CITY OF LEBANON
Office of the Mayor
200 North Castle Heights Avenue
Lebanon, Tennessee 37087
Rick.Bell@lebanontn.org
615-443-2839

Tonya Jones
Executive Administrative Assistant
Kristen Ragsdale
Administrative Assistant III

REGULAR CALLED CITY COUNCIL MEETING

AGENDA - August 15, 2023 - 6:00 P.M.

TOWN MEETING HALL, ADMINISTRATION BUILDING
200 North Castle Heights Avenue, Lebanon, Tennessee

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE TO FLAG

4. ROLL CALL

5. APPROVAL OF MINUTES:
   August 1, 2023 – Regular Called City Council Meeting

6. COMMUNICATION FROM CITIZENS

7. COMMUNICATION FROM MAYOR

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

9. CONSENT AGENDA:

1. **Ordinance No. 23-6809**, second reading, to approve amendment No. 1 to agreement No. 22091 with TDOT related CMAQ ITS Phase 2 and to approve related budget amendment.. by Kristen Rice, Capital Projects Director.

2. **Ordinance No. 23-6814**, second reading, to approve TDOT agreement No. 230206 with TDOT for 3R Resurfacing Project Phase 8, Hartmann Drive from West Main Street to Coles Ferry Pike, to approve related budget amendment, and retain services of an engineering consultant, by Kristen Rice, Capital Projects Director.

"This institution is an equal opportunity provider and employer."
3. **Ordinance No. 23-6815**, second reading, to authorize a budget amendment for the Gas Department for TETCO improvements, 23-24 by Regina Santana Utilities Director and Chad Mueller, Gas Department Manager.

4. **Ordinance No. 23-6816**, second reading, to authorize Budget Amendments for the Gas Department, by Regina Santana Utilities Director and Chad Mueller, Gas Department Manager.

10. **OLD BUSINESS:**

1. **Ordinance No. 23-6796**, second reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing 1642 & unaddressed properties on Old Murfreesboro Road (Tax Map 81 Parcels 107, 108 & 109) from RXH (Mixed Housing) to CI (Interchange Commercial) in Ward 3, (Request by Al Neyer) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).


3. **Ordinance No. 23-6801**, second reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing 4400 Lebanon Road (Tax Map 47 Parcel 31) from FLH8 – Residential 8 Units per acre to RPO (Rural Preservation/Open Space) in Ward 6, (Request by David Hoffman) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

4. **Ordinance No. 23-6802**, second reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing 4400 Lebanon Road from RS20 (Low-Density Single-Family District) to RR (Rural Residential Agricultural in Ward 6, (Request by David Hoffman) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).
5. **Ordinance No. 23-6803**, second reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing 1415 & 1417 Alhambra Drive (Tax Map 58 Parcels 15.14) from FLH2 (Residential 2 Units per acre) to RXH (Mixed Housing) in Ward 1, (Request by Cindy Baker) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

6. **Ordinance No. 23-6804**, second reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing 1415 & 1417 Alhambra Drive from RS20 (Low-Density Single-Family District) to RD9 (Medium Density Residential) in Ward 1, (Request by Cindy Baker) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

7. **Ordinance No. 23-6805**, second reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing unaddressed properties on East High Street from RD9 (Medium Density Residential) to CS (Commercial Services) in Ward 2, (Request by Agee and Johnson) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

8. **Ordinance No. 23-6806**, second reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing unaddressed property on Tennessee Boulevard from R2 (High Density Residential) to CS (Commercial Service) in Ward 2, (Request by DRD Properties) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

9. **Ordinance No. 23-6807**, second reading, to amend the Official Zoning Atlas of the City of Lebanon, by amending regulations within the Hamilton Springs SP (Specific Plan) in Wards 5 & 6, (Request by Jack Bell Builders) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

10. **Ordinance No. 23-6808**, second reading, to amend the Title 14 Lebanon Zoning Code Section 14.813.3.D.3.A. schedule of sign permit fees to update permit fees, (Request by Staff) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).
11.  NEW BUSINESS:


3. **Ordinance No. 23-6817**, first reading, to approve the purchase of tract 4 of the Ed Maynard Heirs Property adjacent to the Water Treatment Plant, by Regina Santana, Utilities Director.

4. **Ordinance No. 23-6818**, first reading, to authorize Budget Amendments for Public Services to cover the purchase of trucks, mini trac loader, and knuckle boom, by Jeff Baines, Commissioner of Public Services, Lee Clark, General Services Admin, and Stuart Lawson, Commissioner of Finance & Revenue.

5. **Resolution No. 23-2644**, to revise the Human Resources Rule and Regulations, Rule IV Section 7 relative to on call guidelines, by Sylvia Reichle, HR Director.

6. **Ordinance No. 23-6831**, first reading, to authorize a Budget Amendment for the Fire Department to cover the purchase of replacement engine for reserve unit 12-02, by Stuart Lawson, Commissioner of Finance.

7. **Ordinance No. 23-6832**, first reading, to authorize Budget Amendment for the Wastewater Treatment Plant for the purchase of a service truck, by Regina Santana, Utilities Director.

8. **Ordinance No. 23-6833**, first reading, to authorize Budget Amendments for Wastewater Treatment Plant to correct line items, Regina Santana, Utilities Director.
9. **Ordinance No. 23-6834**, first reading, to authorize Budget Amendment for the Gas Department to add SCAD (Supervisory Control and Data Acquisition), by Regina Santana, Utilities & Chad Mueller, Gas Department Manager.


12. **Ordinance No. 23-6837**, first reading, to approve Budget Amendments for the Garage to reclassify the existing Admin 2 position Garage Service Writer, by Sylvia Reichle, HR Director and Jeff Baines, Commissioner of Public Services.

13. **Ordinance No. 23-6838**, first reading, to authorize Budget Amendments for the Airport to resurface taxiway, by RT Baldwin, Special Projects Administrator and Jeff Baines, Commissioner of Public Services.


15. **Ordinance No. 23-6840**, first reading, to approve Public/Private Partnership Agreement with MI Homes for Coles Ferry Pike Widening and Improvements, by Jeff Baines, Commissioner of Public Services and Jake Pruitte, Project Engineer.

16. **Ordinance No. 23-6841**, first reading, to authorize Budget Amendments for the Fire Department to replace bay doors and furniture at Station 1, by Jason Baird, Fire Chief.
17. Ordinance No. 23-6845, first reading, to donate a 2013 Chevrolet Caprice to the Lebanon High School Criminal Justice Program, by Mike Justice, Police Chief.

18. Resolution No. 23-2642, to accept bids for the new portable stage for city events, by Rick Bell, Mayor and Stuart Lawson, Commissioner of Finance & Revenue.

19. Resolution No. 23-2643, to authorize bidding the replacement roof project for the gym area of the Jimmy Floyd Family Center, by Alex Major, Floyd Center Director.

20. Resolution No. 23-2645, to authorize the purchase of a SCADA System for the Gas Department from the Sole Source Vendor, by Regina Santana, Utilities & Chad Mueller, Gas Department Manager.


12. ADJOURNMENT
PUBLIC HEARING

August 1, 2023

The City Council met in regular session in the Town Meeting Hall of the City of Lebanon Administrative Building at 200 North Castle Heights Avenue, Lebanon, TN.

*********

Mayor Rick Bell called the Public Hearing to order at 5:55 p.m.

1. Request by Al Neyer for Future Land Use Plan amendment approval for about 12.52 acres at 1642 & unaddressed properties on Old Murfreesboro Road (Tax Map 81 Parcels 107, 108 & 109) from RXH (Mixed Housing) to CI (Interchange Commercial) in Ward 3 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6796).

   No comments made by citizens at this time.

2. Request by Al Neyer for Rezoning approval from for about 12.52 acres at 1642 & unaddressed properties on Old Murfreesboro Road (Tax Map 81 Parcels 107, 108 & 109) CG (Commercial General) to National Indoor RV 2 SP in Ward 3 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6797).

   No comments made by citizens at this time.

3. Request by David Hoffman for Future Land Use Plan amendment approval for about 9.9 acres at 4400 Lebanon Road (Tax Map 47 Parcel 31) from FLH8 (Residential 8 Units per acre) to RPO (Rural Preservation/Open Space) in Ward 6 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6801).

   No comments made by citizens at this time.

4. Request by David Hoffman for Rezoning approval from for about 9.9 acres at 4400 Lebanon Road (Tax Map 47 Parcel 31) RS20 (Low-Density Single-Family District) to RR (Rural Residential Agriculture) in Ward 6 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6802).

   No comments made by citizens at this time.
5. Request by Cindy Baker for Future Land Use Plan amendment approval for about 0.78 acres at 1415 & 1417 Alhambra Drive (Tax Map 58 Parcels 15.14) from FLH2 (Residential 2 Units per acre) to RXH (Mixed Housing) in Ward 1 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6803).

No comments made by citizens at this time.

6. Request by Cindy Baker for Rezoning approval from for about 0.78 acres at 1415 & 1417 Alhambra Drive (Tax Map 58 Parcels 15.14) RS20 (Low-Density Single-Family District) to RD9 (Medium Density Residential) in Ward 1 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6804).

No comments made by citizens at this time.

7. Request by Agee and Johnson for Rezoning approval for about 0.75 acres at unaddressed properties on E High Street (Tax Map 67A Group A Parcels 35, 36, 36.01) from RD9 (Medium Density Residential) to CS (Commercial Services) in Ward 2 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6805).

No comments made by citizens at this time.

8. Request by DRD Properties for Rezoning approval for about 0.4 acres at unaddressed property on Tennessee Boulevard (Tax Map 67I Group D Parcel 1) from R2 (High Density) to CS (Commercial Services) in Ward 2 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6806).

Charles Smith, 433 Leland Lane asked: Is all this stuff going on new people moving into town or what’s going on?

Paul Corder responded: These were projects that property owners had asked for. Some may include new housing and some may not.

Charles Smith responded: Here’s why I ask. My son lives about ¼ mile from Castle Heights Elementary and it took him 45 minutes to get there this morning.

Councilman Tick Bryan responded: It’s the first day of school. It took him 45 minutes to drop his granddaughter off too and she goes to Winfree Bryant. It was like that all over town. It will spread out eventually, ok?

Charles Smith responded: No, it’s not ok.

Councilman Bryan asked: What’s not ok about it?

Charles Smith responded: That’s an undue burden.

Councilman Bryan asked: How so?
Charles Smith responded: Burden for people to have to get up and hour and a half early. That's 45 minutes one way.

Councilman Bryan responded: It will spread out in time. It always does.
Charles Smith responded: Can I speak now?

Mayor Bell responded: Go ahead, Mr. Smith.

Charles Smith responded: It is ridiculous to ask somebody to spend an extra hour and a half in the morning to accommodate their work schedule. Three times late for the kiddos is some type of truancy charge. Are you kidding me because of poor planning. That needs to be removed.

Councilman Bryan responded: you will have to talk to the school board about that. We aren't the school board.

Charles Smith responded: thank you, but you are in charge of planning and the poor job that has been done of that.

Mayor Bell asked if anyone else had anything.

9. Request by Jack Bell Builders for SP amendment approval for about 228 acres of the Hamilton Springs SP (Specific Plan) project at 3075 Lebanon Road (Tax Map 57 Parcel 8.04) zoned HSSP (Hamilton Springs Specific Plan) in Wards 5 & 6 (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6807).

No comments made by citizens at this time.

10. Request by Staff for a Zoning Code amendment to 14.813.3.D.3.a. Schedule of sign permit fees to update permit fees (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting) (Reference Ordinance No. 23-6808).

No comments made by citizens at this time.

The August 1, 2023 Public Hearing adjourned at 6:02 p.m.
REGULAR CALLED LEBANON CITY COUNCIL MEETING

August 1, 2023

Mayor Rick Bell called the Regular Called City Council meeting to order at 6:02 p.m.

**********

Invocation was given by Jeff Baines.

**********

Mayor Bell led the Pledge of Allegiance to the United States Flag.

**********

Council members present: Joey W. Carmack, Fred Burton, Chris Crowell, Tick Bryan, and Phil Morehead. Also present at the meeting were: Andy Wright, City Attorney; Stuart Lawson, Commissioner of Finance and Revenue; Jeff Baines, Commissioner of Public Services; Paul Corder, Planning Director; Regina Santana, Utilities Director; Chief Mike Justice, Lebanon Police Dept.; Chief Jason Baird, Lebanon Fire Dept.; Kristen Ragsdale, Council Secretary and Tonya Jones, Exec. Admin. Asst. Not present: Camille Burdine & Kristen Rice.

**********

APPROVAL OF MINUTES:

Motion was made by Councilor Morehead seconded by Councilor Crowell to approve said minutes for July 18, 2023 – Regular Called Lebanon City Council Meeting.

**********
COMMUNICATION FROM CITIZENS:

1. Derek Dodson, 106 Chapman Drive: (Mr. Dodson provided a typed copy of his response as appears below):

   In response to Councilor Morehead’s inquiry at the last Council meeting on July 18th, I recently set up a “poll booth” on 231 North, whereby 20,000 drivers had three responses to my “poll”:

   a.) all 20,000 respondents were aware that 231N already has more traffic lites that 231S

   b.) all 20,000 respondents agree that a traffic lite is needed on 231N where Hunters Point Golf used to be, BUT that a traffic lite is only needed in two dayparts for four hours per day, otherwise traffic flow is hindered.

   c.) all 20,000 took Councilor Morehead’s phone # & insisted that they would call him if such traffic lite on 231N operated for more than 4 hours per day.

I am here to make a profound point using the developer JCF, which has bailed-out on a local project near I-840.

But, first I want to provide some quick background to Councilor Morehead who is in his first year on City Council. Here it is:

Surely few citizens in the nation have spoken any more than myself in public meetings. Like most members of the community & each member on a Lebanon City Council, I likely agree with 90% of decisions made. But my efforts like most who speak at this mic are about seeking to ensure that the decision-making process is optimized for the long-term well-being of the community.

I must have been present in this room at public meeting on 8 occasions whereby JCF’s project was a topic. When JCF was first on the LPC agenda, at this mic, I requested that those behind the JCF llc be identified.

I am not going to disclose whom is behind JCF. The point I wish to make is this: For the well-being of this city, is it too much to ask that the LPC, Lebanon City Councilors, & the Mayor refuse to consider projects whereby there is a blatant attempt by those in-the-weeds to hide behind an llc, as so with JCF? Lebanon has been a magnet for such nonsense too many times due to city officials failing to exercise such common sense principles. That includes the apts at Five Oaks.

Derek Dodson

8/01/23
2. Jim Dunn, 1709 Blaimont Drive: wished Happy Birthday to Joey Carmack. I like the pictures you got on the screen (referencing the Wilson Co Fair picture that was showing prior to a presentation by the Fair Board President). We’ve talked about this Blue Hickory project and Councilman Crowell is familiar with that as one side is in his Ward and Councilman Bryan’s Ward is on the other side. The council approved it and I’m not here to disapprove. Mr. Dunn wanted to tell the council that they have a traffic jam. You’ll be putting 350, no 600 cars on Hickory Ridge. I don’t go that way anymore, so I won’t have to worry about it. (Mr. Dunn had a copy of an article from the Tennessean with a map of Blue Hickory passed out to all council personnel). We discussed this two or three times in council and I asked a lot of questions like “what does this zoning flag mean” and other questions. We hardly had any information at all and it seems like somehow the Tennessean got a picture of the whole thing. The only thing I will say is “why didn’t we get one”? I think we have a good Council and y’all are doing a good job at trying to hold a lid on some of these developers, but it’s just like hearding cats. Wondering why they are always changing it up, add to it, wanna change it to an SP or something or another so they can change that. Anyway, I know it’s a tough job y’all gotta do. He asked is it possible for us to get a little more information? Can we get a picture like that on a bulletin board? We used to have a tripod over there that they drew pictures on and the lawyer would point and say “they’re gonna sue us an stuff like that”. Anyway, if we could just what they were gonna have. The last meeting, there was a guy here that was putting up a self-storage building and I asked what that was gonna be at that location. After the meeting was over, he came over and gave me a picture and it was a nice looking building. I never would have said anything about it I had seen what a nice looking job he was planning on doing on that property. If there is anything available like maps or drawings would ya’ll consider maybe putting them up so we could see them? You don’t have to say you will, you may or you may not, but anyway think about it. And, what are they gonna build on this new piece of property that they want to change? That will be interesting too, so if you feel like you can do any of those things, we’d appreciate it.

3. Charles Smith, 433 Leland Lane (directed comment to Andy Wright): Mr. Wright would you do me a favor and get in touch with Mr. Boyd’s office? We actually can make this interactive on YouTube. They’ve been working on it the last two weeks for me. It does not go against TCA. We’re good to go on that.

Andy Wright replied: I’ve talked to Representative Boyd about it and it does actually violate the law.

Charles Smith responded: When did you talk to him about it? I talked to him today.

Andy Wright replied: I talked to him last week.

Charles Smith replied: That’s excellent, so check in again sir. We actually can do that. I didn’t mean to come up here and roast anybody. What I’m saying is that we are expanding at a reckless rate. We don’t have the infrastructure to keep up with I’d guess 10-15% of the people that are coming in here. Castle Heights Ave on the North side of town – that needs to have two more lanes expanded, period. It has got to be able to handle the flow of traffic. You cannot
cripple citizens at the expense of growth. You’ve got to find a happy medium there. That happy medium is actually growing the infrastructure along with the population and the infrastructure has got to come first. That’s just the way it is. You can’t ask people to come into a shipwreck and you can’t shipwreck what we’ve already got. I get it – I don’t even understand it, hell, when I grew up it was 5500 – 5600 people in this town. Used to have a population sign. What is wrong with that? Why do people need to drive recklessly? Why don’t we get the agriculture back into the culture? I don’t know what the deal is, but I know that the government was paying people to actually not use their property for agriculture for a while. Why don’t we foster that? That used to be a big part of what this town was based on. I guess I’m just missing some of the old days, but tell me what was wrong with it. You know what I mean? Y’all be good.

************

COMMUNICATION FROM MAYOR:

Mayor introduced Randall Clemons from the Wilson Co. Fair/ Tennessee State Fair to talk about the event coming up later this month.

Randall Clemons addressed the council and expressed appreciation for what the city has done since 1979 to help the Wilson Co. Fair and continues to do as we have become the Tennessee State Fair. Mr. Clemons provided the fair theme (98 Reasons to Celebrate TN) and agricultural commodity (corn). He provided detailed information about the fair and focused on what the Tennessee State Fair has added to Wilson County including:

- $14M in capital improvements
- Major road improvements & approximately $4M in federal funding in process for additional road improvements
- More support for the fair from TN based businesses
- Key focus on the #1 industry in the state – Agriculture
- Enhanced fair support across the nation
- New doors of competition for youth across the state
- Brought FFA Ham Breakfast to Wilson Co. where James E Ward was a noted extension agent and who the fairgrounds were named for
- Showcases Wilson Co. with 2022 fairgoers from all 95 counties, 39 states, and 14 different countries.

