444-8360
Email: wcsolid@gmail.com

City of Lebanon Government
Commissioner of Public Works
200 North Castle Heights Ave.
Lebanon, TN 37087
Phone: 615-443-2824
Email: jeff.baines@lebanontn.org

16. **Waiver.** The failure of City or County to enforce, at any time or for any period of time, any one or more of the provisions of this Agreement shall not be construed to be, and shall not be, a waiver of any such provision or provisions or of its right thereafter to enforce each and every such provision; provided, however, final payment to City constitutes a full and final release of any claims that County may have against City.

17. **Severability.** If any provision of this Agreement is determined to be illegal or unenforceable, such provision shall be deemed amended to the extent necessary to conform to applicable law, or, if it cannot be so amended without materially altering the intention of the parties, it shall be deemed stricken and the remainder of this Agreement shall remain in full force and effect.

18. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the state of Tennessee and any disputes arising from this Agreement shall be heard in the appropriate court of Wilson County in which such waste tire facility is located.

19. **General Provisions.** This Agreement (i) constitutes the entire contract between the parties with respect to the Services contemplated hereunder, (ii) may only be changed, modified or amended by a writing signed by both parties hereto, and (iii) shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. The representations, warranties and indemnifications contained herein shall survive the termination of this Agreement. If any conflict or differences exist in this Agreement between items that are printed and those that are typed or written, the typed or written language shall govern. Each party agrees, represents and warrants to the other that it has not made, and makes no statements, representations and/or warranties that are not contained in this Agreement, and neither party has relied on any fact, statement, representation, and/or warranty that is not contained in this written Agreement. Each party hereby represents and warrants that the execution and performance of this

Agreement have been duly authorized by such party and that this Agreement is a valid and binding obligation of such party, enforceable in accordance with its terms. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original but all of which shall be deemed to be one and the same instrument. A facsimile or pdf signature binds the same as an original.

County

City

(Authorized Signature)

(Authorized Signature)

(Title)

(Date)

(Title)

(Date)

(Witness)

(Witness)

Approved as to Form:

Approved as to Form:

(Attorney)

(Attorney)

-Benefits-
A City/County Partnership

- + The proposed disposal price for Wilson County is less than state reimbursement
- + Eliminate potential cost increases from Liberty
- + Eliminates Employee handling/stacking/loading tires at County

- + Better Public Service –
 - Improved and Centralized drop off location
 - Extension of Hours will encourage proper disposal vs roadside dumping
- + Positive community relations- City and County work together to save Wilson County citizens money
- + Support Wilson County State Mandated 25% diversion from landfill Requirement (Requirement increases to 50% in 2025)
- + Ongoing Community positive relationships with new grants

- + Associates Wilson County with the positive environmental benefits from Gasification facility
- + Promotes Commitment to Sustainability and Environmental Stewardship
- + Gasification removes the equivalent of 4 miles of loaded semis of waste
- + Gasification removes greenhouse gases equal to 450 automobiles



ORDINANCE NO. 16-5182

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE PURCHASE OF A USED ROLL OFF TRUCK FOR GASIFICATION
PLANT FEEDSTOCK (WOOD WASTE) HAULING**

WHEREAS, the City of Lebanon Gasification Plant is in need of a roll off truck to transport waste bins from various local industries; and

WHEREAS, good used trucks are available.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance are hereby authorized to purchase one used roll off truck, subject to adherence to City of Lebanon and State of Tennessee purchasing laws. The purchase price shall not exceed \$75,000.00 (Seventy-Five Thousand Dollars).

Section 2. The Waste Water (Sewer) Plant budget is amended as follows:

Department:	Waste Water (Sewer) Plant	
From:	41190001-79010 Budget Retained Earnings	\$75,000.00
To:	41116520	\$75,000.00
	Work Order No. S015005	

Section 3. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: 3/31/16

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.

BUDGET AMENDMENT FORM

FY 2015-2016

FINANCE DEPT.

