



Philip Craighead
Mayor

CITY OF LEBANON

Office of the Mayor

200 North Castle Heights Avenue
Lebanon, TN 37087

philipcraighead@lebanontn.org

615-443-2839
Fax 443-2851

PUBLIC HEARING - OCTOBER 18, 2016 - 5:55 P.M.

TOWN MEETING HALL, ADMINISTRATION BUILDING

- 1) Changing unaddressed West Main Street from RS20 (Low Density Single-Family) to CN (Commercial Neighborhood) in Ward 6, by Paul Corder, Planning Director. (Request by Carolyn Eakes, Stephen Piercey & Billy Huff) (5.05 acres; Tax Map 57, part of Parcel 25.04) (Lebanon Planning Commission voted 8-0 to send to City Council with No Recommendation on August 23, 2016.) (9/20/16 City Council passed 1st Reading) (Reference Ordinance No. 16-5311)
- 2) Changing 309, 311 and 313 on North Maple Street from CS (Commercial Service) to DMU (Downtown Mixed Use District) in Ward 3, by Paul Corder, Planning Director. (Request by Curtis A. Gibbs, Jr.) (Factory Row; 0.68 acres; Tax Map 68D, Group J, Parcels 20 and 21) (Lebanon Planning Commission recommended approval with a vote of 8-0 on August 23, 2016.) (9/20/16 City Council passed 1st Reading) (Reference Ordinance No. 16-5312)
- 3) Changing 1729, 1731 and 1733 West Main Street from CN (Commercial Neighborhood) to CG (Commercial General) in Ward 6, by Paul Corder, Planning Director. (Request by DJS Partners) (4.0 acres; Tax Map 57, Parcels 37, 38 and 39) (Lebanon Planning Commission recommended approval by a vote of 7-1 on August 23, 2016.) (9/20/16 City Council passed 1st Reading) (Ordinance No. 16-5313)

REGULAR CALLED CITY COUNCIL MEETING

AGENDA - OCTOBER 18, 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:**

October 4, 2016 - Regular Called City Council Meeting

6. COMMUNICATION FROM CITIZENS:

7. COMMUNICATION FROM MAYOR:

8. REPORTS FROM MAYOR PRO TEM / COMMITTEES / ALDERMEN / OFFICERS:

9. CONSENT AGENDA:

Budget Amendment – Before the Fact:

1. **Ordinance No. 16-5317**, second reading, to authorize Budget Amendments for the Police Department to appropriate unused donations from the 2015-2016 Fiscal Year Budget and to appropriate donations received in the 2016-2017 Fiscal Year (for Community Events), by Mike Justice, Police Chief.

2. **Ordinance No. 16-5318**, second reading, to amend Title 10, Chapters 1 and 2, Sections 10-108 and 10-207 of the Lebanon Municipal Code relative to the Seizure and Disposition of Animals and Dogs by Lebanon Animal Control, by Mike Justice, Police Chief.

Line Item Transfer – Before the Fact:

3. **Ordinance No. 16-5319**, second reading, to authorize Line Item Transfers for the Animal Control Department, by Mike Justice, Police Chief, and Robert Springer, Commissioner of Finance and Revenue.

10. OLD BUSINESS:

1. **Ordinance No. 16-5311**, second reading, changing unaddressed West Main Street from RS20 (Low Density Single-Family) to CN (Commercial Neighborhood) in Ward 6, by Paul Corder, Planning Director. (Request by Carolyn Eakes, Stephen Piercey & Billy Huff) (5.05 acres; Tax Map 57, part of Parcel 25.04) (Lebanon Planning Commission voted 8-0 to send to City Council with No Recommendation on August 23, 2016.) (9/20/16 City Council passed on 1st Reading)

2. **Ordinance No. 16-5312**, second reading, changing 309, 311 and 313 on North Maple Street from CS (Commercial Service) to DMU (Downtown Mixed Use District) in Ward 3, by Paul Corder, Planning Director. (Request by Curtis A. Gibbs, Jr.) (Factory Row; 0.68 acres; Tax Map 68D, Group J, Parcels 20 and 21) (Lebanon Planning Commission recommended approval with a vote of 8-0 on August 23, 2016.) (9/20/16 City Council passed on 1st Reading)
3. **Ordinance No. 16-5313**, second reading, changing 1729, 1731 and 1733 West Main Street from CN (Commercial Neighborhood) to CG (Commercial General) in Ward 6, by Paul Corder, Planning Director. (Request by DJS Partners) (4.0 acres; Tax Map 57, Parcels 37, 38 and 39) (Lebanon Planning Commission recommended approval by a vote of 7-1 on August 23, 2016.) (9/20/16 City Council passed on 1st Reading)

11. NEW BUSINESS:

1. **Resolution No. 16-1995**, to add a new position to the Fire Department Flow Chart (Communications Officer), by Chris Dowell, Fire Chief.
2. **Ordinance No. 16-5320**, first reading, changing 1743, 1747 and 1751 West Main Street from CN (Commercial Neighborhood) to CG (Commercial General) in Ward 6, by Paul Corder, Planning Director. (5.08 acres; Tax Map 57, Parcels 33, 34 and 35) (Planning Commission recommended approval by a vote of 7-0 on September 20, 2016.) (Request by Peggy Keel and Bobby McMillen)
3. **Ordinance No. 16-5322**, first reading, changing 107 Carver Lane from CG (Commercial General) to CN (Commercial Neighborhood) in Ward 5, by Paul Corder, Planning Director. (2.4 acres; Tax Map 57, Parcel 71) (Planning Commission recommended approval by a vote of 8-0 on September 20, 2016.) (Request by David Mobley)
4. **Ordinance No. 16-5323**, first reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing unaddressed Peyton Road from CO (Commercial Office) to HDR (High Density Residential), by Paul Corder, Planning Director. (5.95 acres; Tax Map 82, part of Parcel 23.03) (Planning Commission recommended approval by a vote of 8-0 on September 20, 2016.) (Request by Staff)

5. **Ordinance No. 16-5324**, first reading, changing unaddressed Peyton Road from CG (Commercial General) to RM6 (High Density Multi-Family Residential Use) in Ward 2, by Paul Corder, Planning Director. (12.63 acres; Tax Map 82, part of Parcel 23.03) (Planning Commission recommended approval by a vote of 8-0 on September 20, 2016.) (Request by Angel Arroyo)

6. **Resolution No. 16-1996**, adopting a Plan of Services for the annexation at unaddressed Bluebird Road (Tax Map 67G, Group C, Parcels 27.01 and 29; 0.68 acres) to be added to Ward 2, by Paul Corder, Planning Director. (Planning Commission recommended approval by a vote of 8-0 on September 20, 2016.) (Request by Williams and Son Properties, LLC)

7. **Resolution No. 16-1997**, annexing property at unaddressed Bluebird Road, also identified as Tax Map 67G, Group C, Parcels 27.01 and 29, containing 0.68 acres in the records of the Wilson County Assessor of Property, to be added to Ward 2, by Paul Corder, Planning Director. (Planning Commission recommended approval by a vote of 8-0 on September 20, 2016.) (Request by Williams and Son Properties, LLC)

8. **Ordinance No. 16-5326**, first reading, requesting zoning approval of 0.68 acres at unaddressed Bluebird Road (Tax Map 67G, Group C, Parcels 27.01 and 29) to RM6 (High Density Multi-Family Residential) in Ward 2, by Paul Corder, Planning Director. (Planning Commission recommended approval by a vote of 8-0 on September 20, 2016.) (Request by Williams and Son Properties, LLC)

9. **Ordinance No. 16-5327**, first reading, to approve the payment plan for the Wilson County Expo Center Water/Sewer Fees, by Mayor Philip Craighead, and Jeff Baines, Commissioner of Public Works.

10. **Resolution No. 16-1998**, to authorize the Lease Agreements for Public Parking near the Square, by Mayor Philip Craighead.

11. **Ordinance No. 16-5328**, first reading, to amend Title 13 of the Lebanon Municipal Code by replacing LMC 13-104 with more current legal language regarding removal of weeds, grass, and debris, by Robert Springer, Commissioner of Finance and Revenue.

12. **Ordinance No. 16-5329**, first reading, to amend Lebanon Municipal Code – LMC 9-202 relative to Exemptions to the Transient Vendor Permit requirements to include vendors at events held on the Wilson County Fairgrounds or in the Wilson County Expo Center, by Mayor Philip Craighead.

12. ADJOURNMENT

CITY COUNCIL MEETING

October 4, 2016

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

A Public Hearing was held at 5:55 p.m. for:

- 1) Changing unaddressed property on Leeville Pike from RR (Rural Residential Agricultural) to R9 (Medium Density Single Family Residential 9,000) in Ward 4 (19.92 acres, Tax Map 80, Parcel 6), by Paul Corder, Planning Director. (Request by Fleming Homes) (Planning Commission recommended approval 7-2 on 6/28/16; 7/19/16 City Council deferred to the 8/16/16 Agenda; 8/16/16 Council Passed on 1st Reading) (Reference Ordinance No. 16-5272)
No citizens chose to address the Mayor or City Council on this issue.
- 2) Adopting a Plan of Services for the annexation at unaddressed Odum Lane (89.17 acres; Tax Map 116, part of Parcel 20) to be added to Ward 4, by Paul Corder, Planning Director. (Request by Doug McDowell/Delacey Farm) (Planning Commission recommended approval by a vote of 8-0 on 7/26/16) (Passed 1st Reading by Council on 9/06/16) (Reference Resolution No. 16-1962)
No citizens chose to address the Mayor or City Council on this issue.
- 3) Annexing property at unaddressed Odum Lane, also identified as Tax Map 116, part of Parcel 20, containing 89.17 acres in the records of the Wilson County Assessor of Property, to be added to Ward 4, by Paul Corder, Planning Director. (Request by Doug McDowell/Delacey Farm) (Planning Commission recommended approval by a vote of 8-0 on 7/26/16) (Passed 1st Reading by Council on 9/06/16) (Reference Resolution No. 16-1963)
No citizens chose to address the Mayor or City Council on this issue.
- 4) Requesting zoning approval of 89.17 acres at unaddressed Odum Lane (Tax Map 116, part of Parcel 20) to IP (Planned Business/Industrial Park) in Ward 4, by Paul Corder, Planning Director. (Request by Doug McDowell/Delacey Farm) (Planning Commission recommended approval by a vote of 8-0 on 7/26/16) (Passed 1st Reading by Council on 9/06/16) (Reference Ordinance No. 16-5288)
No citizens chose to address the Mayor or City Council on this issue.

The Public Hearing was adjourned at 5:57.

Prior to the Call To Order, Mayor Craighead announced three drop-ins have been submitted for tonight's agenda: Resolution No. 16-1993, Resolution No. 16-1994, and Ordinance No. 16-5319. Mayor Craighead also noted Ordinance No. 16-5318 has a typographical error: Section 1. 10-108 and Section 2. 10-107 should read minimum of ten (10) calendar days rather than maximum of ten (10) calendar days, as stated in said Ordinance. Ordinance No. 16-5281 is withdrawn from tonight's agenda.

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

Invocation was given by Tim Hill, Director of the Floyd Family Center.

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

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

Approval of Minutes:

Motion was made by Councilor Tick Bryan, seconded by Councilor Lanny Jewell, to approve the minutes of the September 20, 2016, Regular Called City Council Meeting. Motion carried unanimously. Minutes were approved.

Communications from the Citizens:

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

Communication from the Mayor:

The Mayor thanked Joseph Minicozzi, of Urban3, for his presentation on property values and the city and county's planning potential, earlier this evening at the Mayor and Council work session. Mr. Minicozzi will also give various presentations beginning tomorrow, Wednesday, October 5, 2016, at Venue 142 at the Arcade on the Square, for any citizens who might be interested. The Mayor invited

citizens to attend in order that everyone will be able to understand the recent property value assessments as well as how our community is growing.

Mayor Craighead informed everyone that this evening is America's National Night Out, from 5:00 p.m. until 8:00 p.m. at the Don Fox Park. The event is sponsored by the Lebanon Police Department and offers a chance for the community to meet members of the emergency services, see some of the new vehicles and gear in person, as well as enjoy food, music, children's activities and free ice cream. Emergency services from all around Wilson County will be present to answer any questions and speak to the public.

The Mayor advised the Gasification Open House and Tour will be held on October 13, 2016. Beginning at noon, there will be a luncheon held at the Lebanon Airport and people will be bused to the Gasification Plant for the tour beginning at 11:00 a.m.

The Castle Heights Alumni Association will hold their annual reunion this weekend beginning this upcoming Saturday, October 9, 2016 at 10:00 a.m.

The Mayor also informed citizens that the City of Lebanon and Wilson County governments have completed the swap of the old Courthouse property. This is the former Courthouse parking lot, located on the Southwest corner of the Square for the section of Lake Street adjacent to the Criminal Justice Center. This swap will allow the City to develop plans to improve the Square and we hope to partner with the Chamber of Commerce in order to build new businesses around the Square, in order that we can continue to make our Square a destination point for our citizens. The Square is the heart of our City where everyone comes to meet. We appreciate working with the County on that issue.

Communication from Committees/ Officers/Aldermen:

1) Councilor Lanny Jewell reminded citizens that the Taste of Wilson County will be held this Thursday, October 7, 2016 on the Square. It is always a nice event for everyone to get together and taste the foods of County.

Councilor Jewell thanked the employees of Public Works for the Rain Garden they are installing in Ward 1.

2) Councilor Fred Burton noted the drop-in this evening will be for the street light at Bluebird Road and C. L. Manier. It will go out for bid on October 7. Councilor Burton's constituents are looking forward to this in Ward 2, as it has been a long time coming. There are also more new street lights coming in Ward 2.

Councilor Burton also noted that the Lebanon Airport will be hosting the B-17 airplane beginning October 7 through October 9. They are selling rides around the City. He encouraged citizens to come visit this treasure.

Councilor Burton likes the way the street paving is looking, thanks to the Mayor and Councilor Cesternino.

Consent Agenda:

The Commissioner of Finance and Revenue read the items for the Consent Agenda, asking if there was any discussion on each item. There was none.

Motion was made by Councilor Rob Cesternino, seconded by Councilor Lanny Jewell, 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. 16-5306, second reading, to authorize a budget amendment to appropriate funds for the Home Grant Program, by Robert Springer, Commissioner of Finance and Revenue. *Budget Amendment – Before the Fact:*

PASSED SECOND/FINAL READING NO OBJECTIONS

Ordinance No. 16-5307, second reading, to authorize budget amendments for the Federal Asset Seizure Fund (for the purchase of ten in-car cameras and a server), by Mike Justice, Police Chief, and Robert Springer, Commissioner of Finance and Revenue. *Budget Amendment - Before the Fact:*

PASSED SECOND/FINAL READING NO OBJECTIONS

Ordinance No. 16-5309, second reading, to authorize a budget amendment for the Maintenance Department, by Jeff Baines, Commissioner of Public Works. *Budget Amendment – Before the Fact:*

PASSED SECOND/FINAL READING NO OBJECTIONS

Ordinance No. 16-5310, second reading, to authorize a budget amendment for annual Street Paving and Striping, by Jeff Baines, Commissioner of Public Works, and Robert Springer, Commissioner of Finance and Revenue. *Budget Amendment – Before the Fact:*

PASSED SECOND/FINAL READING NO OBJECTIONS

Ordinance No. 16-5314, second reading, to authorize a budget amendment to appropriate donations received for the Dog Park, by Mayor Philip Craighead, and Robert Springer, Commissioner of Finance and Revenue. *Budget Amendment - Before the Fact:*

PASSED SECOND/FINAL READING NO OBJECTIONS

Ordinance No. 16-5315, second reading, to Quitclaim to the contiguous property owners the City's interest in an abandoned right-of-way left by the realignment of Franklin Road during the construction of South Hartmann Drive, by Jeff Baines, Commissioner of Public Works.