We are Tennessee’s largest outdoor classroom and are ranked #22 in the top 50 fairs and had a record-breaking attendance in 2022 (over 776,000). Randall spoke about the number of volunteers and the volunteer hours (adult and youth) that makes the fair such a success. He also spoke about the Made in Tennessee building and what an asset it will be – not only during the fair, but throughout the year. He concluded by mentioning all of the new things (competitions, events, & rides) at the fair this year.
Mayor Bell thanked Randall for all that Wilson Co. promotions does and for all the volunteers that make that happen.

Mayor Bell then wished Councilor Carmack a happy birthday. Also, as Councilor Bryan mentioned earlier, today is the first day of school. I want to thank all of the teachers who have been working hard for a while now. I know it really started today and all of the parents and students- it’s an exciting time. As a former educator, the first of the semester is always a bit chaotic, but exciting and they have a lot of work ahead. I appreciate them for everything that they do. Also, Ordinance #23-6807 (#9 under New Business) just to let everyone know that is the Hamilton Springs Development. I am part owner of that and I have not taken part in any discussion with staff about this and I will not take part in any discussion tonight. If it is a tie, it will stay a tie; I will abstain from voting.

*********

REPORTS FROM MAYOR PRO TEM COMMITTEES / ALDERMEN / OFFICERS:

1. Councilor Joey W. Carmack: First day of school and thank you to all teachers. Thank you to Kristen Rice and her staff for getting a crossing put in at the new town homes on Castle Heights for them to cross and get to Castle Heights Elementary and the other schools. It will help the kids crossing a lot. Chief Justice, if you could have some officers monitor it for a bit as it is new to everyone.

2. Councilor Fred Burton: Jeff, I have a traffic light at C.L. Manier and Bluebird that is acting up. Could you get the traffic personnel to check it out for me? That’s all I got.

3. Councilor Chris Crowell: Received word this afternoon from Regina that there was a water outage in the Stonebridge area. Can we get an update?

   Regina responded: We had a 10” high pressure water line that runs down Leeville Pike and we have a section about 10-12 feet long that actually split down the center, so it's a big break. The guys are out there working on it and if everything goes right, it will be back up and running in about 3 hours. During that time, a part of Stonebridge as well as Tuckers Gap will unfortunately be without water.

   Councilor Crowell replied: So we have water at Holland Ridge and beyond that?

   Regina replied: They are in a different water jurisdiction. They are served by West Wilson, I believe. They should be o.k.

   Councilor Crowell replied: so we have water up to Tuckers Gap.

   Regina responded: The two subdivisions that are affected are: Tucker’s Gap Meadows and half of Stonebridge. The other half is served by West Wilson.
Councilor Crowell addressed Mr. Dunn’s comments & questions on Blue Hickory. Just a couple of thoughts there on that process and what’s going on there. I know you come to most of the City Council meetings. Paul (Corder) can testify that the process went on for a year and a half to two years with the developer with lots of conversations of ways to improve the concept they had. It will include a significant amount of commercial and development along the area there at Blue Devil Blvd. just inside the development; all of this will be taking place on the right hand side when you go in to Blue Devil Blvd. There were several iterations of the plan over time but we do have a full SP that’s been approved and amended one time and the amendment that I know about as I recall had to do with a piece of property that was within the SP that became available from a private owner that they purchased and they incorporated that into their plan. It’s basically gonna include a significant amount of commercial space. It will include some town homes, as well. We were able to include in the discussions the elimination of several hundred apartments and so that was a change. We included some additional buffers that will be put in place between the current residents on Hickory Ridge Road that back up to it. Significant dollars being spent on improving roads and traffic in that area. Just to give you a few tidbits and like I say, we have the full SP that’s available for anybody that would like to see it and it may answer some questions.

4. Councilor Tick Bryan: A lot of these diagrams and photos and plans that Mr. Dunn is requesting are available at the Planning Commission meetings and they go through those pretty thoroughly and I know you hate coming here and you hate going to the Planning Commission Meetings. No one hates going to Planning Commission Meetings more than me, but that is where you see all that stuff. They lay it all out on tables and they have these big displays of everything and that’s where I used to see all that stuff. By the time it gets here, we’ve gone over it in work sessions and things like that. That’s probably why you don’t see a lot of that here. I’m sure Rick can fix that for you.

Schools started today. There was a traffic issue. I’ve been taking my granddaughter to school for the last eight years and it’s always the way the first day of school everywhere. She goes to Winfree Bryant and it was that way there today. Thank you to the crossing guards out there. She did an excellent job. They are really overworked especially at Castle Heights. They have three schools over there and that’s another reason it was backed up. You’ve got the junior high, Castle Heights, and Coles Ferry. It’s a lot of traffic, a lot of people and that’s why it’s backed up.

5. Councilor Phil Morehead: I just had one quick question for Jeff (Baines). On that United Technology Fiber. Did we find anything? The signs just went up literally overnight in a number of neighborhoods in my Ward and I started getting calls from citizens asking if they were gonna dig up their front yards.

Jeff Baines responded: they do have the right of way so they could dig up their yards. We have some meetings with them the next couple of weeks and they will submit drawings to us. If they have a question about it, have them give us a call and we can talk about the plans we have seen.

**********

Page | 9
Public Hearing and Regular Called Lebanon City Council Meeting Minutes
August 1, 2023
CONSENT AGENDA:

Ordinance No. 23-6810, second reading, to approve the budget amendment for the Lebanon’s Veterans Center, (112 Hartmann Drive), by Mayor Rick Bell and Stuart Lawson Commissioner of Finance.

Ordinance No. 23-6811, second reading, to approve budget amendment for SCADA (Supervisory Control and Data Acquisition) at the Wastewater Treatment Plant, by Regina Santana, Utilities Director.

Ordinance No. 23-6812, second reading, to abandon Gas easements at 520 Crowell Lane and 522 Crowell Lane, by Regina Santana, Utilities Director.

Motion was made by Councilor Morehead, seconded by Councilor Bryan, to pass said Ordinances. Motion carried unanimously. Ordinances were read and passed on second/final reading.

**********

NEW BUSINESS:

Ordinance No. 23-6796, first reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing 1642 & unaddressed properties on Old Murfreesboro Road (Tax Map 81 Parcels 107, 108 & 109) from RXH (Mixed Housing) to CI (Interchange Commercial) in Ward 3, (Request by Al Neyer) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6797, first reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing 1642 & unaddressed properties on Old Murfreesboro Road (Tax Map 81 Parcels 107, 108 & 109) CG (Commercial General) to National Indoor RV 2 SP in Ward 3, (Request by Al Neyer) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

Motion was made by Councilor Carmack, seconded by Councilor Burton, to pass said Ordinance. Motion carried unanimously. Ordinance was read and passed on first reading.
Ordinance No. 23-6801, first reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing 4400 Lebanon Road (Tax Map 47 Parcel 31) from FLH8 – Residential 8 Units per acre to RPO (Rural Preservation/Open Space) in Ward 6, (Request by David Hoffman) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6802, first reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing 4400 Lebanon Road from RS20 (Low-Density Single-Family District) to RR (Rural Residential Agricultural in Ward 6, (Request by David Hoffman) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6803, first reading, to amend the Future Land Use Plan of the City of Lebanon, Tennessee, by changing 1415 & 1417 Alhambra Drive (Tax Map 58 Parcels 15.14) from FLH2 (Residential 2 Units per acre) to RXH (Mixed Housing) in Ward 1, (Request by Cindy Baker) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6804, first reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing 1415 & 1417 Alhambra Drive from RS20 (Low-Density Single-Family District) to RD9 (Medium Density Residential) in Ward 1, (Request by Cindy Baker) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6805, first reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing unaddressed properties on East High Street from RD9 (Medium Density Residential) to CS (Commercial Services) in Ward 2, (Request by Agee and Johnson) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

Motion was made by Councilor Burton, seconded by Councilor Carmack, to pass said Ordinance. Motion carried unanimously. Ordinance was read and passed on first reading.
Ordinance No. 23-6806, first reading, to amend the Official Zoning Atlas of the City of Lebanon, Tennessee, by changing unaddressed property on Tennessee Boulevard from R2 (High Density Residential to CS (Commercial Service) in Ward 2, (Request by DRD Properties) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6807, first reading, to amend the Official Zoning Atlas of the City of Lebanon, by amending regulations within the Hamilton Springs SP (Specific Plan) in Wards 5 & 6, (Request by Jack Bell Builders) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6808, first reading, to amend the Title 14 Lebanon Zoning Code Section 14.813.3.D.3.A. schedule of sign permit fees to update permit fees, (Request by Staff) (Planning Commission recommended approval by a vote of 6-0 at their June 27, 2023 meeting).

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

Ordinance No. 23-6809, first reading, to approve amendment No. 1 to agreement No, 22091 with TDOT related CMAQ ITS Phase 2 and to approve related budget amendment.. by Kristen Rice, Capital Projects Director.

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

Ordinance No. 23-6814, first reading, to approve TDOT agreement No. 230206 with TDOT for 3R Resurfacing Project Phase 8, Hartmann Drive from West Main Street to Coles Ferry Pike, to approve related budget amendment, and retain services of an engineering consultant, by Kristen Rice, Capital Projects Director.

Motion was made by Councilor Carmack, seconded by Councilor Burton, to pass said Ordinance. Motion carried unanimously. Ordinance was read and passed on first reading.
**Ordinance No. 23-6815**, first reading, to authorize a budget amendment for the Gas Department for TETCO improvements, 23-24 by Regina Santana Utilities Director and Chad Mueller, Gas Department Manager.

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

**Ordinance No. 23-6816**, first reading, to authorize Budget Amendments for the Gas Department, by Regina Santana Utilities Director and Chad Mueller, Gas Department Manager.

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

**Resolution No. 23-2639**, to authorize advertising requests for proposals for engineering design services for the Hartmann Drive Extension from US 231 North to State Route 141, by Jeff Baines, Commissioner of Public Services; Sarah Haston, Economic Development Director and Kristen Rice, Capital Projects Director.

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

**Resolution No. 23-2640**, to accept bids for the TETCO and CG Tap City Gate Station improvements for the Gas Department, by Regina Santana, Utilities Director and Chad Mueller, Gas Department Manager.

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

**Resolution No. 23-2641**, to support the TDEC SWIG (State Water Infrastructure Grant Program) ARP (American Rescue Plan) Competitive Grant Application, by Regina Santana, Utilities Director.

Motion was made by Councilor Carmack, seconded by Councilor Burton, to pass said Resolution. Motion carried unanimously. Resolution was read and passed.
The August 1, 2023 Regular Called Lebanon City Council Meeting adjourned at 6:28 p.m.

*********

Attest:                        Approved:

_____________________________                       _________________________
Stuart Lawson                  Rick Bell
Commissioner of Finance & Revenue Mayor

Secretary:

_____________________________
Kristen Ragsdale
ORDINANCE NO. 23-6809

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 22091 WITH TDOT
RELATED TO CMAQ ITS PHASE 2 AND TO APPROVE THE RELATED
BUDGET AMENDMENT

PIN:132699.00  STATE PROJECT NO. 95LPLM-F3-144  AGREEMENT NO. 220091

WHEREAS, amendment number 1 to TDOT agreement no. 220091 for CMAQ ITS phase 2 is now necessary to add additional funding for this project; and

WHEREAS, a budget amendment is necessary to roll over funds from the 22/23 fy budget and to appropriate additional funding; and

WHEREAS, the TDOT agreement amendment is attached hereto by reference as if appearing verbatim herein.

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

Section 1. Amendment Number 1 to TDOT Agreement No.22091, attached hereto by reference as if appearing verbatim herein, is hereby approved. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to execute such amendment.

Section 2. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the 2023 – 2024 City of Lebanon budget as follows:

<table>
<thead>
<tr>
<th>Department: Street Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>From: 1102-33484</td>
</tr>
<tr>
<td>11090000-79000</td>
</tr>
<tr>
<td>To: 11043132-79300</td>
</tr>
</tbody>
</table>

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

Attest:  
Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Approved:

Mayor

Passed first reading:  

Passed second reading:  

August 1, 2023
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT Street Construction

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1102-33484</td>
<td>State Grant ITS</td>
<td>$2,085,252.98</td>
<td></td>
</tr>
<tr>
<td>11090000 790000</td>
<td>Budget Fund</td>
<td>$521,313.25</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>$2,606,566.23</td>
</tr>
</tbody>
</table>

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11043132 79300</td>
<td>Improvements</td>
<td>$2,606,566.23</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>$2,606,566.23</td>
</tr>
</tbody>
</table>

REQUESTED BY Kristen Rice

DEPARTMENT HEAD Jeff Baines

COMM. OF FINANCE

MAYOR

REASON FOR THIS TRANSFER:

ROLOVER for TDOT PIN 132699.00 CMAQ ITS Phase 2 Project ($2,352,607.23) & adding additional funding ($253,959.00)

REVISED 10-8-2013
July 13, 2023

The Honorable Rick Bell  
Mayor, City of Lebanon  
200 North Castle Heights Avenue  
Lebanon, TN 37087

Re: Various locations in the city of Lebanon  
   City of Lebanon, Wilson County  
   PIN: 132699.00  
   Federal Project Number: CM-NH-9309(26)  
   State Project Number: 95LPLM-F3-144  
   Agreement Number: 220091

Dear Mayor Bell:

I am attaching an amendment to the original contract to this letter. The amendment replaces the contract’s Exhibit A to reflect the addition of Surface Transportation Block Grant funds. Please review the amendment and advise me if it requires further explanation. If you find the amendment satisfactory, please execute it in accordance with all rules, regulations, and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Once the amendment is fully executed Adobe Sign will email you a link to the fully executed amendment.

If you have any questions or need any additional information, please contact Simchah Edwards at 615-741-0805 or Simchah.Edwards@tn.gov.

Sincerely,

Kimery Grant  
Transportation Manager 2

Attachment
Amendment Number: 1
Agreement Number: 220091
Project Identification Number: 132699.00
Federal Project Number: CM-NH-9309(26)
State Project Number: 95LPLM-F3-144

THIS AGREEMENT AMENDMENT is made and entered into this ______ day of ______, 20____ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF LEBANON (hereinafter called the "Agency"), for the purpose of providing an understanding among the parties of their respective obligations related to the management of the project described as:

"Various locations in the city of Lebanon"

1. The language of Agreement #220091 dated May 12, 2022 Exhibit A is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 1.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.
IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF LEBANON

Signature:
Email: rick.bell@lebanontn.org

APPROVED AS TO AND AVAILABILITY OF FUNDS

Signature:
Email: lawsons@lebanontn.org
Commissioner of Finance

APPROVED AS TO FORM AND LEGALITY

Signature:
Email: awright@lebanontn.org

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

Signature:
Email: TDOT.COMMISSIONER'S.Office@tn.gov

APPROVED AS TO FORM AND LEGALITY

Signature:
Email: TDOT.Legal.Attorneys@tn.gov

Signature:
Email: Daniel.Pallme@tn.gov

Revised 03/08/10
Version 8
EXHIBIT "A" for AMENDMENT 1

Agreement #: 220091
Project Identification #: 132699.00
Federal Project #: CM-NH-9309(26)
State Project #: 95LPLM-F3-144

Project Description: Various locations in the city of Lebanon - 2021 CMAQ Award: The City of Lebanon desires to improve the transportation system operations along SR-26 (US-70, Baddour Pkwy/High St.), From Babb Dr. to Tennessee Blvd; SR-10 (US-231, N. Cumberland St/Hunters Point Pk), From Hartmann Dr. to E. Market St; SR-24 (US-70, E. Main St/York St), From SR-266 (S. College St) to SR-26 (US-70, E. Baddour Pkwy/E. High St); and S. Hartmann Dr/Hartmann Dr, From SR-26 (US-70, W. Baddour Pkwy) to W. Old Murfreesboro Rd. through the installation of Phase 2 of their Intelligent Transportation System. Improvements include fiber interconnection to 24 traffic signals, 6 new CCTV cameras, upgraded signal controllers, vehicle detection, updated signal timings, and ADA improvements.

Change in Cost: Cost hereunder is controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto.

Type of Work: Intelligent Transportation System

<table>
<thead>
<tr>
<th>Phase</th>
<th>Funding Source</th>
<th>Fed %</th>
<th>State %</th>
<th>Local %</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>PE-NEPA</td>
<td>CMAQ</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$165,812.00</td>
</tr>
<tr>
<td>PE-DESIGN</td>
<td>CMAQ</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$161,228.00</td>
</tr>
<tr>
<td>CONSTRUCTION</td>
<td>CMAQ</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$1,905,999.00</td>
</tr>
<tr>
<td>CONSTRUCTION</td>
<td>L-STBG</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$253,959.00</td>
</tr>
<tr>
<td>CEI</td>
<td>CMAQ</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$242,692.00</td>
</tr>
<tr>
<td>TDOT ES</td>
<td>CMAQ</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$24,269.00</td>
</tr>
</tbody>
</table>

Ineligible Cost: One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said state or federal funds is ruled ineligible at any time by the Federal Highway Administration.

Legislative Authority: CMAQ: 23 U.S.C.A., Section 149, congestion Mitigation and Air Quality Improvement Program funds allocated or subject to allocation to the Agency;

STBG: 23 U.S.C.A., Section 133, Surface Transportation Block Grant Program funds allocated or subject to allocation to the Agency
TDOT Engineering Services (TDOT ES): In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT's expenses associated with the project during construction are covered.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.
ORDINANCE NO. 23-6814

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO APPROVE TDOT AGREEMENT NO. 230206 WITH TDOT FOR 3R
RESURFACING PROJECT PHASE 8, HARTMANN DRIVE FROM WEST MAIN TO
COLES FERRY, TO APPROVE THE RELATED BUDGET AMENDMENT, AND TO
RETAIN THE SERVICES OF AN ENGINEERING CONSULTANT

PIN:134153.00  STATE PROJECT NO. 95LPLM-F3-152  CONTRACT NO. 230206

WHEREAS, it is now necessary to approve the TDOT Contract for 3R Resurfacing
Project Phase 8, Hartmann Drive from West Main to Coles Ferry; and

WHEREAS, a budget amendment is necessary set up the STBG small cities 80/20
funding; and

WHEREAS, consultant engineering services are required for this project.

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

Section 1. TDOT Agreement No. 230206, attached hereto by reference as if
appearing verbatim herein, is hereby approved. The Mayor and the Commissioner of Finance
and Revenue are hereby authorized to execute such amendment.

Section 2. The Mayor and the Commissioner of Finance and Revenue are hereby
authorized to amend the 2023 – 2024 City of Lebanon budget as follows:

Department: Street Construction
From: 316-34400  Federal Funds  $804,750.00
To: 31643141-79300  Improvements  $804,750.00

Section 3. The Engineering Department is hereby authorized to retain the services of
a consultant engineer for this project.

