



Philip Craighead
Mayor

CITY OF LEBANON

Office of the Mayor

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Lebanon, TN 37087

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615-443-2839
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WORK SESSION – JULY 5, 2016 - 5:30 P.M.

TOWN MEETING HALL, ADMINISTRATION BUILDING

Report on Fiscal Year 2014-2015 Audit for City

REGULAR CALLED CITY COUNCIL MEETING

AGENDA - JULY 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:**

June 21, 2016 - Regular Called City Council Meeting

June 28, 2016 - Special Called City Council Meeting

6. **COMMUNICATION FROM CITIZENS:**

7. **COMMUNICATION FROM MAYOR:**

8. **REPORTS FROM COMMITTEES / ALDERMEN / OFFICERS:**

9. **OLD BUSINESS:**

1. **Resolution No. 15-1892**, adopting a Plan of Services for the annexation of unaddressed property on US Highway 231/Hunters Point Pike (Tax Map 45, Parcels 26 and 26.04) to be added to Ward 1 (107.48 acres), by Paul Corder, Planning Director. (Request by Jerry Earwood)

2. **Resolution 15-1889**, annexing unaddressed property on US Highway 231/Hunters Point Pike, also identified as Tax Map 45, Parcels 26 and 26.04, containing 107.48 acres in the records of the Wilson County Assessor of Property, to be added to Ward 1, by Paul Corder, Planning Director. (Request by Jerry Earwood)

3. **Ordinance 15-5038**, first reading, zoning unaddressed property on US Highway 231/Hunters Point Pike (106.14 acres; Tax Map 45, Parcels 26 and 26.04) as RS20 (Low Density Single Family) District in Ward 1, by Paul Corder, Planning Director. (Request by Jerry Earwood)

10. NEW BUSINESS:

1. Council approval of an Application for Taxi Cab Driver's License (Applicant: Lawrence A. Curtiss), by Robert Springer, Commissioner of Finance and Revenue.

Line Item Transfer – Before & After the Fact:

2. **Ordinance No. 16-5257**, first reading, to authorize Line Item Transfers for the Economic Development Department (2015-2016 Fiscal Year Budget), by Sarah Haston, Economic Development Director, and Robert Springer, Commissioner of Finance and Revenue.

3. **Resolution No. 16-1948**, to approve a Hold Harmless Agreement with the Developers of Fairfield Inn and Suites to allow placement of a sign within the public utility and drainage easement, by Regina Santana, Engineering Director of Development.

4. **Resolution No. 16-1949**, to approve the Engineering Procurement and Construction Agreement with Rockwood, LLC, for support activities for the Gasification Unit owned by the City of Lebanon, by Jeff Baines, Commissioner of Public Works, and Scott McRae, Gasification Plant Foreman.

5. **Resolution No. 16-1950**, to authorize and approve a proposal with the Tennessee Department of Transportation for the construction of State Route 141 from north of Lovers Lane to State Route 26 (US-70), State Project No. 95013-2218-14, PIN 103203.01, by Jeff Baines, Commissioner of Public Works.

6. **Ordinance No. 16-5268**, first reading, to amend the Lebanon Municipal Code, Title 9, Chapter 3, Sections 9-313 and 9-315, relative to Taxicabs (requiring applicants to submit a certified copy of their criminal and driving history to the Police Department), by Mike Justice, Police Chief.

11. **ADJOURNMENT**

CITY COUNCIL MEETING

June 21, 2016

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

Prior to calling the Regular Called City Council Meeting to order, Mayor Craighead announced there will be three withdrawals on this evening's agenda; the first three items under Old Business which are: Resolution No. 15-1892, Resolution No. 15-1889, and Ordinance 15-5038. They were withdrawn at the owner's request. Ordinance 16-1548 will also include a revision of the addition of some new figures.

Mayor Craighead called the Regular Called City Council Meeting to order at 6:00 p.m.

Invocation was given by William Porter, Director of Parks and Recreation.

Mayor Philip Craighead led the Pledge of Allegiance to the United States Flag.

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

Approval of Minutes:

Motion was made by Councilor Burton, seconded by Councilor Jewell, to approve the minutes of the June 7, 2016, Regular Called City Council Meeting. Motion carried unanimously. Minutes were approved.

Motion was made by Councilor Jewell, seconded by Councilor Burton, to approve the minutes of the June 9, 2016, Special Called City Council Meeting. Motion carried unanimously. Minutes were approved.

231/Hunter Point Pike. It has been on the Planning Commission agenda three times and on the City Council agenda five times. He asked why this has been put into play so many times in the last eleven months and asked if any other property had this kind of continuance. Mayor Craighead advised Mr. Susan that there have been different circumstances each time, and the property owners address those issues in order to bring it back. However, the Mayor stated, at the request of the property owner this item has been removed from this evening's agenda. The Mayor was not aware of how many times other items zonings have been placed on the Agenda.

2) Drew Boggs, a resident of Lebanon, small developer, Real Estate broker and builder in Lebanon, addressed the Mayor and City Council. Mr. Boggs has been speaking with Planning Director Paul Corder over the past few weeks regarding Ordinance 16-5265. As a potential small developer, he wanted to come speak on behalf of the passage of this ordinance.

Mr. Boggs stated, "I will give you one example of what we are dealing with right now, in reference to a site plan. We have bought a couple \$20,000 lots over on Bluebird Road, across from Old Les' Lounge where Fred Burton's ward is; and we have talked about it with him a couple times. We are looking at doing a couple quadplexes on those lots and everything is zoned an approved for it. However, we got our engineering for a site plan for just one lot is \$7,500 for the least amount and \$10,000 is the next amount for a person spending \$20,000 for a lot. To pay \$7,500 per lot for a site plan prep, up to \$10,000, which is \$05-50% of the lot cost throws a niche in our numbers. So, it looks like the easiest route and most efficient route to be profitable is to build a duplex; and we can see plenty of duplexes in our town. As a property manager, investor and working on building a portfolio of rental properties we were hoping to improve that Bluebird Road section and doing some nice townhome style quads and we have chosen now just to wait to see if this ordinance is passed, due to the fact of the engineering costs being so high. Obviously, we would abide by all of the city ordinances and codes, and build a real pretty property. But, I just feel like, as a small developer, to pay a site plan and engineering on something as small as one quadplex or two on two little lots is a little bit challenging. So, I just wanted to voice my favor of Ordinance 16-5265."

The Mayor said we have passed a lot of our zoning rules when we knew we had a bucket list to clean up to do some things and to make the city open for business relative to what Mr. Boggs is speaking to. It would be good to fill in areas such as Bluebird Road. The Mayor appreciates what Mr. Boggs is trying to accomplish in the area.

The Mayor said we have passed a lot of our zoning rules when we knew we had a bucket list to clean up to do some things and to make the city open for business relative to what Mr. Boggs is speaking to. It would be good to fill in areas such as Bluebird Road. The Mayor appreciates what Mr. Boggs is trying to accomplish in the area.

Communication from Mayor:

Mayor Philip Craighead appreciates everyone's support of the National Junior High Rodeo which is in town. Many of our businesses are very appreciative of the new customers. Although the City has gone through some expenditures to bring this event here, it has been more than worth while, in that it will go a long way in attracting others to follow. In so doing, this makes it a good investment for the whole community. The participants have come from all over and they seem to be very excited about being here in Lebanon. The contestants and their families will be here for the rest of the week. Mayor Craighead asked that we give them a good welcome. From what he has heard, the Mayor said the National Junior High Rodeo in Lebanon had one of their biggest turnouts for an opening day. This should encourage future visits for them, as well as, others to come.

The Mayor thanked Richard Whitener with THW Insurance for their efforts in taking care of the Public Safety roof which was damaged during the recent storms and bad weather we experienced.

Reports from Committees / Aldermen / Officers:

- 1) Councilor Lanny Jewell stated his prayers are with Police Chief Mike Justice and his family, he understands how hard it is.
- 2) Councilor Fred Burton questioned if Commissioner Baines knows anything about the poles that Middle Tennessee Electric is putting up. Commissioner Baines believes it is just a regular pole change out. Middle Tennessee Electric moves their poles first, and then the Telephone company and other folks do theirs.
- 3) Councilor Bernie Ash had no comments at this time.
- 4) Councilor Tick Bryan had no comments at this time.

Old Business:

Resolution No. 15-1892, adopting a Plan of Services for the annexation of unaddressed property on US Highway 231/Hunters Point Pike (Tax Map 45, Parcels 26 and 26.04) to be added to Ward 1 (107.48 acres), by Paul Corder, Planning Director. (Request by Jerry Earwood)

Withdrawn prior to Council Meeting.

Resolution 15-1889, annexing unaddressed property on US Highway 231/Hunters Point Pike, also identified as Tax Map 45, Parcels 26 and 26.04, containing 107.48 acres in the records of the Wilson County Assessor of Property, to be added to Ward 1, by Paul Corder, Planning Director. (Request by Jerry Earwood)

Withdrawn prior to Council Meeting.

Ordinance 15-5038, first reading, zoning unaddressed property on US Highway 231/Hunters Point Pike (106.14 acres; Tax Map 45, Parcels 26 and 26.04) as RS20 (Low Density Single Family) District in Ward 1, by Paul Corder, Planning Director. (Request by Jerry Earwood)

Withdrawn prior to Council Meeting.

New Business:

Resolution No. 16-1936, to authorize application for and acceptance of funds obtained through the Edward Byrne Memorial Justice Assistance Grant (JAG) 100% funding; (2016-2017 Fiscal Year Budget), by Mike Justice, Police Chief.

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

Ordinance No. 16-5241, first reading, to approve the proposal from Common Ground, LLC for Urban Design Services and to authorize a Budget Amendment (2016-2017 Fiscal Year Budget; Not to exceed \$55,000), by Paul Corder, Planning Director. (*Budget Amendment – Before the Fact*)

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

Paul Corder stated staff had previously looked to hire an Urban Designer; however, most applicants seem to want to go to bigger cities. The City has reached out to Common Ground, a company based in Nashville. They have been recommended to us from all over the country.

The City will try this out on a consultant basis. Hopefully, Common Ground can start off running with some good expert advise. Councilor Jewell asked Mr. Corder if he felt this would be of benefit doing this on a consultant basis. Mr. Corder believes that anyone else that we hire would be starting off in training; whereas, these people are very familiar with the concept we visualize.

very familiar with the concept we visualize. Mr. Corder added, "I think at this point in Lebanon's life cycle, we need somebody that is ready to jump in and start doing the work." This amount of dollars is about the same; however, without the benefit package. So, it should be more beneficial to the City.

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

Ordinance No. 16-5248, first reading, to authorize Line Item Transfers for the Fire Department (2015-2016 Fiscal Year Budget), by Chris Dowell, Fire Chief, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*)

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

Resolution No. 16-1944, to adopt the City of Lebanon Personnel Rules and Regulations Policy revisions relative to Background Investigations and Criminal History Personnel Rules, by Sylvia Reichle, Human Resources Director.

Motion was made by Councilor Bryan, seconded by Councilor Burton, to pass said Resolution. Councilor Jewell believes this will bring things up to regulation.

Motion carried unanimously. Resolution was read and passed.

Resolution No. 16-1945, in support of the eighteenth annual observance of "A Day of Prayer for Our Schools," by Mayor Philip Craighead.

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

Ordinance No. 16-5249, first reading, to authorize Line Item Transfers for the MIS Department (2015-2016 Fiscal Year Budget), by Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*)

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

Ordinance No. 16-5250, first reading, to authorize Line Item Transfers for Human Resources (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*)

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

Ordinance No. 16-5251, first reading, to authorize Line Item Transfers for Traffic Maintenance (Maintenance Vehicles & Operating Supplies; 2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*)

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.

Ordinance No. 16-5252, first reading, to authorize a Line Item Transfer for the Mayor and Council Department (Medical & Vet; 2015-2016 Fiscal Year Budget), by Mayor Philip Craighead, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – After the Fact*)

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

Ordinance No. 16-5253, first reading, to authorize Line Item Transfers for the Street Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*):

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

Ordinance No. 16-5254, first reading, to authorize Line Item Transfers for the Public Works Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*)

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

Ordinance No. 16-5255, first reading, to authorize Line Item Transfers for the Garage (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*)

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

Ordinance No. 16-5256, first reading, to authorize the purchase of Lot 193 Richmond Hills Subdivision to construct a Water Booster Station (funds appropriated in the 2015-2016 Fiscal Year Budget), by Randy Laine, Engineering Director of Capital Projects.