2016 MAR 28 PM 4:29

FOR ACCOUNTING PURPOSES ONLY

BGT #

POSTED

REF #

INITIALS

DEPARTMENT

Waste Water (Sewer) Plant

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
411 90001-79010	Budget Retained Earnings	80,000	
		75,000	

Total

\$ 75,000 - 00

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
411-52213			80,000
411 - 16520	Gasification Facility Initiative		75,000
Work Order No. 5015005			

Total

\$ 75,000 - 00

REQUESTED BY

Scott McRae

DATE 3/24/16

DEPARTMENT HEAD

Joe Brown

DATE 3/24/16

COMM. OF FINANCE

Robert Jones

DATE 3/28/16

MAYOR

DATE

REASON FOR THIS TRANSFER:

Purchase Used Roll Off Truck to haul wood waste for use at gasification plant

ORDINANCE NO. 16-5183

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AMEND AGREEMENT WITH PHG ENERGY SERVICES
FOR PURCHASE OF/CONTRACT FOR VARIOUS EQUIPMENT, ACCESSORIES
AND SERVICES FOR LOGISTICAL OPERATION OF THE CITY OF LEBANON
GASIFICATION PLANT PROJECT**

WHEREAS, the City of Lebanon (City) entered into an agreement with PHG Energy for the development of the gasification (waste-to-energy) project per Ordinance No. 15-4849 in February 2015; and

WHEREAS, it was anticipated that the City would need to invest in certain equipment, etc. to support project operations; and

WHEREAS, it has been recommended the City enter into an agreement with Rockwood, LLC, for certain services related to wood and tire processing to fuel the gasification unit (Memorandum of Understanding Ordinance No. 15-5072); and

WHEREAS, the City wishes to amend the agreement with PHG Energy to assist with acquisition of certain equipment, accessories and services necessary for the logistical operation of the gasification plant; and

WHEREAS, the City received a \$250,000 Clean Tennessee Energy Grant from the Tennessee Department of Environment and Conservation Office of Sustainable Practice.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance are hereby authorized to enter into and execute an amendment to the Engineering Procurement and Construction Agreement with PHG Management for an amount not to exceed \$500,000.00 for the purchase of or contract for various equipment, accessories and services necessary for the logistical operation of the City of Lebanon Gasification Plant.

Section 2. The Waste Water (Sewer) Plant budget is amended as follows:

Department:	Waste Water (Sewer) Plant	
From:	41190001-79010 Budget Retained Earnings	\$500,000.00
To:	41116520	\$500,000.00
	Work Order No. S015005	

Section 3. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:

CITY OF LEBANON ACCTG. DEPT.

FINANCE DEPT.

BUDGET AMENDMENT FORM

FY 2015-2016

2016 MAR 28 PM 4:30

FOR ACCOUNTING PURPOSES ONLY

BGT #

POSTED

REF #

INITIALS

DEPARTMENT

Waste Water (Sewer) Plant

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
411 90001 - 79010	Budget Retained Earnings	\$500,000	

Total

\$500,000-0

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
411 52213			\$500,000
411-16520	Gasification Facility Initiative		\$500,000
Work Order No 5015005			

Total

\$500,000 - 00

REQUESTED BY

Scott McBee

DATE

3/24/16

DEPARTMENT HEAD

Joe Bauman

DATE

3/24/16

COMM. OF FINANCE

Robert Spring

DATE

3/28/16

MAYOR

DATE

REASON FOR THIS TRANSFER: Amendment to PHG Energy Agreement (Ord No 15-4849) for Gasification Plant Miscellaneous Equipment, Accessories and Services purchases

CERTIFICATE OF COMPLIANCE

RETAIL PACKAGE STORE

Pursuant to Tennessee Code Annotated, Title 57, §§57-3-208 and 57-3-213, this is to certify that:

Name of Applicant: Brian Gleaves
Home Address: 3024 Sherwood Lane, Lebanon TN 37090
Date of Birth: 09 09 1974 SSN: [REDACTED]

has made application for a Certificate of Compliance to sell retail alcoholic beverages in the County of Wilson, State of Tennessee, at 512-B West Main Street, Lebanon, TN 37087

and that an investigation has been undertaken of the applicant's criminal record and of the compliance of said business with local law, ordinances or resolutions, and from said investigation the undersigned certified:

- 1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten-year period...
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the applicant or applicants have complied with the residency provisions;
4. That the issuance of this license will not exceed the numerical limit.