Section 4. This ordinance shall take effect immediately upon its passage, the public
welfare requiring the same.
Attest: 

Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Passed first reading: August 1, 2023

Passed second reading:
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT Street Construction

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>316 34400</td>
<td>Federal Funds</td>
<td>$ 804,750.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>$ 804,750.00</td>
</tr>
</tbody>
</table>

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>316 43141 79300</td>
<td>Improvements</td>
<td>$ 804,750.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td>$ 804,750.00</td>
</tr>
</tbody>
</table>

REQUESTED BY Kristen Rice
DATE 7/18/2023

DEPARTMENT HEAD Jeff Baines
DATE 7/18/2023

COMM. OF FINANCE
DATE

MAYOR
DATE

REASON FOR THIS TRANSFER:

TDOT PIN 134153 3R Phase 8 Hartmann Drive resurfacing

REVISED 10-8-2013
July 14, 2023

The Honorable Rick Bell
Mayor, City of Lebanon
200 North Castle Heights Avenue
Lebanon, TN 37087

Re: Hartmann Drive, From SR-24 (US-70, West Main Street) to Coles Ferry Pike
City of Lebanon, Wilson County
PIN:134153.00
Federal Project Number: STP-M-4285(14)
State Project Number: 95LPLM-F3-152
Contract Number: 230206

Dear Mayor Bell:

I am attaching a contract providing for the development of the referenced project. Please review the contract and advise me if it requires further explanation. If you find the contract satisfactory, please execute it in accordance with all rules, regulations, and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Once the contract is fully executed Adobe Sign will send you a link to the download the contract for your files.

If you have any questions or need any additional information, please contact Simchah Edwards at 615-741-0805 or Simchah.Edwards@tn.gov.

Sincerely,

Kimery Grant
Transportation Manager 2

Attachment
LOCAL AGENCY PROJECT AGREEMENT

THIS AGREEMENT, made and entered into this ____________ day of ___________, 20__ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF LEBANON (hereinafter called the "Agency") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

"Hartmann Drive, From SR-24 (US-70, West Main Street) to Coles Ferry Pike"

A. PURPOSE OF AGREEMENT

A.1 Purpose:

a) The purpose of this Agreement is to provide for the Department's participation in the project as further described in Exhibit A attached hereto and by this reference made a part hereof (hereinafter called the "Project") and state the terms and conditions as to the manner in which the Project will be undertaken and completed.

A.2 Modifications and Additions:

a) Exhibit(s) are attached hereto and by this reference made a part hereof.

B. ACCOMPLISHMENT OF PROJECT

B.1 General Requirements:

a) Environmental Clearance by: AGENCY PROJECT

Preliminary Engineering by: AGENCY PROJECT

Right-of-Way by: AGENCY AGENCY

Revised 03/08/10

Version 8
Utility Coordination by: AGENCY AGENCY
Construction by: AGENCY PROJECT

b) After receiving authorization for a phase, the Agency shall commence and complete the phases as assigned above of the Project as described in Exhibit A with all practical dispatch, in a sound, economical, and efficient manner, and in accordance with the provisions herein, and all applicable laws. The Project will be performed in accordance with all latest applicable Department procedures, guidelines, manuals, standards, and directives as described in the Department’s Local Government Guidelines, available in electronic format, which by this reference is made a part hereof as if fully set forth herein.

c) A full time employee of the Agency shall supervise the herein described phases of the Project. Said full time employee of the Agency shall be qualified to and shall ensure that the Project will be performed in accordance with the terms of this Agreement and all latest applicable Department procedures, guidelines, manuals, standards, and directives as described in the Department’s Local Government Guidelines and this Agreement.

B.2 Completion Date:

a) This Agreement shall be effective from the period beginning on the fully executed date, and ending five (5) years from the fully executed date. The Agency shall provide the Department with the documents, certifications and clearances necessary to obtain the Department’s Notice to Proceed to the Construction Phase by three (3) years from the fully executed date. If the Agency does not provide the Department with the documents, certifications and clearances necessary to obtain the Department’s Notice to Proceed to the Construction Phase by the aforesaid date, then the Department may terminate this Agreement. If the Agency does not complete the herein described phases of the Project within the time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. The Agency hereby acknowledges and affirms that the Department shall have no obligation for Agency services or expenditures that were not completed within this specified contract period.

B.3 Environmental Regulations:

a) The Department will review environmental documents and require any appropriate changes for approval as described in the Department’s Local Government Guidelines.
b) In the event the Agency is made responsible for the Environmental Clearances in Section B.1(a) of this Agreement, the Agency will be solely responsible for compliance with all applicable environmental regulations and for any liability arising from non-compliance with these regulations and will reimburse the Department of any loss incurred in connection therewith to the extent permitted by Tennessee Law. The Agency will be responsible for securing any applicable permits as described in the Department's Local Government Guidelines.

c) In the event the Agency is made responsible for the Environmental Clearances in section B.1.(a) of this Agreement, then the Agency must complete environmental clearances before it begins final design and understands that a separate Notice to Proceed will be submitted for final design. Any work on final design performed ahead of this Notice to Proceed will not be reimbursable.

**B.4 Plans and Specifications**

a) In the event that the Agency is made responsible for the Preliminary Engineering in Section B.1.(a) of this Agreement and federal and/or state funding is providing reimbursement, except as otherwise authorized in writing by the Department, the Agency shall not execute an agreement for the Preliminary Engineering phase of the Project without the written approval of the Department. Failure to obtain such written approval shall be sufficient cause for nonpayment by the Department.

b) In the event that this Agreement involves constructing and equipping of facilities on the State Highway System and/or is a Project with Federal participation and the Agency is made responsible for Preliminary Engineering in section B.1.(a) of this Agreement, the Agency shall submit to the Department for approval all appropriate plans and specifications covering the Project. The Department will review all plans and specifications and will issue to the Agency written approval with any approved portions of the Project and comments or recommendations covering any remainder of the Project deemed appropriate.

1) After resolution of these comments and recommendations to the Department's satisfaction, the Department will issue to the Agency written approval and authorization to proceed with the next assigned phase of the Project. Failure to obtain this written approval and authorization to proceed shall be sufficient cause for nonpayment by the Department.

c) In the event that this Agreement involves the use of State Highway Right-of-Way, the Agency shall submit a set of plans to the TDOT Traffic Engineer responsible for the land in question. These plans shall be sufficient to establish the proposed Project and its impact on the State Highway Right-of-Way.

**B.5 Right-of-Way**
a) The Agency shall, without cost to the Department, provide all land owned by the Agency or by any of its instrumentalities as may be required for the Project right-of-way or easement purposes.

b) The Agency understands that if it is made responsible for the Right-of-Way phase in section B.1(a) hereof and federal and/or state funds are providing the reimbursement, any activities initiated for the appraisal or the acquisition of land prior to authorization from the Department will not be reimbursed and that failure to follow applicable Federal and State law in this regard may make the Project ineligible for federal and/or state funding.

c) The Department will review the processes the Agency used for the acquisition of land and other right-of-way activities. If those processes are found to be in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Public Law 91-646, 84 Stat. 1894), the Department will certify that the acquisition phase was completed appropriately. The Agency understands that the Project cannot proceed to the Construction phase until this certification of the acquisition phase has been provided. It further understands that if the processes used for acquisition are such that certification is impossible, federal and/or state funds will be withdrawn from the Project. If such withdrawal does occur, the Agency hereby agrees to reimburse the Department for all federal and/or state funds expended at the time of such withdrawal.

d) If the Agency is responsible for the Construction phase, it agrees to correct any damage or disturbance caused by its work within the State Highway Right-of-Way, including but not limited to the replacement of any control access fence removed by the Agency or its Contractor or agent during the Construction phase of the Project.

**B.6 Approval of the Construction Phase**

a) In the event that the Agency is made responsible for the Construction phase in section B.1(a) of this Agreement, except as otherwise authorized in writing by the Department, the Agency shall not execute an agreement for the Construction phase of the Project without the written approval of the Department. Failure to obtain such approval shall be sufficient cause for nonpayment by the Department.

b) In the event that the Department is made responsible for the Construction phase in section B.1(a) of this Agreement, when the construction phase begins, the Agency may make such periodic visits to the Project site as necessary to familiarize itself generally with the progress and quality of the work and to determine in general if the work is proceeding in accordance with the Construction Agreement. If there is any perceived failure, the Agency shall give prompt written notification to the Department’s Resident Engineer in charge.
c) If the Project includes State Highway Right-of-Way and the Agency is responsible for the Construction phase, the Agency shall follow all requirements imposed by the TDOT Traffic Engineer.

d) In the event that the Project includes State Highway Right-of-Way and the Agency is performing any construction work on this project, such work shall be performed to the satisfaction of the Department. If the Agency is being compensated for any construction work under this Agreement, any remedial work deemed necessary by the Department shall be done at the Agency's sole expense.

e) The Agency understands that all contractors allowed to bid hereunder must be included on the Department's pre-qualified contractor list. Under Federal law, however, no contractor shall be required by law, regulation, or practice to obtain a license before submitting a bid or before a bid may be considered for an award of a contract; provided, however, that this is not intended to preclude requirements for the licensing of a contractor upon or subsequent to the award of the contract if such requirements are consistent with competitive bidding.

B.7 Detours

a) If the Agency deems a detour to be necessary to maintain traffic during a road closure, then the Agency shall select, sign, and maintain the detour route in strict accordance with the Departments Final Construction Plan Notes and the Manual on Uniform Traffic Control Devices.

B.8 Utilities

a) In the event that the Department is made responsible for the Construction phase in Section B.1(a) of this Agreement, the Department shall also be responsible for the Utilities phase.

b) In the event that the Agency is made responsible for the Utilities Phase in section B.1.(a) of this Agreement, the following applies:

1) The Agency shall assist and ensure that all utility relocation plans are submitted by the utilities and received by the Regional TDOT Utility Office per TDOT's coordination instructions for approval prior to the Project advertisement for bids.

2) The Agency agrees to provide for and have accomplished all utility connections within the right-of-way and easements prior to the paving stage of the Construction phase.

B.9 Railroad
a) In the event that a railroad is involved, Project costs may be increased by federally required improvements. The Agency agrees to provide such services as necessary to realize these improvements. The Agency understands it may have to enter into additional agreements to accomplish these improvements.

C. PAYMENT TERMS AND CONDITIONS

C.1 Total Cost:

In the event that the Agency shall receive reimbursement for Project expenditures with federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) The Department agrees to reimburse the Agency for eligible and appropriate Project expenditures as detailed in the Department's Local Government Guidelines with federal and/or state funds made available and anticipated to become available to the Agency, provided that the maximum liability of the Department shall be as set forth in Exhibit A.

C.2 Eligible Costs:

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) Only Project costs incurred after the issuance of the Notice to Proceed for each phase as detailed in the Department's Local Government Guidelines are eligible for Department reimbursement.

C.3 Limits on Federal and State Participation:

a) Federal and/or state funds shall not participate in any cost which is not incurred in conformity with applicable federal and state law, the regulations in 23 C.F.R. and 49 C.F.R., and policies and procedures prescribed by the Federal Highway Administration (FHWA). Federal funds shall not be paid on account of any cost incurred prior to authorization by the FHWA to the Department to proceed with the Project or part thereof involving such cost. (23 CFR 1.9 (a)). If FHWA and/or the Department determines that any amount claimed is not eligible, federal and/or state participation may be approved in the amount determined to be adequately supported. The Department shall notify the Agency in writing citing the reasons why items and amounts are not eligible for federal and/or state participation. Where correctable non-compliance with provisions of law or FHWA requirements exists, federal and/or state funds may be withheld until compliance is obtained. Where non-compliance is not correctable, FHWA and/or the Department may deny participation in Project costs in part or in total.
b) For any amounts determined to be ineligible for federal and/or state reimbursement for which the Department has made payment, the Agency shall promptly reimburse the Department for all such amounts within ninety (90) days of written notice.

c) The Agency agrees to pay all costs of any part of this project which are not eligible for federal and/or state funding. These funds shall be provided upon written request therefore by either (a) check, or (b) deposit to the Local Government Investment Pool, whenever requested.

C.4 Payment Methodology:

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) The Agency shall submit invoices, in a form outlined in the Local Government Guidelines with all necessary supporting documentation, prior to any reimbursement of allowable costs. Such invoices shall be submitted no more often than monthly but at least quarterly and indicate, at a minimum, the amount charged by allowable cost line-item for the period invoiced, the amount charged by line-item to date, the total amounts charged for the period invoiced, and the total amount charged under this agreement to date. Each invoice shall be accompanied by proof of payment in the form of a canceled check or other means acceptable to the Department.

b) The payment of an invoice by the Department shall not prejudice the Department's right to object to or question any invoice or matter in relation thereto. Such payment by the Department shall neither be construed as acceptance of any part of the work or service provided nor as final approval of any of the costs invoiced therein. The Agency's invoice shall be subject to reduction for amounts included in any invoice or payment thertofohere made which are determined by the Department not to constitute allowable costs. Any payment may be reduced for overpayments or increased for under-payments on subsequent invoices.

c) Should a dispute arise concerning payments due and owing to the Agency under this Agreement, the Department reserves the right to withhold said disputed amounts pending final resolution of the dispute.

C.5 The Department's Obligations:

In the event that the Department is managing all phases of the Project herein described, this provision C.5 does not apply.

a) Subject to other provisions hereof, the Department will honor requests for reimbursement to the Agency in amounts and at times deemed by the Department to be proper to ensure the carrying out of the Project and payment of the eligible
costs. However, notwithstanding any other provision of this Agreement, the Department may elect not to make a payment if:

1) **Misrepresentation:**
The Agency shall have made misrepresentation of a material nature in its application, or any supplement thereto or amendment thereof, or in or with respect to any document or data furnished therewith or pursuant hereto;

2) **Litigation:**
There is then pending litigation with respect to the performance by the Agency of any of its duties or obligations which may jeopardize or adversely affect the Project, this Agreement or payments to the Project;

3) **Approval by Department:**
The Agency shall have taken any action pertaining to the Project, which under this Agreement requires the approval of the Department or has made related expenditure or incurred related obligations without having been advised by the Department that same are approved;

4) **Conflict of Interests:**
There has been any violation of the conflict of interest provisions contained herein in D.16; or

5) **Default:**
The Agency has been determined by the Department to be in default under any of the provisions of the Agreement.

**C.6 Final Invoices:**

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) The Agency must submit the final invoice on the Project to the Department within one hundred twenty (120) days after the completion of the Project. Invoices submitted after the one hundred twenty (120) day time period may not be paid.

**C.7 Offset:**

In the event that the Agency shall receive federal and/or state funds for any portion of the herein described Project, this provision shall apply.

a) If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the Agency owing such amount if, upon demand, payment of the amount is not made within sixty (60) days to the Department.
Offsetting any amount pursuant to this section shall not be considered a breach of agreement by the Department.

C.8 Travel Compensation

a) If the Project provided for herein includes travel compensation, reimbursement to the Agency for travel, meals, or lodging shall be subject to amounts and limitations specified in the “State Comprehensive Travel Regulations,” as they are amended from time to time and subject to the Agreement Budget.

D. STANDARD TERMS AND CONDITIONS

D.1 Governing Law:

a) This Agreement shall be governed by and construed in accordance with the laws of the State of Tennessee. The Agency agrees that it will be subject to the exclusive jurisdiction of the courts of the State of Tennessee in actions that may arise under this Agreement. The Agency acknowledges and agrees that any rights or claims against the State of Tennessee or its employees hereunder, and any remedies arising therefrom, shall be subject to and limited to those rights and remedies, if any, available under Tennessee Code Annotated, Sections 9-8-101 through 9-8-407.

D.2 General Compliance with Federal, State, and Local Law:

a) The Agency is assumed to be familiar with and observe and comply with those Federal, State, and local laws, ordinances, and regulations in any manner affecting the conduct of the work and those instructions and prohibitive orders issued by the State and Federal Government regarding fortifications, military and naval establishments and other areas. The Agency shall observe and comply with those laws, ordinances, regulations, instructions, and orders in effect as of the date of this Agreement.

b) The parties hereby agree that failure of the Agency to comply with this provision shall constitute a material breach of this Agreement and subject the Agency to the repayment of all damages suffered by the State and/or the Department as a result of said breach.

D.3 State Law:

a) Nothing in the Agreement shall require the Agency to observe or enforce compliance with any provision thereof, perform any other act or do any other thing in contravention of any applicable state law, provided, that if any of the provisions of the Agreement violate any applicable state law, the Agency will at once notify the Department in writing in order that appropriate changes and modifications may be
made by the Department and the Agency to the end that the Agency may proceed as soon as possible with the Project.

D.4 Submission of the Proceedings, Agreements, and Other Documents:

a) The Agency shall submit to the Department such data, reports, records, agreements, and other documents relating to the Project as the Department and the Federal Highway Administration may require.

D.5 Appropriations of Funds:

a) This Agreement is subject to the appropriation and availability of State and/or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the Department reserves the right to terminate the Agreement upon thirty (30) days written notice to the Agency. Said termination shall not be deemed a breach of agreement by the Department. Upon receipt of the written notice, the Agency shall cease all work associated with the Agreement. Should such an event occur, the Agency shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Agency shall have no right to recover from the Department any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.

D.6 Rights and Remedies Not Waived:

a) In no event shall the making by the Department of any payment to the Agency constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the Agency and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.

b) Nothing in this agreement shall be construed to limit the Department’s right at any time to enter upon its highway right-of-way, including the area occupied by the Project, for the purpose of maintaining or reconstructing its highway facilities.

D.7 Department and Agency Not Obligated to Third Parties:

a) The Department and Agency shall not be obligated hereunder to any party other than the parties to this Agreement.

D.8 Independent Contractor:

a) The parties hereto, in the performance of this Agreement, shall not act as agents, employees, partners, joint ventures, or associates of one another. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Agreement shall be construed to create a
principal/agent relationship or to allow either to exercise control or direction over
the manner or method by which the other transacts its business affairs or provides
its usual services. The employees or agents of one party shall not be deemed or
construed to be the employees or agents of the other party for any purpose
whatsoever.

b) The Agency, being a political subdivision of the State, is governed by the provisions
of the Tennessee Government Tort Liability Act, Tennessee Code Annotated,
Sections 29-20-101, et seq, and all other applicable laws.

D.9 Maintenance:

a) Nothing contained herein shall be construed as changing the maintenance responsibility
of either party for any part of the referenced project that lies on its system of
highways. If the project funded hereunder results in the installation of any traffic
signal, lighting or other electrically operated device(s), then the Agency shall be
solely responsible for and pay all costs associated with maintenance and operation
of all electrically operated devices together with the related equipment, wiring and
other necessary appurtenances, and the Agency shall furnish electrical current to all
such devices which may be installed as part of the project. Additionally, the Agency
shall be solely responsible for and pay all costs associated with the maintenance and
operation of solar-powered devices, including, but not limited to, replacement of
solar panels, batteries, lights and lenses.

b) In the event that the Department is made responsible for the Construction phase in
section B.1.(a) of this Agreement and to the extent that the Department is
responsible for accomplishing the construction of the project, the Department will
notify the Agency when Construction phase of the project has been completed;
provided however, that failure to notify the Agency shall not relieve the Agency of
its maintenance responsibilities.