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

Resolution No. 16-1946, to approve the bids for sealing the mile track and two parking lots at the Don Fox Park (funds appropriated in the 2015-2016 Fiscal Year Budget), by William Porter, Parks & Recreation Director, and Lisa Lane, Purchasing Agent.

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

Ordinance No. 16-5258, first reading, to amend the 2016-2017 Budget to include a new Human Resources Policy, clarify Pay Rates for Dispatchers, to correct the Pay Rate for the Mechanic II and General Services Administrator Superintendent Positions, to revise Gas Department Field Operations Tech Position to Gas Compliance Coordinator/Inspector, and to establish the Hiring Rate for the Gas Department Superintendent, by Sylvia Reichle, Human Resources Director; Robert Springer, Commissioner of Finance and Revenue; and Jeff Baines, Commissioner of Public Works. (*Budget Amendment – Before the Fact*)

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

Ordinance No. 16-5259, first reading, to authorize Line Item Transfers for the Stormwater Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – After the Fact)*

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.

Ordinance No. 16-5260, first reading, to authorize Line Item Transfers for the Engineering Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – After the Fact)*

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

Ordinance No. 16-5261, first reading, to authorize Line Item Transfers for Airport Maintenance (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

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

Ordinance No. 16-5262, first reading, to authorize Line Item Transfers for Building Inspection (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

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

Ordinance No. 16-5263, first reading, to authorize a Line Item Transfer for the Jimmy Floyd Center (2015-2016 Fiscal Year Budget), by Tim Hill, Floyd Center Director, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before the Fact)*

This ordinance pertains to the Food Court at the Floyd Family Center.

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

Ordinance No. 16-5264, first reading, changing unaddressed property on Toshiba Drive from R2 (High Density Residential) to CS (Commercial Service Park) in Ward 1 (3.57 acres; Tax Map 58, Parcel 15.27), by Paul Corder, Planning Director. (Request by Victor Nixon)

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

Ordinance No. 16-5265, first reading, to amend Title 14, Chapter 2, Section 14.203.B, and Title 14, Chapter 12, Section 1205.B.1 of the Lebanon Municipal Zoning Code to allow three (3) and four (4) unit residential developments that are under 5,000 sq. ft. to be reviewed as minor site plans, by Paul Corder, Planning Director.

Prior to the Council Meeting, during citizen's comments, Drew Boggs asked the Council for consideration in passing this ordinance.

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

Resolution No. 16-1947, to adopt the updated Internal Control Manual for the City of Lebanon, by Stuart Lawson, Accounting Manager.

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

Ordinance No. 16-5266, first reading, to authorize a Line Item Transfer for the Legal Department (2015-2016 Fiscal Year Budget), by Andy Wright, City Attorney, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – After the Fact*)

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

Ordinance No. 16-5267, first reading, to authorize a Line Item Transfer for the Jimmy Floyd Center (Maintenance; 2015-2016 Fiscal Year Budget), by Tim Hill, Floyd Center Director, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – After the Fact*)

This ordinance pertains to the purchase of two fan motors that need replacing.

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

Prior to adjournment, the Mayor advised there will be a Special Called City Council Meeting next Tuesday, Jun 28, 2016 at 7:30 a.m. The Meeting will be held prior to the Public Works/Transportation Meeting.

The Regular City Council Meeting of June 21, 2016 adjourned at 6:19 p.m.

Attest:

Approved:

Robert D. Springer
Commissioner of Finance & Revenue

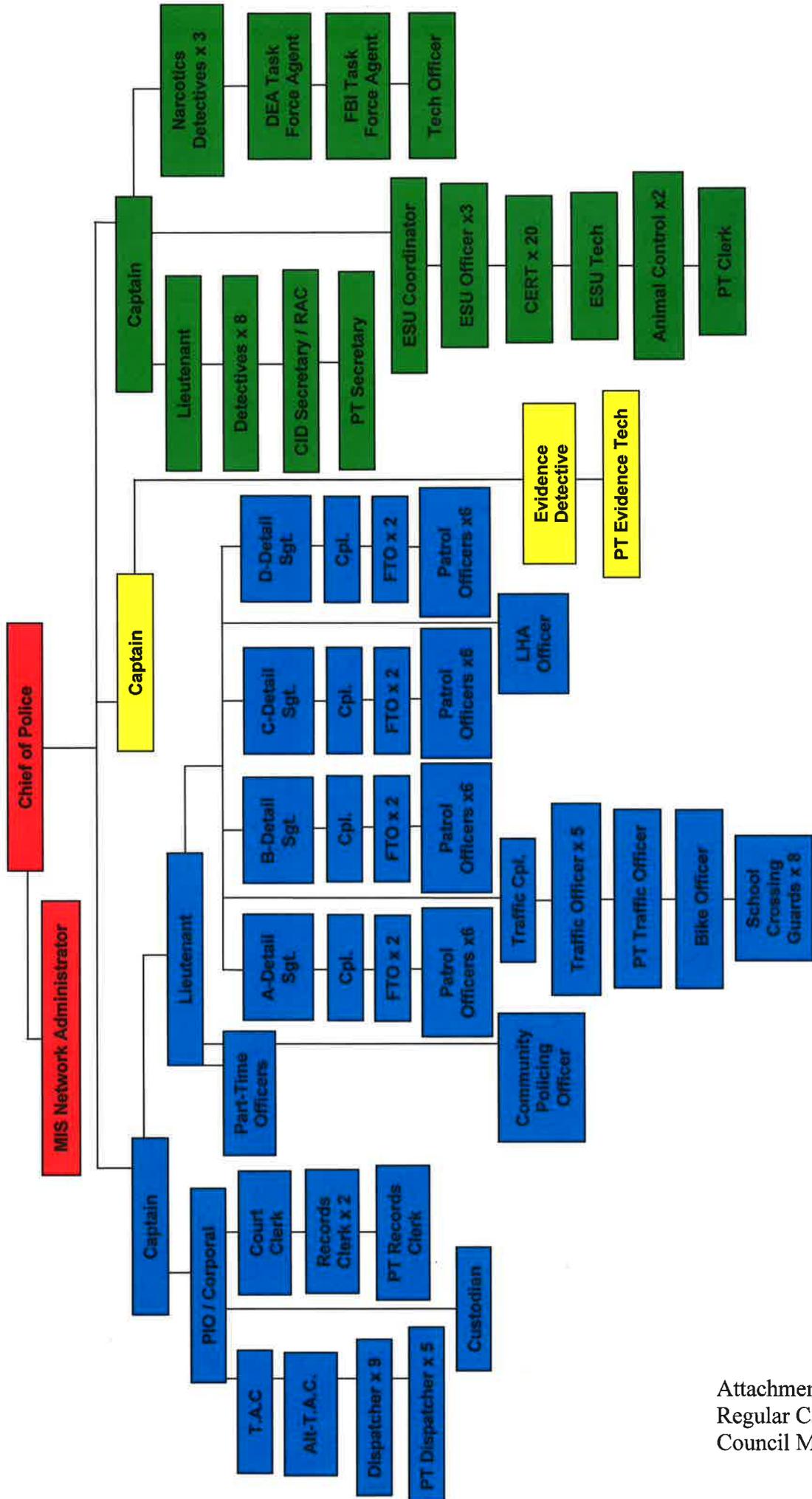
Philip Craighead
Mayor

Secretary:

Jaci Diebner



Lebanon Police Department
 406 Tennessee Boulevard
 Lebanon, TN 37087



Revised

ORDINANCE NO. 16-5248

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE LINE ITEM TRANSFERS FOR THE FIRE 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 now necessary for the Fire Department to cover expenses for the remainder of the fiscal year; and

WHEREAS, the appropriate line item transfers are incorporated on the attached tables 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 make the following line item transfers in the FY 2015 – 2016 City of Lebanon budget:

Department: Fire

From:	11042200-72100	Communications	\$3,395.00
	11042200-71130	Scheduled Overtime	\$10,000.00
	11042200-72790	Business Meals	\$350.00
	11042200-72340	Community Relations	\$50.00
	11042200-72120	Trans Expense	\$157.41
	11042200-72310	Subscriptions	\$588.00
	11042200-72800	Travel Expenses	\$589.64
	11042200-73200	Operating Supplies	\$2,100.00
	11042200-72540	Data Processing	\$100.00
To:	11042200-72480	Training	\$2,200.00
	11042200-71120	Overtime	\$10,000.00
	11042200-72300	Public Rel & Notices	\$1,450.00
	11042200-73320	Motor Vehicle Parts	\$3,680.05

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**

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

DEPARTMENT Fire

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
1104220072100	Communications	2200. ⁰⁰	

Total \$ -

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
1104220072480	Training		2200. ⁰⁰

Total \$ -

REQUESTED BY [Signature]
DEPARTMENT HEAD [Signature]
COMM. OF FINANCE _____
MAYOR _____

DATE 10-3-16
DATE 10-3-16
DATE _____
DATE _____

REASON FOR THIS TRANSFER:
Cover Expenses in Training for remainder of fiscal year.

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

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

DEPARTMENT Fire

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-71130	scheduled overtime	10,000.00	

Total \$ -

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-71120	overtime		10,000.00

Total \$ -

REQUESTED BY [Signature]
DEPARTMENT HEAD [Signature]
COMM. OF FINANCE _____
MAYOR _____

DATE 6-3-16
DATE 6-3-16
DATE _____
DATE _____

REASON FOR THIS TRANSFER:
To balance the line for 2015-2016 fiscal year

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

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

DEPARTMENT Fire

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-72790	Business meals	356.00	
11042200-72340	Community relations	50.00	

Total \$ -

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-72300	Public Relat. + Notices		400.00

Total \$ -

REQUESTED BY [Signature]
DEPARTMENT HEAD [Signature]
COMM. OF FINANCE _____
MAYOR _____

DATE 6-3-16
DATE 6-3-16
DATE _____
DATE _____

REASON FOR THIS TRANSFER:
Balance the line for 2015-2016 Fiscal year

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

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

DEPARTMENT Fire

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-72120	Trans Expense	157.41	
11042200-72310	subscriptions	588.00	
11042200-72800	Travel Expenses	589.64	
11042200-72100	communications	1195.00	
11042200-73200	Operating Supplies	1,000.00	
11042200-72540	Data Processing	100.00	
Total		\$	-

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-73320	motor vehicle parts		3,630.05
Total		\$	-

REQUESTED BY	<u>[Signature]</u>	DATE	<u>6-3-16</u>
DEPARTMENT HEAD	<u>[Signature]</u>	DATE	<u>6-3-16</u>
COMM. OF FINANCE	_____	DATE	_____
MAYOR	_____	DATE	_____

REASON FOR THIS TRANSFER:
To Balance the line for 2015-2016 Fiscal year

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

FOR ACCOUNTING PURPOSES ONLY

BGT # _____

POSTED _____

REF # _____

INITIALS _____

DEPARTMENT Fire

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-73200	Operating Supplies	1,100.00	

Total \$ -

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042200-72300	Public Relat + Notices		1,050.00
11042200-73320	motor vehicle parts		50.00

Total \$ -

REQUESTED BY [Signature]

DATE 6-21-16

DEPARTMENT HEAD [Signature]

DATE 6-21-16

COMM. OF FINANCE _____

DATE _____

MAYOR _____

DATE _____

REASON FOR THIS TRANSFER:

Ord. 16-5248

SPECIAL CALLED CITY COUNCIL MEETING

June 28, 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 7:30 a.m.

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

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 Tick Bryan, 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. 16-5241, second reading, to approve the proposal from Common Ground, LLC for Urban Design Services and to authorize a Budget Amendment (2016-2017 Fiscal Year Budget; Not to exceed \$55,000), by Paul Corder, Planning Director. *(Budget Amendment – Before the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5248, second reading, to authorize Line Item Transfers for the Fire Department (2015-2016 Fiscal Year Budget), by Chris Dowell, Fire Chief, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5249, second reading, to authorize Line Item Transfers for the MIS Department (2015-2016 Fiscal Year Budget), by Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5250, second reading, to authorize Line Item Transfers for Human Resources (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)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5251, second reading, to authorize Line Item Transfers for Traffic Maintenance (Maintenance Vehicles & Operating Supplies; 2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5252, second reading, to authorize a Line Item Transfer for the Mayor and Council Department (Medical & Vet; 2015-2016 Fiscal Year Budget), by Mayor Philip Craighead, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5253, second reading, to authorize Line Item Transfers for the Street Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5254, second reading, to authorize Line Item Transfers for the Public Works Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*:

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5255, second reading, to authorize Line Item Transfers for the Garage (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – Before & After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5256, second reading, to authorize the purchase of Lot 193 Richmond Hills Subdivision to construct a Water Booster Station (funds appropriated in the 2015-2016 Fiscal Year Budget), by Randy Laine, Engineering Director of Capital Projects.