PASSED SECOND/FINAL READING NO OBJECTIONS

Ordinance No. 16-5316, second reading, to approve a policy regarding the allocation of Dog Park Donations received, by Robert Springer, Commissioner of Finance and Revenue.

PASSED SECOND/FINAL READING NO OBJECTIONS

Old Business:

Ordinance No. 16-5272, second reading, changing unaddressed property on Leeville Pike from RR (Rural Residential Agricultural) to R9 (Medium Density Single Family Residential 9,000) in Ward 4 (19.92 acres, Tax Map 80, Parcel 6), by Paul Corder, Planning Director. (Request by Fleming Homes) (Planning Commission recommended approval 7-2 on 6/28/16; 7/19/16 City Council deferred to the 8/16/16 Agenda; 8/16/16 Council Passed on 1st Reading)

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

Resolution No. 16-1962, adopting a Plan of Services for the annexation at unaddressed Odum Lane (89.17 acres; Tax Map 116, part of Parcel 20) to be added to Ward 4, by Paul Corder, Planning Director. (Request by Doug McDowell/Delacey Farm) (Planning Commission recommended approval by a vote of 8-0 on 7/26/16) (Passed 1st Reading by Council on 9/06/16)

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

Resolution No. 16-1963, annexing property at unaddressed Odum Lane, also identified as Tax Map 116, part of Parcel 20, containing 89.17 acres in the records of the Wilson County Assessor of Property, to be added to Ward 4, by Paul Corder, Planning Director. (Request by Doug McDowell/Delacey Farm) (Planning Commission recommended approval by a vote of 8-0 on 7/26/16) (Passed 1st Reading by Council on 9/06/16)

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

Ordinance No. 16-5288, second reading, requesting zoning approval of 89.17 acres at unaddressed Odum Lane (Tax Map 116, part of Parcel 20) to IP (Planned Business/Industrial Park) in Ward 4, by Paul Corder, Planning Director. (Request by Doug McDowell/Delacey Farm) (Planning Commission recommended approval by a vote of 8-0 on 7/26/16) (Passed 1st Reading by Council on 9/06/16)

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

New Business:

Resolution No. 16-1969, to accept bids for the HVAC Service Agreement for the Jimmy Floyd Family Center (three year agreement), by Tim Hill, Floyd Center Director, and Lisa Lane, Purchasing Agent.

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

Resolution No. 16-1987, to approve an updated contract with Windstream Communications for Phone and Data Services, by Robert Springer, Commissioner of Finance and Revenue, and Mike Collinsworth, MIS Director.

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

Resolution No. 16-1988, to update the Purchasing/Purchase Card section of the Internal Control Manual and include a copy of the Purchasing Guide for the City of Lebanon, by Stuart Lawson, Accounting Manager.

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

Resolution No. 16-1989, to accept the bid of LoJac Enterprises, Inc. for the Runway Guard Light Installation and East Apron Pavement Rehabilitation (TAD Project Nos. 95-555-0154-16 and 95-555-0155-16), by T.O. Cragwall, Airport Commission Chairman, and Randy Laine, Engineering Director of Capital Projects.

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

Ordinance No. 16-5317, first reading, to authorize Budget Amendments for the Police Department to appropriate unused donations from the 2015-2016 Fiscal Year Budget and to appropriate donations received in the 2016-2017 Fiscal Year (for Community Events), by Mike Justice, Police Chief. *Budget Amendment – Before 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.

Resolution No. 16-1990, to approve a contract with TDOT for resurfacing of South Hartmann Drive from Leeville Pike to south of Hickory Ridge Road (State Project No. 95LPLM-F3-066; 2016-2017 & 2017-2018 Fiscal Year Budgets), by Regina Santana, Engineering Director of Development.

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

Resolution No. 16-1991, to accept the Letter of Proposal Extension of Phoenix Builders for Airport Maintenance Hangar Design Build Proposal through November 15, 2016, by Randy Laine, Engineering Director of Capital Projects, and T.O. Cragwall, Airport Commission Chairman.

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

Ordinance No. 16-5281, first reading, to authorize Engineering and a Budget Amendment for preparation of pre-ordering metal building for the Maintenance Hangar at the Lebanon Municipal Airport, by T. O. Cragwall, Airport Commission Chairman, and Randy Laine, Engineering Director of Capital Projects. *Budget Amendment – Before the Fact:*

Withdrawn prior to Council Meeting.

Resolution No. 16-1992, to approve a contract with West Publishing Corporation for Online Legal Subscriptions (funds appropriated in the 2016-2017 Fiscal Year Budget), by Andy Wright, City Attorney.

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

Ordinance No. 16-5318, first reading, to amend Title 10, Chapters 1 and 2, Sections 10-108 and 10-207 of the Lebanon Municipal Code relative to the Seizure and Disposition of Animals and Dogs by Lebanon Animal Control, by Mike Justice, Police Chief.

Commissioner Springer also noted, as the Mayor stated earlier, Ordinance No. 16-5318 has a typographical error and Section 1. 10-108 and Section 2.10-207 should read minimum of ten (10) calendar days rather than maximum of ten (10) calendar days, as stated in said Ordinance.

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

Resolution No. 16-1993, TDOT, signalization of Bluebird Road and Bypass, by Councilor Fred Burton.

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

Resolution No. 16-1994, to authorize contribution for Sanitary Sewer to Dynamic Therapy, an unauthorized pocket near Quarry Loop Road and Hwy. 70, by Mayor Philip Craighead and Councilor Rick Bell.

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

Ordinance No. 16-5319, first reading, line item transfer for Animal Control, by Mike Justice,
Police Chief.

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

The Regular Called City Council Meeting of October 4, 2016 adjourned at 6 p.m.

Attest:

Approved:

Robert D. Springer
Commissioner of Finance & Revenue

Philip Craighead
Mayor

Secretary:

Jaci Diebner

Completed

ORDINANCE NO. 16-5318

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AMEND TITLE 10, CHAPTERS 1 AND 2, SECTIONS 10-108 AND 10-207 OF THE LEBANON MUNICIPAL CODE RELATIVE TO THE SEIZURE AND DISPOSITION OF ANIMALS AND DOGS BY LEBANON ANIMAL CONTROL

WHEREAS, it is necessary to update sections 10-108 and 10-207 of the Lebanon Municipal Code to better meet the needs of the citizens of Lebanon; and

WHEREAS, LMC 10-207 currently provides that dogs may be detained for a maximum period of five days before being sold, adopted, or humanely destroyed, reference Ord. No. 13-4341; and

WHEREAS, the Animal Control facilities for the City of Lebanon have been expanded, which allows for the holding period to be increased from five to ten days, and, space permitting, for the dog to be humanely destroyed after 30 days if it is not claimed by its owner or successfully placed for adoption; and

WHEREAS, it is necessary to update LMC 10-108 relative to the seizure and disposition of animals to reflect these practices as they relate to animals other than dogs; and

WHEREAS, it is necessary to incorporate the use of social media to locate the owners of dogs/animals impounded by Lebanon Animal Control into Title 10 of the Lebanon Municipal Code.

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

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the Lebanon Municipal Code 10-108 by deleting the current 10-108 in its entirety and replacing it with the following new LMC 10-108:

10-108. Seizure and disposition of animals. Any animal or fowl found running at large or otherwise being kept in violation of this chapter may be impounded by any officer of the City of Lebanon animal control or police department and placed in the City of Lebanon animal control facility. All animals or fowl shall be held for a ~~maximum~~^{with 30 days} of ten (10) calendar days and, if not redeemed after the tenth day, the non-aggressive animals or fowl will be placed for adoption. Lebanon Animal Control will work hard towards finding the animal or fowl a home. If identified, the owner shall be notified in person, by telephone, or by a post card addressed to their last-known address. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be placed on the City of Lebanon, Animal Control Social Media site, and other sites for lost and found pets for the

community. In either case, the notice shall state that the impounded animal or fowl must be claimed within ten (10) days or the animal or fowl will be placed for adoption. No animal or fowl shall be released in any event from the pound until the pound fee of \$50.00 and the daily boarding fees of \$10.00 per day have been paid.

When, because of its viciousness or apparent infection with rabies or other similar dangerous disease, an animal or fowl found running at large cannot be safely impounded, it may be summarily destroyed by or at the direction of any officer of the City of Lebanon animal control or police department.

Section 2. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the Lebanon Municipal Code 10-207 by deleting the current 10-207 in its entirety and replacing it with the following new LMC 10-207:

10-207. Seizure and disposition of dogs. Any dog found running at large may be impounded by any officer of the City of Lebanon animal control or police department and placed in the City of Lebanon animal control facility. All dogs shall be held for a ~~maximum~~^{minimum} of ten (10) calendar days and, if not redeemed after the tenth day, the non-aggressive dogs will be placed for adoption. Lebanon Animal Control will work hard towards finding the dog a home. If identified, the owner shall be notified in person, by telephone, or by a post card addressed to their last-known address. If the owner is not known or cannot be located, a notice describing the impounded dog will be placed on the City of Lebanon, Animal Control Social Media site, and other sites for lost and found pets for our community. In either case, the notice shall state that the impounded dog must be claimed within ten (10) days or the dog will be placed for adoption. No dog shall be released in any event from the pound until the pound fee of \$50.00 and the daily boarding fees of \$10.00 per day have been paid.

When, because of its viciousness or apparent infection with rabies or other similar dangerous disease, a dog found running at large cannot be safely impounded, it may be summarily destroyed by or at the direction of any officer of the City of Lebanon animal control or police department.

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

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Ord. No. 16-5318

Page 3

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:

Drop in

ORDINANCE NO. 16-5319

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

WHEREAS, the Lebanon City Council approved and adopted the 2016 – 2017 fiscal year budget on June 9, 2016 by Ord. No. 16-5231; and

WHEREAS, line item transfers are now necessary for the Animal Control Department to cover overtime and benefits; 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 2016 – 2017 City of Lebanon budget:

Department: Animal Control			
From:	11043120-72480	Training	\$1,000.00
	11043120-73200	Operating Supplies	\$4,000.00
	11043120-73260	Uniforms	\$500.85
To:	11043120-71120	Overtime	\$4,485.00
	11043120-71410	SS and Med Tax	\$343.10
	11043120-71430	Retirement	\$672.75

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
 2016/2017

FINANCE DEPT.
 2016 SEP 28 AM 11:20

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

DEPARTMENT Animal Control

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11043120-72480	Training	\$ 1,000.00	
11043120-73200	Operating supplies	\$ 4,000.00	
11043120-73260	uniforms	500.85	
	Total	\$ 5,500.85	

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11043120-71120	Overtime		\$ 4,485.00
11043120-71410	s s and med tax		\$ 343.10
11043120-71430	Retirement		\$ 672.75
	Total		\$ 5,500.85

REQUESTED BY	<u>WILLIAM GLOVER</u>	DATE	<u>9/26/2016</u>
DEPARTMENT HEAD		DATE	<u>9/26/2016</u>
COMM. OF FINANCE		DATE	<u>9/29/16</u>
MAYOR	_____	DATE	_____

REASON FOR THIS TRANSFER:

To transfer into overtime and benefits

REVISED 10-8-2013

Drop In

RESOLUTION NO. 16-1993

A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO ACCEPT A PROPOSAL FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION CONCERNING THE MAINTENANCE AND CONSTRUCTION PROTOCOL FOR THE SIGNALIZATION OF BLUEBIRD ROAD AND THE BYPASS STATE PROJECT NOS. 95008-3205-94, 95008-2205-94, 95008-1205-94, AND 95008-0205-94, PIN NO. 120400.00

WHEREAS, the TDOT project at the intersection of Bluebird Road/C.L. Manier Street (includes signal timing from SR 24 to Tennessee Boulevard) in Lebanon Route: SR 26 is necessary and in the best interests of the citizens of Lebanon; 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 Nos. 95008-3205-94, 95008-2205-94, 95008-1205-94, 95008-0205-94, PIN NO. 120400.00.

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 October, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney



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: SEPTEMBER 21, 2016

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

RECEIVED
 September 26th

RE: Proposal for Acceptance
STATE PROJ. #: 95008-3205-94, 95008-2205-94, 95008-1205-94, 95008-0205-94
FED PROJ. #: PHSIP-26(63)
COUNTY(s) Wilson
PIN #: 120400.00
DESCRIPTION: Intersection at Bluebird Road/C.L. Manier Street (Includes Signal Timing from SR-24 to Tennessee Boulevard) in Lebanon Route: SR-26

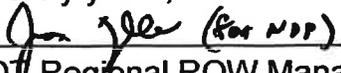
Dear Mayor Philip Craighead:

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,


 TDOT Regional ROW Manager
 Phone: 615.350.4200

Enclosures: Proposals (Originals & 2 copies)
 Sample Resolution

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. PHSIP-26(63), State Project No. 95008-3205-94,95008-0205-94,95008-1205-94,95008-2205-94 , that is described as "Intersection at Bluebird Road/C.L. Manier Street(Includes Signal Timing from SR-24 to Tennessee Boulevard) in Lebanon Route: SR-26", 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

DATE: _____

Deep in

RESOLUTION NO. 16-1994

**A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO
AUTHORIZE CONTRIBUTION FOR SANITARY SEWER EXTENSION TO SERVE
DYNAMIC THERAPY CONSTRUCTION AND UNSEWERED POCKET NEAR
QUARRY LOOP ROAD/HIGHWAY 70/SR 109**

WHEREAS, the Dynamic Therapy construction at 368 Quarry Loop Road requires extension of public sewer from the SR 109 area approximately 1650 feet; and

WHEREAS, this sewer extension will provide public sewer to a significant "pocket" in/near the southwest quadrant of the Quarry Loop Road/Highway 70/SR 109 area; and

WHEREAS, the City Sewer Collection Budget has funds designated for "pocket" areas without sewer; and

WHEREAS, the estimated cost for this project is \$289,000.00.

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

Section 1. The City of Lebanon wishes to support the Dynamic Therapy Project and extension of sewer to this "pocket" by contributing One Hundred Seventy-three Thousand Dollars (\$173,000.00) from the existing sewer collection pocket plan budget.

Section 2. The City of Lebanon is in agreement to waive sewer plan review, inspection, tap and capacity fees in the amount of Nine Thousand, Eight Hundred Eighty-eight Dollars and Sixty-five Cents (\$9,888.65) to support the project.