D.10 Disadvantaged Business Enterprise (DBE) Policy and Obligation:

In the event that the herein-described project is funded with federal funds, the following
shall apply:

a) DBE Policy:
It is the policy of the Department that Disadvantaged Business Enterprises, as
defined in 49 C.F.R., Part 26, as amended, shall have the opportunity to participate
in the performance of agreements financed in whole or in part with Department
funds under this Agreement. The DBE requirements of applicable federal and state
regulations apply to this Agreement; including but not limited to project goals and
good faith effort requirements.

b) DBE Obligation:
The Agency and its Contractors agree to ensure that Disadvantaged Business
Enterprises, as defined in applicable federal and state regulations, have the opportunity to participate in the performance of agreements and this Agreement. In this regard, all recipients and Contractors shall take all necessary and reasonable steps in accordance with applicable federal and state regulations, to ensure that the Disadvantaged Business Enterprises have the opportunity to compete for and perform agreements. The Agency shall not discriminate on the basis of race, color, national origin or sex in the award and performance of Department-assisted agreements.

D.11 Tennessee Department of Transportation Debarment and Suspension:

a) In accordance with the Tennessee Department of Transportation regulations governing Contractor Debarment and Suspension, Chapter 1680-5-1, the Agency shall not permit any suspended, debarred or excluded business organizations or individual persons appearing on the Tennessee Department of Transportation Excluded Parties List to participate or act as a principal of any participant in any covered transaction related to this Project. Covered transactions include submitting a bid or proposal, entering into an agreement, or participating at any level as a subContractor.

D.12 Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion (applies to federal aid projects):

a) Instructions for Certification - Primary Covered Transactions:

By signing and submitting this Agreement, the Agency is providing the certification set out below.

1) The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The Agency shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the Department's determination whether to enter into this transaction. However, failure of the Agency to furnish a certification or an explanation shall disqualify such a person from participation in this transaction.

2) The certification in this clause is a material representation of fact upon which reliance was placed when the Department determined to enter into this transaction. If it is later determined that the Agency knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department may terminate this transaction for cause or default.

3) The Agency shall provide immediate written notice to the Department if at any time the Agency learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5) The Agency agrees by entering into this Agreement that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department.

6) The Agency further agrees by entering into this Agreement that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the Department, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7) An Agency may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-procurement portion of the "Lists of Parties Excluded From Federal Procurement or Non-procurement Programs" (Non-procurement List) which is compiled by the General Services Administration.

8) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9) Except for transactions authorized under these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the Department may terminate this transaction for cause or default.

b) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Primary Covered Transactions:

The prospective participant in a covered transaction certifies to the best of its knowledge and belief, that it and its principals:
1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal, State or local department or agency;

2) Have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or agreement under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in this certification; and

4) Have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

5) Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

**D.13 Equal Employment Opportunity:**

**a)** In connection with the performance of any Project, the Agency shall not discriminate against any employee or applicant for employment because of race, age, religion, color, sex, national origin, disability or marital status. The Agency will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, age, religion, color, gender, national origin, disability or marital status. Such action shall include, but not be limited to, the following: employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

**b)** The Agency shall insert the foregoing provision in all agreements modified only to show the particular contractual relationship in all its agreements in connection with the development of operation of the Project, except agreements for the standard commercial supplies or raw materials, and shall require all such Contractors to insert a similar provision in all subcontracts, except subcontracts for standard commercial supplies or raw materials. When the Project involves installation, construction, demolition, removal, site improvement, or similar work, the Agency shall post, in conspicuous places available to employees and applicants for employment for
Project work, notices to be provided by the Department setting forth the provisions of the nondiscrimination clause.

**D.14 Title VI – Civil Rights Act of 1964:**

a) The Agency shall comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), 49 C.F.R., Part 21, and related statutes and regulations. The Agency shall include provisions in all agreements with third parties that ensure compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R., Part 21, and related statutes and regulations.

**D.15 Americans with Disabilities Act of 1990 (ADA):**

a) The Agency will comply with all the requirements as imposed by the ADA and the regulations of the federal government issued thereunder.

**D.16 Conflicts of Interest:**

a) The Agency warrants that no amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Agency in connection with any work contemplated or performed relative to this Agreement.

b) The Agency shall insert in all agreements entered into in connection with the Project or any property included or planned to be included in any Project, and shall require its Contractors to insert in each of its subcontracts, the following provision:

1) "No amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Agency in connection with any work contemplated or performed relative to this Agreement."

**D.17 Interest of Members of or Delegates to, Congress (applies to federal aid projects):**

a) No member of or delegate to the Congress of the United States shall be admitted to any share or part of the Agreement or any benefit arising therefrom.

**D.18 Restrictions on Lobbying (applies to federal aid projects):**

The Agency certifies, to the best of its knowledge and belief, that:

a) No federally appropriated funds have been paid or will be paid, by or on behalf of the Agency, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of
any federal agreement, the making of any federal grant, the making of any federal loan, and entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal agreement, grant, loan, or cooperative agreement.

b) If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this grant, loan, or cooperative agreement, the Agency shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

c) The Agency shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, subcontracts, and agreements under grants, loans, and cooperative agreements) and that all sub-recipients of federally appropriated funds shall certify and disclose accordingly.

D.19 Records:

a) The Agency shall maintain documentation for all charges against the Department under this Agreement. All costs charged to the Project, including any approved services contributed by the Agency or others, shall be supported by properly executed payrolls, time records, invoices, agreements or vouchers evidencing in proper detail and in a form acceptable to the Department the nature and propriety of the charges. The books, records, and documents of the Agency, insofar as they relate to work performed or money received under this Agreement, shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for at least three (3) years after final payment is made.

b) Copies of these documents and records shall be furnished to the Department, the Comptroller of the Treasury, or their duly appointed representatives, upon request. Records of costs incurred includes the Agency's general accounting records and the Project records, together with supporting documents and records, of the Agency and all subContractors performing work on the Project and all other records of the Agency and subContractors considered necessary by the Department for a proper audit of costs. If any litigation, claim, or audit is started before the expiration of the three (3) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

c) The aforesaid requirements to make records available to the Department shall be a continuing obligation of the Agency and shall survive a termination of the Agreement.

D.20 Inspection:
a) The Agency shall permit, and shall require its Contractor, subContractor or materials vendor to permit, the Department's authorized representatives and authorized agents of the Federal Highway Administration to inspect all work, workmanship, materials, payrolls, records and to audit the books, records and accounts pertaining to the financing and development of the Project.

b) The Department reserves the right to terminate this Agreement for refusal by the Agency or any Contractor, subContractor or materials vendor to allow public access to all documents, papers, letters or other material made or received in conjunction with this Agreement.

D.21 Annual Report and Audit:

a) In the event that an Agency expends $500,000 or more in federal awards in its fiscal year, the Agency must have a single or program specific audit conducted in accordance with the United States Office of Management and Budget (OMB) Circular A-133.

b) All books of account and financial records shall be subject to annual audit by the Tennessee Comptroller of the Treasury or the Comptroller’s duly appointed representative. When an audit is required, the Agency may, with the prior approval of the Comptroller, engage a licensed independent public accountant to perform the audit. The audit agreement between the Agency and the licensed independent public accountant shall be on an agreement form prescribed by the Tennessee Comptroller of the Treasury. Any such audit shall be performed in accordance with generally accepted government auditing standards, the provisions of OMB Circular A-133, if applicable, and the Audit Manual for Governmental Units and Recipients of Grant Funds published by the Tennessee Comptroller of the Treasury.

c) The Agency shall be responsible for reimbursement of the cost of the audit prepared by the Tennessee Comptroller of the Treasury, and payment of fees for the audit prepared by the licensed independent public accountant. Payment of the audit fees of the licensed independent public accountant by the Agency shall be subject to the provisions relating to such fees contained in the prescribed agreement form noted above. Copies of such audits shall be provided to the designated cognizant state agency, the Department, the Tennessee Comptroller of the Treasury, and the Department of Finance and Administration and shall be made available to the public.

D.22 Termination for Convenience:

a) The Department may terminate this agreement without cause for any reason. Said termination shall not be deemed a breach of agreement by the Department. The Department shall give the Agency at least thirty (30) days written notice before the effective termination date. The Agency shall be entitled to compensation for authorized expenditures and satisfactory services completed as of the termination date, but in no event shall the Department be liable to the Agency for compensation.
for any service which has not been rendered. The final decision as to the amount for which the Department is liable shall be determined by the Department. Should the Department exercise this provision, the Agency shall not have any right to any actual general, special, incidental, consequential, or any other damages whatsoever of any description or amount.

D.23 Termination for Cause:

a) If the Agency fails to properly perform its obligations under this Agreement in a timely or proper manner, or if the Agency violates any terms of this Agreement, the Department shall have the right to immediately terminate the Agreement and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the Agency shall not be relieved of liability to the Department for damages sustained by virtue of any breach of this Agreement by the Agency.

b) In the event that the Project herein described includes Federal funds, the Agency understands that if the Federal Highway Administration (FHWA) determines that some or all of the cost of this project is ineligible for federal funds participation because of failure by the Agency to adhere to federal laws and regulations, the Agency shall be obligated to repay to the Department any federal funds received by the Agency under this agreement for any costs determined by the FHWA to be ineligible.

c) If the Project herein described lies on the state highway system and the Agency fails to perform any obligation under this section of this agreement, the Department shall have the right to cause the Agency, by giving written notice to the Agency, to close the Project to public use and to remove the Project at its own expense and restore the premises to the satisfaction of the Department within ninety (90) days thereafter.

D.24 How Agreement is Affected by Provisions Being Held Invalid:

a) If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected. In such an instance the remainder would then continue to conform to the terms and requirements of applicable law.

D.25 Agreement Format:

a) All words used herein in the singular form shall extend to and include the plural. All words used in the plural form shall extend to and include the singular. All words used in any gender shall extend to and include all genders.
D.26 Certification Regarding Third Party Contracts:

a) The Agency certifies by its signature hereunder that it has no understanding or contract with a third party that will conflict with or negate this Agreement in any manner whatsoever.

b) The Agency further certifies by its signature hereunder that it has disclosed and provided to the Department a copy of any and all contracts with any third party that relate to the Project or any work funded under this Agreement.

c) The Agency further certifies by its signature hereunder that it will not enter into any contract with a third party that relates to this project or to any work funded under this Agreement without prior disclosure of such proposed contract to the Department.

d) The Agency hereby agrees that failure to comply with these provisions shall be a material breach of this Agreement and may subject the Agency to the repayment of funds received from or through the Department under this Agreement and to the payment of all damages suffered by the Department as a result of said breach.

D.27 Amendment:

a) This Agreement may be modified only by a written amendment, which has been executed and approved by the appropriate parties as indicated on the signature page of this Agreement.

D.28 State Liability:

a) The Department shall have no liability except as specifically provided in this Agreement.

D.29 Force Majeure:

a) The obligations of the parties to this Agreement are subject to prevention by causes beyond the parties’ control that could not be avoided by the exercise of due care including, but not limited to, acts of God, riots, wars, strikes, epidemics or any other similar cause.

D.30 Required Approvals:

a) The Department is not bound by this Agreement until it is approved by the appropriate State officials in accordance with applicable Tennessee State laws and regulations.

D.31 Estimated Cost:
a) The parties recognize that the estimated costs contained herein are provided for planning purposes only. They have not been derived from any data such as actual bids, etc.

b) In the event that the Department is made responsible in section B.1.(a) of this Agreement for the management of the herein described Project, the parties understand that more definite cost estimates will be produced during project development. These more reliable estimates will be provided to the Agency by the Department as they become available.

D.32 Third Party Liability:

a) The Agency shall assume all liability for third-party claims and damages arising from the construction, maintenance, existence and use of the Project to the extent provided by Tennessee Law and subject to the provisions, terms and liability limits of the Governmental Tort Liability Act, T.C.A. Section 29-20-101, et seq, and all applicable laws.

D.33 Deposits:

a) Required deposits and any other costs for which the Agency is liable shall be made available to the Department, whenever requested.

D.34 Department Activities:

a) Where the Agency is managing any phase of the project the Department shall provide various activities necessary for project development. The estimated cost for these activities are included in the funds shown herein.

D.35 Congestion Mitigation and Air Quality Requirement:

a) If the herein described project is funded with Congestion Mitigation Air Quality (CMAQ) funds, this section D.35 shall apply.

1) Whereas the Agency understands and agrees that the funding provided hereunder must be obligated with the Federal Highway Administration within three years from the date of this agreement. It is further agreed that once all requirements have been met for development of the project, the Agency will expend the funds in a manner to insure its expenditure on a continuous basis until the funds are exhausted. Failure to follow this process may result in a loss of funds.

D.36 Investment of Public Funds:

a) The facility on which this project is being developed shall remain open to the public and vehicular traffic for a sufficient time to recoup the public investment therein as shown below:
<table>
<thead>
<tr>
<th>Amount</th>
<th>Open to Public and Vehicular Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>$1.00 - $200,000</td>
<td>5 Years</td>
</tr>
<tr>
<td>&gt;$200,000 - $500,000</td>
<td>10 Years</td>
</tr>
<tr>
<td>&gt;$500,000 - $1,000,000</td>
<td>20 Years</td>
</tr>
</tbody>
</table>

b) Projects over $1,000,000 carry a minimum 25 years open to public and vehicular traffic requirement and will be subject to individual review.

D.37 Federal Funding Accountability and Transparency Act:

a) If the Project is funded with federal funds the following shall apply: The Agency shall comply with the Federal Funding Accountability and Transparency Act of 2006 (Pub.L. 109-282), as amended by section 6202 of Public Law 110-252 ("the Transparency Act") and the regulations and requirements of the federal government issued thereunder, including, but not limited to, 2 CFR Part 170. The Agency shall submit the information needed for the Transparency Act in accordance with the forms and processes identified by the Department.
IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF LEBANON

Signature: Rick Bell
Email: rick.bell@lebanontn.org

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

Signature: 
Email: TDOT.COMMISSIONER'S.Office@tn.gov

APPROVED AS TO AND
AVAILABILITY OF FUNDS

Signature: Stuart Lawson
Email: lawsons@lebanontn.org

Commissioner of Finance

APPROVED AS TO FORM AND
LEGALITY

Signature: 
Email: TDOT.Legal.Attorneys@tn.gov

BY:

Signature: 
Email: Daniel.Pallme@tn.gov

Signature: 
Email: awright@lebanontn.org

Attorney

Revised 03/08/10

Version 8
EXHIBIT “A”

AGREEMENT #: 230206  
PROJECT IDENTIFICATION #: 134153.00  
FEDERAL PROJECT #: STP-M-4285(14)  
STATE PROJECT #: 95LPLM-F3-152

PROJECT DESCRIPTION: Hartmann Drive, From SR-24 (US-70, West Main Street) to Coles Ferry Pike - The project will include shoulder work, pavement repair, resurfacing and restriping along Hartmann Drive, from SR-24 (US-70, West Main Street) to Coles Ferry Pike. ADA upgrades will be included as needed for compliance.

CHANGE IN COST: Cost hereunder is controlled by the figures shown in the TIP and any amendments, adjustments or changes thereto.

TYPE OF WORK: Resurfacing

<table>
<thead>
<tr>
<th>PHASE</th>
<th>FUNDING SOURCE</th>
<th>FED %</th>
<th>STATE %</th>
<th>LOCAL %</th>
<th>ESTIMATED COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>PE-NEPA</td>
<td>L-STBG</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>PE-DESIGN</td>
<td>L-STBG</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>CONSTRUCTION</td>
<td>L-STBG</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$671,728.00</td>
</tr>
<tr>
<td>CEI</td>
<td>L-STBG</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$75,475.00</td>
</tr>
<tr>
<td>TDOT ES</td>
<td>L-STBG</td>
<td>80</td>
<td>0</td>
<td>20</td>
<td>$7,547.00</td>
</tr>
</tbody>
</table>

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

LEGISLATIVE AUTHORITY: STBG: 23 U.S.C.A., Section 133, Surface Transportation Block Grant Program funds allocated or subject to allocation to the Agency

TDOT ENGINEERING SERVICES (TDOT ES): In order to comply with all federal and state laws, rules, and regulations, the TDOT Engineering Services line item in Exhibit A is placed there to ensure that TDOT’s expenses associated with the project during construction are covered.

For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.
ORDINANCE NO. 23-6815

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE A BUDGET AMENDMENT FOR THE GAS DEPARTMENT FOR
TETCO IMPROVEMENTS PROJECT

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, funds were appropriated in the 2022 – 2023 fiscal year budget for the Gas Department Tetco improvements project and bids for the project were received in July 2023; and

WHEREAS, budget amendments are now necessary to appropriate funds in the 2023 – 2024 fiscal year budget for this project; and

WHEREAS, the required budget amendments are detailed on the form attached hereto by reference as if appearing 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 City of Lebanon budget as follows:

Department: Gas Department

From: 41590001-79010  Budget Retained Earnings  $550,000.00
To: 415-16520  Construction in Process (79300 Improvements)  $550,000.00

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

Attest:                              Approved:

Commissioner of Finance & Revenue  Mayor

Approved as to form:

City Attorney

Passed first reading: **August 1, 2023**  Passed second reading:
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT  Gas

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>41590001 79010</td>
<td>Budget Retained Earnings</td>
<td>$ 550,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $ 550,000.00

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>415 16520</td>
<td>Construction in Process</td>
<td>$ 550,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(79300 Improvements)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total $ 550,000.00

REQUESTED BY  Chad Mueller  DATE  7/19/2023

DEPARTMENT HEAD  Regina Santana  DATE  7/19/2023

COMM. OF FINANCE  Signature  DATE  7/19/2023

MAYOR

REASON FOR THIS TRANSFER:
Tetco improvements project was approved for the FY 22-23. Bids were just received in July 2023
need to carry-over project to FY 23-24.

REVISED 9-10-2019
## Capital Outlay Budget FY 2022-2023

### Priority 79100 Land and Land Rights

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Land and Land Rights</td>
<td>$10,000</td>
</tr>
</tbody>
</table>

### Priority 79300 Buildings

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Renovation</td>
<td>$25,000</td>
</tr>
<tr>
<td>Paving</td>
<td>$30,000</td>
</tr>
<tr>
<td><strong>Total Buildings</strong></td>
<td><strong>$75,000</strong></td>
</tr>
</tbody>
</table>

### Priority 79300 Improvements

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Continuing Maintenance Contract</td>
<td>$750,000</td>
</tr>
<tr>
<td>Tecto</td>
<td>$500,000</td>
</tr>
<tr>
<td><strong>Total Improvements</strong></td>
<td><strong>$1,200,000</strong></td>
</tr>
</tbody>
</table>

### Priority 79320 Sidewalk Construction

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total ADA Sidewalk Construction</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>

### Priority 79330 Engineering & Other Exp

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tecto - Design and Inspection</td>
<td>$75,000</td>
</tr>
<tr>
<td>System Model Study</td>
<td>$25,000</td>
</tr>
<tr>
<td><strong>Total Engineering &amp; Other Exp</strong></td>
<td><strong>$100,000</strong></td>
</tr>
</tbody>
</table>

Please note that Equipment is defined by having a unit cost in excess of $1,000 other than for Buildings and Improvements which must have a unit cost in excess of $5,000.