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5258, second reading, to amend the 2016-2017 Budget to include a new Human Resources Policy, clarify Pay Rates for Dispatchers, to correct the Pay Rate for the Mechanic II and General Services Administrator Superintendent Positions, to revise Gas Department Field Operations Tech Position to Gas Compliance Coordinator/Inspector, and to establish the Hiring Rate for the Gas Department Superintendent, by Sylvia Reichle, Human Resources Director; Robert Springer, Commissioner of Finance and Revenue; and Jeff Baines, Commissioner of Public Works. *(Budget Amendment – Before the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5259, second reading, to authorize Line Item Transfers for the Stormwater Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *(Line Item Transfer – After the Fact)*

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5260, second reading, to authorize Line Item Transfers for the Engineering Department (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – After the Fact*):

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5261, second reading, to authorize Line Item Transfers for Airport Maintenance (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*)

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5262, second reading, to authorize Line Item Transfers for Building Inspection (2015-2016 Fiscal Year Budget), by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before & After the Fact*):

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5263, second reading, to authorize a Line Item Transfer for the Jimmy Floyd Center (2015-2016 Fiscal Year Budget), by Tim Hill, Floyd Center Director, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – Before the Fact*)

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5266, second reading, to authorize a Line Item Transfer for the Legal Department (2015-2016 Fiscal Year Budget), by Andy Wright, City Attorney, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – After the Fact*)

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

Ordinance No. 16-5267, second reading, to authorize a Line Item Transfer for the Jimmy Floyd Center (Maintenance; 2015-2016 Fiscal Year Budget), by Tim Hill, Floyd Center Director, and Robert Springer, Commissioner of Finance and Revenue. (*Line Item Transfer – After the Fact*)

PASSED SECOND/FINAL READING WITH NO OBJECTIONS

The Special Called City Council Meeting of June 28, 2016 adjourned at 7:34 a.m.

Attest:

Approved:

Robert D. Springer
Commissioner of Finance & Revenue

Philip Craighead
Mayor

Secretary:

Jaci Diebner

RESOLUTION NO. 15-1892

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF UNADDRESSED PROPERTY ON US HWY 231/ HUNTERS POINT PIKE (TAX MAP 45 PARCELS 26 and 26.04) TO BE ADDED TO WARD 1

WHEREAS, TCA 6-51-102, as amended, requires that a plan of services be adopted by the governing body prior to passage of an ordinance annexing any territory; and

WHEREAS, the plan of services shall be reasonable with respect to the scope of services to be provided and the timing of the services; and

WHEREAS, before the adoption of the plan of services, a municipality shall hold a public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEBANON, TENNESSEE:

Section 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted for the area bounded as described in the legal description section and attached maps of the plan of services:

November 19, 2015

Marlin/Gibbs Annexation on Hunters Point Pike/US Hwy 231

The City of Lebanon, Tennessee, is pursuing the annexation of about 107.48 acres of unaddressed property on US Hwy 231/Hunters Point Pike as described in this report, along with a corresponding plan of services and zoning plan for the area. The area is inside the existing Urban Growth Boundary (UGB). This annexation is proposed to take place in 2016.

This report begins with a brief overview of the annexation process and the requests by the landowners for annexation. The report then turns to a proposed Plan of Services (POS) for the annexation area. The services described are those that would be necessary for the City to provide under Tennessee law. This area is proposed to receive City services in accordance with the POS.

Introduction

Public Chapter 1101 (PC 1101), adopted as Tennessee law in 1998, required cities to work cooperatively with other local governments to determine an urban growth boundary (UGB) in which annexations could occur. Lebanon can annex property within its UGB by resolution.

PC 1101 Section 19 requires a "Plan of Services" (POS) prior to annexation and a Plan of Services must include: police and fire protection; water, electrical, and sanitary sewer services; solid waste collection; road and street construction and repair; recreational facilities and programs; street lighting; and zoning services. Public Chapter 225 adopted by the Tennessee General Assembly and signed by Governor Bredesen on June 2, 2003, amended TCA 6-51-102 to include impact on school attendance zones.

The owner of the property unaddressed property on US Hwy 231/Hunters Point Pike has asked the City of Lebanon to consider annexing their property.

CITY OF LEBANON, TENNESSEE

Planning Commission Application
Rezoning General Information and Checklist



Title of Project Marlin/Gibbs Property (Station Pointe Sub-Division)
Street Location U.S. Hwy 231
Tax Map/Group Number 45 Parcel Number 28
Total Acreage 107.48 ac (R.O.W. & Property)

Approval Requested:

- Annexation & Zoning 107.48 Acres / To RS-12 Specific Plan District _____ Acres
 Preliminary Subdivision _____ No. of Lots Final Subdivision _____ No. of Lots
 Rezoning _____ Acres / From _____ To _____ Site Planning _____ Bldg. sq.ft.

Owner/Developer:

Name Jerry Earwood (Gibbs/Marlin)
Address 6558 Leiper Creek Rd
Columbia, TN 38401
Telephone Number (615) 440-3833
Fax Number _____ E-Mail _____

Surveyor/Engineer:

Name Jim T. Harrison - Civil Site Design Group, PLLC
Address 630 Southgate Avenue, Suite A
Nashville, TN 37203
Telephone Number (615) 512-5250
Fax Number (615) 251-9575 E-Mail jimh@civil-site.com

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- Thirteen (13) Copies of all Required Information
- Non-refundable Application Fee (see current fee schedule)

Date Application Filed 10/28/15 Date of Requested Planning Commission Meeting 11/24/15

200 North Castle Heights Avenue • Lebanon, Tennessee 37087 • (615) 444-3647 • Fax (615) 443-2899

CITY OF LEBANON, TENNESSEE

Planning Commission Application Annexation & Zoning General Information and Checklist



Title of Project Marlin Property + Gibbs Property (Station Pointe Sub-D)

TCA 134-304(a) states, in part, "The Commission shall approve or disapprove a plat within thirty (30) days after submission of such plat...." By signing this application, the applicant (and owners, as applicable) acknowledge that items for consideration by the Planning Commission shall be considered submitted when all required information, a completed submittal application, and fee have been received by the City of Lebanon by noon (12:00 pm) on the fourth Wednesday of every month. The Planning Commission agenda will be finalized approximately two (2) weeks after the submittal deadline. You may call 444-3647 to verify placement of an item on the agenda.

Applications shall not be placed on the Planning Commission agenda until complete information is received. It is the responsibility of the applicant to submit the required, complete and accurate information before such application may be considered.

It is understood that approval of the proposed development is conditioned upon full compliance with all applicable regulations and ordinances of the City of Lebanon and conditions imposed by the applicable commissions of the City. In cases where the applicant is not the property owner, it is also hereby acknowledged by the property owner that he or she is in full agreement with the content of this application.


Signature of Applicant


Signature of Owner (if different from applicant
provide a copy of contract showing involved parties)

As the applicant or the applicant's agent, I understand that it is my sole responsibility to notify my client of the time, date and location of the Preliminary Planning Commission and Planning Commission meetings at which this application will be heard and to ensure that someone representing this item is in attendance at each of these meetings.


Signature of Applicant or Applicant's Agent

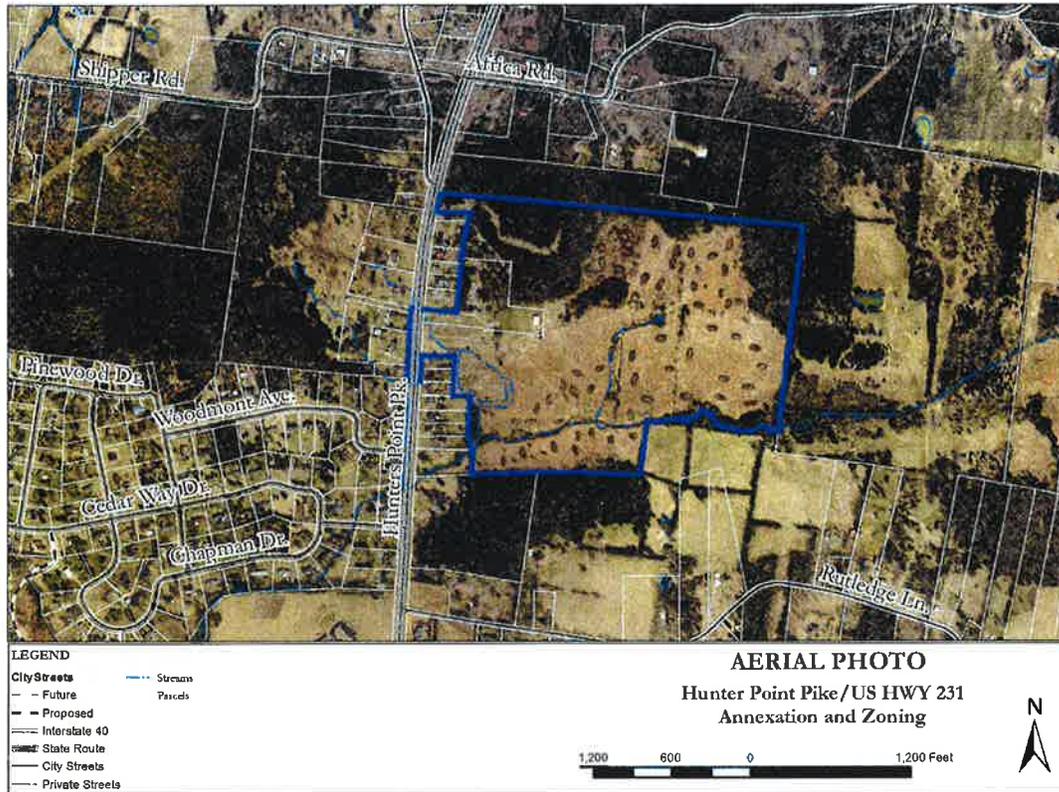
200 North Castle Heights Avenue • Lebanon, Tennessee 37087 • (615) 444-3647 • Fax (615) 443-2899

Paul,

This email is just to confirm that as we have verbally stated over the past week, we are now requesting RS20 zoning for the referenced annexation and zoning.

I just wanted to make sure you have this in writing.

Jim T. Harrison, Jr.
615-512-5250 Cell



Legal Description

A legal description will be added before final passage

Plan for Serving the Annexation Area

1. Police Protection

Patrolling, radio response to calls, and other routine police services using the City's personnel and equipment will be provided on the effective date of the annexation.

2. Fire Protection

Fire protection by the present personnel and the equipment of the fire fighting force, within the limitations of available water and distances from fire stations, will be provided on the effective date of annexation.

3. Domestic Water, Sanitary Sewer Service, and Fire Hydrants

- a. Domestic Water – The Water Department currently has an 8” water line on the west side of the referenced property.
- b. Sanitary Sewer – Sewer will need to be extended by the applicant. The estimated cost will be **\$66,000**.
- c. Fire Hydrants – If any new hydrants are needed the cost would be between **\$2500 and \$3000** each.

4. Electric Service and Street Lighting

There are existing Middle Tennessee Electric power lines on these lots.

5. Public Works

- a. Stormwater – Stormwater services will be available to this property in the same manner they are available to the rest of the City.
- b. Sanitation – City sanitation services will be available at the time of annexation.
- c. Street and Right-of-Way Repair and Maintenance – About 1.30 acres of US 231, right-of-way will be part of this annexation. This section of road will continue to be maintained by TDOT.
- d. The City and/or the County may require road improvements by the owner as this property develops.

6. Gas

The Gas department currently serves Kontiki subdivision on the opposite side of the US Hwy 231. Gas service could be available within 4 years. The cost will be around **\$75,000.00**. Installation cost is always based on projected load needed by customer.