This ___ day of ___, 20___

Mayor or Other Official Head of Municipality

MAJORITY OF CITY COUNCIL OR COMMISSION MEMBERS

Member of Legislative Body of Municipality

MAIL TO: Tennessee Alcoholic Beverage Commission, 226 Capitol Boulevard Building, Suite #300, Nashville, Tennessee 37243-0755

RESOLUTION NO. 16-1927

EXHIBIT A TO BE PROVIDED PRIOR TO MEETING

**A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO ADOPT AND ACCEPT
THE UPDATED AIRPORT LAYOUT PLAN**

WHEREAS, Atkins North America, the city's engineering consultant for the Lebanon Municipal Airport, has recently developed an updated Airport Layout Plan; and

WHEREAS, such Airport Layout Plan has been reviewed and recommended by the Lebanon Airport Commission; and

WHEREAS, the updated Airport Layout Plan is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City of Lebanon, Tennessee, as follows:

Section 1. The updated Airport Layout Plan, attached hereto as Exhibit A, developed by Atkins North America is hereby adopted and accepted.

Section 2. This resolution shall take effect immediately upon its passage, the public welfare requiring the same.

Adopted this _____ day of _____, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

CITY OF LEBANON
POLICE DEPARTMENT REPORT ON
LIQUOR STORE COMPLIANCE APPLICANT

NAME: Brian Gleaves
ADDRESS: 3024 Sherwood Lane
Lebanon, TN 37090
DATE OF BIRTH: 09-09-1974
SOCIAL SECURITY NO. [REDACTED]
DRIVER'S LICENSE NO. [REDACTED]
TELEPHONE NO. 615-449-7227
BUSINESS LOCATION: West Main Wines & Spirits LLC
512 West Main Street, Lebanon, TN 37087

Information received from background check:

Approval

Disapproval

Reasons for Disapproval: _____

Signed: [Signature]

Position: Chief

City of Lebanon
Police Department

Date: 3-28-16

RESOLUTION NO. 16-1927

EXHIBIT A TO BE PROVIDED PRIOR TO MEETING

**A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO ADOPT AND ACCEPT
THE UPDATED AIRPORT LAYOUT PLAN**

WHEREAS, Atkins North America, the city's engineering consultant for the Lebanon Municipal Airport, has recently developed an updated Airport Layout Plan; and

WHEREAS, such Airport Layout Plan has been reviewed and recommended by the Lebanon Airport Commission; and

WHEREAS, the updated Airport Layout Plan is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City of Lebanon, Tennessee, as follows:

Section 1. The updated Airport Layout Plan, attached hereto as Exhibit A, developed by Atkins North America is hereby adopted and accepted.

Section 2. This resolution shall take effect immediately upon its passage, the public welfare requiring the same.

Adopted this _____ day of _____, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

ORDINANCE NO. 16-5174

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE A LINE ITEM TRANSFER FOR THE BEAUTIFICATION FUND

WHEREAS, the Lebanon City Council approved and adopted the 2015 – 2016 fiscal year budget on June 2, 2015 by Ord. No. 15-4924; and

WHEREAS, a line item transfer is necessary for the Beautification Fund relative to the Think Green Think Clean project; and

WHEREAS, the appropriate line item transfer is incorporated on the attached table by reference as if stated verbatim herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance shall make the following line item transfer in the FY 15 – 16 City of Lebanon budget:

Department: Beautification

From: 12043000-72300 Public Relations & Notices \$2,000.00

To: 12043000-77150 Transfer to other funds \$2,000.00

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM FINANCE DEPT
 FY 2015-2016 2016 FEB 29 AM 9:27

FOR ACCOUNTING PURPOSES ONLY	
BGT # _____	
POSTED	_____
REF #	_____
INITIALS	_____

DEPARTMENT Beautification

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
120-43000-12300	Public Relations & Notices	\$ 2,000.00	
		\$	
Total		\$	

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
			\$
12043000 - 77150	Transfer to other Funds		2,000.00
Total			\$

REQUESTED BY	<u>RT BALDWIN</u>	DATE	<u>2-25-16</u>
DEPARTMENT HEAD	<u>[Signature]</u>	DATE	<u>2/25/16</u>
COMM. OF FINANCE	<u>[Signature]</u>	DATE	<u>3/11/16</u>
MAYOR	<u>[Signature]</u>	DATE	<u>3/15/16</u>

REASON FOR THIS TRANSFER:

Transfer for 2015-2016 Think Green Think Clean

ORDINANCE NO. 16-5175

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE A LINE ITEM TRANSFER FOR THE JIMMY FLOYD FAMILY LIFE CENTER

WHEREAS, the Lebanon City Council approved and adopted the 2015 – 2016 fiscal year budget on June 2, 2015 by Ord. No. 15-4924; and

WHEREAS, a line item transfer is necessary to cover contractual services for the remainder of the fiscal year for the Jimmy Floyd Family Life Center; and

WHEREAS, the appropriate line item transfer is incorporated on the attached table by reference as if stated verbatim herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance shall make the following line item transfer in the FY 15 – 16 City of Lebanon budget:

Department: JFFC

From: 12244431-73100 Office Supplies \$1,500.00

To: 12244431-72900 Contractual Services \$1,500.00

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.