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

Adopted this ___ day of _____, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

ORDINANCE NO. 16-5317

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE BUDGET AMENDMENTS FOR THE POLICE DEPARTMENT TO APPROPRIATE UNUSED DONATIONS FROM THE 2015 – 2016 FISCAL YEAR BUDGET AND TO APPROPRIATE DONATIONS RECEIVED IN THE 2016 – 2017 FISCAL YEAR

WHEREAS, the Lebanon City Council approved and adopted the 2016 – 2017 fiscal year budget on June 9, 2016 by Ord. No. 16-5231; and

WHEREAS, budget amendments are now necessary for the Police Department to appropriate unused donations from the previous fiscal year and to appropriate donations received this fiscal year; and

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

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

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the FY 2016 – 2017 City of Lebanon budget in the following manner:

Department: Police

From:	11090000-79000	Budget Fund Balance	\$423.11
	1104-34017	Police Donations	\$2,750.00
To:	11042100-73251	Community Events	\$423.11
	11042100-73251	Community Events	\$2,750.00

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

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: 10/04/16

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2016-2017

FINANCE DEPT

2016 SEP 22 AM 11:00

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

DEPARTMENT Police

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
1104-34017	Police Donations	\$ 2,750.00	
	Total	\$ 2,750.00	

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11042100-73251	Community Events		\$ 2,750.00
	Total		\$ 2,750.00

REQUESTED BY _____
DEPARTMENT HEAD _____
COMM. OF FINANCE _____
MAYOR _____

DATE 9/22/2016
DATE 9/22/2016
DATE 9/23/16
DATE _____

REASON FOR THIS TRANSFER:

Appropriate police department donations received in FY 2016-2017 to community events line item for upcoming events.

ORDINANCE NO. 16-5318

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AMEND TITLE 10, CHAPTERS 1 AND 2, SECTIONS 10-108 AND 10-207 OF THE LEBANON MUNICIPAL CODE RELATIVE TO THE SEIZURE AND DISPOSITION OF ANIMALS AND DOGS BY LEBANON ANIMAL CONTROL

WHEREAS, it is necessary to update sections 10-108 and 10-207 of the Lebanon Municipal Code to better meet the needs of the citizens of Lebanon; and

WHEREAS, LMC 10-207 currently provides that dogs may be detained for a maximum period of five days before being sold, adopted, or humanely destroyed, reference Ord. No. 13-4341; and

WHEREAS, the Animal Control facilities for the City of Lebanon have been expanded, which allows for the holding period to be increased from five to ten days, and, space permitting, for the dog to be humanely destroyed after 30 days if it is not claimed by its owner or successfully placed for adoption; and

WHEREAS, it is necessary to update LMC 10-108 relative to the seizure and disposition of animals to reflect these practices as they relate to animals other than dogs; and

WHEREAS, it is necessary to incorporate the use of social media to locate the owners of dogs/animals impounded by Lebanon Animal Control into Title 10 of the Lebanon Municipal Code.

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

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the Lebanon Municipal Code 10-108 by deleting the current 10-108 in its entirety and replacing it with the following new LMC 10-108:

10-108. Seizure and disposition of animals. Any animal or fowl found running at large or otherwise being kept in violation of this chapter may be impounded by any officer of the City of Lebanon animal control or police department and placed in the City of Lebanon animal control facility. All animals or fowl shall be held for a minimum of ten (10) calendar days and, if not redeemed after the tenth day, the non-aggressive animals or fowl will be placed for adoption. Lebanon Animal Control will work hard towards finding the animal or fowl a home. If identified, the owner shall be notified in person, by telephone, or by a post card addressed to their last-known address. If the owner is not known or cannot be located, a notice describing the impounded animal or fowl will be placed on the City of Lebanon, Animal Control Social Media site, and other sites for lost and found pets for the

community. In either case, the notice shall state that the impounded animal or fowl must be claimed within ten (10) days or the animal or fowl will be placed for adoption. No animal or fowl shall be released in any event from the pound until the pound fee of \$50.00 and the daily boarding fees of \$10.00 per day have been paid.

When, because of its viciousness or apparent infection with rabies or other similar dangerous disease, an animal or fowl found running at large cannot be safely impounded, it may be summarily destroyed by or at the direction of any officer of the City of Lebanon animal control or police department.

Section 2. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the Lebanon Municipal Code 10-207 by deleting the current 10-207 in its entirety and replacing it with the following new LMC 10-207:

10-207. Seizure and disposition of dogs. Any dog found running at large may be impounded by any officer of the City of Lebanon animal control or police department and placed in the City of Lebanon animal control facility. All dogs shall be held for a minimum of ten (10) calendar days and, if not redeemed after the tenth day, the non-aggressive dogs will be placed for adoption. Lebanon Animal Control will work hard towards finding the dog a home. If identified, the owner shall be notified in person, by telephone, or by a post card addressed to their last-known address. If the owner is not known or cannot be located, a notice describing the impounded dog will be placed on the City of Lebanon, Animal Control Social Media site, and other sites for lost and found pets for our community. In either case, the notice shall state that the impounded dog must be claimed within ten (10) days or the dog will be placed for adoption. No dog shall be released in any event from the pound until the pound fee of \$50.00 and the daily boarding fees of \$10.00 per day have been paid.

When, because of its viciousness or apparent infection with rabies or other similar dangerous disease, a dog found running at large cannot be safely impounded, it may be summarily destroyed by or at the direction of any officer of the City of Lebanon animal control or police department.

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

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Ord. No. 16-5318
Page 3

Approved as to form:

City Attorney

Passed first reading: 10/04/16

Passed second reading: _____

ORDINANCE NO. 16-5319

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

WHEREAS, the Lebanon City Council approved and adopted the 2016 – 2017 fiscal year budget on June 9, 2016 by Ord. No. 16-5231; and

WHEREAS, line item transfers are now necessary for the Animal Control Department to cover overtime and benefits; 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 2016 – 2017 City of Lebanon budget:

Department: Animal Control

From: 11043120-72480	Training	\$1,000.00
11043120-73200	Operating Supplies	\$4,000.00
11043120-73260	Uniforms	\$500.85
To: 11043120-71120	Overtime	\$4,485.00
11043120-71410	SS and Med Tax	\$343.10
11043120-71430	Retirement	\$672.75

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: 10/04/16

Passed second reading: _____

CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
 2016/2017

2016 SEP 28 AM 11:20

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

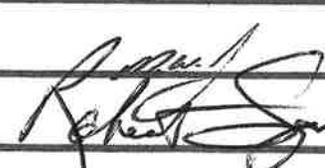
DEPARTMENT Animal Control

TRANSFER FROM

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11043120-72480	Training	\$ 1,000.00	
11043120-73200	Operating supplies	\$ 4,000.00	
11043120-73260	uniforms	500.85	
	Total	\$ 5,500.85	

TRANSFER TO

G/L ACCT NO	ACCT DESCRIPTION	DEBIT	CREDIT
11043120-71120	Overtime		\$ 4,485.00
11043120-71410	s s and med tax		\$ 343.10
11043120-71430	Retirement		\$ 672.75
	Total		\$ 5,500.85

REQUESTED BY	<u>WILLIAM GLOVER</u>	DATE	<u>9/26/2016</u>
DEPARTMENT HEAD		DATE	<u>9/26/2016</u>
COMM. OF FINANCE		DATE	<u>9/29/16</u>
MAYOR	_____	DATE	_____

REASON FOR THIS TRANSFER:

To transfer into overtime and benefits

ZONING ORDINANCE 16-5311

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF
LEBANON, TENNESSEE, BY CHANGING UNADDRESSED WEST MAIN STREET
FROM RS20 – LOW DENSITY SINGLE-FAMILY TO CN – COMMERCIAL
NEIGHBORHOOD IN WARD 6**

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 commercial neighborhood
district; and

WHEREAS, the subject property is identified as Residential Mixed Use in the Future
Land Use Plan; and

WHEREAS, the property owner is asking for the CN zoning to continue the commercial
Neighborhood on West Main Street; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission no
recommendation of this rezoning to the Mayor and City Council by a vote of 8-0 at August 23,
2016 Meeting.

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, rezoned from
RS20 – Low Density Single-Family to CG – Commercial General:

Approximately 5.05 acres more or less, located on unaddressed property on West
Main Street as shown on the attached map.

For reference, see Deed Book 1660 Page 727, in the Register's Office of Wilson
County, Tennessee, and being shown as Tax Map 57 part of Parcel 25.04, 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 September 30, 2016.

The Public Hearing was held at 5:55 PM in the City Council Chambers on October 18, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

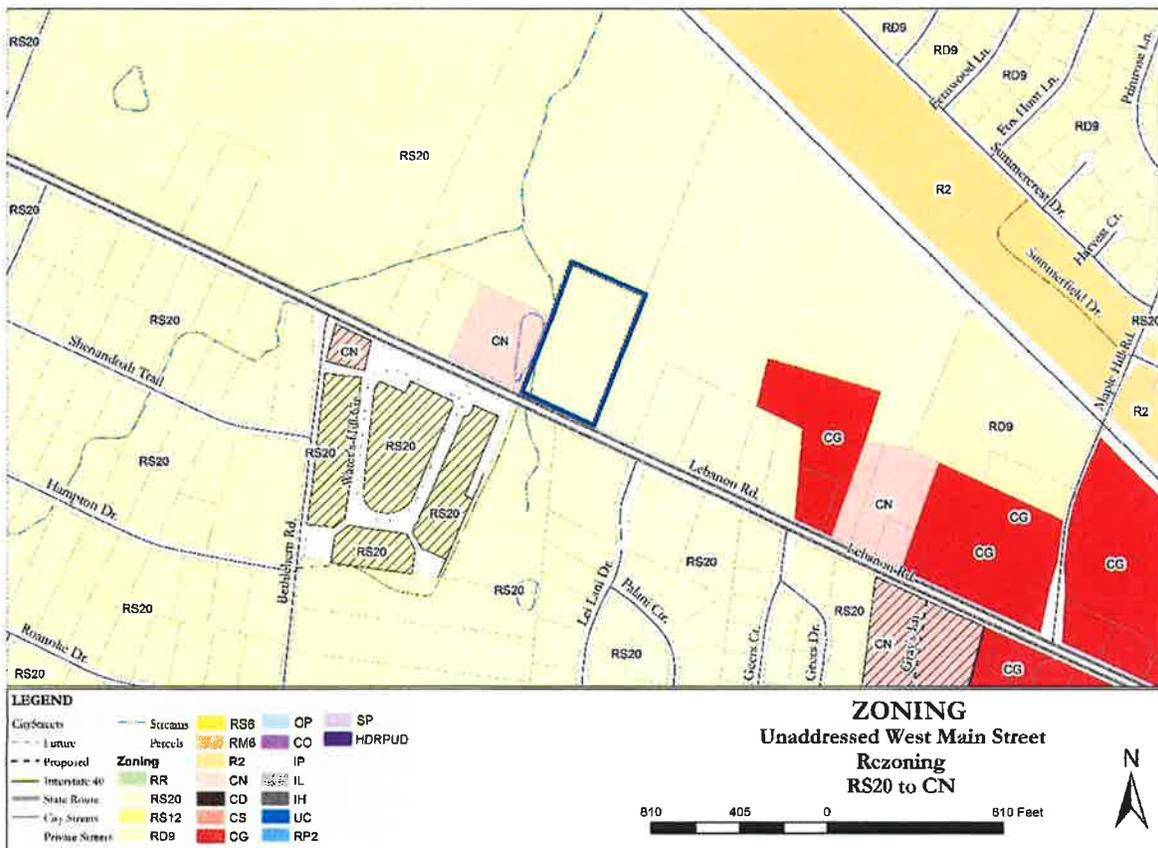
Mayor

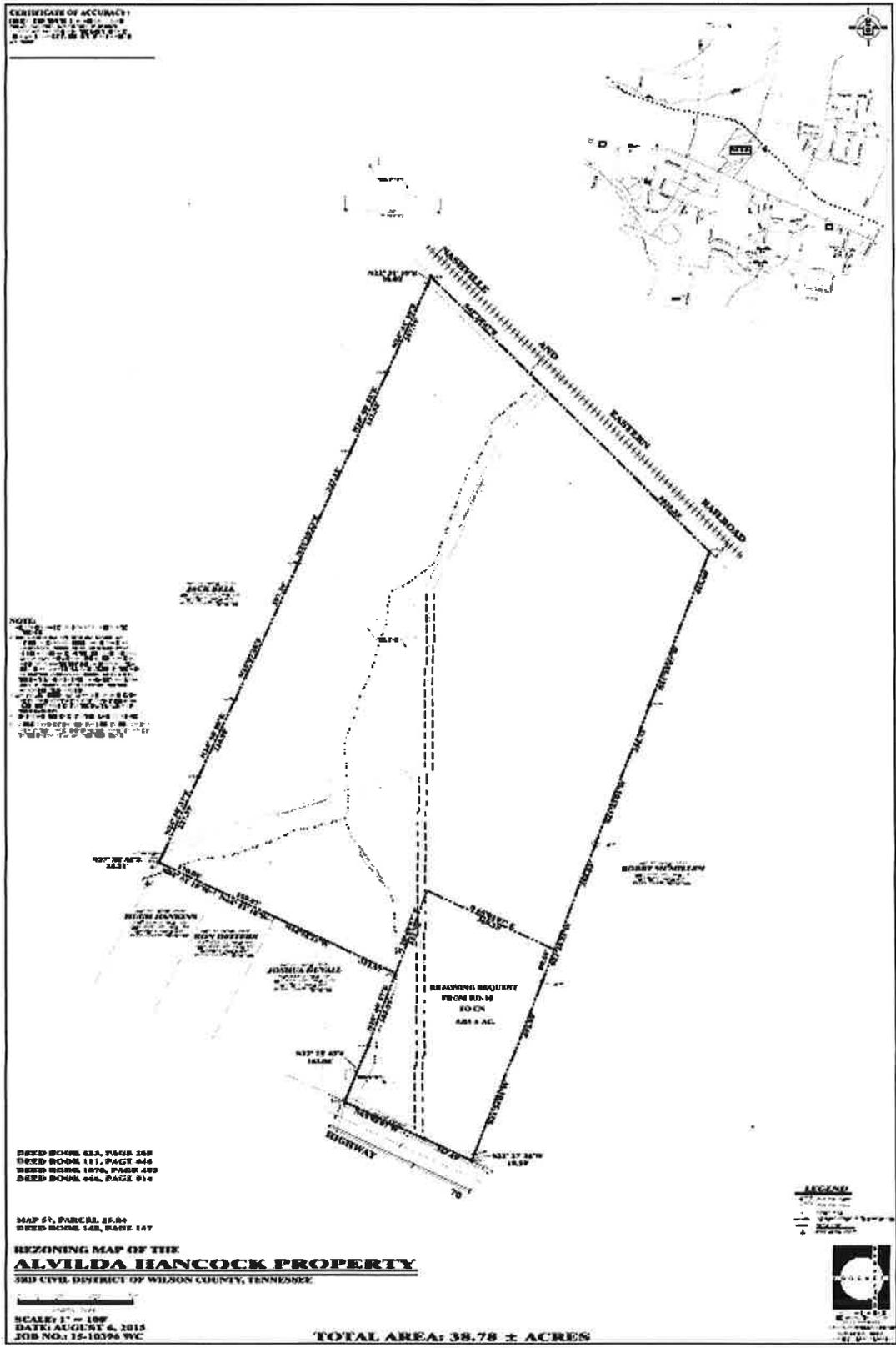
Approved as to Form:

Passed first reading: September 20, 2016.

City Attorney

Passed second reading: _____.