7. Schools

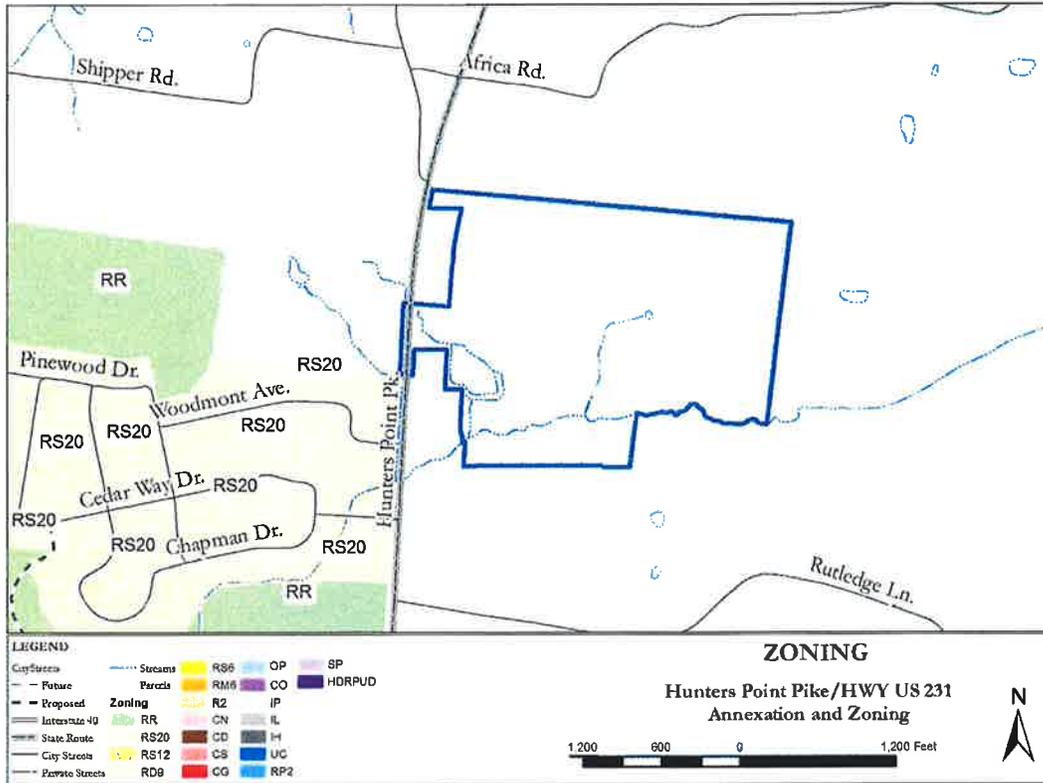
Neither Wilson County Schools nor Lebanon Special Schools anticipated any noticeable effect from the annexation.

8. Inspection and Codes Enforcement

All inspection and code enforcement programs existing within the City will be extended to the annexation areas on the effective date of the annexation.

9. Planning and Zoning

- a. The zoning jurisdiction of the City will extend to the annexation areas upon the effective date of the annexation and all municipal planning activities will encompass the needs of the annexed areas.
- b. The requested zoning for the annexation is RS20 (Low Density Single Family Residential).



- c. The current Future Land Use Plan classification for this area is LDR (Low Density Residential).

10. Animal Shelter

The City operates a full-time animal control program including an animal shelter. The animal shelter is located on Park Drive. Services include pick-up of stray and/or dangerous animals. These services will be available to the annexation areas on the effective date of the annexation.

11. Voting Rights and City Elections

- a. If an eligible voter's permanent place of residence is located in an annexed area, that voter is automatically eligible to vote in City elections.

- b. If an eligible voter is in the category of a property rights voter, then that voter must register at the Election Commission Office prior to voting in a City election.

Revenue

The total appraised property value for the parcel in the annexation area is about **\$626,700**. This equals an assessed value of about **\$156,675** for two residential property. The property tax generation from these properties as two residential properties in the City would be about **\$952** per year. The estimated cost to serve this property is **\$141,000**. The cost of service will be the responsibility of the developer.

Section 2. That this resolution shall take effect after its adoption and upon the official annexation of this area.

Notice of the Public Hearing was published in the Wilson Post on _____.

The Public Hearing was held at 5:55 PM in the City Council Chambers _____.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Resolution Passed: _____

RESOLUTION NO. 15-1889

A RESOLUTION ANNEXING UNADDRESSED PROPERTY ON US HWY 231/HUNTERS POINT PIKE, ALSO IDENTIFIED AS TAX MAP 45 PARCEL 26 AND 26.04 CONTAINING 107.48 ACRES IN THE RECORDS OF THE WILSON COUNTY ASSESSOR OF PROPERTY (SHOWN ON THE ATTACHED MAP) TO BE ADDED TO WARD 1

WHEREAS, the owner has requested the annexation of this property; and

WHEREAS, the owner will be responsible for extending any utilities; and

WHEREAS, approximately 1.35 acres of right-of-way is being added to the city, said right-of-way is to be maintained by the State of Tennessee; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of the request to annex and zone the property to RS20 (Low Density Residential) at their May 24, 2015 meeting.

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

Section 1. That Tennessee Code Annotated 6-51-102 authorizes the City of Lebanon to annex land at the request of the landowner when it appears that the prosperity of the municipality and the territory will be materially retarded and the welfare of the inhabitants and property endangered if the property is not annexed. The City of Lebanon hereby determines that the prosperity of the municipality and territory described herein will be materially retarded and the welfare of the inhabitants and property endangered if the property is not annexed.

Section 2. That pursuant to Section 6-51-101 through 6-51-114, Tennessee Code Annotated, the property (as shown on the attached map) is hereby annexed into the City of Lebanon, Wilson County, Tennessee, and incorporated within the corporate boundaries thereof.

Section 3. That this resolution takes effect 30 days from and after its final passage, the public welfare requiring it.

Notice of the Public Hearing was published in the Wilson Post on _____.

The Public Hearing was held at 5:55 PM in the City Council Chambers on _____.

Attest:

Approved:

Commissioner of Finance & Revenue

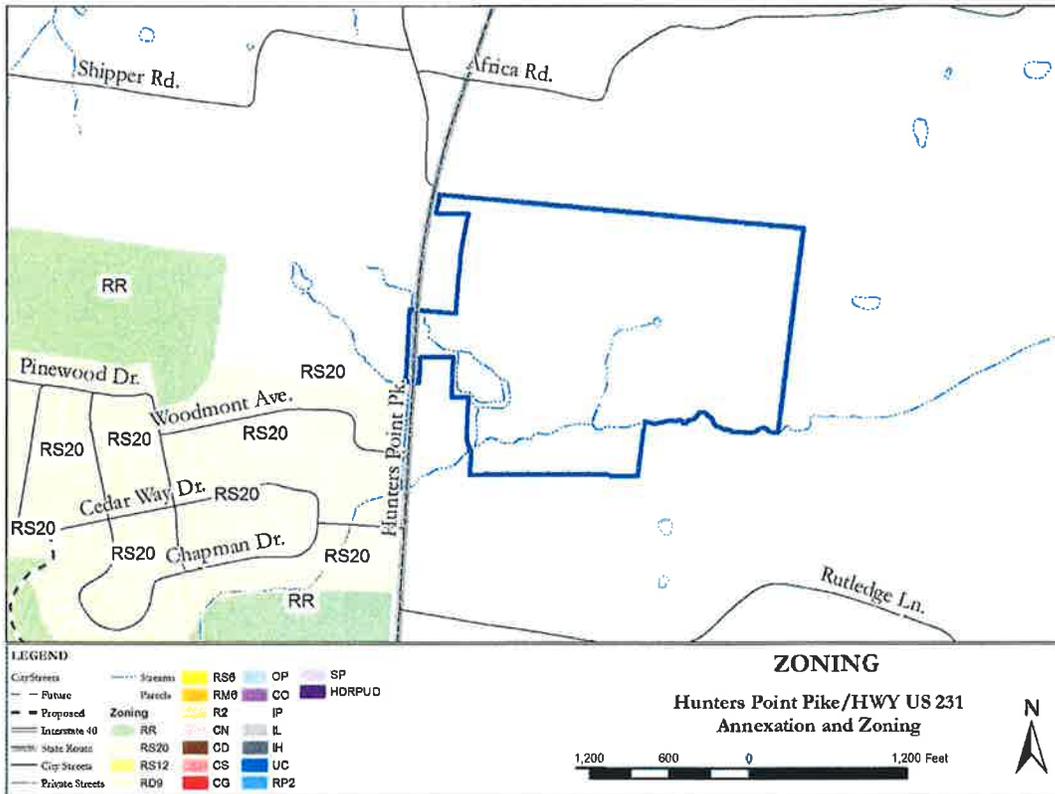
Mayor

Approved as to Form: _____

Passed first reading: _____

City Attorney

Passed second reading: _____



Zoning Ordinance No. 15-5038

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY ZONING PROPERTY AT UNADDRESSED PROPERTY ON US HWY 231/ HUNTERS POINT PIKE (TAX MAP 45 PARCELS 26 AND 26.04) RS20 – LOW DENSITY SINGLE FAMILY DISTRICT IN WARD 1

WHEREAS, the City of Lebanon desires to amend the official zoning atlas of the city; and

WHEREAS, the subject property is adjacent to an existing residential district; and

WHEREAS, the owner is asking for the RS20 zoning to continue the residential zoning on Hunters Point Pike; and

WHEREAS, the City of Lebanon believes that such amendment will promote, protect and facilitate the public health, safety and welfare of the community through coordinated and practical land use and land development for the betterment of Lebanon's population.

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

Section 1. That the property described herein be, and the same is hereby, zoned RS20 – Low Density Single Family District:

Approximately 106.14 acres more or less, located at unaddressed property on Hunters Point Pike as shown on the attached map.

For reference, see Book 1403 Page 1010 and Book 1420 Page 294 in the Register's Office of Wilson County, Tennessee, and being shown as Tax Map 45 Parcels 26 and 26.04, for Wilson County, Tennessee.

Section 2. That all Ordinances in conflict herewith are repealed to the extent of said conflict.

Section 3. That this Ordinance shall take effect from and after its passage on final reading, the public welfare requiring it.

Notice of the Public Hearing was published in the Wilson Post on _____.

The Public Hearing was held at 5:55 PM in the City Council Chambers on _____.

Attest:

Approved:

Commissioner of Finance & Revenue

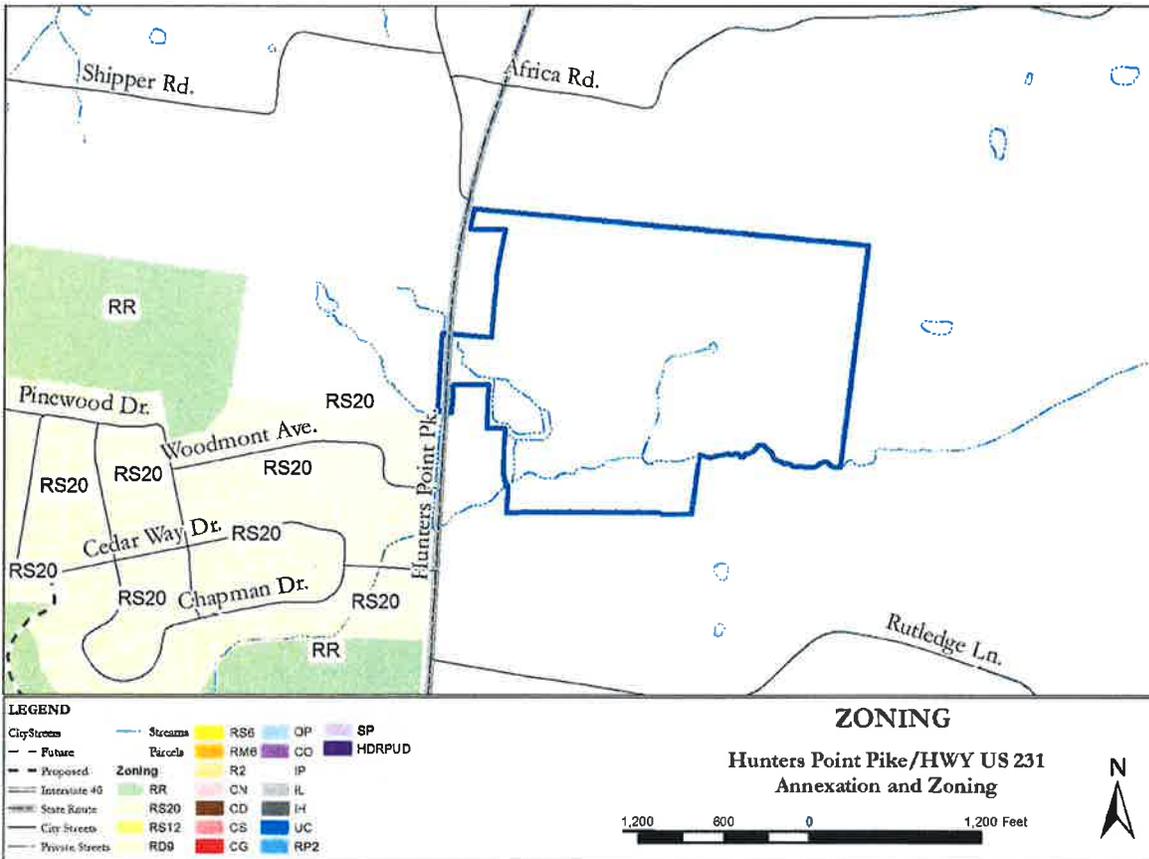
Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____