BUDGET AMENDMENT FORM

FY 201 -201

FINANCE DEPT.

2016 MAR 15 AM 10:32

FOR ACCOUNTING PURPOSES ONLY

BGT #

POSTED

REF #

INITIALS

DEPARTMENT

JFFC

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
*12244431 73100	Office Supplies	1500	

Total

\$

-

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
12244431 72900	Contractual Services		1500

Total

\$

-

REQUESTED BY

DATE

DEPARTMENT HEAD

DATE

3/16/16

COMM. OF FINANCE

DATE

3/17/16

MAYOR

DATE

REASON FOR THIS TRANSFER:

Transfer for Remainder of Budget Year -

*12244431 - 73100 current balance = \$4,267.39

ORDINANCE NO. 16-5176

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE LINE
ITEM TRANSFERS FOR THE POLICE DEPARTMENT**

WHEREAS, the Lebanon City Council approved and adopted the 2015 – 2016 fiscal year budget on June 2, 2015 by Ord. No. 15-4924; and

WHEREAS, line item transfers are necessary to cover training for new hires and public relations and notices for the remainder of the fiscal year for the Police Department; and

WHEREAS, the appropriate line item transfers are incorporated on the attached table by reference as if stated verbatim herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance shall make the following line item transfers in the FY 15 – 16 City of Lebanon budget:

Department: Police			
From: 11042100-73310	Gas		\$12,500.00
To: 11042100-72300	Public Relations and Notices		\$2,500.00
10042100-72480	Training		\$10,000.00

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.

FINANCE DEPT.

BUDGET AMENDMENT FORM 2016 MAR 17 PM 3:25

FY 2015-2016

FOR ACCOUNTING PURPOSES ONLY

BGT #

POSTED

REF #

INITIALS

DEPARTMENT Police

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
110-42100-73310	Gas	\$ 12,500.00	
	Total	\$ 12,500.00	

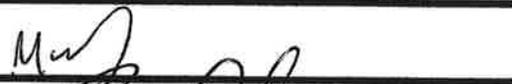
TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
110-42100-72300	Public Relations and Notices		\$ 2,500.00
110-42100-72480	Training		\$ 10,000.00
	Total		\$ 12,500.00

REQUESTED BY William Glover

DATE 3/17/2016

DEPARTMENT HEAD



DATE 3-17-16

COMM. OF FINANCE



DATE 3-21-16

MAYOR

DATE

REASON FOR THIS TRANSFER:

To transfer before the fact 10k for training, to cover new hires to attend the police academy. To transfer part before the fact and part after the fact in to Public Relations and Notices to cover newspaper notices, ads, and to cover a donation for 3 students for compete in the state competition in Criminal Justice and a Lebanon Police ad for CU baseball field.

ORDINANCE NO. 16-5177

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO APPROVE BIDS FOR THE HAUL AND DISPOSAL OF SLUDGE FOR THE WATER PLANT

WHEREAS, the City of Lebanon has recently requested bids for the haul and disposal of sludge for the Water Plant; and

WHEREAS, competitive bidding for this project was opened on March 23, 2016, wherein the City of Lebanon received the following bid; and

<u>COMPANY</u>	<u>AMOUNT OF BID</u>
Twelve Oaks	\$135.00 per load / approximately 740 loads per year (\$99,900.00 approximate total)

WHEREAS, funds for this project are appropriated in the 2015 – 2016 fiscal year budget in line item #41152113-72900.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to enter into a contract with Twelve Oaks to haul and dispose of sludge from the Water Plant in the amount of One Hundred Thirty-five Dollars (\$135.00) per load for an approximate total of Ninety-nine Thousand, Nine Hundred Dollars and No Cents (\$99,900.00) per year. This contract shall remain in effect for five (5) years.