Cost of Publication

\$

57.75

PUBLIC NOTICE

In reference to Ordinance No. 16-5311, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on October 18, 2016 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning of property at Unaddressed West Main Street (Tax Map 57 part of Parcel 25.04) from RS20 - Low Density Single-Family District to CN - Commercial Neighborhood District. The public hearing for the proposed rezoning is being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the map showing the proposed rezoning are available for inspection at the following locations: City of Lebanon Mayor's Office, Engineering Office and Planning Office at 200 North Castle Heights Avenue. Questions can be addressed to Paul Corder at 444-3647 x2321. The public is welcome to attend.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2809.

STATE OF TENNESSEE

County of Wilson

Personally appeared before me,

Lisa D. Peters

A Notary Public of Tennessee,
 Dave Gould, who being first duly
 sworn, made oath that he is President
 of *The Wilson Post* website, and
 that the hereto attached publication
 appeared in the same on the following
 dates:

09/30/2016

Dave Gould

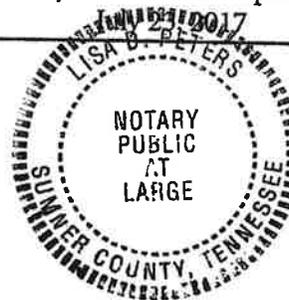
Dave Gould, President

Subscribed and sworn to before me
 on the date of:
 10/05/2016

Lisa D. Peters

Notary Public, Lisa D. Peters

My commission expires



UN THURSDAY, OCTOBER 06, 2016 10:00 AM
 THE COUNCIL CHAMBER ROOM OF 200 NORTH CASTLE HEIGHTS AVENUE, LEBANON, TN TO DISCUSS THE REZONING OF PROPERTY AT UNADDRESSED CAINSVILLE ROAD AND THE ANNEXATION OF PROPERTY AT UNADDRESSED 1528 AND 1532 SPARTA PIKE.

PUBLIC NOTICE

THE CITY OF LEBANON REGIONAL PLANNING COMMISSION WILL HAVE A SPECIAL CALLED MEETING ON TUESDAY, OCTOBER 04, 2016 AT 4:00 PM IN THE TOWN HALL MEETING ROOM AT 200 NORTH CASTLE HEIGHTS AVENUE

CALL TO ORDER

NEW BUSINESS

- Request by MP Lebanon, LLC, for site plan approval for My Place Hotel, a development of 1.72 acres at 1004 Cumberland Center Boulevard (Tax Map 81E Group A Parcel 3) zoned CG in Ward 3

ADJOURN

PUBLIC NOTICE

In reference to Ordinance No. 16-5311, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on October 18, 2016 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning of property at Unaddressed West Main Street (Tax Map 57 part of Parcel 25.04) from RS20 - Low Density Single-Family District to CN - Commercial Neighborhood District. The public hearing for the proposed rezoning is being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the map showing the proposed rezoning are available for inspection at the following locations: City of Lebanon Mayor's Office, Engineering Office and Planning Office at 200 North Castle Heights Avenue. Questions can be addressed to Paul Corder at 444-3647-2321. The public is welcome to attend.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2809.

PUBLIC NOTICE

In reference to Ordinance No. 16-5313, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on October 18, 2016 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning of property at 1729, 1731 and 1733 West Main Street (Tax Map 57 Parcels 37, 38 and 39) from CN - Commercial Neighborhood to CG - Commercial General. The public hearing for the proposed rezoning is being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the map showing the proposed rezoning are available for inspection at the following locations: City of Lebanon Mayor's Office, Engineering Office and Planning Office at 200 North Castle Heights Avenue. Questions can be addressed to Paul Corder at 444-3647-2321. The public is welcome to attend.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2809.

PUBLIC NOTICE

In reference to Ordinance No. 16-5312, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on October 18, 2016 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning of property at 309, 311 and 313 North Maple Street (Tax Map 68D Group J Parcels 20 and 21) from CS - Commercial Service to DMU - Downtown Mixed Use. The public hearing for the proposed rezoning is being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the map showing the proposed rezoning are available for inspection at the following locations: City of Lebanon Mayor's Office, Engineering Office and Planning Office at 200 North Castle Heights Avenue. Questions can be addressed to Paul Corder at 444-3647-2321. The public is welcome to attend.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2809.

to place your
 legal notice

AUCTION

HUNTING & FISHING EQUIPMENT
 FURNITURE & GLASSWARE
 ALL DAY ESTATE SALE
 GUNS & KNIVES

545 FOX RUN LANE • LAFAYETTE, TENNESSEE

ESTATE AUCTION

ROCK & POTTERY • CAST IRON • WASH BOARD • OIL LAMP
 QUILTS • MR. JONAS SEWELL BASKETS • DEPRESSION GLASS
 BAVARIA CHOCOLATE SET • FISHING LURES • FISHING RODS
 REELS • DEER STANDS • MOUNTS (DEER, FISH, DUCKS, ROBB
 • KNIVES • GUNS • ARROWHEADS • CAMO

PLUS MORE GLASSWARE, FURNITURE & PERSONAL PROPER
 MR. BOBBY SIRCY ESTATE AND OTHERS....

SATURDAY, OCTOBER 8th, 9:00 A.M.

LOCATION: 545 FOX RUN LANE, LAFAYETTE, TN 3708
 DIRECTIONS FROM LAFAYETTE: Travel Hwy. 52 West to Fox Run Subdivisi
 right onto Fox Run Lane and follow signs to sale site on the left (signs po
 FOR A COMPLETE LIST OF ITEMS, PLEASE VISIT OUR WEBSITE
 WWW.BENBRAYREALESTATE.COM

BEN BRAY
 REAL ESTATE & AUCTION COMPAN
 672 Hwy. 52 By-Pass W. • Lafayette, TN 37083 • 615-666-72
 Auction Firm Lic. #194 • Real Estate Lic. #250740
 Ky. Lic. #7789 • Ky. Real Estate Lic. #24023
 Visit our website @ www.benbrayrealestate.com

@wilsonpostn

ZONING ORDINANCE 16-5312

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 309, 311 AND 313 ON NORTH MAPLE STREET FROM CS – COMMERCIAL SERVICE TO DMU – DOWNTOWN MIXED USE DISTRICT IN WARD 3

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

WHEREAS, the subject properties are identified as Residential Public Commercial in the Future Land Use Plan; and

WHEREAS, the property owner is asking for the DMU zoning which allows both residential and commercial uses; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this rezoning to DMU – Downtown Mixed Use to the Mayor and City Council by a vote of 8-0 at their August 23, 2016 meeting.

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, rezoned from CS – Commercial Service to DMU – Downtown Mixed Use.

Approximately - 0.68 acres more or less, located on 309, 311 and 313 North Maple Street as shown on the attached map.

For reference, see Deed Book 1582 Page 11 and Deed Book 1260 Page 2084 in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 68D Group J Parcel 20 and 21, 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 September 30, 2016.

The Public Hearing was held at 5:55 PM in the City Council Chambers on October 18, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

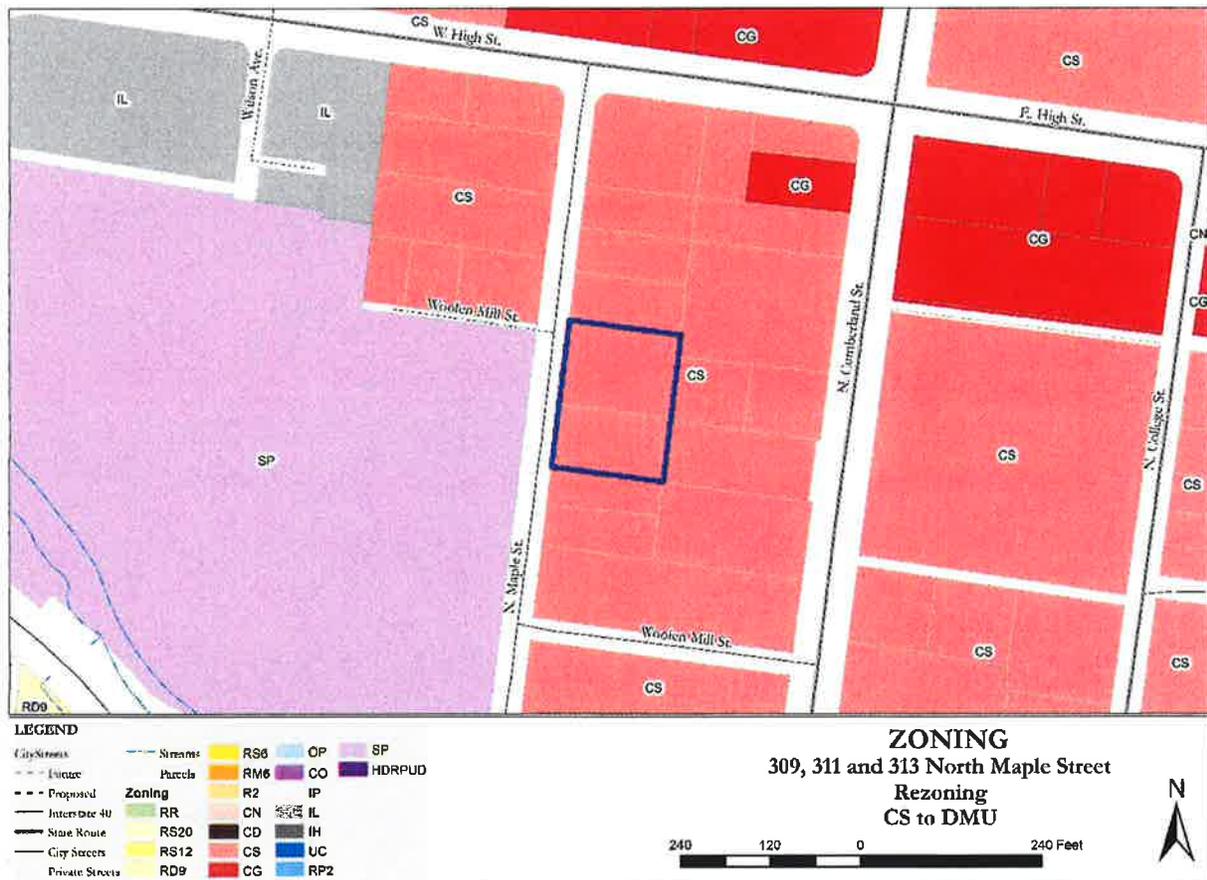
Mayor

Approved as to Form:

Passed first reading: September 20, 2016.

City Attorney

Passed second reading: _____.



Cost of Publication

\$

57.75

PUBLIC NOTICE

In reference to Ordinance No. 16-5312, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on October 18, 2016 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning of property at 309, 311 and 313 North Maple Street (Tax Map 68D Group J Parcels 20 and 21) from CS - Commercial Service to DMU - Downtown Mixed Use. The public hearing for the proposed rezoning is being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the map showing the proposed rezoning are available for inspection at the following locations: City of Lebanon Mayor's Office, Engineering Office and Planning Office at 200 North Castle Heights Avenue. Questions can be addressed to Paul Corder at 444-3647 x2321. The public is welcome to attend.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2809.

STATE OF TENNESSEE

County of Wilson

Personally appeared before me,

Lisa D. Peters

A Notary Public of Tennessee,
Dave Gould, who being first duly
sworn, made oath that he is President
of *The Wilson Post* website, and
that the hereto attached publication
appeared in the same on the following
dates:

09/30/2016

Dave Gould

Dave Gould, President

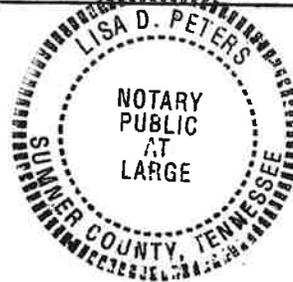
Subscribed and sworn to before me
on the date of:
10/05/2016

Lisa D. Peters

Notary Public, Lisa D. Peters

My commission expires

July 23, 2017



ZONING ORDINANCE 16-5313

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 1729, 1731 AND 1733 WEST MAIN STREET FROM CN – COMMERCIAL NEIGHBORHOOD TO CG – COMMERCIAL GENERAL IN WARD 6

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

WHEREAS, the subject properties are adjacent to an existing commercial neighborhood district; and

WHEREAS, the subject properties are identified as Residential Mixed Use in the Future Land Use Plan; and

WHEREAS, the property owner is asking for the CG zoning to continue the commercial zoning on West Main Street; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this rezoning to the Mayor and City Council by a vote of 7-1 at August 23, 2016 Meeting.

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, rezoned from CN – Commercial Neighborhood to CG – Commercial General:

Approximately 4.00 acres more or less, located on 1729, 1731 and 173 West Main Street as shown on the attached map.

For reference, see Deed Book 1699 Page 1392 and Deed Book 198 Page 68, in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 57 Parcels 37, 38 and 39 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 September 30, 2016.

The Public Hearing was held at 5:55 PM in the City Council Chambers on October 18, 2016.

Attest:

Approved:

Commissioner of Finance & Revenue

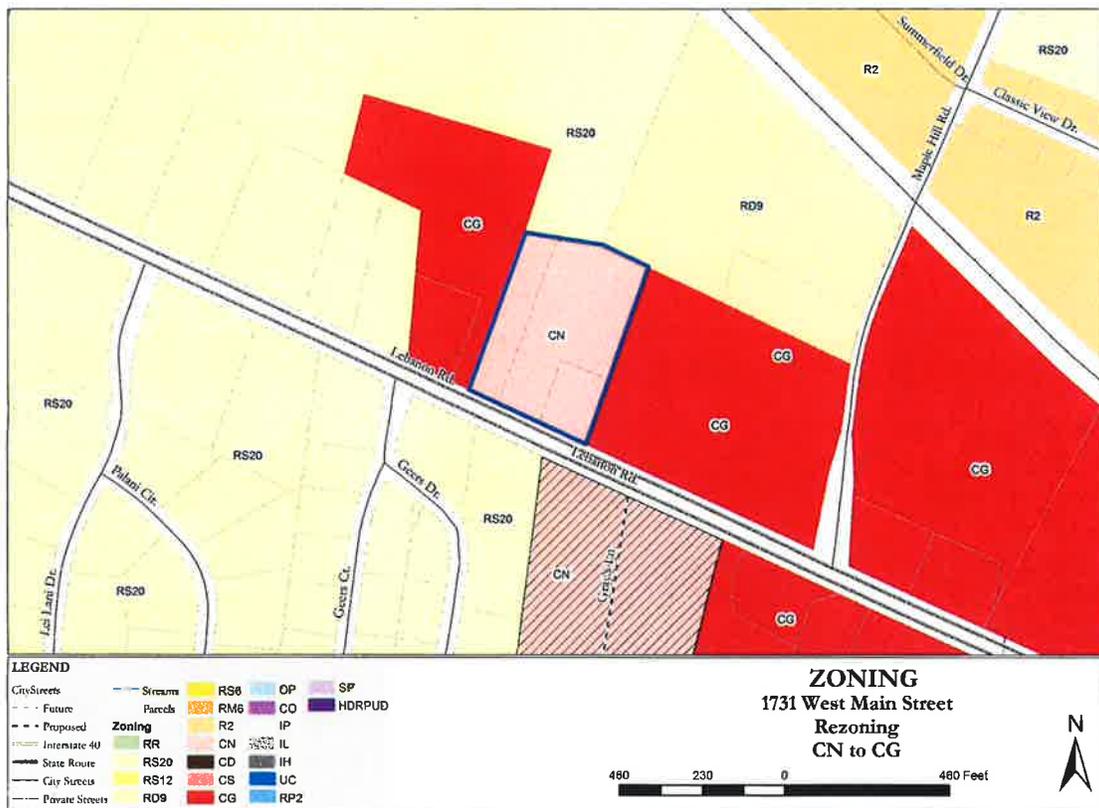
Mayor

Approved as to Form:

Passed first reading: September 20, 2016.