City of Lebanon
APPLICATION FOR TAXI CAB DRIVER'S LICENSE

Applicant Name Lawrence A. Curtiss DOB 05/13/53
Address 840 Carthage Hwy #6 City Lebanon State TN Zip 37088
Phone (901) 219-9959 TN D.L. Number [REDACTED] Expires 05/13/16 3-13-18
SSN [REDACTED] M F Weight 200 Height 5'8 Hair Brn Eyes Hazel

Are you currently employed by a taxi service? If yes, which one? _____
Do you have an "F" endorsement on your TN D.L.? Y N

FAILURE TO PROVIDE FULL ACCURATE INFORMATION MAY RESULT IN DENIAL OF THIS APPLICATION

Highest level of education achieved 12

Employment history: (please list 3 years employment history)

Name of Employer	<u>ATIC TRKING</u>	Address	<u>Bowling Green Ky</u>
Telephone Number	<u>270-323 3586</u>	Contact	_____
Name of Employer	<u>Self</u>	Address	_____
Telephone Number	_____	Contact	_____
Name of Employer	<u>Self</u>	Address	_____
Telephone Number	_____	Contact	_____

References: (please list 4 residents of Lebanon, TN, who will vouch for your sobriety, honesty, and general good character)

Name	<u>Robert Wearly</u>	Address	<u>Lebanon</u>	Phone Number	<u>615-335-6560</u>
Name	<u>Gordon Bone</u>	Address	_____	Phone Number	<u>615-417-8131</u>
Name	_____	Address	_____	Phone Number	_____
Name	_____	Address	_____	Phone Number	_____

Do you currently have any City of Lebanon debts, judgments or liens against you? No
List/Explain: _____

Have you ever been convicted of a crime, other than traffic related? Y N

If yes, explain:

1987 Fla. Failure to pay motel

List all convictions of traffic violations in the past 5 years:

N/A

List description(s) of any vehicle(s) to be operated by you as a taxi:

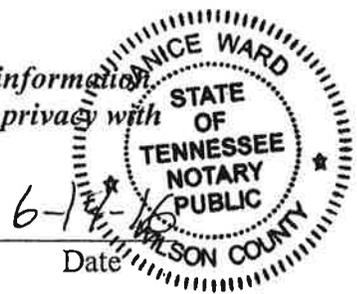
I, Lawrence Curtis Do hereby solemnly swear, or affirm that the foregoing statements are true, correct, and complete, to the best of my knowledge.

I hereby certify that I have read the Code of Ordinances, City of Lebanon, Tennessee, Title 9, Chapter 3, pertaining to the operation of taxicabs and will comply with all the provisions thereof.

I understand that this and any application(s) shall become public record and hereby waive my rights to privacy with respect thereto.

I hereby authorize the release of any criminal record and driver's history information to the City of Lebanon or licensing authority. I hereby waive any rights to privacy with respect thereto.

Lawrence A. Curtis
Signature of Applicant



6-14-16
Date

*Subscribed and sworn to before me this 14th day of June, 2016

Lawrence Ward Notary Public. My Commission expires: 10/31/2017

FOR OFFICE USE ONLY:

Date application received: 6/28/16 Received by MWJ

Chief of Police: M.W. [Signature] 6-28-16
Signature Date

Approved _____ Denied _____

Remarks _____

Attached: Copy D.L. D.L. History Criminal Background MD Cert.

ORDINANCE NO. 16-5257

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE LINE ITEM TRANSFERS FOR THE ECONOMIC DEVELOPMENT 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 now necessary for the Economic Development Department to cover expenses for the remainder of the fiscal year; 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 the Commissioner of Finance and Revenue are hereby authorized to make the following line item transfers in the FY 2015 – 2016 City of Lebanon budget:

Department: Economic Development			
From:	11041115-72450	Telephone	\$634.30
To:	11041115-72320	Dues	\$350.00
	11041115-72350	ECD Marketing	\$215.00
	11041115-72500	Medical & Vet	\$69.30

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: _____

11041113 12350 ←

WEYMAN

CREATIVE

INVOICE #LEB003

PLEASE MAKE PAYMENT TO:

Justin Weyman
244 Township Drive
Hendersonville, TN 37075
615.568.1356
gnop05@gmail.com

6.2.16

ATTN:

Sarah Haston
Economic Development Director
City of Lebanon
615.443.2839 Ext. 2120
Lebanon, Tennessee

DESCRIPTION	HOURS	AMOUNT
Poker Chips	0.50	20.00
Dog Park Flyer	2.00	80.00
Dog Park Flyer Stock Image \$5	0.00	5.00
Retail Snapshot	0.25	10.00
Banners	2.50	100.00
Recon Graphic	0.50	20.00
City Chat Graphic Revisions	0.25	10.00
Farmers' Market Fresh FB Image	0.25	10.00

*Sarah only 43.00
left in this
budget item.
CECD marketing)
You will need to
do a line item
transfer so I can
process.*

TOTAL = \$255.00

City of Lebanon
PURCHASING CARD VOUCHER FORM

Date: 4/29/16
Dept: Econ. Devlp.
Acct #: 11041115-72320
Amt. Charged: \$750.00
Purpose: Leadership Wilson

Approved: Yes No

Available -
\$ 400 ⁰⁰

Approved by: Lisa Lane
Lisa Lane

Reviewed by: William [Signature]

Satch. Need to transfer \$350 into this account.
D.c.b.b.c

11041115 - 72320

INVOICE

Leadership Wilson

1716 Indian Hills Rd
Lebanon, TN 37087
Phone 615-443-7614 Fax 615-443-7614

INVOICE #106

DATE: APRIL 25, 2016

City of Lebanon

FOR:
Tuition

Order #00363

DESCRIPTION	AMOUNT
Tuition for class membership 2016-2017 Sarah Haston	750.00
TOTAL	750.00

Make all checks payable to Leadership Wilson

Full payment is due by July 30, 2015

If you have any questions concerning this invoice, contact Dorie Mitchell, 415-3337, dorie@leadershipwilson.com

RESOLUTION NO. 16-1948

A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO APPROVE A HOLD HARMLESS AGREEMENT WITH THE DEVELOPERS OF FAIRFIELD INN AND SUITES TO ALLOW PLACEMENT OF A SIGN WITHIN THE PUBLIC UTILITY AND DRAINAGE EASEMENT

WHEREAS, the developers of Fairfield Inn and Suites, a hotel, Tax Map 081, Parcel 14.02, are requesting to locate a sign in the Public Utility and Drainage Easement; and

WHEREAS, the proposed sign shall comply with all of the requirements as found in Title 20, Lebanon Sign Regulations, of the Lebanon Municipal Code; and

WHEREAS, the developers have explained that the proposed sign will increase awareness of their hotel from Franklin Road and cannot be accommodated on their property based on the narrow configuration of their lot; and

WHEREAS, the City of Lebanon shall not incur any expenses in the installation, maintenance, and/or upkeep of the proposed sign.

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

Section 1. The agreement between the developers of the Fairfield Inn and Suites and the City of Lebanon, attached hereto by reference as if appearing verbatim herein, shall be and is hereby approved.

Section 2. The Mayor, the Commissioner of Finance and Revenue, and the Commissioner of Public Works are hereby authorized to execute and enter into such agreement.

Section 3. Fairfield Inn and Suites shall be allowed to install and maintain said sign within the Public Utility and Drainage Easement at the expense of Fairfield Inn and Suites after obtaining the necessary sign permit from the City of Lebanon and under the provisions of the hold harmless agreement.

Section 4. 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

AGREEMENT

This Agreement entered into this ____ day of _____, 2016 by and between the City of Lebanon and Fairfield Inn and Suites.

WITNESETH:

WHEREAS, the property referenced as Parcel 14.02 on Tax Map 081 is owned by individuals developing a hotel known as Fairfield Inn and Suites; and

WHEREAS, Fairfield Inn is requesting to be allowed to install a sign in the Public Utility and Drainage Easement on their property; and

WHEREAS, the City of Lebanon has been requested to enter into an agreement with Fairfield Inn and Suites regarding the sign proposed to be installed within the Public Utility and Drainage Easement.

NOW, THEREFORE, and for the consideration of the terms and conditions stated herein, the parties agree as follows:

- (1) The owners/developers of Fairfield Inn and Suites agree that they may install, at their expense, a sign constructed in compliance with the Lebanon Sign Ordinance within the Public Utility and Drainage Easement.
- (2) The sign shall be installed as shown in Exhibit A as attached to this agreement and shall be placed in a manner which shall consider the safety of all citizens of Lebanon, Tennessee.
- (3) It is agreed that Fairfield Inn and Suites shall be liable for all maintenance and replacement of the proposed sign for any reason.
- (4) Nothing under this agreement shall allow Fairfield Inn and Suites to place anything upon the Public Utility and Drainage Easement which shall cause a hazardous situation.
- (5) Furthermore, nothing in this agreement shall be construed to require any expenditure by, or cost to, the City of Lebanon.
- (6) The parties agree that Fairfield Inn and Suites shall indemnify and hold the City of Lebanon harmless from any claims arising out of the installation of said sign, which is proposed under this agreement.
- (7) By executing this agreement, the developers of Fairfield Inn and Suites covenant and warrant they have the power and authority to execute this agreement.

- (8) This agreement shall take effect upon its execution by Fairfield Inn and Suites and the final passage of this ordinance before City Council. Said Agreement shall remain in full force and effect during the time that said sign remains in the Public Utility and Drainage Easement, unless this agreement is canceled by the City of Lebanon upon thirty (30) days written notice.
- (9) Nothing in this agreement, however, shall be construed to prevent the City of Lebanon from removing all or any portion of the sign approved under this agreement, in the event it is necessary to do so for the installation, replacement, repair of any utilities, drainage, and other valid governmental purpose, and said removal shall be at no cost to the City of Lebanon.

WITNESS OUR HANDS this _____ day of _____, 2016.

Approved:

 Mayor Philip Craighead
 City of Lebanon, Tennessee

Approved:

Fairfield Inn and Suites

By: _____
 Name:
 Title: President

Attest:

 Robert Springer, Commissioner of Finance
 City of Lebanon, Tennessee

Approved As To Form:

 Andy Wright, City Attorney
 City of Lebanon, Tennessee

Attest:

 Jeff Baines, Commissioner of Public Works
 City of Lebanon, Tennessee

Res. No. 16-1948

STATE OF TENNESSEE
COUNTY OF WILSON

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, Mayor Philip Craighead, Commissioner of Public Works Jeff Baines, Commissioner of Finance Robert Springer, and City Attorney Andy Wright, all agents of the City of Lebanon known to me to be the persons who signed the foregoing instrument, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand, at office this the _____ day of _____ 2016.

Notary Public

My Commission Expires: _____

STATE OF TENNESSEE
COUNTY OF _____

Personally appeared before me, the undersigned, a Notary Public in and for said county and state, _____, President of Fairfield Inn and Suites, known to me to be the person who signed the foregoing instrument, and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand, at office this the _____ day of _____, 2016.

Notary Public

My Commission Expires: _____

FOR PERMITTING ONLY
 NOT FOR CONSTRUCTION
 Date: 6-14-16 By: RSM



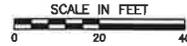
Know what's below.
 Call before you dig.