### Priority 79340 Transportation

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crew Truck</td>
<td>$240,000</td>
</tr>
<tr>
<td>Regulator Truck</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>Total Transportation</strong></td>
<td><strong>$290,000</strong></td>
</tr>
</tbody>
</table>

### Priority 79450 Communication

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Communication</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>

### Priority 79470 Office Equipment

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Office Equipment</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>

### Priority 79490 Machinery and Equipment

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Generator</td>
<td>$100,000</td>
</tr>
<tr>
<td>System Monitoring Equipment</td>
<td>$50,000</td>
</tr>
<tr>
<td>Box Trailer</td>
<td>$5,000</td>
</tr>
<tr>
<td><strong>Total Machinery and Equipment</strong></td>
<td><strong>$155,000</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inventory Materials</td>
<td>$150,000</td>
</tr>
<tr>
<td>Meters</td>
<td>$150,000</td>
</tr>
<tr>
<td>Payroll</td>
<td>$630,263</td>
</tr>
<tr>
<td><strong>Total Utility Purchases</strong></td>
<td><strong>$930,263</strong></td>
</tr>
<tr>
<td><strong>Total Capital Outlay</strong></td>
<td><strong>$2,850,263</strong></td>
</tr>
</tbody>
</table>

---

**FY 2022-2023 CAPITAL OUTLAY**

6/29/2022
ORDINANCE NO. 23-6816

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

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, it is now necessary to amend the Gas Department budget for inventory meters and to correct the portion of salaries/benefits that should be charged to capital projects; and

WHEREAS, the required budget amendments are detailed on the form attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

Department: Gas Department

<table>
<thead>
<tr>
<th>From:</th>
<th>To:</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>41590001-79010</td>
<td>415-14101</td>
<td>Inventory</td>
<td>$250,000.00</td>
</tr>
<tr>
<td>41552413-71110</td>
<td>41590001-79010</td>
<td>Budget Retained Earnings</td>
<td>$600,000.00</td>
</tr>
<tr>
<td>41552413-71410</td>
<td>415-16520</td>
<td>Construction in Process</td>
<td>$600,000.00</td>
</tr>
<tr>
<td>41552413-71120</td>
<td></td>
<td>Salaries</td>
<td>$384,800.00</td>
</tr>
<tr>
<td>41552413-71420</td>
<td></td>
<td>Emp Pd Benefits</td>
<td>$120,000.00</td>
</tr>
<tr>
<td>41552413-71430</td>
<td></td>
<td>Retirement</td>
<td>$57,700.00</td>
</tr>
<tr>
<td>41590001-79010</td>
<td></td>
<td>Overtime</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>41590001-79010</td>
<td></td>
<td>SS &amp; Med Tax</td>
<td>$29,500.00</td>
</tr>
</tbody>
</table>

Section 2. This ordinance shall take effect immediately upon its passage, the public welfare requiring the same.
Ord. No. 23-6816
Page 2

Attest: ____________________________

Approved: ________________________

Commissioner of Finance & Revenue

Mayor

Approved as to form:

_______________________________

City Attorney

Passed first reading: August 1, 2023

Passed second reading: ___________________
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT  GAS

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>41590001-79010</td>
<td>BUDGET RETAINED EARNINGS</td>
<td>$ 250,000.00</td>
<td></td>
</tr>
<tr>
<td>41552413-71110</td>
<td>SALARIES</td>
<td>$ 384,800.00</td>
<td></td>
</tr>
<tr>
<td>41552413-71410</td>
<td>SS &amp; MED TAX</td>
<td>$ 29,500.00</td>
<td></td>
</tr>
<tr>
<td>41552413-71120</td>
<td>OVERTIME</td>
<td>$ 8,000.00</td>
<td></td>
</tr>
<tr>
<td>41552413-71420</td>
<td>EMP PD BENEFITS</td>
<td>$ 120,000.00</td>
<td></td>
</tr>
<tr>
<td>41552413-71430</td>
<td>RETIREMENT</td>
<td>$ 57,700.00</td>
<td></td>
</tr>
<tr>
<td>41590001-79010</td>
<td>BUDGET RETAINED EARNINGS</td>
<td>$ 600,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $ 1,450,000.00

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>415-14101</td>
<td>INVENTORY</td>
<td></td>
<td>$ 250,000.00</td>
</tr>
<tr>
<td>41590001-79010</td>
<td>BUDGET RETAINED EARNINGS</td>
<td></td>
<td>$ 600,000.00</td>
</tr>
<tr>
<td>415-16520</td>
<td>CONSTRUCTION IN PROCESS</td>
<td></td>
<td>$ 600,000.00</td>
</tr>
</tbody>
</table>

Total $ 1,450,000.00

REQUESTED BY        Chad Mueller      DATE        7-21-23
DEPARTMENT HEAD      Regina Santana   DATE        7-21-23
COMM. OF FINANCE     Stuart Devoz     DATE        7-21-23
MAYOR                DATE

REASON FOR THIS TRANSFER:
COVER EXPENSES FOR INVENTORY AND METERS
CORRECT PORTION OF SALARIES/BENEFITS THAT SHOULD BE CHARGED OUT TO CAPITAL PROJECT BUT WAS NOT DONE.

REVISED 9-10-2019
Capital Outlay Budget FY 2023-2024

**Department: 41552413 - GAS**

<table>
<thead>
<tr>
<th>Priority</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>79100 Land and Land Rights</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Land and Land Rights</strong></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>79200 Buildings</strong></td>
<td>Building Renovation</td>
<td>50,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Buildings</strong></td>
<td></td>
<td>50,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>79300 Improvements</strong></td>
<td>Annual Construction Contract</td>
<td>1,500,000</td>
</tr>
<tr>
<td></td>
<td>1 TETCO Line Heater</td>
<td>220,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Improvements</strong></td>
<td></td>
<td>1,720,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>79320 Sidewalk Construction</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total ADA Sidewalk Construction</strong></td>
<td></td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>79330 Engineering &amp; Other Exp</strong></td>
<td>TETCO - Design &amp; Inspection</td>
<td>50,000</td>
</tr>
<tr>
<td></td>
<td>3 System Model Study</td>
<td>25,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Engineering &amp; Other Exp</strong></td>
<td></td>
<td>75,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please note that Equipment is defined by having a unit cost in excess of $1,000 other than for Buildings and Improvements which must have a unit cost in excess of $8,000.

**Notes:** Items Highlighted in Yellow are Carry Over Items
Building Renovation Increase by $25,000 with $25,000 Carry over.

**FY 2023-2024 CAPITAL OUTLAY**

- Inventory Materials/Meters: $250,000
- Payroll: $600,000
- Total Utility Purchases: $850,000
- Total Capital Outlay: $3,072,000
ORDINANCE 23-6796

AN ORDINANCE TO AMEND THE FUTURE LAND USE PLAN OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 1642 & UNADDRESSED PROPERTIES ON OLD MURFREESBORO ROAD (TAX MAP 81 PARCELS 107, 108 & 109) FROM RXH – MIXED HOUSING TO CI – INTERCHANGE COMMERCIAL IN WARD 3

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 Mixed Housing in the Future Land Use Plan; and

WHEREAS, the owner/developer of this property is requesting to be zoned to National Indoor RV 2 Specific Plan which is a commercial land use classification; 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 6-0 at their June 27, 2023 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 12.52 acres at 1642 & unaddressed properties on Old Murfreesboro Road are changed from RXH-Mixed Housing to CI-Interchange Commercial 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.
BILL TO
City of Lebanon (1)
Planning Office/TONYA JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Advertising</td>
<td>1</td>
<td>84.00</td>
<td>84.00</td>
</tr>
</tbody>
</table>

Wilson Post Legal Advertising 23-6796 Future Land
Use wp 7-12

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156, Gallatin, TN 37066, Thank You!

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLIC NOTICE

In reference to Ordinance No. 23-6796, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed future land use plan amendment approval for about 12.52 acres at 1642 & undressed properties on Old Murfreesboro Road (Tax Map 81 Parcels 107, 108 & 109) from RXH to CI in Ward 3. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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,

Shelley K. Satterfield

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

07-12-2023

______________________________

Dave Gould, President

Subscribed and sworn to before

07-12-2023

______________________________

Shelley K. Satterfield

Notary Public, Shelley K. Satterfield

My commission expires

JANUARY 12 2025
ZONING ORDINANCE 23-6797

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 1642 & UNADDRESSED PROPERTIES ON OLD MURFREESBORO ROAD FROM CG – COMMERCIAL GENERAL TO NIRV 2 SP – NATIONAL INDOOR RV 2 SPECIFIC PLAN IN WARD 3

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

WHEREAS, the Future Land Use Plan designates the subject property as Mixed Housing; and

WHEREAS, the property owner is requesting a Future Land Use Plan amendment to change this property from Mixed Housing to Interchange Commercial; and

WHEREAS, the property owner is requesting National Indoor RV 2 SP zoning which fits the proposed commercial future land 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 from CG-Commercial General to NIRV 2 SP- National Indoor RV 2 SP, to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 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 NIRV 2 SP- National Indoor RV 2 SP.

Approximately 12.52 acres more or less, located at 1642 & unaddressed properties on Old Murfreesboro Road as shown on the attached map.


Section 2. The regulations for the National Indoor RV 2 Specific Plan are found in Exhibit A and Exhibit B.
**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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest: 

Approved:

__________________________
Commissioner of Finance & Revenue

Approved as to Form:

__________________________
Mayor

Passed first reading: August 1, 2023.

__________________________
Passed second reading:  

City Attorney
DRAFT ORDINANCE

National Indoor RV Centers – Phase 2 SP

A. Use and Structure Provisions.
The uses and structures indicated herein may be permitted within the NIRV2SP district only in the manner and subject to any specific design criteria that may apply. Any standard not in this document will follow the CG zoning district standards.

B. Uses Permitted
Administrative Services
Automotive Parking
Automotive Repair and Cleaning
Automotive Servicing
Consumer Repair and Cleaning Services
Convenience Commercial
Entertainment & Amusement Services
Financial, Consultative & Administrative
General Business & Communication Services
General Personal Services
General Retail Trade
Vehicular, Craft & Related Equipment Sales
Wholesale Sales
Storage of Personal Vehicles (including Recreational Vehicles) as an accessory use

C. Prohibited Uses
Any use not specifically allowed

D. Bulk, Yard, and Density Regulations
The regulations appearing below apply to zone lots and buildings or other structures located on any zone lot or portion of a zone lot including all new developments, enlargements, extensions, or conversions within the SP-C-NIRV district. Existing buildings or other structures that do not comply with one or more of the applicable bulk regulations are classified as nonconforming and are subject to the provisions of Chapter 11.

1. Minimum Lot Area and Width
   Area: 10,000 sq. ft.
   Width: 100 ft.

2. Maximum Lot Coverage
   The maximum lot coverage by all buildings shall not exceed 60%

3. Maximum Permitted Height
   Maximum Building Height – 75 ft

4. Setbacks:
   Front – 40 ft.
   Rear – 25 ft.
   Side – 0 ft.; 20’ IF ADJOINING RESIDENTIAL

Page 3 of 8
E. Architecture
1. Building shall be oriented so that a primary entrance(s) faces the adjacent NIRV Phase 1 development.

2. Building entrances (excluding service access or emergency egress) shall be defined by a roof covering or canopy or by being recessed.

3. Building shall be generally built parallel to Weatherly Road further identified as "street frontage". If the street frontage is not straight, facades shall be generally building tangent to the street frontage.

4. Buildings and related elements shall be arranged in a manner to indicate the pattern of base, body or shaft, and cap, or similar design features to NIRV Phase 1.

F. Landscape
1. Proposed development shall be in accordance with the standards in 14.805.D.3 in the Lebanon Zoning Ordinance only in passenger vehicle areas. Motorhome 15′x50′ parking spaces excluded.

2. Foundation planting is not required.

3. Perimeter planting strip requirements:
   a) West property line: No required landscaping standards.
   b) North property line: Development shall provide a minimum of 1 tree per 40′ of frontage in addition to evergreen shrubs. Trees can be clustered. Minimum shrub requirement shall be 1 shrub per 40′ of frontage.
   c) East property line: Development shall provide a minimum of 1 tree per 40′ of frontage. Trees can be clustered.
   d) South property line: Development shall provide a 6′ tall opaque fence with 6′ landscape area comprised of evergreen shrubs. 1 shrub per 40′ of property line minimum. Shrubs can be clustered.

G. Garages
1. Garage doors may face public or private street.

2. Garage doors shall be limited to a maximum width of 24′

3. A 6′ tall opaque fence shall be provided to screen garage doors facing north. Screening shall follow the following standards:
   a) Installation of a minimum six (6) feet wall or fence, composed of masonry, masonry pilasters, wood fencing, or a combination thereof. If the wall includes a gate, it shall be constructed with an opaque, non-masonry material. The construction materials of the wall shall match material used on the principal building located on the same lot;
   b) A landscaped area that is a minimum of six (6) feet deep, adjacent to the constructed screen with one small evergreen tree or one large evergreen shrub per twelve (12) linear feet of wall constructed, provided that said trees shall be planted no closer than six (6) feet and no farther than eight (8) feet apart.
H. Facades
1. Building material standards apply to the entire area of primary facades and secondary facades.

2. Building facades shall be built of no more than two primary materials, excluding accent materials, and shall only change material along a horizontal line (with the lighter material above the heavier material), outside corners (where material wraps the corner a minimum of 2 feet), or inside corners.

3. Materials, other than masonry, shall be painted, stained, or have a factory-applied finish.

4. Allowed materials shall include fiber cementitious siding/panels, brick, stone, tilt-up concrete (textured paint), architectural metal panels, CMU block and concrete for foundations, and architectural shingles for architectural metal for decorative siding or sloped roofing.

5. Prohibited materials:
   a) Vinyl siding and EIFS (Exterior insulated finish system) is prohibited on all facades.
   b) Uncoated chain link fencing is prohibited.

6. Only the office area building facades, shall have a minimum transparency of 20% consisting of doors, windows, or a combination thereof.

I. Transparency
1. Office areas shall have a minimum transparency of 20% consisting of doors, windows, or a combination thereof.

2. Non-office areas are excluded from providing transparency.

J. Roofs
1. Flat roofs shall have parapet walls on facades that face or are visible from a public street, private street, or open space. The primary material used on parapets shall match the material of its associated façade.

K. Attachments
1. Primary pedestrian entrances at office locations to be provided with a canopy a minimum clear height above walking surface of 7'-0" and a minimum projection depth of 3'-0".

2. Awnings/canopies shall not be internally illuminated.

L. Access
1. Site will be accessed via NIRV Phase 1 property located to the west.

2. A gated, paved, 20'-wide emergency access connection shall be provided to W. Old Murfreesboro road, aligned with existing driveway serving Lebanon Premium Outlets.

3. Road improvements will be required on Old Murfreesboro Road to include 3 lanes and sidewalk along property frontage. The improvements can be constructed by the developer or contribution made for improvements for future City road widening project.
M. Exterior Storage
1. Within the Commercial Districts, exterior storage of goods, materials, or property is permitted only in the rear of the principal building provided that Vehicular, Craft, and Related Equipment Sales may be permitted to display such in the front or side subject to required yard provisions. Waste disposal receptacles shall be located in the rear of the principal buildings and shall be located inside an enclosure that is constructed of similar materials as the principal building. Such enclosure shall be appropriately screened from public view.

2. All exterior storage areas shall be surfaced to provide a durable, dust-free surface. All areas shall be graded and drained so as to dispose of all surface water accumulated within the area. Except for Vehicular, Craft, and Related Equipment Sales Activities, all exterior storage areas shall be screened from public view by a suitable fence, wall, or plant material screen. Fences and walls shall not exceed fifteen (15) feet in height, and metal materials shall be prohibited. All stored materials shall be kept at least one (1) foot below the top of such wall, fence, or screen.

N. Signage
1. Wall signs shall not extend above roof eaves on a sloped roof or above the parapet on flat roofs.

2. Each wall sign shall have a maximum depth of 1 foot and a maximum area of 180 sq. Ft. the number of wall signs on building not to exceed 5.

3. One pole sign allowed on site up to 30' high. Sign to have a maximum area of 288 sq. ft on each side.

4. Other signage not listed here shall follow the current signage code in place at time of signage installation.

O. Parking
1. Site shall provide a minimum of 57 parking stalls.
ORDINANCE 23-6801

AN ORDINANCE TO AMEND THE FUTURE LAND USE PLAN OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 4400 LEBANON ROAD (TAX MAP 47 PARCEL 31) FROM FLH8 – RESIDENTIAL 8 UNITS PER ACRE TO RPO – RURAL PRESERVATION/OPEN SPACE

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 Residential 8 Units Per Acre in the Future Land Use Plan; and

WHEREAS, the owner/developer of this property is requesting to be zoned to Rural Residential which is a residential land use classification; 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 6-0 at their June 27, 2023 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 9.9 acres at 4400 Lebanon Road is changed from FLH8-Residential 8 Units Per Acre to RPO-Rural Preservation/Open Space 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest: 

Commissioner of Finance & Revenue

Approved as to Form: 

Mayor

Passed first reading: August 1, 2023.

Passed second reading: ________.
**BILL TO**  
City of Lebanon (1)  
Planning Office/TONYA JONES  
200 Castle Hts Ave. N.  
Lebanon, TN 37087

**SALES REP**  
LP

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Advertising</td>
<td>1</td>
<td>84.00</td>
<td>84.00</td>
</tr>
<tr>
<td>Wilson Post Legal Advertising 23-6801 FLH8 to RPO W6wp 7-12</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**INVOICE #** 168793  
**DATE** 07/12/2023  
**DUE DATE** 08/01/2023  
**TERMS** Due on receipt

**MainStreet Media of TN** is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156, Gallatin, TN 37066, Thank You!

**BALANCE DUE** $84.00

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLIC NOTICE
In reference to Ordinance No. 23-6801, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed for future land use plan amendment approval for about 9.9 acres at 4400 Lebanon Road (Tax Map 47 Parcel 31) from FLH8 to RPO in Ward 6. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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,

Shelley K. Satterfield

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

07-12-2023

Dave Gould, President

Subscribed and sworn to before

07-12-2023

Shelley K. Satterfield

Notary Public, Shelley K. Satterfield

My commission expires

JANUARY 12 2025
ZONING ORDINANCE 23-6802

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 4400 LEBANON ROAD FROM RS20 – LOW DENSITY SINGLE FAMILY DISTRICT TO RR – RURAL RESIDENTIAL AGRICULTURAL IN WARD 6

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

WHEREAS, the requested Future Land Use Plan amendment for the subject property is Rural Preservation/Open Space; and

WHEREAS, the property owner is asking for RR zoning which fits the proposed residential future land 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 from RS20-Low Density Single Family District to RR-Rural Residential Agricultural, to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 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 District to RR-Rural Residential Agricultural.

Approximately 9.9 acres more or less, located at 4400 Lebanon Road as shown on the attached map.

For reference, see Deed Book 2226 Page 1852 in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 47 Parcel 31, 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on **August 1, 2023**.

Attest: ____________________________

Commissioner of Finance & Revenue

Approved as to Form: ____________________________

Approved:

Mayor

Passed first reading: **August 1, 2023**.

Passed second reading: ____________________________

City Attorney

---

**PROPOSED ZONING**

Baird Hill

Future Land Use Plan Amendment FLHS to RPO, & Rezone RS20 to RR.