City Attorney

Passed second reading: _____.



Cost of Publication

\$

57.75

PUBLIC NOTICE

In reference to Ordinance No. 16-5313, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:55 PM on October 18, 2016 in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning of property at 1729, 1731 and 1733 West Main Street (Tax Map 57 Parcels 37, 38 and 39) from CN - Commercial Neighborhood to CG - Commercial General. The public hearing for the proposed rezoning is being conducted pursuant to the laws of the State of Tennessee (TCA 13-7-203 and 13-7-204) and the City of Lebanon, Tennessee. Copies of the map showing the proposed rezoning are available for inspection at the following locations: City of Lebanon Mayor's Office, Engineering Office and Planning Office at 200 North Castle Heights Avenue. Questions can be addressed to Paul Corder at 444-3647 x2321. The public is welcome to attend.

Individuals needing auxiliary aids for effective communication and/or other reasonable accommodation in programs and services of the City of Lebanon are invited to make their needs and preferences known to the ADA Compliance Coordinator by calling 443-2809.

STATE OF TENNESSEE

County of Wilson

Personally appeared before me,

Lisa D. Peters

A Notary Public of Tennessee,
Dave Gould, who being first duly
sworn, made oath that he is President
of *The Wilson Post* website, and
that the hereto attached publication
appeared in the same on the following
dates:

09/30/2016

Dave Gould

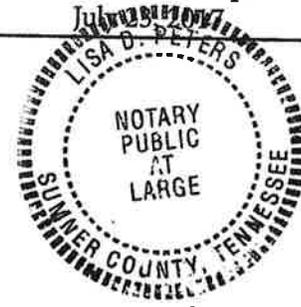
Dave Gould, President

Subscribed and sworn to before me
on the date of:
10/05/2016

Lisa D. Peters

Notary Public, Lisa D. Peters

My commission expires



RESOLUTION NO. 16-1995

A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO ADD A NEW POSITION TO THE FIRE DEPARTMENT FLOW CHART

WHEREAS, it is necessary to create a Communications Officer position for the Fire Department in order to better protect the health, safety, and welfare of the citizens of Lebanon; and

WHEREAS, such position is budget neutral, no backfill, no change to the annual salary for the person selected, and will be assigned to Pay Grade H; and

WHEREAS, the job description for such position 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 Human Resources Director are hereby authorized to add the new position of Fire Lieutenant, Communications & Technology Officer, detailed on the job description attached hereto by reference as if appearing verbatim herein, to the flow chart for the Lebanon Fire Department, and will be assigned to Pay Grade H.

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

FIRE LIEUTENANT
Communications & Technology Officer

DEFINITION

Under general supervision, performs specialized radio and communications work in the Operations Division of the City of Lebanon Fire Department. Duties fall into three distinct areas; Call take, Fire/EMS, and Law Enforcement communications. Information is entered and dispatched for these agencies via the Communications Computer Aided Dispatch (CAD) network.

Reports directly to the Assistant Fire Chief.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Maintain central control and coordination of two-way radio and paging communications for an FCC licensed base station consisting of multiple mobile and portable radio units and pager units.
- Repairs, maintains, update software, program and install radios
- Radio page and provide message forwarding for various municipal officials and public safety personnel, and medical emergency personnel.
- Ensure the timely testing of all equipment and communication services and advise supervisors of needed repairs as necessary
- Assist in the development of new operational procedures and protocols as new equipment is introduced to the municipal department (s) and provide and participate in on-going dispatcher training and development.
- Maintain fire engineer duties
- Must be available to respond to radio or other communications related emergencies, which may occur on weekends and after hours.
- May perform some general maintenance to lighting on Fire Department vehicles.
- Performs other work as assigned.

NECESSARY KNOWLEDGE, SKILLS, AND ABILITIES

Knowledge of radio equipment and mandated compliance requirements.

Knowledge of geographic areas of the city.

Knowledge of locations of City fire hydrants.

Knowledge of fire prevention methods and of State and City regulations as applied to fire fighting and prevention.

Knowledge of modern fire fighting procedures and techniques, of combustible material, and of modern industrial safety procedures and techniques.

Knowledge of Tennessee Fire Safety laws.

Knowledge of the capabilities and limitations of a variety of fire fighting equipment.

Ability to operate a variety of fire fighting equipment.

Ability to react quickly and calmly in emergency situations and to determine proper course of action.

Ability to exercise good judgment in evaluating situations and making decisions.

Ability to establish and maintain an effective working relationship with the public and other employees.

Knowledge of Departmental rules and regulations.

Knowledge of City of Lebanon Fire Codes and Ordinances.

Ability to maintain detailed records and prepare reports.

Ability to set up and maintain the Public Education, Public Relations Office.

DESIRED MINIMUM QUALIFICATIONS

Applicants possessing these qualifications must have the following qualifications, experience and education to enable them to perform the work successfully.

Must have a working knowledge of digital and analog radio communications.

Must have experience in installation and programing radio hardware.

Graduation for a standard high school or GED equivalent. Completion of a recognized training school for fire basic firefighting.

Possession of a valid Tennessee Operator's license.

Experience in firefighting service, not to be less than three (3) years in a fulltime paid, professional Fire Department.

LANGUAGE SKILLS

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence. Ability to speak effectively before groups of customers or employees of organization, or general public, class rooms, schools, civic and club organizations and conduct all classroom activities.

MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

REASONING ABILITY

Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly to use hands to finger, handle,

feel objects, tools, or controls; climb or balance; stoop, kneel, crouch, or crawl; talk or hear; and smell. The employee is frequently is required to stand, walk, sit, and reach with hands and arms.

WORK ENVIRONMENT

The environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee frequently works near moving mechanical parts; in high precarious places; and in outside weather conditions and is frequently exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, extreme heat. The employee is occasionally exposed to extreme cold and vibration.

The noise level in the work environment is usually very loud.

SPECIAL REQUIREMENTS

Possession of a valid State of Tennessee Fire Instructors certification or able to obtain this certification for Fire Instructor within one (1) year from hired date. If employed for this position and after one (1) year the employee has not obtained or passed the requirements and test for fire instructors certification the employee would be terminated for lack of a certification for this position. This requirement is required for this position. The employee will have to sign this required agreement at time of hire date.

Possession of a valid Tennessee Drivers License. Must attend and participate in any and all training schools or classes offered and made available or required by the Fire Department.

Must maintain a neat appearance, not having unreasonably long hair. Hair length must be safe and suitable. No beard or long mustache will be allowed for personal safety.

Must be able to pass physical agility tests which may be administered randomly.

Must pass pre-employment physical which shall include a back x-ray.

Weekend work is required for this position.

Must be willing to work any and all City of Lebanon special functions or activities or gatherings as directed by the Fire Chief.

Must be willing to work either hourly or salary, which will be the decision of the Fire Chief. And at anytime of the day or night will be subject to call in for emergencies, fires, or any other type of emergency that may occur.

This position is a safety sensitive or security position.

Beth Ehlert

From: Sylvia Reichle
Sent: Friday, October 07, 2016 9:10 AM
To: Debbie Jessen; Beth Ehlert
Cc: Chris Dowell; Jason Baird; Robert Springer
Subject: JD-Fire Lieutenant-Communications
Attachments: JD-Fire Lieutenant-Communications.docx

Importance: High

The attached job description is the backup documentation for the agenda item that Chris Dowell already submitted for the job creation of a Communications Officer for the Fire Dept. It should also include that this position is budget neutral, no backfill and no change to the annual salary for the person who will be selected for this role. The Resolution should also state that this position is being assigned to **Pay Grade H**.

Thank you.

Sylvia Reichle, SPHR, SHRM-SCP, 
Human Resources Director
PH: 615-443-2809
FAX: 615-443-2844
Sylvia.Reichle@lebanontn.org
<http://www.lebanontn.org>



ZONING ORDINANCE 16-5320

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF
LEBANON, TENNESSEE, BY CHANGING 1743, 1747 AND 1751 WEST MAIN STREET
FROM CN – COMMERCIAL NEIGHBORHOOD TO CG – COMMERCIAL GENERAL
IN WARD 6**

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

WHEREAS, the subject property is identified as Residential Mixed Use in the Future
Land Use Plan; and

WHEREAS, the property owner is asking for the CG zoning which allows commercial
uses; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended
approval of this rezoning to CG – Commercial General to the Mayor and City Council by a vote
of 7-0 at their September 20, 2016 meeting.

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, rezoned from
CN – Commercial Neighborhood to CG – Commercial General.

Approximately 5.08 acres more or less, located on 1743, 1747 and 1751 West
Main Street as shown on the attached map.

For reference, see Deed Book 1438 Page 1696, Deed Book 1123 Page 2181 and
Deed Book 1123 Page 2179 in the Register’s Office of Wilson County,
Tennessee, and being shown as Tax Map 57 Parcels 33, 34 and 35 , 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

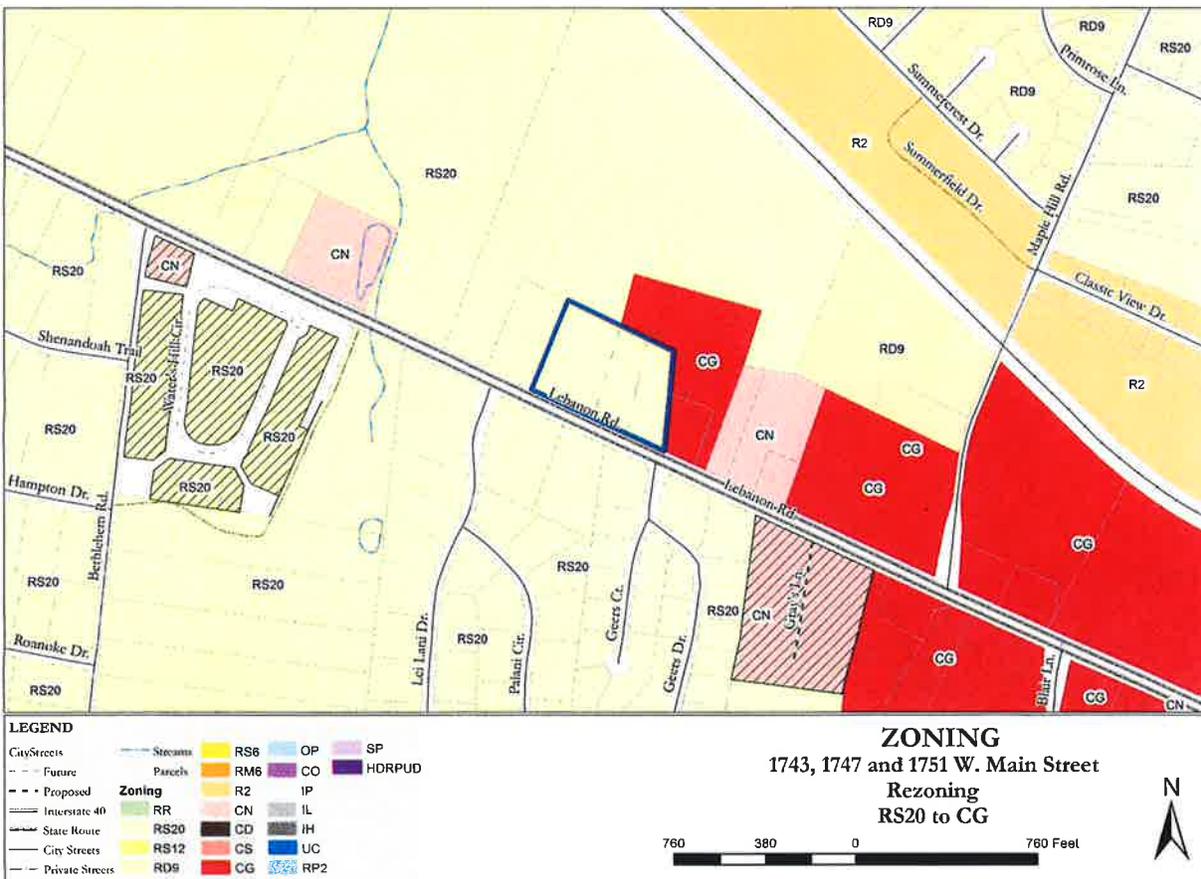
Mayor

Approved as to Form:

Passed first reading: _____.

City Attorney

Passed second reading: _____.



ZONING ORDINANCE 16-5322

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 107 CARVER LANE FROM CG – COMMERCIAL GENERAL TO CN – COMMERCIAL NEIGHBORHOOD IN WARD 5

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

WHEREAS, the subject property is identified as Commercial in the Future Land Use Plan; and

WHEREAS, the property owner is asking for the CN zoning which allows both residential and commercial uses; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this rezoning to CN – Commercial Neighborhood to the Mayor and City Council by a vote of 8-0 at their September 20, 2016 meeting.

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, rezoned from CG – Commercial General to CN – Commercial Neighborhood.

Approximately 2.4 acres more or less, located on 107 Carver Lane as shown on the attached map.

For reference, see Deed Book 1711 Page 151 in the Register's Office of Wilson County, Tennessee, and being shown as Tax Map 57 Parcel 71, 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

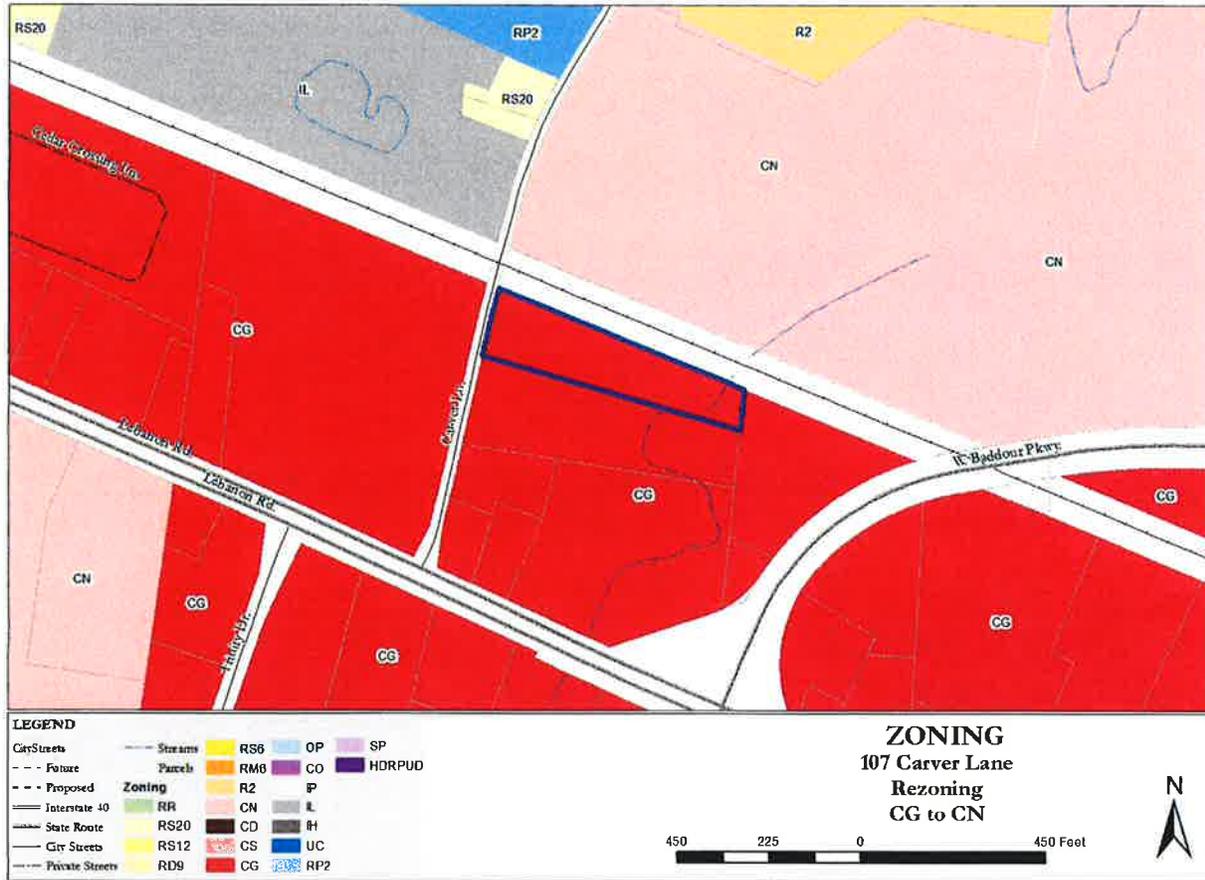
Mayor

Approved as to Form:

Passed first reading: _____.