NOTE TO CONTRACTOR:

THE CONTRACTOR SHALL REFER TO ALL PLANS WITHIN THIS PLAN SET. IT IS NOT THE ENGINEER'S INTENT THAT ANY SINGLE PLAN SHEET IN THIS SET OF DOCUMENTS FULLY DEPICT ALL WORK ASSOCIATED WITH THIS PROJECT.



NORTH



REVISION RECORD

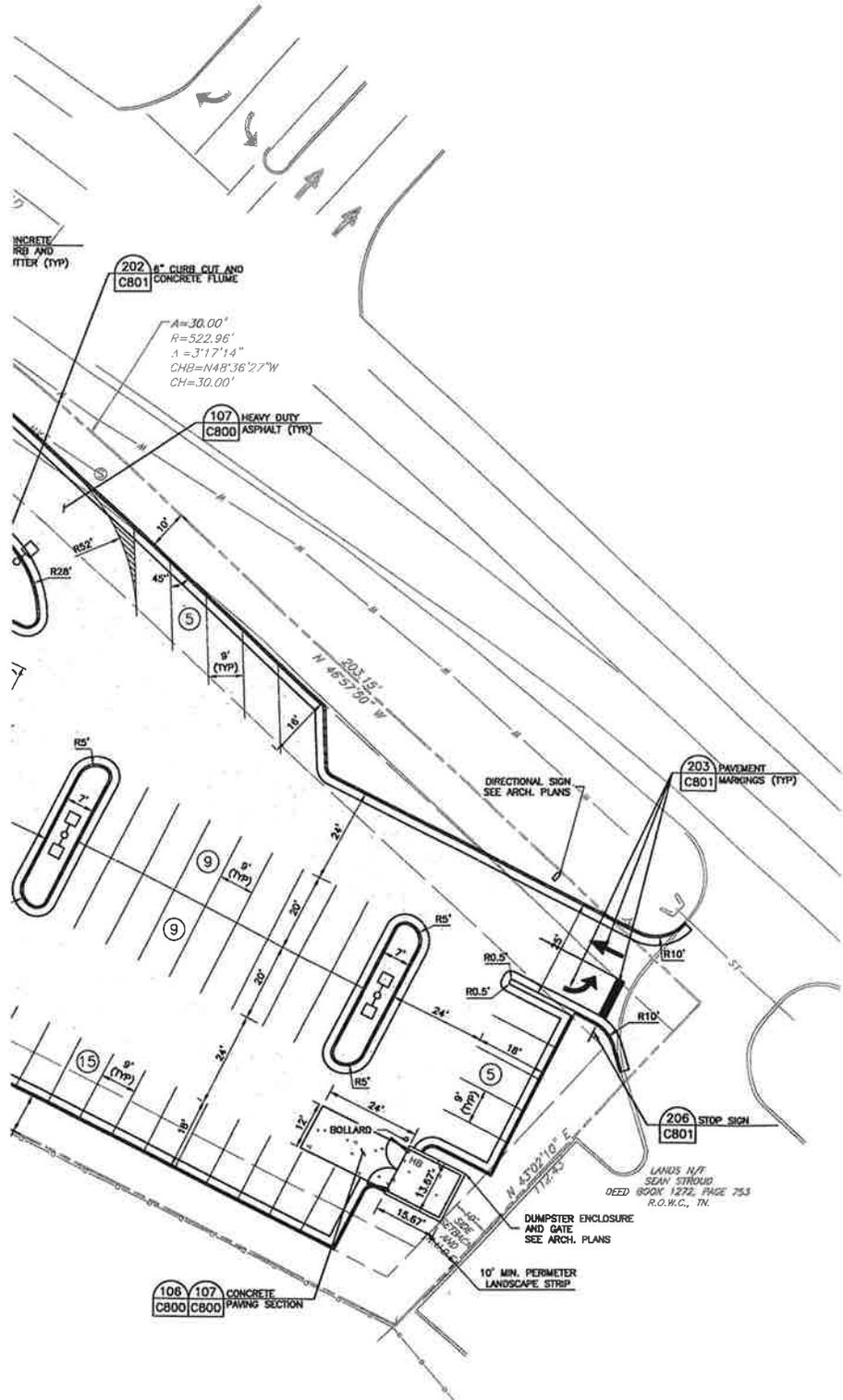
NO.	DATE	DESCRIPTION
1.	6/14/16	CITY COMMENTS
2.	6/14/16	CITY COMMENTS

LEGEND

- EX. PROPERTY LINE
- EX. ADJACENT PROPERTY LINE
- EX. RIGHT-OF-WAY
- EX. EASEMENT
- 870 EX. INDEX CONTOUR
- EX. INTERMEDIATE CONTOUR
- EX. GRAVEL DRIVE
- EX. CURB
- EX. FENCE
- EX. DITCH FLOW LINE
- SAN EX. SANITARY SEWER GRAVITY LINE
- EX. SANITARY SEWER FORCE MAIN
- EX. FORCE MAIN VALVE BOX
- ST EX. STORM SEWER LINE
- G EX. GAS LINE
- W EX. WATER LINE
- EX. WATER VALVE
- EX. FIRE HYDRANT
- OH-E EX. OVERHEAD ELECTRIC
- GEOTECHNICAL BORING
- EXTRUDED CURB
- 9 PARKING COUNT
- HEAVY DUTY ASPHALT PAVEMENT
- CONCRETE
- □ SITE LIGHTING POLE

NOTES

- SEE SHEET C001 FOR GENERAL SURVEY, DEMOLITION, AND LAYOUT NOTES
- ALL RADII ARE 3' TO FACE OF CURB, UNLESS NOTED OTHERWISE
- DIMENSIONS RELATING TO PERIMETER LANDSCAPE STRIP ARE MEASURED TO BACK OF CURB.
- ALL TRAFFIC SIGNAGE SHALL BE SELECTED AND INSTALLED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION.



CEC
Civil & Environmental Consultants, Inc.
 325 Seaboard Lane - Suite 170 - Franklin, TN 37067
 615-335-7797 - 800-763-2326
 www.cecinc.com

HARTMANN HOSPITALITY, LLC
C/O 3H GROUP
FAIRFIELD INN & SUITES BY MARRIOTT
1145 FRANKLIN ROAD
LEBANON, TENNESSEE

SITE LAYOUT PLAN

DATE:	JUNE 2016	DRAWN BY:	JAW
DATE:	AS SHOWN	CHECKED BY:	RGM
PROJECT NO.:	193-696	APPROVED BY:	JLC



* HAND SIGNATURE ON FILE

DRAWING NO. **C200**

SHEET NO OF

RESOLUTION NO. 16-1949

**A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO APPROVE THE
ENGINEERING PROCUREMENT AND CONSTRUCTION AGREEMENT WITH
ROCKWOOD, LLC, FOR SUPPORT ACTIVITIES FOR THE GASIFICATION UNIT
OWNED BY THE CITY OF LEBANON**

WHEREAS, the Lebanon City Council passed Ord. No. 15-5072 approving the Memorandum of Understanding (MOU) between the City of Lebanon and RockWood, LLC, for the management of feedstock collection and processing for the Gasification Unit owned by the City of Lebanon; and

WHEREAS, it is now necessary to enter into an Engineering Procurement and Construction Agreement with Rockwood, LLC for gasification support activities; and

WHEREAS, the Engineering Procurement and Construction Agreement is attached hereto by reference as if appearing verbatim herein.

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

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to execute the Engineering Procurement and Construction Agreement with RockWood, LLC, for gasification support activities.

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

ENGINEERING PROCUREMENT AND CONSTRUCTION AGREEMENT

This Agreement ("Agreement") is made and entered into as of this the ____ day of July, 2016, by and between the City of Lebanon ("Owner"), and Rockwood ("Service provider"). This Agreement shall be effective and in full force as of the ____ day of _____, 2016 (the "Effective Date").

RECITALS

A. Owner, through the wastewater treatment plant, has purchased a waste to energy gasification plant. The plant will convert feedstock consisting of green wood, dry wood and tires into energy that will be utilized by the current wastewater treatment facility (the "Project"). This process equates to a significant cost reduction in energy for the City of Lebanon.

B. Owner has applied for and obtained all permits required in association with the gasification facility at the wastewater plant.

C. Service Provider has agreed to collect and process the necessary feedstock for the gasification needs of the Owner. Owner shall haul/transport raw feedstock (tires and wood) from customers to Rockwood located at 510 Hartmann Drive. Owner shall also haul roll off containers to gather material. Hauling rates shall be agreed upon based on location, distance, frequency of hauls, etc.

D. Service Provider has agreed to process the material to meet engineered specifications provided by the City of Lebanon for feedstock.

E. Both Owner and Service Provider desire to attract regular sources of feedstock material through collection agreements with third party waste producers (Customers).

NOW THEREFORE, in consideration of the mutual promises and covenants of each to the other contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties to this Agreement agree as follows:

1. PURPOSE AND SCOPE

1.1 Collection Site & Services

Owner and Service Provider have established a written Memorandum of Understanding in association with the Project. Service Provider will supply the labor, equipment, and knowledge to collect and process wood and tires for the needs of the Project. Service Provider will develop and establish a collection site in accordance with all codes and regulations and will maintain appropriate bonding and permits associated with said collection site currently to be located at 510 Hartmann Dr. Lebanon, TN.

1.2 Collection Requirement

Service Provider agrees, subject to availability, to collect a designated par level of materials for the gasification unit. The current par level is 32 tons of feedstock per day and a goal of 64 tons in the near future and consist of the following for optimum performance:

<i>Green Wood</i>	<i>Zero (0) to 14 tons, depending on moisture content.</i>
<i>Dry Wood</i>	<i>14 tons or more depending on the condition of the green wood.</i>
<i>Tires</i>	<i>Three tons of 2.5" minus tire chips.</i>

2. SERVICE PROVIDER RESPONSIBILITIES

2.1 Project Scope of Work

(a) Owner shall staff, train, and be dedicated to the operation of the gasification unit. In the relationship between the Owner and Service Provider, Service Provider agrees to be diligent in working together continually to improve the process of collecting and processing for the betterment of the gasification facility within reason. Any changes that may be needed, additional actions, and further opportunities as they result from the collaboration of the gasification operations and the Project shall be agreed upon in a change order to the Agreement.

(b) Service Provider will provide the collections, and processing of quality feedstock for the gasification unit. Service Provider will be responsible for permitting, equipment, maintenance, and management of waste collection, sorting, and processing. Service Provider will work to establish contracts for feedstock collection and shall be involved in contract negotiations on behalf of Owner as they relate to Owner efforts for feedstock procurement.

(c) Service Provider will provide the staff for all billing and accounting as it relates to Service Provider contracts with waste producers (Customers). Service Provider will provide documentation and data to Owner for the billing of Owner's customers should the need arise.

(d) Service Provider, through lease or purchase, will provide the land for the operations of Service Provider within a 1 mile radius of Owner's current waste water facility. The site will meet or exceed TDEC requirements for a solid waste processing facility and shall obtain the appropriate permitting for a collection recycling center of this nature.

(e) Service Provider will be responsible for obtaining and provide funding for necessary equipment to collect and produce the needed feed stock.

(f) Service Provider will provide onsite space for the Owner to store green wood, in the event of overflow due to a storm, excess green waste from the City will be stored at the existing Cities storage facility. Service Provider will allow approximately 150 CY of wood waste on a daily basis, or until space capacity, at which time green waste may be sent to the Cities facility for storage. Should Service Provider request additional green wood and the City can provide, the service provider will accept the requested amount at no charge.

(g) Service Provider anticipates collecting tires onsite. Tires collected over quantity required for the gasification process will be sold for alternate uses. The Owner may hold a contract with Wilson County for tires brought into the facility. In so doing, the Owner agrees to work with Service Provider to provide additional funding through grants that may be available to the Owner regarding tire recycling.

(h) Service Provider agrees to quality controls where all material processed will comply with specifications provided by the Owner. The current specification is: That Service Provider will supply material to meet specifications of the City currently 2"-3" in size. Changes in material specification may result in a pricing change order for production.

(i) Service Provider agrees to load all materials for gasification in the appropriate hauling container to be hauled by the Owner.

(j) Service Provider will collect a tipping fee per ton for dry wood, and tires. There will be no fee for receiving of green wood that the City provides and delivers during normal collections. Greenwood that is brought in that is not used in gasification will not have a grinding fee associated. Grinding fee for green wood is only if the City is using the product for gasification or a contract grinding service at the Cities wood collection facility (offsite from the Rockwood site). Service Provider agrees to remit a payment per ton to the Owner as outlined in Exhibit A. Service Provider will charge a grinding fee per ton for green wood, dry wood, and tires. All fees shall be presented in attached Exhibit A.