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

ORDINANCE NO. 16-5179

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE LINE ITEM TRANSFERS FOR THE HUMAN RESOURCES DEPARTMENT

WHEREAS, the Lebanon City Council approved and adopted the 2015 – 2016 fiscal year budget on June 2, 2015 by Ord. No. 15-4924; and

WHEREAS, line item transfers are necessary to cover printing and postage/shipping expenses for the remainder of the fiscal year for the Human Resources Department; and

WHEREAS, the appropriate line item transfers are incorporated on the attached table by reference as if stated verbatim herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance shall make the following line item transfers in the FY 15 – 16 City of Lebanon budget:

Department: Human Resources

From: 11041650-72120	Trans Expense	\$1,850.00
To: 11041650-72110	Postage & Shipping	\$400.00
11041650-72200	Printing	\$1,450.00

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.

BUDGET AMENDMENT FORM

FY 2015-2016

FINANCE DEPT.

2016 MAR 24 AM 10:19

FOR ACCOUNTING PURPOSES ONLY

BGT # _____

POSTED _____

REF # _____

INITIALS _____

DEPARTMENT

Human Resources

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11041650-72120	72120 Trans Expense	1850.00	

Total \$ -

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11041650	72110 Postage & Shipping		400.00
11041650	72200 Printing		1450.00

Total \$ -

REQUESTED BY

Lee Ann Crosslin

DATE

3/18/16

DEPARTMENT HEAD

[Signature]

DATE

3/18/16

COMM. OF FINANCE

[Signature]

DATE

3/24/16

MAYOR

DATE

REASON FOR THIS TRANSFER:

Cover expenses for remainder of the year.

After

ORDINANCE NO. 16-5180

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE LINE ITEM TRANSFERS FOR THE ACCOUNTING DEPARTMENT

WHEREAS, the Lebanon City Council approved and adopted the 2015 – 2016 fiscal year budget on June 2, 2015 by Ord. No. 15-4924; and

WHEREAS, line item transfers are necessary to cover HSA Contribution, Workmen's Comp, Rent, and Medical & Vet expenses for the remainder of the fiscal year for the Accounting Department; and

WHEREAS, the appropriate line item transfers are incorporated on the attached table by reference as if stated verbatim herein.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The Mayor and Commissioner of Finance shall make the following line item transfers in the FY 15 – 16 City of Lebanon budget:

Department: Accounting

From: 11041530-72900	Contractual Services	\$2,000.00
11041530-73100	Office Supplies	\$1,200.00
11041530-72800	Travel Expenses	\$265.00
To: 11041530-71440	HSA Contribution	\$3,000.00
11041530-71460	Workmen's comp	\$350.00
11041530-75300	Rent	\$60.00
11041530-72500	Medical & Vet	\$55.00

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2015-2016

2016 MAR 24 AM 10:16

FOR ACCOUNTING PURPOSES ONLY

BGT # _____

POSTED _____

REF # _____

INITIALS _____

DEPARTMENT Accounting

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11041530 72900	Contractual Services	\$ 2,000.00	
11041530 73100	Office Supplies	\$ 1,200.00	
11041530 72800	Travel Expenses	\$ 265.00	
Total		\$ 3,465.00	

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11041530 71440	H S A Contribution		\$ 3,000.00
11041530 71460	Workmen's Comp		\$ 350.00
11041530 75300	Rent		\$ 60.00
11041530 72500	Medical & Vet		\$ 55.00
Total			\$ 3,465.00

Department Head certifies that no funds have or will be obligated prior to approval of this transfer.

REQUESTED BY Stuart Lawson *R.L.*

DATE 3/18/2016

DEPARTMENT HEAD _____

DATE _____

COMM. OF FINANCE *[Signature]*

DATE 3/24/16

MAYOR _____

DATE _____

REASON FOR THIS TRANSFER:

To cover cost for the remainder of the FY 2015-2016.