City Attorney

Passed second reading: _____.



ORDINANCE 16-5323

AN ORDINANCE TO AMEND THE FUTURE LAND USE PLAN OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING UNADDRESSED PEYTON ROAD FROM CO — COMMERCIAL OFFICE TO HDR – HIGH DENSITY RESIDENTIAL

WHEREAS, the City of Lebanon desires to amend the Future Land Use Plan of the City;
and

WHEREAS, the subject area has a classification of CO – Commercial/Office in the Future Land Use Plan; and

WHEREAS, the owner/developer of this property is requesting to be rezoned and receive an initial zoning to RM6 which is a High Density Residential district; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this amendment to the Future Land Use Plan to the Mayor and City Council by a vote of 8-0 at September 20, 2016 Meeting.

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

Section 1. The area shown on the attached map consisting of about 5.95 acres at unaddressed Peyton Road is changed from CG – Commercial General to HDR – High Density Residential in the Future Land Use Plan for the City of Lebanon.

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

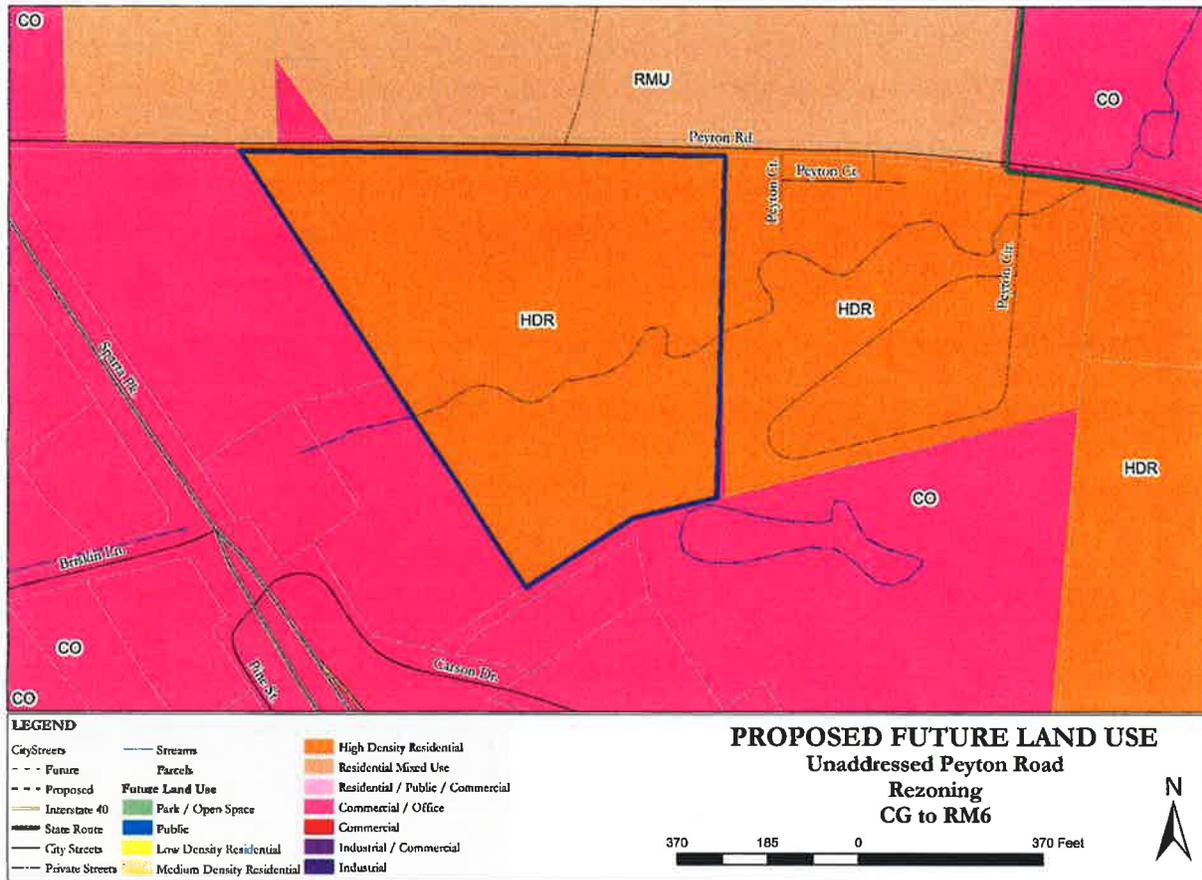
Mayor

Approved as to Form:

Passed first reading: _____.

City Attorney

Passed second reading: _____.



ZONING ORDINANCE 16-5324

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING UNADDRESSED PEYTON ROAD FROM CG – COMMERCIAL GENERAL TO RM6– HIGH DENSITY MULTI-FAMILY RESIDENTIAL USE IN WARD 2

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

WHEREAS, the subject property is identified as High Density Residential in the Future Land Use Plan; and

WHEREAS, the property owner is asking for the RM6 zoning which allows for residential uses; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this rezoning to RM6 – High Density Multi-Family Residential to the Mayor and City Council by a vote of 8-0 at their September 20, 2016 meeting.

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, rezoned from CG – Commercial General to RM6 – High Density Multi-Family Residential.

Approximately 12.63 acres more or less, located on Unaddressed Peyton Road as shown on the attached map.

For reference, see Deed Book 1620 Page 1707 in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 82 part of Parcel 23.03, 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

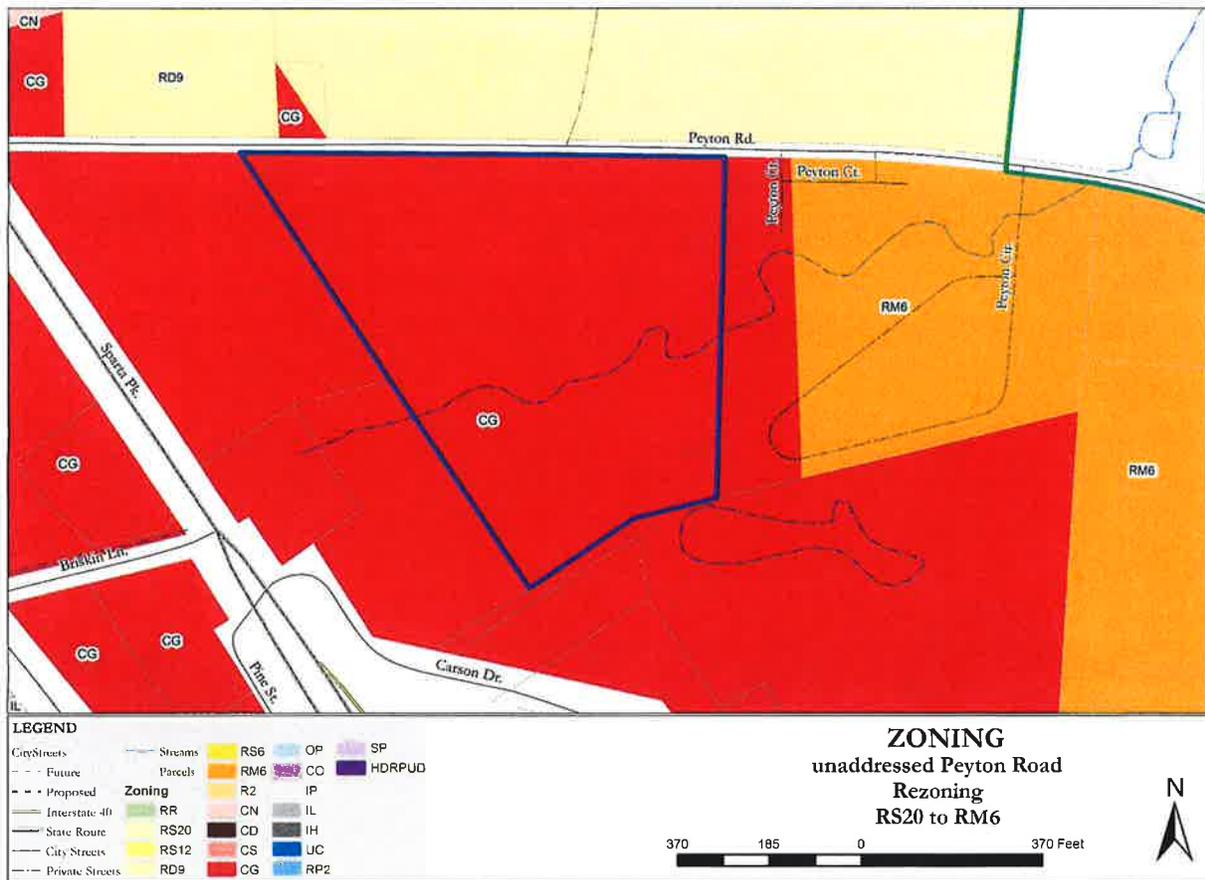
Mayor

Approved as to Form:

Passed first reading: _____.

City Attorney

Passed second reading: _____.



RESOLUTION NO. 16-1996

**A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION
AT UNADDRESSED BLUEBIRD ROAD (TAX MAP 67G GROUP C PARCELS
27.01 AND 29) TO BE ADDED TO WARD 2**

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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this Plan of Services to the Mayor and City Council by a vote of 8-0 at September 20, 2016 Meeting.

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

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:

**September 16, 2016
PROPERTY AT UNADDRESSED BLUEBIRD ROAD
CITY OF LEBANON, TENNESSEE**

The City of Lebanon, Tennessee, is pursuing the annexation of about 0.68 acres at Unaddressed Bluebird Road 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 ordinance.

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 at Unaddressed Bluebird Road has asked the City of Lebanon to consider annexing their property.

CITY OF LEBANON, TENNESSEE
 Planning Commission Application
 Annexation & Zoning General Information and Checklist



Title of Project Bluebird Rd Rezone / Annex
 Street Location 0 Bluebird Rd
 Tax Map/Group Number 676 C Parcel 2701 + 29
 Total Acreage .68

Approval Requested:

- Preliminary Subdivision _____ No. of Lots
- Final Subdivision _____ No. of Lots
- Non-Residential Site Plan _____ Bldg. Sq. Ft.
- Residential Site Plan _____ No. of Units
- Annexation & Zoning _____ Acres/Zoning _____
- Rezoning _____ Acres/From _____ to _____
- Specific Plan District _____ Acres
- Other _____

Owner/Developer:

Name Williams + Son Properties, LLC
 Address 1034 Woodmont Dr.
Gallatin, TN 37066
 Telephone 615-525-6803
 Email JKyle7348@gmail.com

Surveyor/Engineer:

Name K-A Land Surveying
 Address 1017 Spruce Pike
Lebanon, TN 37087
 Telephone 615-443-7796
 Email Deauagee@aatt.net

Information required for all applications:

- Cover Letter or Written Narrative Explaining the Purpose of the Request
- Fourteen (14) Folded Copies of all Required Information
- One (1) Digital Copy
- Non-refundable Application Fee (See current fee schedule)

Date Application Filed: _____ Date of Requested Planning Commission Meeting: _____