4400 Lebanon Road

0 400 800 1,600 Feet

Page 2 of 2
BILL TO
City of Lebanon (1)
Planning Office/TONYA JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

ACTIVITY QTY RATE AMOUNT
Legal Advertising
Wilson Post Legal Advertising 23-6802 Lebanon Rd
RS20 wp 7-12 1 84.00 84.00

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156, Gallatin, TN 37066, Thank You!

BALANCE DUE $84.00

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLIC NOTICE

In reference to Ordinance No. 23-6802, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed for rezoning approval from for about 9.9 acres at 4408 Lebanon Road (Tax Map 47 Parcel 31) RS20 to RR in Ward 6. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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 requiring 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 444-2809.

STATE OF TENNESSEE
County of Wilson

Personally appeared before me,

Shelley K. Satterfield

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

07-12-2023

_________________________________________
Dave Gould, President
Subscribed and sworn to before
07-12-2023

_________________________________________
Shelley K. Satterfield
Notary Public, Shelley K. Satterfield
My commission expires
JANUARY 12 2025
ORDINANCE 23-6803

AN ORDINANCE TO AMEND THE FUTURE LAND USE PLAN OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 1415 & 1417 ALHAMBRA DRIVE (TAX MAP 58 PARCEL 15.14) FROM FLH2 – RESIDENTIAL 2 UNITS PER ACRE TO RXH – MIXED HOUSING IN WARD 1

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 Residential 2 Units Per Acre in the Future Land Use Plan; and

WHEREAS, the property owner is requesting to amend the Future Land Use Plan to Mixed Housing; and

WHEREAS, the property owner is asking for RD9 zoning which fits the Mixed Housing future land 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 amendment to the Future Land Use Plan to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 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 0.78 acres at 1415 & 1417 Alhambra Drive is changed from FLH2-Residential 2 Units Per Acre to RXH-Mixed Housing 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest:                        Approved:

Commissioner of Finance & Revenue          Mayor

Approved as to Form:               Passed first reading: August 1, 2023.

                                      Passed second reading:_________.

City Attorney
BILL TO  
City of Lebanon (1)  
Planning Office/TONYA JONES  
200 Castle Hts Ave. N.  
Lebanon, TN 37087  

SALES REP  
LP  

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Advertising</td>
<td>1</td>
<td>84.00</td>
<td>84.00</td>
</tr>
</tbody>
</table>

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156, Gallatin, TN 37066, Thank You!

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLISHED NOTICE

In reference to Ordinance No. 23-6803, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed for future land use plan amendment approval for about 0.78 acres at 1415 & 1417 Alhambra Drive (Tax Map 58 Parcels 15.14) from FLH2 to RXH in Ward 1. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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 or 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,

Shelley K. Satterfield

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

07-12-2023

_________________________________________
Shelley K. Satterfield

Notary Public, Shelley K. Satterfield.

My commission expires
JANUARY 12 2025

_________________________________________
Dave Gould, President

Subscribed and sworn to before
07-12-2023

_________________________________________
Shelley K. Satterfield

Notary Public, Shelley K. Satterfield.
ZONING ORDINANCE 23-6804

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING 1415 & 1417 ALHAMBRA DRIVE FROM RS20 – LOW DENSITY SINGLE FAMILY DISTRICT TO RD9 – MEDIUM DENSITY RESIDENTIAL IN WARD 1

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

WHEREAS, the requested Future Land Use Plan for the subject property is Mixed Housing; and

WHEREAS, the property owner is asking for RD9 zoning which fits the Mixed Housing future land 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 from RS20-Low Density Single Family District to RD9-Medium Density Residential to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 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 District to RD9-Medium Density Residential.

Approximately 0.78 acres more or less, located at 1415 & 1417 Alhambra Drive as shown on the attached map.

For reference, see Deed Book 2004 Page 938 and in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 58 Group A Parcel 15.14 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest: 

Commissioner of Finance & Revenue

Approved as to Form:

Mayor

Passed first reading: August 1, 2023.

Passed second reading: ____________.

City Attorney
INVOICE

BILL TO
City of Lebanon (1)
Planning Office/TONYA JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Advertising</td>
<td>1</td>
<td>84.00</td>
<td>84.00</td>
</tr>
<tr>
<td>Wilson Post Legal Advertising 23-6804</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rezoning .78 acres wp 7-12</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156, Gallatin, TN 37066, Thank You!

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLIC NOTICE
In reference to Ordinance No. 23-6804, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed for rezoning approval from for about 0.78 acres at 1413 & 1417 Alhambra Drive (Tax Map 58 Parcels 5.14) RS20 to RD9 in Ward 1. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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 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 444-2809.

STATE OF TENNESSEE
County of Wilson

Personally appeared before me,

Shelley K. Satterfield

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

07-12-2023

Dave Gould, President

Subscribed and sworn to before

07-12-2023

Shelley K. Satterfield

Notary Public, Shelley K. Satterfield

My commission expires

JANUARY 12 2025
ZONING ORDINANCE 23-6805

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING UNADDRESSED PROPERTIES ON EAST HIGH STREET FROM RD9 – MEDIUM DENSITY RESIDENTIAL TO CS – COMMERCIAL SERVICE IN WARD 2

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

WHEREAS, the existing Future Land Use Plan designation for the subject property is Suburban Commercial; and

WHEREAS, the property owner is asking for CS zoning which fits the existing commercial future land 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 from RD9-Medium Density Residential to CS-Commercial Service, to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 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 RD9-Medium Density Residential to CS-Commercial Service.

Approximately 0.75 acres more or less, located at unaddressed properties on East High Street as shown on the attached map.

For reference, see Deed Book 2244 Page 1739 in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 67A Group A Parcels 35, 36, and 36.01 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest:                        Approved:

Commissioner of Finance & Revenue

Approved as to Form:          Mayor

Passed first reading: August 1, 2023.

City Attorney

Passed second reading:___

PROPOSED ZONING
Agee and Johnson
Rezone RD9 to CS
Unaddressed E High Street

Page 2 of 2
INVOICE

BILL TO
City of Lebanon (1)
Planning Office/TONYA JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

INVOICE # 168797
DATE 07/12/2023
DUE DATE 08/01/2023
TERMS Due on receipt

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

ACTIVITY QTY RATE AMOUNT
Legal Advertising 1 84.00 84.00
Wilson Post Legal Advertising 23-6805
Rezoning .75 acres wp 7-12

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

BALANCE DUE $84.00

Please note new remit address is PO Box 8156,
Gallatin, TN 37066, Thank You!

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLIC NOTICE

In reference to Ordinance No. 23-6805, notice is hereby given that the Mayor and City Council of the City of Lebanon, Tennessee, will hold a public hearing at 5:35 PM on August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed rezoning approval for about 0.75 acres at unaddressed properties on E High Street (Tax Map 67A Group A Parcels 35, 36, 36.01) from RD9 to CS in Ward 2. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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 Conder 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,

Shelley K. Satterfield

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

07-12-2023

________________________
Dave Gould
President

Subscribed and sworn to before

07-12-2023

________________________
Shelley K. Satterfield
Notary Public, Shelley K. Satterfield

My commission expires

JANUARY 12 2025
ZONING ORDINANCE 23-6806

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY CHANGING UNADDRESSED PROPERTY ON TENNESSEE BOULEVARD FROM R2 - HIGH DENSITY RESIDENTIAL TO CS - COMMERCIAL SERVICE IN WARD 2

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

WHEREAS, the existing Future Land Use Plan designates the subject property as Suburban Commercial; and

WHEREAS, the property owner is asking for CS zoning which fits the commercial future land 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 from R2-High Density Residential to CS-Commercial Service, to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 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 R2-High Density Residential to CS-Commercial Service.

Approximately 0.4 acres more or less, located at unaddressed Tennessee Boulevard as shown on the attached map.

For reference, see Deed Book 2036 Page 1471, in the Register’s Office of Wilson County, Tennessee, and being shown as Tax Map 671 Group D Parcel 1, for Wilson County, Tennessee, respectively.

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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on **August 1, 2023**.

Attest: _____________________________

Commissioner of Finance & Revenue

Approved as to Form: ___________________

Mayor

Approved: _____________________________

Passed first reading: **August 1, 2023**.

Passed second reading: __________________

City Attorney
INVOICE

BILL TO
City of Lebanon (1)
Planning Office/TONYA JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

ACTIVITY                          CITY  RATE  AMOUNT
Legal Advertising
Wilson Post Legal Advertising 23-6806 Rezoning .4 acres wp 7-12

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post, Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft. Campbell Courier, Chronicle of Mt. Juliet, Pulaski Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156, Gallatin, TN 37066, Thank You!

INVOICE # 168798
DATE 07/12/2023
DUE DATE 08/01/2023
TERMS Due on receipt

BALANCE DUE $84.00

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLICATION NOTICE

In reference to Ordinance No. 23-6806, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed for rezoning approval for about 0.4 acres at an address property on Tennessee Boulevard (Tax Map 671 Group D Parcel 1) from R2 to CS in Ward 2. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment are available for inspection at the following locations: City of Lebanon Mayor’s Office, Engineering 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 444-2809.
ZONING ORDINANCE 23-6807

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ATLAS OF THE CITY OF LEBANON, TENNESSEE, BY AMENDING REGULATIONS WITHIN THE HAMILTON SPRINGS SPECIFIC PLAN, IN WARD 5 & 6

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

WHEREAS, a request was made by the property owner to amend regulations within the Hamilton Springs Specific Plan; 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 the amendment to the Hamilton Springs Specific Plan to the Mayor and City Council by a vote of 6-0 at the June 27, 2023 meeting.

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

Section 1. That regulations amended in Hamilton Springs SP, which is attached in Exhibit A, as part of the official City of Lebanon Zoning Ordinance.

Section 3. That all Ordinances in conflict herewith are repealed to the extent of said conflict.

Section 4. 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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest: Approved:

Commissioner of Finance & Revenue Mayor

Approved as to Form:

Passed first reading: August 1, 2023.

Passed second reading:

City Attorney
HAMILTON SPRINGS
SPECIFIC PLAN

CITY OF LEBANON TENNESSEE

SUBMITTAL: DECEMBER 22, 2010
RESUBMITTAL: JANUARY 13, 2011
AMENDMENT SUBMITTAL: JANUARY 25, 2012
UPDATED: MAY 19, 2015
UPDATED: DECEMBER 18, 2015
UPDATED: MAY 3, 2016
UPDATED: FEBRUARY 23, 2018
UPDATED: APRIL 6, 2022 (OHM ADVISORS)
UPDATED: APRIL 28, 2023 (LOSE DESIGN)

DRAFT REVISION 2023-05-26
VILLAGE COMMERCIAL: BUILDING REGULATIONS

STREETSIDE ZONES

- Highway-70: Use Existing
- Boulevard: 20'
- Avenue: 21'
- Street: 16'

For example of streetside zone, see Figure B.1, Pg. 15.

NOTE: All buildings must front Highway-70.

BUFFERYARD WIDTH

- Highway-70: Min. 15'
- Boulevard: Min. 15'
- Avenue: Min. 10'
- Street: Min. 10'
- Adjoining Lot: Min. 10'

ADJOINING LOT ACCESS
For ease of user access from one lot to the next, those lots adjacent to one another and also fronting onto Highway-70 shall be required to have a shared driveway punctuating the adjacent lot line.

BUILDING BUFFER

- Sidewalk: 5' Min. depth
- Landscape: 5' Min. depth

HEIGHT

- Highway-70:
  - Minimum: 16'
  - Maximum: 54'
- Boulevard:
  - Minimum: 16'
  - Maximum: 54'
- Avenue:
  - Minimum: 16'
  - Maximum: 54'
- Street:
  - Minimum: 16'
  - Maximum: 54'

SAFE PEDESTRIAN ACCESS

- One per Street, min. 5' Min. Width

Sidewalk connections including crosswalks and/or raised crosswalks are required between streetside zones and building.

* Not required where loading areas or drive thrusts are proposed.
J. SIGNAGE: DETACHED SIGNAGE

<table>
<thead>
<tr>
<th>Issue</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM HEIGHT</td>
<td>7'</td>
</tr>
<tr>
<td>MAXIMUM AREA</td>
<td>20 sq. ft. per side</td>
</tr>
<tr>
<td>MAXIMUM NUMBER OF SIGN FACES</td>
<td>2</td>
</tr>
<tr>
<td>ILLUMINATION</td>
<td>Allowed</td>
</tr>
</tbody>
</table>

Notes:
- Ground mounted or monument signs greater than 30 inches in height and less than 84 inches between grade and the bottom of the sign face shall be located in a position that does not obscure the view of pedestrian or vehicular traffic in a manner as to endanger the safe movement thereof.
- Detached Signs are only permissible in uses pertaining to wayfinding, kiosk, or for identifying an off-street parking area.
- Permissible methods of illumination are indirect or backlit.

Lebanon's sign code for night time LED requirements to be followed (Ordinance 23-6643)
BILL TO
City of Lebanon (1)
Planning Office/TONYA
JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

ACTIVITY          QTY      RATE     AMOUNT

Legal Advertising
Wilson Post Legal Advertising 23-6807 Ammended
approval wp 7-12

MainStreet Media of TN is the publisher of The
Wilson Post, Gallatin News, Hendersonville
Standard, Dickson Post, Robertson County
Connection, Portland Sun, Murfreesboro Post,
Cheatham County Exchange, Main Street
Fairview, MS Nashville, MS Clarksville, Ft.
Campbell Courier, Chronicle of Mt. Juliet, Pulaski
Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156,
Gallatin, TN 37066, Thank You!

INVOICE # 168799
DATE 07/12/2023
DUE DATE 08/01/2023
TERMS Due on receipt

BALANCE DUE $84.00

Please make your check payable to Main Street Media of TN and include your invoice number.
PUBLIC NOTICE

In reference to Ordinance No. 23-6807, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed SP amendment approval for about 228 acres of the Hamilton Springs SP project at 3075 Lebanon Road (Tax Map 57 Parcel 8.04) zoned HSSP in Wards 5 & 6. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment 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 444-2809.

STATE OF TENNESSEE
County of Wilson

Personally appeared before me,

Shelley K. Satterfield

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

07-12-2023

_________________________________________
Dave Gould
Subscribed and sworn to before
07-12-2023

_________________________________________
Shelley K. Satterfield
Notary Public, Shelley K. Satterfield

My commission expires
JANUARY 12 2025
ORDINANCE NO. 23-6808

AN ORDINANCE TO AMEND TITLE 14 LEBANON ZONING CODE SECTION 14.813.3.D.3.A. SCHEDULE OF SIGN PERMIT FEES TO UPDATE PERMIT FEES

WHEREAS, the City of Lebanon desires to amend the Zoning Code; and

WHEREAS, the Sign Code has been updated and the fee schedule was not updated to reflect these changes; 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 Lebanon Zoning Code to the Mayor and City Council by a vote of 6-0 at their June 27, 2023 Meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Lebanon, Tennessee, The Lebanon Zoning Code be amended as follows:

Section 1. 14.813.3.D.3.a. Schedule of sign permit fees

3. Schedule of sign permit fees:
   a. The fee for all signs not exempt from the fee shall be ten fifty dollars ($150.00) plus fifty cents ($0.50) per square foot of surface display.

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 July 12, 2023.

The Public Hearing was held at 5:55 PM in the City Council Chambers on August 1, 2023.

Attest: subdued

Approved:

Commissioner of Finance & Revenue

Mayor

Passed first reading: August 1, 2023.

Approved as to Form:

Passed second reading: ____________________.

City Attorney
INVOICE

BILL TO
City of Lebanon (1)
Planning Office/TONYA JONES
200 Castle Hts Ave. N.
Lebanon, TN 37087

PLEASE DETACH TOP PORTION AND RETURN WITH YOUR PAYMENT.

SALES REP
LP

ACTIVITY QTY RATE AMOUNT
Legal Advertising 1 78.75 78.75

Wilson Post Legal Advertising 23-6808 Zoning Code
Ammend wp 7-12

MainStreet Media of TN is the publisher of The Wilson Post, Gallatin News, Hendersonville Standard, Dickson Post, Robertson County Connection, Portland Sun, Murfreesboro Post,
Cheatham County Exchange, Main Street Fairview, MS Nashville, MS Clarksville, Ft.
Campbell Courier, Chronicle of Mt. Juliet, Pulaski
Citizen and Main Street Preps Website.

Please note new remit address is PO Box 8156,
Gallatin, TN 37066, Thank You!

BALANCE DUE $78.75

Please make your check payable to Main Street Media of TN and include your invoice number.
**PUBLIC NOTICE**

In reference to Ordinance No. 23-6808, 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 August 1, 2023, in the Council Chambers for the purpose of discussing and hearing comments from the citizens on the proposed zoning code amendment to 14.8133.D.3.a, Schedule of sign permit fees to update permit fees. The public hearing for the proposed amendment is being conducted pursuant to the laws of the State of Tennessee Code Annotated and the City of Lebanon, Tennessee. Copies of the proposed amendment are available for inspection at the following locations:
- City of Lebanon Mayor’s Office
- Engineering Office
- Planning Office at 200 North Castle Heights Avenue.

Questions can be addressed to Paul Corder at 444-3647 x2311. 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,  

Shelley K. Satterfield

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

07-12-2023

Dave Gould, President  
Subscribed and sworn to before  
07-12-2023

Shelley K. Satterfield  
Notary Public, Shelley K. Satterfield  
My commission expires  
JANUARY 12 2025
CERTIFICATE OF COMPLIANCE
RETAIL PACKAGE STORE

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

Name of Applicant: Tejesh Patel
Home Address: 848 Harrisburg lane
(City) Mt. Juliet TN 37122
(State) (Zip)
Date of Birth: 02-22-73
SSN:

has made application for a Certificate of Compliance to sell retail alcoholic beverages in the County of Lebanon, State of Tennessee, at 103 South Cumberland St. Ste-C

Lebanon TN 37087
(Street Address of Liquor Store)

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

1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten-year period, immediately preceding the date of the application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and further, that it is the undersigned's opinion that the applicant will not violate any provisions of Tennessee Code Annotated, Title 57, Chapter 3;
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the applicant or applicants have complied with the residency provisions;
4. That the issuance of this license will not exceed the numerical limit.

This ___ day of ________________, 20 ___.

Mayor

MAJORITY OF CITY COUNCIL:

________________________________________
________________________________________
________________________________________

MAIL TO: Alcoholic Beverage Commission
Davy Crockett Tower
500 James Robertson Pkwy, 3rd Floor, Nashville, TN 37243
POLICE DEPARTMENT REPORT ON
LIQUOR STORE COMPLIANCE APPLICANT

NAME: Tejesh B. Patel
ADDRESS:
848 Harrisburg Lane
Mt. Juliet, TN 37122

DATE OF BIRTH: 

SOCIAL SECURITY #: 

DRIVER'S LICENSE #: 

TELEPHONE #: 

BUSINESS LOCATION:
703 South Cumberland st. stcc
Lebanon TN 37087

INFORMATION RECEIVED FROM BACKGROUND CHECK:

none

APPROVAL _ DISAPPROVAL

REASONS FOR DISAPPROVAL:


SIGNED: Department Head

DATE: 3/3/23
POSITION: CITY OF LEBANON POLICE DEPARTMENT
CERTIFICATE OF COMPLIANCE
RETAIL PACKAGE STORE

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

Name of Applicant: Sula PATEL
Home Address: 1804 Radnor Rd
                Lebanon, TN 37087

Date of Birth: SSN:

has made application for a Certificate of Compliance to sell alcoholic beverages in the County of Lebanon, State of Tennessee, at 703 South Cumberland Street
                Suite C
                Lebanon, TN 37087

(Street Address of Liquor Store)

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

1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten-year period, immediately preceding the date of the application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and further, that it is the undersigned’s opinion that the applicant will not violate any provisions of Tennessee Code Annotated, Title 57, Chapter 3;
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the applicant or applicants have complied with the residency provisions;
4. That the issuance of this license will not exceed the numerical limit.