(k). City of Lebanon agrees to waive all applicable fees for the development of Rockwood Recycling as a contribution to the agreement and partnership. Fees include: Planning commission fee, Storm Water plan review fee, Land Disturbance Permit Fee, Storm Water Inspection fee, Building plans review fee, Building Permit fee, Plumbing Permit fee, Mechanical Permit fee, Fire Alarm Plan Review fee, and Fire Suppression Plan review fee. In so doing, Rockwood shall purchase and construct a larger building to house wood chips in the dry. This will allow the City to reduce startup cost at the waste water plant.

2.2 Permits

Service Provider shall provide all applicable permits associated with the collection and processing of feedstock. Owner shall provide all applicable permits as it relates to use of feedstock and its transportation.

3. GOVERNANCE

3.1 Adoption, Amendment and Termination

(a) This agreement will become effective when presented and approved by the Lebanon City Council. This agreement may be amended, in whole or in part, by mutual agreement of the Parties as evidenced by signatures on an amended agreement. The Parties agree to review the agreement annually for the purpose of making any necessary amendments or changes.

(b) Notwithstanding the foregoing, the initial term of this agreement shall be for a five (5) year period with renewal for an additional 5 years and may be extended thereafter as mutually agreed by the Parties.

(c) This agreement is considered a public/private partnership and any continuation of the Agreement shall be by negotiation between parties.

3.2 Programming, Funding, Budgeting and Reimbursement

Any transfer of funds between Parties that occurs as a result of the actions outlined in this agreement will be in accordance with applicable laws, agreements, existing authorities and procedures.

3.3 Administration

This agreement will be administered by a representative of the City of Lebanon and Rockwood, LLC. Adoption or approval of any policies, plans, standards or regulations recommended under this Agreement will be at the sole discretion of the appointed bodies of the Parties.

4. AGREEMENT AMOUNT

4.1 Agreement Amount. The Agreement Amount is as follows:

(a) Service Provider agrees to pay three dollars (\$3.00) per ton for dry wood to the Owner for every ton that comes into Collection Site.

(b) The Service Provider shall collect tires for gasification. The Service Provider shall charge \$68/ton to the City for tire processing and handling. The City has contracted with Wilson County and shall negotiate a rate for tires collection with Wilson

County. All tire contracts besides the Wilson County contract should be communicated and approved by both the City and Rockwood. Rockwood reserves the right to limit tire collection, accept or deny loads, and turn customers away should Rockwood reach tire capacity and/or the customer not meet regulations on tire disposal. Rockwood tire collection facility is designed to accommodate the needs of the gasification project, extension outside of those quantities may be denied due to capacity regulations and limitations.

(c) There will be no charge for grinding of dry wood and tires, grinding fees for these items have been added to the collection fee. In addition, there will be no charge for green wood brought to the Service Provider that is utilized by the service provider. Service Provider agrees to accept City of Lebanon green wood that is from routine City pick up service, with the stipulations listed above.

(d) Service Provider will charge the Owner five dollars (\$5.00) per ton for the processing, grinding, and screening of green waste up to ten (164) tons a day or two hundred and eighty (280) tons per month. Service provider is charging for wood utilized in gasification, should green wood be utilized by the service provider and not for gasification, there will be no charge to the City.

(e) Should Owner request additional grinding of green waste off site from Rockwood due to wind damage, tornadoes, or an influx of material, Rockwood shall charge seven dollars (\$7.00) per ton. This rate applies only to materials collected in a storm type situation where Rockwood is asked to help in size reduction methods away from the Rockwood site. Should storm collection occur, Rockwood will require the City to only bring a limited amount of material and the remainder sent elsewhere. The green waste capacity for Rockwood is 10,000 CY of material or as the site will allow per TDEC Regulations. Rockwood has the right to refuse to grind off site due to work load. The City has the right to bid off site wood grinding to other parties as they deem necessary: bids on a per needed basis will depend on location, timing, and product sizing.

(f) Should Owner wish to bring in dry wood waste the tipping fee shall be forty dollars (\$40.00) per ton with Owner receiving a three dollars (\$3.00) per ton rebate on waste brought in from Owner.

4.2 Agreement Amount Adjustments

The agreement amount shall increase or decrease by change orders which Owner and Service Provider have signed pursuant to this agreement or for any adjusted amounts, including but not limited to sales and use taxes paid by Service Provider ("Agreement Amount Adjustments").

4.3 Payment of the Agreement Amount

Owner shall pay invoices within thirty (30) days of receipt. Service Provider agrees to pay tipping fee rebate within thirty (30) days of the month in which they were accrued.

4.4 Grants and Grant Application

Owner and Service Provider agree to pursue and apply for state and federal grants that have the potential of benefit for each entity. Grant applications will be identified and a mutual agreement to pursue such shall be reached before application. Service Provider agrees to provide information to the Owner to further chances of being awarded grants and funding. Service Provider agrees not to compete for any grant the Owner has or desires to apply.

5. MISCELLANEOUS

5.1 Assignment

Owner may not assign this Agreement without the prior written consent of the Service Provider.

5.2 Indemnification and Hold Harmless

(a) Service Provider shall be responsible for all liabilities, damages, fines, penalties, and attorneys' fees which result from conduct of Service Provider; further Service Provider agrees to indemnify and hold Owner harmless as a result of any such claims.

(b) Owner shall be responsible for all liabilities, damages, fines, penalties, and attorneys' fees which result from conduct of Owner; further Owner agrees to indemnify and hold Service Provider harmless as a result of any such claims, within the liability limits prescribed by Tennessee state law and the Governmental Tort Liability Act.

5.3 Notices

All notices, designations, consents, approvals, and other communications required, permitted or otherwise delivered under this Agreement shall be in writing and may be (i) transmitted by facsimile, (ii) delivered by overnight courier, (iii) delivered by hand, or (iv) mailed by registered or certified mail, return receipt requested, postage prepaid, and in any case shall be addressed as follows:

(a) If to Service Provider:

**Rockwood Recycling, LLC
Attn: Legal Department
1401 Toshiba Drive
Lebanon, Tennessee 37087**

(b) If to Owner:

City Of Lebanon
Attn: Mayor and Commissioner of Public Works
200 North Castle Heights Ave,
Lebanon, TN 37087

5.4 Entire and Complete Agreement

This Agreement (including all Exhibits) constitutes the entire and complete agreement of the Parties with respect to its subject matter and supersedes all prior or contemporaneous understandings, arrangements, commitments and representations, all of which, whether oral or written, are merged into this Agreement. The Exhibits to this Agreement are an integral part of this Agreement and shall be afforded full force and effect as though incorporated in their entirety in the Articles hereof.

5.5 Binding Effect

This Agreement binds and inures to the benefit of the Parties to this Agreement and any successor or assignee acquiring an interest hereunder.

5.6 Further Assurances

Each Party shall execute and deliver any instruments and perform any acts that may be necessary and reasonably requested by any other Party in order to give full effect to this Agreement.

5.7 Venue and Governing Law

Venue shall be in Wilson County and the laws of the State of Tennessee shall govern the validity, interpretation, construction and performance of this Agreement.

5.8 Counterparts

This Agreement shall be executed in 2 (two) counterparts, each of which shall be deemed an original, and all of which when executed and delivered together constitute one and the same instrument.

5.9 Amendment or Waiver

(a) Neither this Agreement nor any provision of this Agreement may be changed, modified, amended or waived except by a written instrument signed by the Party against whom enforcement of such change, modification, amendment or waiver is sought.

(b) Any failure of either Party to enforce any of the provisions of this Agreement or to require at any time performance by the other Party of any of the provisions hereof during the pendency of this Agreement shall in no way affect the validity of this Agreement, or any part hereof, and shall not be deemed a waiver of the right of either Party thereafter to enforce any and each such provision.

5.10 Severability

If any provision of this Agreement is, for any reason, determined to be invalid, illegal or unenforceable in any respect, the Parties hereto shall negotiate in good faith and make such amendments, modifications or supplements of or to this Agreement, that to the maximum extent practicable in light of such determination, implement and give effect to the intentions of the Parties as reflected in this Agreement, and the other provisions of this Agreement shall, as so amended, modified or supplemented, or otherwise affected by such action, remain in full force and effect.

REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY

SIGNATURES TO FOLLOW ON NEXT PAGE

SIGNATURE PAGE-

IN WITNESS WHEREOF the Parties have hereto set their hands as of the day and year first above written.

Owner- CITY OF LEBANON

Recommended by: _____
Scott McRae, Gasification Project Manager

Jeff Baines, Commissioner Public Works

Approved as to Availability of funds: _____
Robert Springer, Commissioner of Finance

Approved as to Form and Legality: _____
Andy Wright, City Attorney

Approved: _____
Philip Craighead, Mayor

Date: _____

Attest: _____
Robert Springer, Commissioner of Finance

Service Provider- ROCKWOOD RECYCLING, LLC

Approved: _____
Name/Title:

Attest: _____
Name/Title:

Res. No. 16-1949

EXHIBIT A

Service Provider to Owner:

Pays \$3.00 per ton for Dry Wood

Owner to Service Provider:

Pays \$68.00 per ton for tires

Pays \$5.00 per ton for Green Wood that is Ground for Gasification Purposes

Pays \$7.00 per ton for CONTRACT/SPECIAL PURPOSE Green Wood (tornado, wind, etc.)

Hauling:

All Hauling will be provided by Owner

⋄ Billing and collections will be provided by Service Provider to Customers

A monthly check will be sent to Owner by Service Provider for hauling

Service Provider shall give Owner right of refusal on hauling contracts. Service Provider can accept materials from other hauling companies. Owner shall receive fee for tons collected by all parties as specified.

Note:

Green wood sent to Service Provider from the City on regular basis will be received and

At no charge to the City.

Res. No. 16-1949

RESOLUTION NO. 16-1950

A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE AND APPROVE A PROPOSAL WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF STATE ROUTE 141 FROM NORTH OF LOVERS LANE TO STATE ROUTE 26(US-70), STATE PROJECT NO. 95013-2218-14, PIN 103203.01

WHEREAS, it is in the best interest of the citizens of Lebanon to construct SR 141 from north of Lovers Lane to SR 26; and

WHEREAS, such project will be funded 100% with state funds; and

WHEREAS, the proposal from the State of Tennessee Department of Transportation for such project is attached hereto by reference as if appearing verbatim herein.

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

Section 1. The Mayor is hereby authorized to sign the Proposal with Tennessee Department of Transportation for State Project No. 95013-2218-14, PIN 103203.01.

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

Councilmember _____ moved to adopt the resolution.

Councilmember _____ seconded the motion.

Voting in favor: Voting against:

Adopted this _____ day of July, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

PROPOSAL

OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE TO THE CITY OF LEBANON, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the City of Lebanon, Tennessee, hereinafter "CITY", designated as Federal Project No. STP-141(16), State Project No.95013-2218-14 ,PIN 103203.01 , that is described as "S.R. 141:FROM NORTH OF LOVERS LANE TO S.R.26(US-70)", provided the CITY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The CITY will close or otherwise modify any of its roads, or other public ways if indicated on the project plans, as provided by law.

3. The CITY will transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the CITY or by any of its instrumentalities as required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water, not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the CITY, or any of its instrumentalities, the CITY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the CITY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the CITY.

The foregoing does not apply to those utility facilities which are owned by the CITY or one of its instrumentalities, it being understood that the CITY has the duty to relocate or adjust such facilities, if required, provided the CITY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the CITY.

5. The CITY will maintain any frontage road to be constructed as part of the project.

6. After the project is completed and open to traffic, the CITY will accept jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The CITY will make no changes or alter any segment of a road on its road system that

lies within the limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the CITY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the CITY that all traffic control signs for the control of traffic on a street under the jurisdiction of the CITY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the CITY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the CITY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a CITY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the CITY agrees to waive enforcement of the CITY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a CITY zoning regulation or requirement, the CITY agrees to waive enforcement of the CITY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The CITY will prohibit encroachments of any kind upon the right-of-way and

easements for the project.