200 North Castle Heights Avenue • Lebanon, TN 38087 • (615) 444-3647 • Fax (615) 444-1515



Legal Description

LEGAL DESCRIPTIONS WILL BE ADDED PRIOR TO THE 2ND READING AT CITY COUNCIL

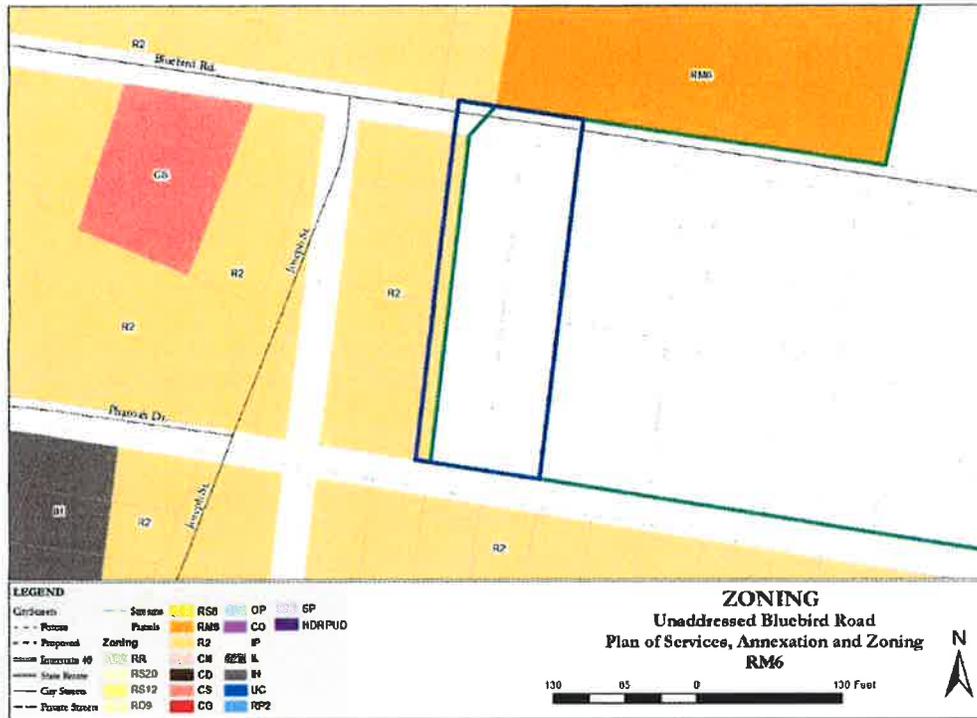
Plan for Serving the Annexation Area

1. Police Protection

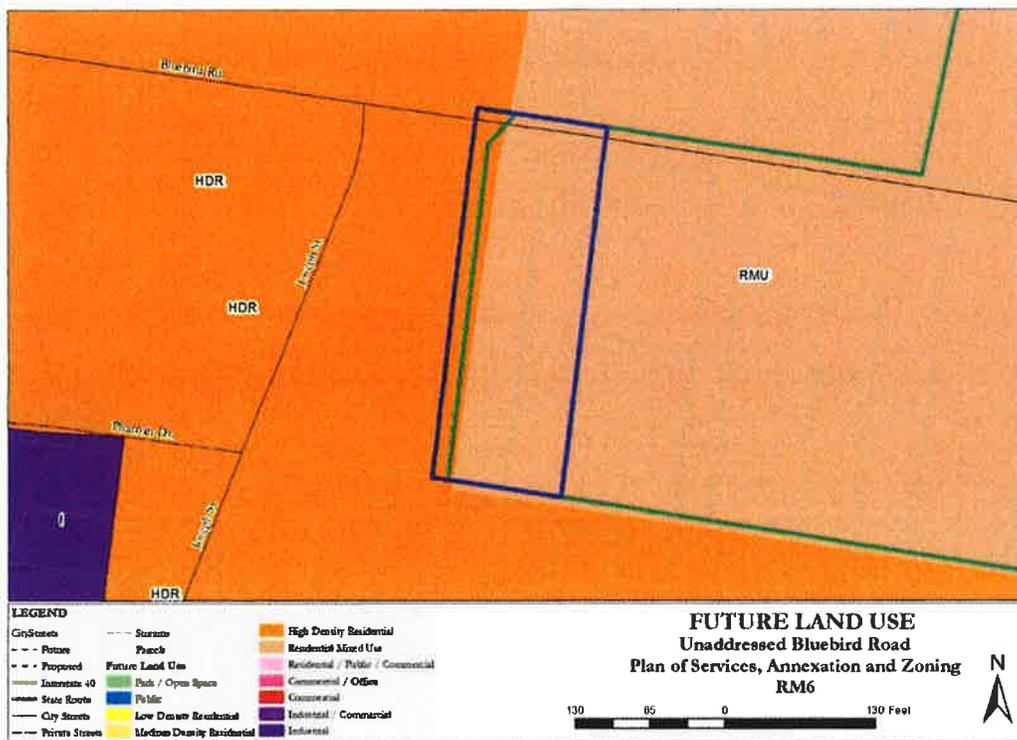
Patrolling, radio response to calls, and other routine police services using the City’s personnel and equipment will be provided on the effective date of the annexation.
2. Fire Protection

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 – Water and Wasterwater Authority of Wilson County has a 6” line that runs on the North side of Bluebird Road. Any extensions or improvements to this water line will need to be coordinated with Water and Wasterwater Authority of Wilson County.

- b. Sanitary Sewer – An 8” sewer line runs on the North side of Bluebird Road.
 - 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 this lot.
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 – This annexation will include 0.08 acres of street right-of-way. This would add approximately 100 linear feet or 2,600 square feet (26 feet pavement width) of roadway to city. The estimated cost to resurface this new right-of way is \$2,860.
 - d. The City and/or the County may require road improvements by the owner as this property develops.
6. Gas
Natural Gas is already available at this site.
7. Schools
Neither Wilson County Schools nor Lebanon Special Schools anticipate 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
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.
- a. The requested zoning for the annexation is RM6 – High Density Residential District



b. The current Future Land Use Plan classification for this area is Residential Mixed Use.



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 **\$28,600**. This equals an assessed value of about **\$7,150** for a commercial property. The property tax generation from this property as an industrial property in the City would be about **\$43** per year. The estimate cost to serve this area is **\$2,860**.

Section 2. 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:

Passed first reading: _____.

City Attorney

Passed second reading: _____

RESOLUTION NO. 16-1997

A RESOLUTION FOR ANNEXING PROPERTY AT UNADDRESSED BLUEBIRD ROAD, ALSO IDENTIFIED AS TAX MAP 67G GROUP C PARCELS 27.01 AND 29 CONTAINING 0.68 ACRES IN THE RECORDS OF THE WILSON COUNTY ASSESSOR OF PROPERTY (SHOWN ON THE ATTACHED MAP) TO BE ADDED TO WARD 2

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

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

WHEREAS, 0.08 acres of right-of-way is being added to the city; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this annexation to the Mayor and City Council by a vote of 8-0 at September 20, 2016 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 land owner 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 _____.

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to Form: _____

Passed first reading: _____

City Attorney _____

Passed second reading: _____



ZONING ORDINANCE NO. 16-5326

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY REQUESTING ZONING APPROVAL OF 0.68 ACRES AT UNADDRESSED BLUEBIRD ROAD (TAX MAP 67G GROUP C PARCELS 27.01 AND 29) TO RM6 – HIGH DENSITY MULTI-FAMILY RESIDENTIAL IN WARD 2

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

WHEREAS, the property owners would like to use their property for residential uses;
and

WHEREAS, the subject property is identified as Residential Mixed Use in the Future Land Use Plan; and

WHEREAS, the owner is asking for the RM6 zoning to continue the residential zoning on Bluebird Road; 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; and

WHEREAS, the Lebanon Municipal Regional Planning Commission recommended approval of this RM6 - High Density Multi-Family Residential zoning to the Mayor and City Council by a vote of 8-0 at September 20, 2016 Meeting.

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 RM6 - High Density Multi-Family Residential:

Approximately 0.68 acres more or less, located at unaddressed Bluebird Road as shown on the attached map.

For reference, see Deed Book 814 Page 2491 and Deed Book 1164 Page 791, in the Register’s Office of Wilson County, Tennessee, Tax Map 67G Group C Parcels 27.01 and 29, for Wilson County, Tennessee.

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

Section 3. 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

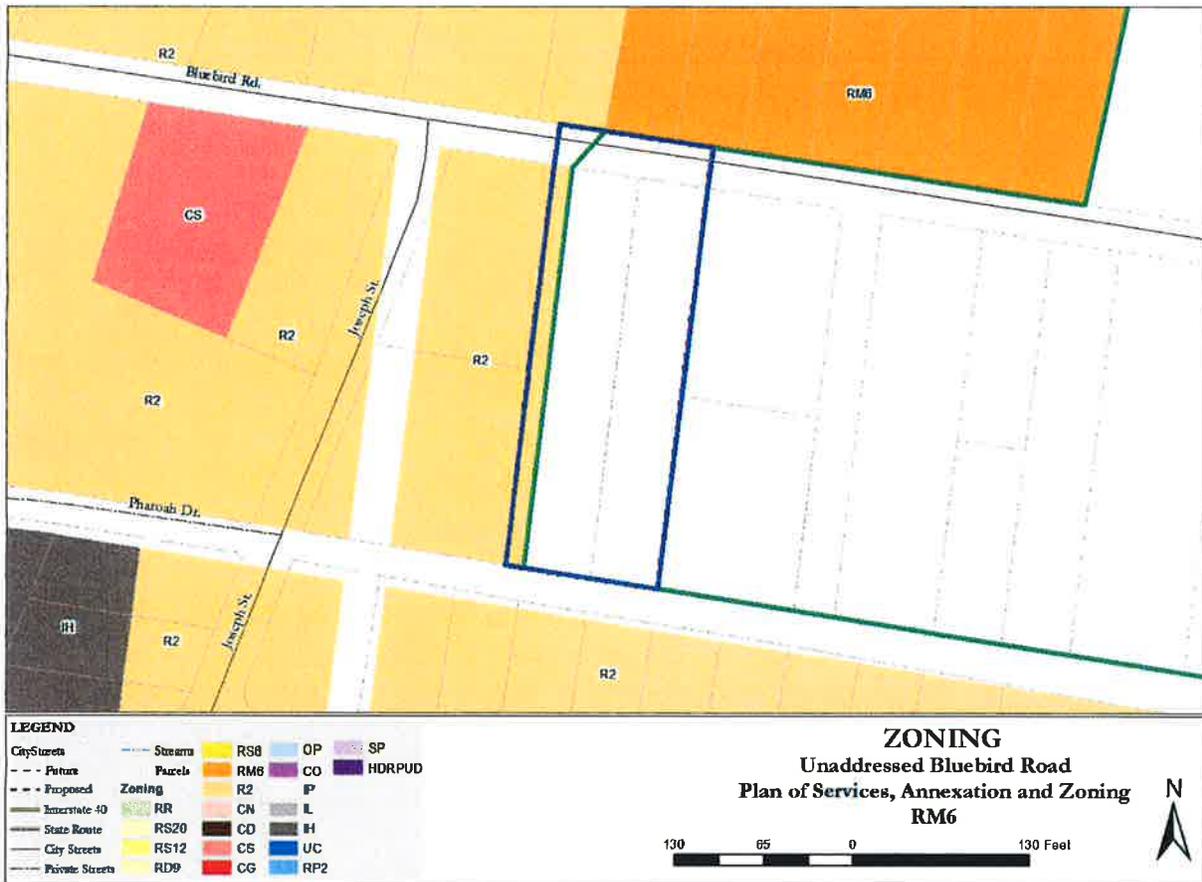
Mayor

Approved as to Form:

Passed first reading: _____

City Attorney

Passed second reading: _____



ORDINANCE NO. 16-5327

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO APPROVE THE
PAYMENT PLAN FOR THE WILSON COUNTY EXPO CENTER
WATER/SEWER FEES**

WHEREAS, the Commissioner of Public Works recommends that the Water/Sewer fees for the Wilson County Expo Center be set up on a payment plan; and

WHEREAS, the payment of water connection fee and fire line tap, total \$8,000.00, will be paid immediately; and

WHEREAS, the recommended payment plan is \$25,000 prior to June 30, 2017, \$25,000.00 prior to June 30, 2018, and the balance based on actual consumption on or before March 1, 2019 for the following fees:

Water Capacity	\$11,998.00
Sewer Tap	\$19,500.00
Sewer Capacity	\$75,416.00

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 set up the payment plan for the Wilson County Expo Center Water/Sewer Fees as detailed above.

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: _____

10/6/16

**Wilson County Expo Center
Water/Sewer Fees**

Water Connection/Installation (4" meter)	\$4,000.00
Fire Line Tap	\$4,000.00
Water Capacity	\$11,998.00
Sewer Tap	\$19,500.00
Sewer Capacity	\$75,416.00

RESOLUTION NO. 16-1998

**A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE THE
LEASE AGREEMENTS FOR PUBLIC PARKING NEAR THE SQUARE**

WHEREAS, it is in the best interest of the City of Lebanon to approve lease agreements in order to provide public parking near the square; and

WHEREAS, such lease agreements are 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 enter into the lease agreement, attached hereto by reference as if appearing verbatim herein, with Black & Black, LLC for public parking near the square.

Section 2. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to enter into the lease agreement, attached hereto by reference as if appearing verbatim herein, with Robert E. Black and Daniel M. Mack, for public parking near the square.

Section 3. 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

LEASE

This agreement is made and entered into pursuant to Tenn. Code Ann. § 7-51-902 on this the _____ day of _____, 2016, by and between Robert E. Black and Daniel M. Mack, hereinafter referred to as "Lessor" and the City of Lebanon, Tennessee, a Municipal Corporation, hereinafter referred to as "Lessee."

Witnesseth:

Lessor does hereby lease unto the Lessee for the consideration stated herein, the following described real property, to-wit:

Being a tract or parcel of land located in the 10th Civil District containing 1.396+/- acres, as shown on the Alta Land Title Survey, dated 7/29/04, coordinated by International Land Services, Inc., as prepared by Denham Land Surveyors, LLC, Tennessee Register No. 2000, 1733 Winchester Road, Huntsville, Alabama, 35811, as described as follows:

BEGIN at the Southeast corner of the property herein described and being the Southwest corner of Raymond Elmore, Book 329, Page 163, Register's Office of Wilson County, Tennessee; said Point of Beginning lying on the North right-of-way margin of West Main Street; thence North 89°51'36" west along the North right-of-way margin of West Main Street a distance of 119.54 feet to the intersection of the East right-of-way margin of North Maple Street; thence North 00°46'54" East along the East right-of-way margin of North Maple Street a distance of 360.79 feet to the intersection with the South right-of-way margin of West Market Street; thence South 89°13'07" East along the South right-of-way margin of West Market Street a distance of 169.40 feet; thence leaving West Market Street South 00°03'58" West a distance of 180.11 feet; thence South 89°15'03" East a distance of 65.70 feet; thence South 00°48'39" West a distance of 34.19 feet; thence South 89°12'55" West a distance of 50.47 feet; thence South 02°59'38" West a distance of 67.11 feet; thence North 89°37'28" West a distance of 65.30 feet; thence South 00°22'32" West a distance of 76.30 feet to the Point of Beginning, having an area of 60,805.9±p square feet, (1.396± acres).

The above described property is also known as Lot No. 1A, containing 1.40 acre +/-, as shown on the survey entitled, "Subdivision of the Nations Bank Property", dated August 6, 1999, prepared by Paul Burton Crockett, Registered Land Surveyor, Tennessee No. 1394, 427 Park Avenue, Lebanon, TN 37087, of record in Plat Book 22, Page 429, Register's Office for Wilson County, Tennessee.

DEED REFERENCE: Being the same property conveyed to Robert E. Black and Daniel M. Mack, by deed dated November 18, 2015, from First States Investors 5200, LLC, as shown of record in Deed Book 1671, Page 1412, Register's Office of Wilson County, Tennessee.

Lessor and Lessee agree that the term of this Lease is for a period of ten (10) years beginning on the ____ day of _____, 2016 and continuing through the ____ day of _____, 2026. The parties agree that Ten Dollars (\$10.00) shall be paid annually by the Lessee for the use of the subject parking area.

The parties agree that this lease may be extended beyond the original term, upon agreement of the parties.

The parties further agree as follows:

1. As consideration for this Lease, Lessee agrees to cover the parking lot of said property under its general liability insurance policy and shall provide a Certificate of Insurance showing liability coverage on the parking lot of said property adding Robert E. Black and Daniel M. Mack, as additional named insured by listing the names of the Lessor as Certificate holders.

2. The property shall be used for public parking.

3. All notice or demands required or permitted under this Lease shall be in writing and shall be deemed to be properly served if sent by registered mail or certified mail addressed to:

Lessor at: 124 Leeville Pike
Lebanon, TN 37087
Attn: Robert E. Black and Daniel M. Mack

Lessee at: 200 N. Castle Heights Ave.
Lebanon, TN 37087
Attn: Lebanon City Attorney

4. The Lessee, at its option, may grade, gravel and improve said public parking area at its expense.

5. Throughout this lease agreement, in referring to the Lessor and the Lessee, words of any gender shall be deemed to include any other gender, and a reference to the singular shall include the plural and vice versa, unless the context indicates that such reading would be inappropriate.

6. This Lease shall not be affected, added to, varied or modified by any agreements or representations not contained herein, except as may be subsequently agreed to by the parties in writing.

7. This Lease agreement may be terminated by either party, for any reason or not reason at all, upon sixty (60) days written notice to the opposite party.

8. This agreement shall be binding upon the parties hereto, their heirs, successors and assigns.

9. This lease will not prevent, interfere, or restrict the marketing of said property by the owner.

10. The City of Lebanon, Tennessee, will be responsible for placing and maintaining a sign on said property identifying the use of same as "City of Lebanon Public Parking."

11. By evidence of the signatures below, the respective signers acknowledge each has obtained any authorizations required by law to properly execute this lease and create a valid and enforceable contract.