This _______ day of ____________________, 20___.

Mayor

MAJORITY OF CITY COUNCIL:


MAIL TO: Alcoholic Beverage Commission
Davy Crockett Tower
500 James Robertson Pkwy, 3rd Floor, Nashville, TN 37243
POLICE DEPARTMENT REPORT ON
LIQUOR STORE COMPLIANCE APPLICANT

NAME: Suman Patel
ADDRESS: 1809 Radnor Rd
          Lebanon TN 37087
DATE OF BIRTH: 02-03-1987
SOCIAL SECURITY #: ____________
DRIVER’S LICENSE #: ____________
TELEPHONE #: ____________
BUSINESS LOCATION: 703 South Cumberland Street
                     Suite-C  Lebanon TN 37087

INFORMATION RECEIVED FROM BACKGROUND CHECK:

none

APPROVAL ✓ DISAPPROVAL ____________

REASONS FOR DISAPPROVAL:

__________________________________________

DATE: 8/3/23  SIGNED: Department Head
          CITY OF LEBANON POLICE DEPARTMENT

POSITION: __________________________
ORDINANCE NO. 23-6817

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO APPROVE THE PURCHASE OF TRACT 4 OF THE ED MAYNARD HEIRS
PROPERTY ADJACENT TO THE WATER TREATMENT PLANT

WHEREAS, Article II, Section 1(11) of the City of Lebanon Charter requires an
ordinance for the acquisition of real property; and

WHEREAS, the City wishes to purchase tract 4 of the Ed Maynard Heirs Property
adjacent to the Water Treatment Plant in order to better protect the health, safety, and welfare of
the citizens of Lebanon; and

WHEREAS, a budget amendment is required to cover the cost.

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 execute any necessary documents related to the purchase tract 4 of the Ed Maynard
Heirs Property, such property being detailed in the legal description on the deed and maps
attached hereto by reference as if appearing verbatim herein, in the amount of Fifty Thousand
Dollars and No Cents ($50,000.00).

Section 2. The Mayor and Commissioner of Finance and Revenue are hereby
authorized to amend the 2023 – 2024 City of Lebanon budget for the purchase of real property
and associated closing costs:

Department: Water Treatment Plant
From: 41190001-79010   Budget Retained Earnings   $53,000.00
To:      411-16520   Construction in Process   $53,000.00
         Land

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

Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:
GARY VANDEVER  
Attorney at Law  
501 Park Avenue, Suite B  
Lebanon, Tennessee 37087

TAX MAP NO.: 23  
GROUP NO.:  
PARCEL NO.:  

ADDRESS NEW OWNER:  
DONNIE E. MAYNARD, ET AL  
165 GILMORE HILL ROAD  
LEBANON, TENNESSEE 37087  
SEND TAX BILLS TO:  
SAME  

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that LARRY C. MAYNARD, a widower,  
"Grantor" for and in consideration of the sum of TWENTY DOLLARS ($20.00), cash in hand paid,  
the receipt of which is hereby acknowledged, has bargained and sold and hereby conveys, remises,  
releases and forever quitclaims unto DONNIE E. MAYNARD, JONI G. MAYNARD  
(HOWARD) AND LISA MAYNARD (NABORS) "Grantees", their heirs and assigns, all of my  
right, title and interest in the following described tracts or parcels of land, situated and lying in the  
5th Civil District of Wilson County, Tennessee, and being more particularly described as follows, to-  

BEING Tract #4 of the Ed Maynard Heirs Property, a Plat of which  
is of record in Plat Book 16, Page 379, in the Register's Office for  
Wilson County, Tennessee, reference to which Plat is here made for  
a more complete description of same.

Erlene G. Maynard has since died intestate on August 27, 1992, leaving Larry C. Maynard, Donnie E. Maynard, Joanie G. Maynard and Lisa Maynard, her children, as her sole surviving heirs-at-law. The said Joanie G. Maynard is now married and is one and the same person as Joni G. Howard. The said Lisa Maynard is now married and is one and the same person as Lisa K. Nabors.

POSSESSION shall be given on date of deed.

WITNESS MY SIGNATURE hereto this 20th day of March, 2000.

LARRY C. MAYNARD

STATE OF TENNESSEE
COUNTY OF WILSON

Personally appeared before me, the undersigned authority, a Notary Public in and for said State and County, the within named LARRY C. MAYNARD, a widow, with whom I am personally acquainted, or who proved to me on the basis of satisfactory evidence, and who acknowledged to me the execution of the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal at office in Lebanon, Wilson County, Tennessee, this the 20th day of March, 2000.

NOTARY PUBLIC

My Commission Expires:

9-9-03

copy\maynard-deed.102

BK 813   PG 416
<table>
<thead>
<tr>
<th>Value Information</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Market Value:</td>
<td>$43,900</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Improvement Value:</td>
<td>$0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Market Appraisal:</td>
<td>$43,900</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment Percentage:</td>
<td>25%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment:</td>
<td>$10,975</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subdivision Data</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision:</td>
<td>MAYNARD PROP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plat Book:</td>
<td>16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plat Page:</td>
<td>379</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Block:</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Additional Information</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>City:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Service District 1: 050</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>District:</td>
<td>05</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Buildings:</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Utilities:</td>
<td>Water/Sewer: 03 - PUBLIC / INDIVIDUAL</td>
<td>Utility Type:</td>
<td>Gas/Gas Type:</td>
<td>03 - NONE</td>
</tr>
<tr>
<td>Utilities - Electricity:</td>
<td>01 - PUBLIC</td>
<td>Zoning:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Outbuildings &amp; Yard Items</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Building #</td>
<td>Type</td>
<td>Description</td>
<td>Units</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sale Information</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale Date</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$0</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land Information</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Deed Acres:</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calculated Acres:</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Land Units:</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Code</td>
<td>03 - SMALL TRACT</td>
<td>Soil Class</td>
<td>Units</td>
<td>1.00</td>
</tr>
</tbody>
</table>

*Tennessee Property Assessment Data - Parcel Details Report - https://assessment.tn.gov*
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT  Water Treatment Plant

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>411 90001 79010</td>
<td>Budget Retained Earnings</td>
<td>$ 53,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total

$ 53,000.00

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>411 52113 79190</td>
<td>Land and Land Rights</td>
<td>$ 53,000.00</td>
<td></td>
</tr>
<tr>
<td>411 16,520</td>
<td>Construction in Process Land</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total

$ 53,000.00

REQUESTED BY

DEPARTMENT HEAD ___________________________ DATE 7-25-23

COMM. OF FINANCE ___________________________ DATE 7-26-23

MAYOR ___________________________ DATE

REASON FOR THIS TRANSFER:
Property purchase adjacent to Water Treatment Plant: $50,000 for property and $3,000 closing

REVISED 10-8-2013
ORDINANCE NO. 23-6818

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE BUDGET AMENDMENTS FOR PUBLIC SERVICES TO COVER
THE PURCHASE OF TRUCKS, MINI TRAC LOADER, AND KNUCKLE BOOM

WHEREAS, funds were appropriated in the 2022 – 2023 fiscal year budget for the purchase of trucks, mini trac loader, and knuckle boom cab and chassis; and

WHEREAS, due to an equipment/vehicle shortage, the purchase of such equipment/vehicles was not possible during the 2022 – 2023 fiscal year; and

WHEREAS, budget amendments are now necessary to appropriate funds for the required equipment/vehicles in the 2023 – 2024 fiscal year budget; and

WHEREAS, the required budget amendments are detailed on the budget amendment form attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

Department: Public Services
From: 11090000-79000 Budget Fund Balance $165,000.00

To: 11041840-79440 Transportation Equipment $75,000.00
     11041840-79190 Machinery & Equipment $40,000.00
     11043110-79490 Machinery & Equipment $50,000.00

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

Attest: Approved:

Commissioner of Finance & Revenue Mayor

Approved as to form:

City Attorney

Passed first reading: Passed second reading:
**CITY OF LEBANON ACCTG. DEPT.**  
**BUDGET AMENDMENT FORM**  
**FY 2023-2024**

**DEPARTMENT**  
Public Services

**TRANSFER FROM**

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11090000-79000</td>
<td>budget fund balance</td>
<td>$ 165,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total $ 165,000.00

**TRANSFER TO**

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11041840-79440</td>
<td>Transportation Equipment</td>
<td>$ 75,000.00</td>
<td></td>
</tr>
<tr>
<td>11041840-79190</td>
<td>Machinery &amp; Equipment</td>
<td>$ 40,000.00</td>
<td></td>
</tr>
<tr>
<td>11043110-79490</td>
<td>Machinery &amp; Equipment</td>
<td>$ 50,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total $ 165,000.00

**REQUESTED BY**  
Lee Clark

**DEPARTMENT HEAD**  
Jeff Barnes

**COMM. OF FINANCE**  
Stuart Zamar

**MAYOR**

**DATE**  
7/24/23

**DATE**  
7/25/23

**DATE**  
7-25-23

**REASON FOR THIS TRANSFER:**

Unable to purchase in 23FY due to vehicle/equipment shortage. Requesting to carry over funding into 24FY.

**REVISED 9-10-2019**
### Capital Items Moved to Current Budget 22-23

<table>
<thead>
<tr>
<th>Department</th>
<th>Org</th>
<th>Object</th>
<th>Account Description</th>
<th>Capital Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transfer From:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>110900000</td>
<td>79000</td>
<td>Budget Fund Balance</td>
<td></td>
<td>785,000.00</td>
</tr>
<tr>
<td><strong>Transfer To:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Economic Development</td>
<td>11041115</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>New SUV</td>
<td>50,000.00</td>
</tr>
<tr>
<td>Utilities Adm</td>
<td>11041619</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>New SUV Pool Vehicle</td>
<td>45,000.00</td>
</tr>
<tr>
<td>General Maintenance</td>
<td>11041840</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>(2) 3/4 Ton Utility Bed Trucks</td>
<td>75,000.00</td>
</tr>
<tr>
<td>General Maintenance</td>
<td>11041840</td>
<td>79490</td>
<td>Machinery &amp; Equipment</td>
<td>Mini Trac Loader</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Police</td>
<td>11042100</td>
<td>79450</td>
<td>Communication Equipment</td>
<td>Motorola WatchGuard storage</td>
<td>50,000.00</td>
</tr>
<tr>
<td>Fire</td>
<td>11042200</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>(2) Chevy Tahoe w/equipment</td>
<td>142,000.00</td>
</tr>
<tr>
<td>Fire</td>
<td>11042200</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>Chevy Silverado w/equipment</td>
<td>68,000.00</td>
</tr>
<tr>
<td>Building Inspection</td>
<td>11042420</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>4x4 pick-up truck</td>
<td>45,000.00</td>
</tr>
<tr>
<td>Street</td>
<td>11043110</td>
<td>79490</td>
<td>Machinery &amp; Equipment</td>
<td>Knuckle Boom cab &amp; chassis</td>
<td>80,000.00</td>
</tr>
<tr>
<td>Engineering</td>
<td>11043150</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>Truck/SUV for GIS</td>
<td>40,000.00</td>
</tr>
<tr>
<td>Sanitation</td>
<td>11043220</td>
<td>79440</td>
<td>Transportation Equipment</td>
<td>4x4 Truck for Manager</td>
<td>60,000.00</td>
</tr>
<tr>
<td>Recreation</td>
<td>11044410</td>
<td>79490</td>
<td>Machinery &amp; Equipment</td>
<td>Reel mower</td>
<td>65,000.00</td>
</tr>
<tr>
<td>Recreation</td>
<td>11044410</td>
<td>79490</td>
<td>Machinery &amp; Equipment</td>
<td>Top dresser</td>
<td>25,000.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>785,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Department</th>
<th>Org</th>
<th>Object</th>
<th>Account Description</th>
<th>Capital Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Transfer From:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12090000</td>
<td>79000</td>
<td>Budget Fund Balance</td>
<td></td>
<td>500,000.00</td>
</tr>
<tr>
<td><strong>Transfer To:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drainage Mitigation</td>
<td>120</td>
<td>16520</td>
<td>Construction In Process (Equipment)</td>
<td>Replacement sweeper</td>
<td>340,000.00</td>
</tr>
<tr>
<td>Drainage Mitigation</td>
<td>120</td>
<td>16520</td>
<td>Construction In Process (Equipment)</td>
<td>Single axle dump truck</td>
<td>160,000.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>500,000.00</td>
</tr>
</tbody>
</table>

4/5/23

Stuart Zavora
RESOLUTION NO. 23-2644

A RESOLUTION OF THE CITY COUNCIL OF LEBANON
TO REVISE THE HUMAN RESOURCES RULES AND REGULATIONS, RULE IV
SECTION 7 RELATIVE TO ON CALL GUIDELINES

WHEREAS, it is now necessary to revise the Human Resources Rules and Regulations, Rule IV, Section 7, On Call Guidelines, to add Fire Investigators (Deputy Fire Marshall, Assistant Fire Marshall) to on call policy.

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

Section 1. The revisions to the Human Resources Rules and Regulations Rule IV, Section 7, On Call Guidelines, to add Fire Investigators (Deputy Fire Marshall, Assistant Fire Marshall) to the list in section 7.2, as detailed on the document attached hereto by reference as if appearing herein, is hereby approved. The Human Resources Director is hereby authorized to implement such revision.

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

Adopted this ___ day of ________________, 2023.

Attest: 

Commissioner of Finance & Revenue

Approved:

Mayor

Approved as to form:

City Attorney
Revise RULE IV: RECRUITMENT AND EMPLOYMENT, Section 7: On Call Guidelines to add non-exempt employees within the Fire Investigation division to the City’s On Call Policy

7.2 Certain designated departments and designated employees are placed in "On Call" status. Departments/sections which have on call duties are:
1. Police Department Detective
2. Traffic Reconstructionist
3. Traffic Signals
4. Street Department and General Services Specialist
5. Cemetery (two hours on Saturday)
6. Water Plant
7. Wastewater Plant
8. Water Distribution
9. Sewer Collection
10. Gas Department
11. Animal Control
12. ESU Tech (only when Animal Control Officers are unavailable)
13. ESU Officers (2 hours rotating on Sundays, generally scheduled every 3rd Sunday)
14. Police Officers (2 hours only when scheduled to be on stand-by for Court)
15. Dispatch (only at Police Chief's discretion or discretion of Chief's designee, when needed to prepare for activation of ECC)

7.3 Any additions or deletions of the above designated shall be approved by resolution passed by the City Council.
ORDINANCE NO. 23-6831

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE A BUDGET AMENDMENT FOR THE FIRE DEPARTMENT TO
COVER THE PURCHASE OF REPLACEMENT ENGINE FOR RESERVE UNIT 12-02

WHEREAS, funds were appropriated in the 2022 – 2023 fiscal year budget for the
purchase of a replacement engine for reserve unit 12-02 by Ordinance 22-6547; and

WHEREAS, a budget amendment is now necessary to appropriate funds for the
required replacement engine in the 2023 – 2024 fiscal year budget; and

WHEREAS, the required budget amendment is detailed on the budget amendment form
attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

Department: Fire
From: 11090000-79000 Budget Fund Balance $800,000.00
To: 11042200-79440 Transportation Equipment $800,000.00

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

Attest: Approved:

Commissioner of Finance & Revenue Mayor

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT
Fire

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>110900000 79000</td>
<td>Budget Fund Balance</td>
<td>$ 800,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total
$ 800,000.00

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11042200 79440</td>
<td>Transportation Equipment</td>
<td>$ 800,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total
$ 800,000.00

REQUESTED BY

DEPARTMENT HEAD
Jason Baird

COMM. OF FINANCE

MAYOR

DATE
8/3/2023

DATE
8/3/2023

REASON FOR THIS TRANSFER:
Carry-over funding for the replacement engine for the reserve unit 12-02 a 1997 E-One Pumper. It was approved by Ordinance #22-657 on 9/20/22. Will not arrive by September 2023 to charge to FY 22-23.

REvised 9-10-2019
ORDINANCE NO. 22-6547

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE A BUDGET AMENDMENT FOR THE FIRE DEPARTMENT TO
PURCHASE A REPLACEMENT FIRE PUMPER TO REPLACE RESERVE ENGINE,
UNIT 1202, ON THE 2022 – 2023 BUDGET CONTINGENCY LIST

WHEREAS, the Lebanon City Council approved and adopted the 2022 – 2023 fiscal
year budget on June 21, 2022 by Ordinance No. 22-6467; and

WHEREAS, a replacement fire pumper to replace reserve engine unit 1202 for the Fire
Department is on the 22/23 fiscal year budget contingency list; and

WHEREAS, it is now necessary to appropriate the funds for this contingency item.

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 2022 – 2023 City of Lebanon budget for the purchase of a Sutphen
Heavy Duty Custom Pumper Complete and delivery as follows:

<table>
<thead>
<tr>
<th>Department: Fire</th>
<th>From: 11090000-79000</th>
<th>Budget Fund Balance</th>
<th>$800,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>To: 11042200-79440</td>
<td>Transportation Equipment</td>
<td>$800,000.00</td>
</tr>
</tbody>
</table>

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

Attest:

[Signature]
Commissioner of Finance & Revenue

Approved:

[Signature]
Mayor

Approved as to form:

[Signature]
City Attorney

Passed first reading: 9/06/2022
TO THE:
City of Lebanon
Attn: Chief Jason Baird
200 North Castle Heights Ave
Lebanon TN 37087

DATE: August 25, 2022

We hereby propose and agree to furnish the following firefighting equipment upon your acceptance of this proposal:

One (1) Sutphen Heavy Duty Custom Pumper Complete and Delivered for the
Total Sum of .................................................. $754,562.24

The unit shall be manufactured completely in accordance to the following proposal and delivered in approximately 27-29 months from the date of the contract signing or purchase order, subject to delays from all causes beyond our control.

This proposal shall be valid through September 14th. If the contract or purchase order is not received within this proposed duration, we reserve the right to extend, withdraw, or modify our proposal, including pricing, delivery times, and prepayment discounts as applicable.