14. The CITY will prohibit the servicing of motor vehicles within the right-of-way and easements for the project.

15. The CITY will obtain the approval of the DEPARTMENT before authorizing parking on the right-of-way and easements for the project and before installing any device for the purpose of regulating the movement of traffic.

16. The CITY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

17. The DEPARTMENT will maintain the completed project if it is classified as full access control (i.e. a project which has no intersecting streets at grade), and it will maintain the pavement from curb to curb where curbs exist or the full width of the roadway where no curbs exist on non-access control projects. The CITY agrees to maintain other parts of non-access control projects.

18. If a sidewalk is constructed as a component of this project, the CITY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT'S maintenance responsibilities as set forth in section 15 of this Proposal.

19. When said project is completed, the CITY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.

20. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney

General has received the notice and pleadings provided for herein.

21. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the CITY.

22. The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this the ____ day of _____, 2013.

THE CITY OF _____, TENNESSEE

BY: _____
MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
JOHN SCHROER
COMMISSIONER

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
JOHN REINBOLD
GENERAL COUNSEL

DATE: _____



**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

REGION 3 RIGHT OF WAY DIVISION
6601 CENTENNIAL BOULEVARD
NASHVILLE, TENNESSEE 37243-0360
(615) 350-4200

JOHN C. SCHROER
COMMISSIONER

BILL HASLAM
GOVERNOR

DATE: JUNE 13, 2016

Philip Craighead, Mayor
City of Lebanon
200 N. Castle Heights Av. Suite 100
Lebanon, TN 37087

RE: Proposal for Acceptance
STATE PROJ. #: **95013-2218-14**
FED PROJ. #: **STP-141(16)**
COUNTY(s) **Wilson**
PIN #: **103203.01**
DESCRIPTION: **S.R. 141: FROM NORTH OF LOVERS LANE TO
S.R.26(US-70)**

Dear Mayor Philip Craighead:

Enclosed you will find an original and two (2) copies of a proposal to be presented before your agency councilmembers for acceptance of same by Ordinance or Resolution, whichever is applicable.

Following acceptance, two (2) copies of the proposals should be returned to me, each accompanied by a certified copy of the Ordinance or Resolution, whichever is applicable. Please note on the original Ordinance or Resolution the book and page number where same has been properly recorded. A sample Resolution is enclosed should the city not already have one available.

It is important that this proposal be accepted as soon as possible in order not to delay the project from being let to contract as scheduled. If you have any questions or anticipate any delay in the acceptance of the proposal, please feel free to call me.

Sincerely yours,

Neal D. Priest

TDOT Regional ROW Manager
Phone: 615.350.4200

ORDINANCE NO. 16-5268

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AMEND THE LEBANON MUNICIPAL CODE, TITLE 9, CHAPTER 3,
SECTIONS 9-313 AND 9-315, RELATIVE TO TAXICABS**

WHEREAS, the Lebanon Municipal Code, Title 9, Chapter 3, section 9-313. Police investigation of applicant- traffic and police record. and section 9-315. Issuance of license-duration-annual fee. have not been updated since 1968; and

WHEREAS, it is necessary and in the best interest of the citizens of Lebanon to amend sections 9-313 and 9-315 of Title 9, Chapter 3 of the Lebanon Municipal Code.

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

Section 1. That the Lebanon Municipal Code Title 9, Chapter 3, Section 9-313. Police investigation of applicant-traffic and police record. is hereby amended by deleting the current section 9-313 in its entirety and creating a new section 9-313 as follows:

9-313. Police investigation of applicant-traffic and police record. Each applicant for a taxicab driver's license shall submit a certified copy of their criminal and driving history with their application to the police department. The police chief shall review the application and make a determination as to whether to approve or deny it. The application as well as the certified criminal and driving history shall then be submitted for the consideration of the city council. No license shall be issued to any person who is under the age of 21.

Section 2. That the Lebanon Municipal Code Title 9, Chapter 3, Section 9-315. Issuance of license-duration-annual fee. is hereby amended by deleting the current section 9-315 in its entirety and creating a new section 9-315 as follows:

9-315. Issuance of license-duration-annual fee. Upon approval of an application for a taxicab driver's license the commission of finance and revenue shall issue to the applicant a license which shall bear the name, address, color, age, and signature of the applicant. The license shall be in effect for the remainder of the calendar year. A license for every calendar year thereafter shall be issued upon recommendation of the chief of police after the application is reviewed and a certified copy of the applicant's current driving and criminal history has been submitted. The license holder shall notify the chief of police in writing any criminal violation convictions as well as any traffic (moving violations) convictions within the calendar year. The chief of police can determine if the conviction should cause for the revocation of the license by the Lebanon City Council. The renewal fee of \$5.00 per driver will be assessed, unless the license for the preceding year has been revoked.

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

Ord. No. 16-5268

Page 2

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:

CHAPTER 3

TAXICABS

SECTION

9-313. Police investigation of applicant-traffic and police record. The police department shall conduct an investigation of each applicant for a taxicab driver's license, and a report of the investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for the consideration of the city council. No license shall be issued to any person who is under the age of 21. (1968 code, § 5-413)

9-314. Consideration of application. The city council shall, upon consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the city council to offer evidence why his application should be reconsidered. (1968 code, § 5-414)

9-315. Issuance of license-duration-annual fee. Upon approval of an application for a taxicab driver's license the commissioner of finance and revenue shall issue to the applicant a license which shall bear the name, address, color, age, and signature of the applicant. The license shall be in effect for the remainder of the calendar year. A license for every calendar year thereafter shall be issued upon the payment of \$5.00 per driver, unless the license for the preceding year has been revoked. (1968 code, § 5-415)

Revised Version

CHAPTER 3

TAXICABS

SECTION

9-313. Police investigation of applicant-traffic and police record. Each applicant for a taxicab driver's license shall submit a certified copy of their criminal and driving history with their application to the police department. The Police Chief shall review the application and make a determination as to whether to approve or deny it. The application as well as the certified criminal and driving history shall then be submitted for the consideration of the city council. No license shall be issued to any person who is under the age of 21. (1968 code, § 5-413)

9-314. Consideration of application. The city council shall, upon consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the city council to offer evidence why his application should be reconsidered. (1968 code, § 5-414)

9-315. Issuance of license-duration-annual fee. Upon approval of an application for a taxicab driver's license the commissioner of finance and revenue shall issue to the applicant a license which shall bear the name, address, color, age, and signature of the applicant. The license shall be in effect for the remainder of the calendar year. A license for every calendar year thereafter shall be issued upon recommendation of the Chief of Police after the application is reviewed and a certified copy of the applicants current Driving and Criminal History has been submitted. The License holder shall notify the Chief of Police in writing any Criminal Violation Convictions as well as any Traffic (Moving Violations) Convictions within the calendar year. The Chief of Police can determine if the Conviction should cause for the revocation of the License by the Lebanon City Council. The Renewal fee of \$5.00 per driver will be accessed, unless the license for the preceding year has been revoked.

CHAPTER 3

TAXICABS¹

SECTION

- 9-301. Definitions.
- 9-302. Certificate of public convenience and necessity required.
- 9-303. Application for certificate.
- 9-304. Public hearing.
- 9-305. Issuance or denial of certificate.
- 9-306. Liability insurance required.
- 9-307. License fees.
- 9-308. Transfer of certificates.
- 9-309. Suspension and revocation of certificates.
- 9-310. Taxicab driver's permit required.
- 9-311. Application for driver's permit.
- 9-312. Examination of applicant--current state special chauffeur's license required.
- 9-313. Police investigation of applicant--traffic and police record.
- 9-314. Consideration of application.
- 9-315. Issuance of license--duration--annual fee.
- 9-316. Display of license.
- 9-317. Suspension and revocation of licenses.
- 9-318. Drivers to comply with city, state, and federal laws.
- 9-319. Vehicles--equipment and maintenance.
- 9-320. Designation of taxicabs.
- 9-321. Receipts.
- 9-322. Refusal of passenger to pay legal fare.
- 9-323. Receipt and discharge of passengers on sidewalk only.
- 9-324. Restriction on number of passengers.
- 9-325. Refusal to carry orderly passengers prohibited.
- 9-326. Selling liquor prohibited.
- 9-327. Payment of fare in advance.
- 9-328. Taxicab service to be comprehensive.
- 9-329. Accidents.
- 9-330. Advertising.
- 9-331. Police department--duty to enforce chapter.
- 9-332. Rates.
- 9-333. Applicability of chapter to holders of certificates issued without a hearing.
- 9-334. Violations.

¹Charter reference: Art. II, § 1 (47).

- (a) Violated any of the provisions of this chapter.
 - (b) Discontinued operations for more than ten days.
 - (c) Violated any law involving moral turpitude.
- (2) Prior to any revocation, the holder shall be given notice of the proposed action to be taken and shall have an opportunity to be heard by the city council. (1968 code, § 5-409)

9-310. Taxicab driver's permit required. No person shall operate a taxicab upon the streets of Lebanon and no person who owns or controls a taxicab shall permit it to be driven unless the driver has obtained and has in force a taxicab driver's permit issued under the provisions of this chapter. (1968 code, § 5-410)

9-311. Application for driver's permit. (1) An application for a taxicab driver's permit shall be filed with the city council on forms provided by the city. The application shall be verified under oath and shall contain the following information.

- (a) The names and addresses of four residents of the City of Lebanon who have known the applicant for a period of two years and who will vouch for the sobriety, honesty, and general good character of the applicant.
 - (b) The experience of the applicant in the transportation of passengers.
 - (c) The educational background of the applicant.
 - (d) A concise history of his employment.
- (2) Each application shall be accompanied by a certificate from a reputable physician of the City of Lebanon certifying that, in his opinion, the applicant is not afflicted with any disease or infirmity which might make him an unsafe or unsatisfactory driver.
- (3) At the time the application is filed the applicant shall pay to the commissioner of finance and revenue the sum of one dollar (\$1.00) per driver. (1968 code, § 5-411)

9-312. Examination of applicant—current state special chauffeur's license required. Before any application is finally passed upon by the city council, the applicant shall pass a satisfactory examination as to his knowledge of the city and show that he has a current state special chauffeur's license. (1968 code, § 5-412)

9-313. Police investigation of applicant—traffic and police record. The police department shall conduct an investigation of each applicant for a taxicab driver's license, and a report of the investigation and a copy of the traffic and police record of the applicant, if any, shall be attached to the application for

the consideration of the city council. No license shall be issued to any person who is under the age of 21. (1968 code, § 5-413)

9-314. Consideration of application. The city council shall, upon consideration of the application and the reports and certificate required to be attached thereto, approve or reject the application. If the application is rejected, the applicant may request a personal appearance before the city council to offer evidence why his application should be reconsidered. (1968 code, § 5-414)

9-315. Issuance of license—duration—annual fee. Upon approval of an application for a taxicab driver's license the commissioner of finance and revenue shall issue to the applicant a license which shall bear the name, address, color, age, and signature of the applicant. The license shall be in effect for the remainder of the calendar year. A license for every calendar year thereafter shall be issued upon the payment of \$2.00 per driver, unless the license for the preceding year has been revoked. (1968 code, § 5-415)

9-316. Display of license. Every driver licensed under this chapter shall post his driver's license in such a place in his taxicab as to be in full view of all passengers while the driver is operating the taxicab. (1968 code, § 5-416)

9-317. Suspension and revocation of licenses. The city council may suspend any driver's license issued under this chapter for a driver's failing or refusing to comply with the provisions hereof, such suspension to last for a period of not more than sixty (60) days. The city council may also revoke any driver's license for failure to comply with the provisions of this chapter. However, a license may not be revoked unless the driver has received notice and has an opportunity to present evidence in his behalf. (1968 code, § 5-417)

9-318. Drivers to comply with city, state, and federal laws. Every driver licensed under this chapter shall comply with all city, state, and federal laws. (1968 code, § 5-418)

9-319. Vehicles—equipment and maintenance. Prior to the use and operation of any vehicle under the provisions of this chapter, the vehicle shall be thoroughly examined and inspected by the police department and found to comply with such reasonable rules and regulations as may be prescribed by the department. These rules and regulations shall be promulgated to provide safe transportation and shall specify such safety equipment and regulatory devices as the police department deems necessary therefor. When the police department finds that a vehicle has met the standards established, the department shall issue a license to that effect, which shall also state the authorized seating capacity of the vehicle. Every vehicle operating under this chapter shall be periodically inspected by the police department at such intervals as are established by the police department to insure the continued