12. The parties agree that the Chancery Court of Wilson County shall have and maintain jurisdiction over any questions of law or litigation that may arise under the terms of this lease.

13. The parties agree that should any provision of this lease be declared void or unlawful by the Chancery Court of Wilson County, or any other judicial forum exercising original jurisdiction over this lease, that the remaining provisions shall remain in effect and the lease shall continue as a valid and enforceable agreement.

14. The parties agree that they have read and fully understand the terms and conditions of this agreement.

IN WITNESS WHEREOF, the parties have executed this instrument on the date and year first above written.

APPROVED AS TO FORM:

LESSOR:

Andy Wright
Lebanon City Attorney
Res. No. 16-1998

Robert E. Black

Daniel M. Mack

ATTEST:

LESSEE:

Robert Springer
City of Lebanon Commissioner of Finance

Mayor Philip Craighead
City of Lebanon

STATE OF TENNESSEE)
COUNTY OF WILSON)

On this the _____ day of _____, 2016, before me personally appeared **Robert E. Black**, known by me or proved to me on the basis of satisfactory evidence to be the person described in, and who executed, the foregoing instrument.

Witness my hand and seal at office in Lebanon, Tennessee.

NOTARY: _____

My Commission Expires: _____

STATE OF TENNESSEE)
COUNTY OF WILSON)

On this the _____ day of _____, 2016, before me personally appeared **Daniel M. Mack**, known by me or proved to me on the basis of satisfactory evidence to be the person described in, and who executed, the foregoing instrument.

Witness my hand and seal at office in Lebanon, Tennessee.

NOTARY: _____

My Commission Expires: _____

STATE OF TENNESSEE)
COUNTY OF WILSON)

On this the _____ day of _____, 2016, before me personally appeared **Lebanon Mayor Philip Craighead**, known by me or proved to me on the basis of satisfactory evidence to be the person described in, and who executed, the foregoing instrument, and who acknowledged that he executed the same as the authorized representative of the **City of Lebanon, Tennessee**.

Witness my hand and seal at office in Lebanon, Tennessee.

NOTARY: _____

My Commission Expires: _____

LEASE

This agreement is made and entered into pursuant to Tenn. Code Ann. § 7-51-902 on this the _____ day of _____, 2016, by and between Black & Black, LLC, hereinafter referred to as "Lessor" and the City of Lebanon, Tennessee, a Municipal Corporation, hereinafter referred to as "Lessee."

Witnesseth:

Lessor does hereby lease unto the Lessee for the consideration stated herein, the following described real property, to-wit:

A tract or parcel of land, together with all improvements and appurtenances belonging, situated and lying in the 10th Civil District of Wilson County, Tennessee, being certain property known as the West Side Hotel property, situated and lying on the southeasterly corner of the intersection of West Main Street and South Maple Street, City of Lebanon, Tennessee.

Beginning at the inside of the concrete walk at the southeast corner of the South Maple Street and West Main Street; thence East 65 feet 10 inches to a point; thence south 83 feet 5-1/2 inches to a point; thence east 20 feet 3 inches to a point; thence East 31 feet 3 inches to a point; thence south 52 feet 11 inches to a point; thence west 117 feet 4 to the inside of the concrete walk on South Maple Street; and thence North along the inside line of a concrete walk, 244 feet 3 inches to the point of beginning.

DEED REFERENCE: Being the same property conveyed to Black & Black, LLC, by deed dated January 29, 2013, from Harold Reed Lannom and wife, Patricia H. Lannom, as shown of record in Deed Book 1526, Page 1219, Register's Office of Wilson County, Tennessee.

Lessor and Lessee agree that the term of this Lease is for a period of ten (10) years beginning on the _____ day of _____, 2016 and continuing through the _____ day of _____, 2026. The parties agree that Ten Dollars (\$10.00) shall be paid by the Lessee for the use of the subject parking area annually.

The parties agree that this lease may be extended beyond the original term, upon agreement of the parties.

The parties further agree as follows:

1. As consideration for this Lease, Lessee agrees to cover said property under its general liability insurance policy and shall provide a Certificate of Insurance showing liability

coverage on said property adding Black & Black, LLC, as additional named insured by listing the names of the Lessor as Certificate holders.

2. The property shall be used for public parking.

3. All notice or demands required or permitted under this Lease shall be in writing and shall be deemed to be properly served if sent by registered mail or certified mail addressed to:

Lessor at: 124 Leeville Pike
Lebanon, TN 37087
Attn: Bob Black

Lessee at: 200 N. Castle Heights Ave.
Lebanon, TN 37087
Attn: Lebanon City Attorney

4. The Lessee, at its option, may grade, gravel and improve said public parking area at its expense.

5. Throughout this lease agreement, in referring to the Lessor and the Lessee, words of any gender shall be deemed to include any other gender, and a reference to the singular shall include the plural and vice versa, unless the context indicates that such reading would be inappropriate.

6. This Lease shall not be affected, added to, varied or modified by any agreements or representations not contained herein, except as may be subsequently agreed to by the parties in writing.

7. This Lease agreement may be terminated by either party, for any reason or not reason at all, upon sixty (60) days written notice to the opposite party.

8. This agreement shall be binding upon the parties hereto, their heirs, successors and assigns.

9. This lease will not prevent, interfere, or restrict the marketing of said property by the owner.

10. The City of Lebanon, Tennessee, will be responsible for placing and maintaining a sign on said property identifying the use of same as "City of Lebanon Public Parking."

11. By evidence of the signatures below, the respective signers acknowledge each has obtained any authorizations required by law to properly execute this lease and create a valid and enforceable contract.

12. The parties agree that the Chancery Court of Wilson County shall have and maintain jurisdiction over any questions of law or litigation that may arise under the terms of this lease.

13. The parties agree that should any provision of this lease be declared void or unlawful by the Chancery Court of Wilson County, or any other judicial forum exercising original jurisdiction over this lease, that the remaining provisions shall remain in effect and the lease shall continue as a valid and enforceable agreement.

14. The parties agree that they have read and fully understand the terms and conditions of this agreement.

IN WITNESS WHEREOF, the parties have executed this instrument on the date and year first above written.

APPROVED AS TO FORM:

LESSOR:

Andy Wright
Lebanon City Attorney
Res. No. 16-1998

Robert E. Black
Black & Black, LLC

ATTEST:

LESSEE:

Robert Springer
City of Lebanon Commissioner of Finance

Mayor Philip Craighead
City of Lebanon

STATE OF TENNESSEE)
)
COUNTY OF WILSON)

On this the _____ day of _____, 2016, before me personally appeared **Robert E. Black**, known by me or proved to me on the basis of satisfactory evidence to be the person described in, and who executed, the foregoing instrument, and who acknowledged that he executed the same as the authorized representative of **Black & Black, LLC**.

Witness my hand and seal at office in Lebanon, Tennessee.

NOTARY: _____

My Commission Expires: _____

STATE OF TENNESSEE)
)
COUNTY OF WILSON)

On this the _____ day of _____, 2016, before me personally appeared **Lebanon Mayor Philip Craighead**, known by me or proved to me on the basis of satisfactory evidence to be the person described in, and who executed, the foregoing instrument, and who acknowledged that he executed the same as the authorized representative of the **City of Lebanon, Tennessee**.

Witness my hand and seal at office in Lebanon, Tennessee.

NOTARY: _____

My Commission Expires: _____

ORDINANCE NO. 16-5328

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AMEND TITLE 13 OF THE LEBANON MUNICIPAL CODE BY REPLACING LMC 13-104 WITH MORE CURRENT LEGAL LANGUAGE REGARDING REMOVAL OF WEEDS, GRASS, AND DEBRIS

WHEREAS, Title 13 of the Lebanon Municipal Code establishes rules regarding property maintenance; and

WHEREAS, *Tennessee Code Annotated*, § 6-54-113 grants municipalities the right to require owners to keep their property free of growth of trees, vines, grass, weed, underbrush or the accumulation of debris, trash, litter, or garbage or any combination of the preceding elements that would endanger the health, safety or welfare of other citizens, or encourage the infestation of rats and other harmful animals; and

WHEREAS, the city desires to amend LMC § 13-104 to exercise its rights granted under *TCA* § 6-54-113 and to set guidelines for enforcement.

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

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend LMC § 13-104 by deleting the current section in its entirety and replacing it with the following new LMC § 13-104:

13-104. Grass/Weeds and Overgrown and dirty lots.

1. Prohibition. Pursuant to the authority granted under Tennessee Code Annotated, § 6-54-113, it shall be unlawful for any owner of record of real property to create, maintain, or permit to be maintained on such property the growth of trees, vines, grass or weeds on residentially zoned property in excess of 8", underbrush and/or the accumulations of debris, trash, litter, or garbage or any combination of the preceding elements so as to endanger the health, safety, or welfare of other citizens or to encourage the infestation of rats and other harmful animals.

2. Designation of public officer or department. The Codes Director or his/her designated representative is responsible for the enforcement of this section.

3. Notice to property owner. It shall be the duty of the Codes Director or his/her designated representative to serve notice upon the owner of record in violation of subsection (1) above, a notice in plain language to remedy the condition within ten (10) days (or twenty (20) days if the owner of record is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewage, or other materials), excluding Saturdays, Sundays, and legal holidays. The notice shall be sent by registered or certified United States Mail, addressed to the last known address of

the owner of record, or hand delivered with the deliverer obtaining the owner's signature confirming receipt of the notice. The notice shall state that the owner of the property is entitled to a hearing, and shall, at the minimum, contain the following additional information:

- a. A brief statement that the owner is in violation of Section 13-104 of the Lebanon Municipal Code, which has been enacted under the authority of *Tennessee Code Annotated*, § 6-54-113, and that the property of such owner may be cleaned up at the expense of the owner and a lien placed against the property to secure the cost of the clean-up;
- b. The person, office, address, and telephone number of the department or person giving the notice;
- c. A cost estimate for remedying the noted condition, which shall be in conformity with the standards of cost in the city; and
- d. A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.

4. Notice by Publication. When an attempt at notification by United States mail fails or no valid last known address exists for the owner of record, the Codes Director or his/her designated representative shall publish the notice in a newspaper of general circulation in Wilson County for no less than two (2) consecutive issues. For purposes of this section, such publication shall constitute receipt of notice effective on the date of the second publication of the notice.

5. Clean-up at property owner's expense. If the property owner of record fails or refuses to remedy the condition within ten (10) days after receiving the notice (twenty (20) days if the owner is a carrier engaged in the transportation of property or is a utility transmitting communications, electricity, gas, liquids, steam, sewage, or other materials), the Codes Director or his/her designated representative shall cause the condition to be remedied or removed at a cost in conformity with reasonable standards, and the costs thereof shall be assessed against the owner of the property. The city may collect the costs assessed against the owner by:

- a. Filing an action for debt filed in any court of competent jurisdiction. The city may bring one action for debt against more than one or all of the owners of properties against whom such costs have been assessed, and the fact that multiple owners have been joined in one action shall not be considered by the court as a misjoinder of parties; or

b. By filing a notice of lien against the subject property. Upon the filing of the notice with the office of the register of deeds in Wilson County, the costs shall be a lien on the property in favor of the municipality, second only to liens of the state, county, and municipality for taxes, any lien of the municipality for special assessments, and any valid lien, right, or interest in such property duly recorded or duly perfected by filing, prior to the filing of such notice. These costs shall be placed on the tax rolls of the municipality as a lien and shall be added to property tax bills to be collected at the same time and in the same manner as property taxes are collected. If the owner fails to pay the costs, they may be collected at the same time and in the same manner as delinquent property taxes are collected and shall be subject to the same penalty and interest as delinquent property taxes.

6. Clean-up of owner-occupied property. When the owner of an owner-occupied residential property fails or refuses to remedy the condition within ten (10) days after receiving the notice, the Codes Director or his/her designated representative shall cause the condition to be remedied at a cost in accordance with reasonable standards in the community, with these costs to be assessed against the owner of the property. The provisions of subsection (4) shall apply to the collection of costs against the owner of an owner-occupied residential property except that the municipality shall wait until cumulative charges for remediation equal or exceed five hundred dollars (\$500.00) before filing the notice with the register of deeds and the charges becoming a lien on the property. After this threshold has been met and the lien attaches, charges for costs for which the lien attached are collectible as provided in subsection (4) for these charges.

7. Appeal. The owner of record who is aggrieved by the determination and order of the Codes Director or his/her designated representative may appeal the determination and order to the Codes Director or his/her designated representative to hear the appeal. The appeal shall be filed within ten (10) days following the receipt of the notice issued pursuant to subsection (3) above. The failure to appeal within this time shall, without exception, constitute a waiver of the right to a hearing.

8. Judicial review. Any person aggrieved by an order or act under subsection (4) above may seek judicial review of the order or act. The time period established in subsection (3) above shall be stayed during the pendency of judicial review.

9. Supplemental nature of this section. The provisions of this section are in addition and supplemental to, and not in substitution for, any other provision in the city charter, city code, or other applicable law which permits the city to proceed against an owner, tenant or occupant of property who has created, maintained, or permitted to be maintained on such property the growth of trees, vines, grass, weeds, underbrush and/or the accumulation of the debris, trash, litter, or garbage or any combination of the preceding elements, under its charter, any other provisions of this municipal code of ordinances or any other applicable law.

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

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: _____

Passed second reading: _____

ORDINANCE NO. 16-5329

**AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AMEND LMC 9-202
RELATIVE TO EXEMPTIONS TO THE TRANSIENT VENDOR PERMIT
REQUIREMENTS TO INCLUDE VENDORS AT EVENTS HELD ON THE WILSON
COUNTY FAIRGROUNDS OR IN THE WILSON COUNTY EXPO CENTER**

WHEREAS, LMC § 9-202 sets forth certain exemptions to the transient vendor permit requirements set forth in LMC § 9-203; and

WHEREAS, with the construction of the Wilson County Expo Center, this section needs to be amended to include the Expo Center and Wilson County Fairgrounds in the exemptions to the transient vendor permit requirements

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

Section 1. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend LMC § 9-202 by deleting the current § 9-202 in its entirety and replacing it with the following new § 9-202:

9-202. Exemptions. The terms of this chapter shall not apply to:

1. Persons selling at wholesale to dealers, nor to newsboys, nor to bona fide merchants who merely deliver goods in the regular course of business, so long as said merchants have a permanent place of business, nor to persons selling agricultural products, so long as those agricultural products were produced by the persons and are sold only at the Farmer's Market. The selling of agricultural products by transient vendors at any place other than the Farmer's Market on South Maple Street shall be forbidden.

2. Vendors of Christmas trees who operate between November 1 and December 31 of each year, nor to fireworks vendors that operate under the permits and codes for said fireworks vendors.

3. The provisions of this chapter do not apply to "garage sales" so long as the garage sale does not occur at a frequency more often than three (3) days per month.

4. The provisions of this chapter do not apply to "flea markets" which are operating in an established commercial zone at a permanent location and structure.

5. This chapter does not apply to sales conducted during events sponsored and sanctioned by the City of Lebanon.

6. The provisions of this chapter do not apply to vendors at events held on the Wilson County Fairgrounds, specifically including events held in the Wilson County Expo Center and the James E. Ward Agricultural Center.

All other persons not specifically exempted herein shall be governed by the provisions of said chapter.

Ordinance No. 16-5329

Page 2

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: _____