ORDINANCE NO. 16-5190

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AMEND THE LEBANON MUNICIPAL CODE TITLE 8, CHAPTER 2
RELATIVE TO SPECIAL EVENT BEER PERMITS**

WHEREAS, the City of Lebanon wishes to amend the Lebanon Municipal Code to allow beer permits for special events.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. That the Lebanon Municipal Code Title 8, Chapter 2, section 8-211 Classes of permits; prohibitions against issuing permits for certain places or to certain applicants; bond required is hereby amended by deleting the current section 8-211(4) and creating a new section 8-211(4) as follows:

- (4) To be issued a beer permit for a special event, the following conditions must be met:
- (a) Special event beer permits allowing the temporary sale of beer shall be limited to two (2) such permits in a calendar year for any applicant and shall be issued in the discretion of the Lebanon Beer Board after consideration of any issue of public safety, including, but not limited to, traffic, security, ability of the applicant to abide by all City and State alcohol laws, and crowd control.
 - (b) Special event beer permits shall not exceed thirty (30) days duration and are subject to the limitations on the days and hours of sale imposed by law.
 - (c) No special event beer permit shall be issued for the sale of beer on public property unless the applicant is a bona fide charitable or nonprofit organization, as defined by Tenn. Code Ann. § 57-4-102(4) or a bona fide political organization, as defined by Tenn. Code Ann. §57-4-102(5). Such applicants for special event beer permits for public property must provide written notice from the benefitted entity to the Beer Board confirming its involvement in the special event, as well as documentation of the benefitted entity's status as a bona fide charitable or nonprofit organization or as a bona fide political organization, as previously defined. Such public property eligible to receive a special event permit shall be limited to the Lebanon Square and the Lebanon Square's associated parking areas, including the "old courthouse parking lot." No special event permit(s) shall be issued for events in/on any City of Lebanon park, recreational facility or area, walking trail, athletic fields, or other City owned property.

- (d) The fee for each special event beer permit shall be fifty dollars (\$50.00).
- (e) No charitable, nonprofit or political organization issued a special event beer permit as herein defined shall purchase, for sale or distribution, beer from any source other than a licensee as provided pursuant to state law.
- (f) No special event beer permit shall be issued to any applicant that has been previously found to have violated any of the alcohol ordinances or laws of the City of Lebanon or the State of Tennessee or that is less than twenty-one (21) years old.
- (g) Issuance of a special event beer permit shall be subject to the same rules and regulations as issuance of any on/off premises consumption permit.

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

CITY OF LEBANON
APPLICATION FOR SPECIAL EVENT BEER PERMIT

STATE OF TENNESSEE

COUNTY OF WILSON

It is the applicant's responsibility to provide accurate and complete information. The Beer Board could delay or deny action on the application if any information is not accurate.

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- (g) Issuance of a special event beer permit shall be subject to the same rules and regulations as issuance of any on/off premises consumption permit.

I/we hereby make application for a special event beer permit to temporarily sell or distribute beer, under the provisions of the City of Lebanon Municipal Code, § 8-211(4), and base my application upon the answers to the following questions:

1. Is the special event permit for the sell or distribution of beer on public property?

No _____ Yes _____

If yes, is the applicant:

A charitable or nonprofit organization? _____ Or a political organization? _____

(Written notice of entity involvement and proof documentation required.)

CITY OF LEBANON
APPLICATION FOR SPECIAL EVENT BEER PERMIT

STATE OF TENNESSEE

COUNTY OF WILSON

2. Applicant _____

3. Applicant address _____ Zip _____

Phone _____

4. Name of Special Event _____ Date _____

5. Purpose of Special Event _____

6. Event Location _____

7. Event Manager Name _____

Address _____

City _____ Zip _____

Phone _____

***Note:** All applicants for a special event permit must additionally fill out a regular beer permit application and are subject to the same publication and background check fees.

ORDINANCE NO. 16-5191

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO ENTER INTO A PUBLIC / PRIVATE PARTNERSHIP TO DEVELOP AN INDUSTRIAL PARK

WHEREAS, the city and county desire to develop an industrial park; and

WHEREAS, the city and county have had several industrial prospects to show an interest in developing an industry in Lebanon, Wilson County, Tennessee; and

WHEREAS, the first consideration of any industrial prospect is the availability of desirable locations of land; and

WHEREAS, the city and county administrations recognize the need to continuously promote new industries and to provide jobs for the citizens of Lebanon and Wilson County; and

WHEREAS, the City of Lebanon and Wilson County will enter into a public private partnership, as detailed on Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, as follows:

Section 1. The City of Lebanon and Wilson County will enter into a public / private partnership for the purpose of developing an industrial park, as detailed on Exhibit A.

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

ORDINANCE NO. 16-5192

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO ENTER INTO A PUBLIC / PRIVATE PARTNERSHIP TO DEVELOP AN INDUSTRIAL PARK

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Mayor

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