Respectfully submitted,

Rodney Ballington

Rodney Ballington
Southeast Fire
Authorized Representative for Sutphen Corporation
615-473-7831
ORDINANCE NO. 23-6832

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE A BUDGET AMENDMENT FOR THE WASTEWATER TREATMENT PLANT FOR THE PURCHASE OF A SERVICE TRUCK

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, a budget amendment is now necessary to cover the purchase of a one ton service truck for the Wastewater Treatment Plant; and

WHEREAS, the required budget amendment is detailed on the budget amendment form attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

**Department: Wastewater Plant**

<table>
<thead>
<tr>
<th>From: 41190001-79010</th>
<th>Retained Earnings</th>
<th>$85,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>To: 411-16520 WO#S005001</td>
<td>Construction in Process</td>
<td>$85,000.00</td>
</tr>
<tr>
<td>(Unused CIP Funds from 22/23 35000 Trans 50000 Machinery Equipment)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

Attest: [

Approved: Mayor

Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:
## CITY OF LEBANON ACCTG. DEPT.
### BUDGET AMENDMENT FORM
#### FY 2023-2024

**DEPARTMENT**: WASTEWATER PLANT

**TRANSFER FROM**

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>41190001-79010</td>
<td>RETAINED EARNINGS</td>
<td>$85,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $85,000.00

**TRANSFER TO**

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>411-16520 / WO#S005001</td>
<td>CONSTRUCTION IN PROCESS</td>
<td>$85,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(UNUSED CIP FUNDS FROM FY 22-23)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(35,000 TRANSP; 50,000 MACHINERY.EQ)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total $85,000.00

**REQUESTED BY**

**DEPARTMENT HEAD**

**COMM. OF FINANCE**

**MAYOR**

**DATE**

8-3-23

8-4-23

**REASON FOR THIS TRANSFER:**

To rollover $35,000 (79440 Transportation) and $50,000 (79490 Machinery) from FY 22/23 to FY 23/24 for purchase of a 1 TN service truck.
ORDINANCE NO. 23-6833

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE BUDGET AMENDMENTS FOR THE WASTEWATER TREATMENT PLANT TO CORRECT LINE ITEMS

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, budget amendments are now necessary for the Wastewater Treatment Plant to move funds that were incorrectly added to the capital budget into the operations budget, 411-16520 / WO#S005001; and

WHEREAS, the required budget amendments are detailed on the budget amendment form attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

**Department: Wastewater Plant**
From: 41190001-79010 Retained Earnings $50,000.00
To: 41152213-72600 Maintenance $38,000.00
41152213-72900 Contractual Services $5,000.00
41152213-73100 Office Supplies $7,000.00

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

Attest: Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading: Passed second reading:
### CITY OF LEBANON ACCTG. DEPT.
### BUDGET AMENDMENT FORM
### FY 2023-2024

#### DEPARTMENT
WASTEWATER PLANT

#### TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>41190001-79010</td>
<td>RETAINED EARNINGS</td>
<td>$50,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total: $50,000.00

#### TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>41152213-72600</td>
<td>MAINTENANCE</td>
<td>$38,000.00</td>
<td></td>
</tr>
<tr>
<td>41152213-72900</td>
<td>CONTRACTUAL SERVICES</td>
<td>$5,000.00</td>
<td></td>
</tr>
<tr>
<td>41152213-73100</td>
<td>OFFICE SUPPLIES</td>
<td>$7,000.00</td>
<td></td>
</tr>
<tr>
<td>(ALL ITEMS WERE ORIGINALLY IN 411-16520 / W/O #S005001)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total: $50,000.00

#### REQUESTED BY

- **DEPARTMENT HEAD**
  - Signature

- **COMM. OF FINANCE**
  - Signature

- **MAYOR**
  - Signature

#### DATE

- **DEPARTMENT HEAD**
  - 8-3-23

- **COMM. OF FINANCE**
  - 8-4-23

#### REASON FOR THIS TRANSFER:

ITEMS INCORRECTLY PUT ON CAPITAL SHEET, BUT THEY ARE NOT CAPITAL ITEMS.
THEY SHOULD HAVE GONE INTO THE EVERYDAY OPERATING LINE ITEMS ACCOUNTS.
ORDINANCE NO. 23-6834

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE A BUDGET AMENDMENT FOR THE GAS DEPARTMENT TO ADD
SUPERVISORY CONTROL AND DATA ACQUISITION

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, a budget amendment is now necessary to add Supervisory Control and Data Acquisition (SCADA) to the Gas Department; and

WHEREAS, the required budget amendment is detailed on the budget amendment form attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

Department: Gas
From: 41590001-79010 Budget Retained Earnings $160,000.00
To: 415-16520 Construction in Process
     (79300 Improvements) $160,000.00

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

Attest: Approved:

______________________________
Commissioner of Finance & Revenue

Approved as to form:

______________________________
City Attorney

Passed first reading: ____________________________
Passed second reading: ____________________________
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT  Gas

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>41590001 79010</td>
<td>Budget Retained Earnings</td>
<td>$ 160,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total  $ 160,000.00

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>415 16520</td>
<td>Construction in Process (79300 Improvements)</td>
<td>$ 160,000.00</td>
<td></td>
</tr>
</tbody>
</table>

Total  $ 160,000.00

REQUESTED BY  Chad Mueller  DATE  8/3/2023
DEPARTMENT HEAD  Regina Santana  DATE  8/3/2023
COMM. OF FINANCE  DATE  8/3/2023
MAYOR  DATE

REASON FOR THIS TRANSFER:
Amend the FY 23-24 budget to add SCADA (Supervisory Control and Data Acquisition) to the Gas department.
ORDINANCE NO. 23-6835

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE BUDGET AMENDMENTS FOR THE FIRE DEPARTMENT TO ADD
OVERTIME FOR FIRE INVESTIGATORS ADDED TO ON CALL ROTATION

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal
year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, the Lebanon City Council adopted Res. No. 23-2644 on August 15, 2023
to add non-exempt fire investigation employees to the on call list; and

WHEREAS, budget amendments are now necessary to set up the overtime budget for
such on call fire investigation employees.

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 City of Lebanon budget as follows:

Department: Fire

<table>
<thead>
<tr>
<th>From: 11090000-79000</th>
<th>Budget Fund Balance</th>
<th>$34,870.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>To: 11042200-71110</td>
<td>Salaries</td>
<td>$18,430.00</td>
</tr>
<tr>
<td>11042200-71120</td>
<td>Overtime</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>11042200-71410</td>
<td>SS &amp; Med Tax</td>
<td>$2,175.00</td>
</tr>
<tr>
<td>11042200-71430</td>
<td>Retirement</td>
<td>$4,265.00</td>
</tr>
</tbody>
</table>

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

Attest:                                         Approved:

Commissioner of Finance & Revenue               Mayor

Approved as to form:

City Attorney

Passed first reading:                           Passed second reading:
# CITY OF LEBANON ACCTG. DEPT.
# BUDGET AMENDMENT FORM
# FY 2023-2024

## DEPARTMENT
FIRE

## TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11090000-790000</td>
<td>BUDGET FUND BALANCE</td>
<td>$ 34,870.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $ 34,870.00

## TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11042200-71110</td>
<td>SALARIES</td>
<td>$ 18,430.00</td>
<td></td>
</tr>
<tr>
<td>11042200-71120</td>
<td>OVERTIME</td>
<td>$ 10,000.00</td>
<td></td>
</tr>
<tr>
<td>11042200-71410</td>
<td>SS &amp; MED TAX</td>
<td>$ 2,175.00</td>
<td></td>
</tr>
<tr>
<td>11042200-71430</td>
<td>RETIREMENT</td>
<td>$ 4,265.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $ 34,870.00

## REQUESTED BY
Jason Baird

## DATE
8/4/2023

## DEPARTMENT HEAD

## DATE
8/4/2023

## COMM. OF FINANCE

## DATE
8-4-64

## MAYOR

## DATE

### REASON FOR THIS TRANSFER:

Budgeting for adding three Fire Investigators to On Call rotation.

## REVISED
9-10-2019
ORDINANCE NO. 23-6836

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE A BUDGET AMENDMENT FOR THE AIRPORT FOR REQUIRED
FAA TREE REMOVAL

WHEREAS, the Lebanon City Council passed Ord. No. 23-6758 on June 6, 2023 to
appropriate funds for required FAA tree removal; and

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal
year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, a budget amendment is now necessary to appropriate funds for the
required FAA tree removal in the 2023 – 2024 fiscal year budget and to add additional funding
for this project; and

WHEREAS, the required budget amendment is detailed on the budget amendment form
attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

Department: Airport Construction
From: 31590000-79000  Budget Fund Balance $52,300.00
To: 31552553-72900  Contractual Services $52,300.00

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

Attest:                          Approved:

Commissioner of Finance & Revenue        Mayor

Approved as to form:

City Attorney

Passed first reading:    

Passed second reading:   
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT          Airport Construction

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>31590000 79000</td>
<td>Budget Fund Balance</td>
<td>$ 52,300.00</td>
<td></td>
</tr>
</tbody>
</table>

Total

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>31552553 72900</td>
<td>Contractual Services</td>
<td>$ 52,300.00</td>
<td></td>
</tr>
</tbody>
</table>

Total

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

REQUESTED BY       RT Baldwin
DEPARTMENT HEAD    Jeff Baines
COMM. OF FINANCE   
MAYOR               

DATE               8/4/2023
DATE               8/4/2023
DATE               8-4-23

REASON FOR THIS TRANSFER:
Carry-over funding for the tree removal required by the FAA. Was passed by Ordinance #23-6758 on 6/6/23. Also, need additional funding for the project.
ORDINANCE NO. 23-6758

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE A BUDGET AMENDMENT FOR THE AIRPORT CAPITAL
BUDGET FOR REQUIRED FAA TREE REMOVAL

WHEREAS, the Lebanon City Council approved and adopted the 2022 – 2023 fiscal
year budget on June 21, 2022 by Ordinance No. 22-6467; and

WHEREAS, a budget amendment is now necessary for the Airport Capital budget to
cover the cost of required FAA tree removal; and

WHEREAS, the required budget amendment is detailed on the budget amendment form
attached hereto by reference as if appearing 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 2022 – 2023 City of Lebanon budget as follows:

Department: Airport Capital
From: 31552541-793000 Improvements $50,000.00
To: 31552553-793000 Improvements $50,000.00

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

Attest:  

Commissioner of Finance & Revenue

Approved:  

Mayor

Approved as to form:

City Attorney

Passed first reading: 5/16/2023
Passed second reading: 6/6/2023
ORDINANCE NO. 23-6837

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO APPROVE BUDGET AMENDMENTS FOR THE GARAGE TO RECLASSIFY THE EXISTING ADMIN 2 POSITION TO GARAGE SERVICE WRITER

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, the city has a highly qualified candidate for a vacant position in the garage; and

WHEREAS, it is now necessary to reclassify the existing administrative assistant 2 position (Grade E) to garage service writer (Grade F); and

WHEREAS, budget amendments are required to cover the cost of such reclassification.

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

Section 1. The vacant Administrative Assistant 2 (Grade E) position for the Garage is hereby reclassified to Garage Service Writer (Grade F).

Section 2. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to amend the 2023 – 2024 City of Lebanon budget as follows:

Department: Garage
From: 11090000-79000  Budget Fund Balance $4,275.00
To: 11043170-71110 Salaries $3,630.00
       11043170-71410 SS & Med Tax $280.00
       11043170-71430 Retirement $365.00

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

Attest:                          Approved:
Acting Commissioner of Finance & Revenue
Approved as to form:

Mayor

City Attorney

Passed first reading:               Passed second reading:
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT
Garage

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11090000-79000</td>
<td>Budget Fund Balance</td>
<td>4275.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $4275.00

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>110 43170-71110</td>
<td>Salaries</td>
<td>3630.00</td>
<td></td>
</tr>
<tr>
<td>11043170-71410</td>
<td>SS &amp; Med. Tax</td>
<td>280.00</td>
<td></td>
</tr>
<tr>
<td>11043170-71430</td>
<td>Retirement</td>
<td>365.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $4275.00

REQUESTED BY
Lep Clark

DEPARTMENT HEAD
Jeff Baran

COMM. OF FINANCE
Frank Jaron

MAYOR

REASON FOR THIS TRANSFER:
Highly qualified candidate bringing significant experience to the department. Would be great asset to Garage and all City Departments.

REVISED 10-8-2013
ORDINANCE NO. 23-6838

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE BUDGET AMENDMENTS FOR THE AIRPORT TO RESURFACE TAXIWAY

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, budget amendments are now necessary appropriate grant funds and the 10% local match to resurface airport taxiway; and

WHEREAS, the required budget amendments are detailed on the budget amendment form attached hereto by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

| Department: Airport | From: 12490000-79000 | Budget Fund Balance | $49,000.00 |
|                     | 315-33443            | State Grant-Apron Repair | $441,000.00 |
|                     | 315-37940            | Transfer from Other Fund | $49,000.00 |
| To: 31552544-79300  |                     | East Apron Improvements | $490,000.00 |
| 12452518-77190      |                     | Transfer to Airport Capital | $49,000.00 |

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

Attest:

Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:

Approved:

Mayor
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT
Airport

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>124 90000 7900</td>
<td>Budget Fund Balance</td>
<td>$49,000.00</td>
<td></td>
</tr>
<tr>
<td>315-33443</td>
<td>State Grant-Apron Repair</td>
<td>$49,000.00</td>
<td></td>
</tr>
<tr>
<td>315-37940</td>
<td>Transfer from Other Fund</td>
<td>$49,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$539,000.00</td>
<td></td>
</tr>
</tbody>
</table>

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>31552514-79300</td>
<td>East Apron Improvements</td>
<td>$490,000.00</td>
<td></td>
</tr>
<tr>
<td>12452518-77900</td>
<td>Transfer to Airport Cap.</td>
<td>$49,000.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>$539,000.00</td>
<td></td>
</tr>
</tbody>
</table>

REQUESTED BY
R. Bales

DEPARTMENT HEAD
J. Bania

COMM. OF FINANCE
S. Johnson

MAYOR

REASON FOR THIS TRANSFER:
Support/Match TOT/Aeronautics Funds to resurface Taxiway. Funds just became available & Lebanon Airport has been offered these funds, 90/10 match.

REvised 10-8-2013
ORDINANCE NO. 23-6839

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE BUDGET AMENDMENTS FOR AIRPORT GEOGRAPHIC
INFORMATION SYSTEMS

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal
year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, budget amendments are now necessary appropriate grant funds and the 5%
local match for AGIS study to establish safety and flight procedures; and

WHEREAS, the required budget amendments are detailed on the form attached hereto
by reference as if appearing 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 2023 – 2024 City of Lebanon budget as follows:

| Department: Airport | From: 12490000-79000 | Budget Fund Balance | $4,700.00 |
|                    | 315-37940            | Transfer from Other Fund | $4,700.00 |
|                    | 315-33466            | State Grant-Layout Plan  | $89,300.00 |
|                    | To: 31552545-79330   | Engineering and other exp. | $94,000.00 |
|                    | 12452518-77190       | Transfer to Airport Capital | $4,700.00 |

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

Attest:

Approved:

Commissioner of Finance & Revenue

Mayor

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:
CITY OF LEBANON ACCTG. DEPT.
BUDGET AMENDMENT FORM
FY 2023-2024

DEPARTMENT

Airport

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>124 90000 99000</td>
<td>Budget Fund Balance</td>
<td>4700.00</td>
<td></td>
</tr>
<tr>
<td>315-37940</td>
<td>Transfer from Other Fund</td>
<td>4700.00</td>
<td></td>
</tr>
<tr>
<td>315-33460</td>
<td>State Grant-Layout Plan</td>
<td>89,300.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $98,700.00

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>315525545-79330</td>
<td>Engineering &amp; Other Exp.</td>
<td></td>
<td>94,000.00</td>
</tr>
<tr>
<td>12452518-77140</td>
<td>Transfer to Airport Capital</td>
<td>4700.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $98,700.00

REQUESTED BY

DATE 8/4/23

DEPARTMENT HEAD

DATE 8/4/23

COMM. OF FINANCE

DATE 8.4-23

MAYOR

REASON FOR THIS TRANSFER:

Fund AGIS study to support Aeronautics
request to establish safety & flight procedures.
95/5 march

REVISED 10-8-2013
ORDINANCE NO. 23-6840

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO APPROVE THE PUBLIC/PRIVATE PARTNERSHIP AGREEMENT WITH MI HOMES FOR COLES FERRY PIKE WIDENING AND IMPROVEMENTS

WHEREAS, the Lebanon Planning Commission approved a preliminary plat for 1920 Coles Ferry Pike on February 22, 2022; and

WHEREAS, a public/private partnership agreement is now necessary to set forth the terms for improvements to Coles Ferry Pike; and

WHEREAS, such partnership agreement is attached hereto by reference as if appearing verbatim herein.

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

Section 1. The Public/Private Partnership Participation Agreement for Coles Ferry Pike Widening & Improvements between the City of Lebanon and MI Homes, attached hereto by reference as if appearing verbatim herein, is hereby approved. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to execute such Public/Private Partnership Participation Agreement.

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:
PUBLIC/PRIVATE PARTNERSHIP
FOR
THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE
COLES FERRY PIKE WIDENING & IMPROVEMENTS

THIS PARTICIPATION AGREEMENT is entered into by and between MI Homes (the "Developer"), and THE CITY OF LEBANON, TENNESSEE (the "City") to facilitate roadway improvements to Coles Ferry Pike.

WHEREAS, Coles Ferry Pike currently experiences traffic congestion at peak traffic hours in the vicinity of Jones Brummett Elementary School (JBES) & Tucker Trice Boulevard; and

WHEREAS, Developer is developing property located at 1920 Coles Ferry Pike pursuant to the preliminary plat approved by the Planning Commission on 2/22/2022 (the “Development”); and

WHEREAS, the Project requires the developer to make improvements to Coles Ferry Pike to address traffic needs in the vicinity and mitigate increased traffic generation from their development (the “Project”) as shown on those certain Construction Plans for Coles Ferry Pike Widening prepared by John Anthony Leath, Registered Engineer No. 00111602 of GreenLID Design dated June 21, 2023 and incorporated herein by reference (the “Project Plans”); and

WHEREAS, the project will include a shared center turn lane to the Development, the adjacent development at 722 Hancock Lane, and Tucker Trice Boulevard that will improve traffic flow and benefit students, school staff & visitors, and surrounding citizens; and

WHEREAS, the City Commissioner of Public Services has recommended that the City partner with the Developer by providing 76% of the total project cost, including utilities, (up to a maximum of $1,220,000 plus any additional contribution required by Section III(D) below) to help fund the cost of the Project (the “City Share”); and

WHEREAS, the City intends to enter a separate agreement with the Development at 722 Hancock Lane to reimburse the City approximately $385,000; and

WHEREAS, the City anticipates a minimum of $205,500 in impact fees from these two developments to support the City’s share of the roadway improvements; and

WHEREAS, the completion of the Project will benefit all parties and the general Community.

NOW, THEREFORE, DEVELOPER AND THE CITY AGREE AS FOLLOWS:

I. SCOPE OF WORK:

A. The scope of work for the Participation Agreement consists of the Project, as shown in Exhibit A, attached hereto, and incorporated herein (the “Scope of Work”).
B. City shall cause the Project to be commenced and completed as described in Exhibit A and in accordance with the Project Plans.

II. TERMS AND CONDITIONS

A. The Project specifically includes all work described in the Scope of Work.

B. City shall be responsible to ensure that a qualified contractor performs the construction of the Project.

C. Developer at 722 Hancock Lane has previously provided the City Commissioner of Public Services a copy of its bid for the Project.

D. To the extent caused by the negligence of the Developer(s), or the negligence of contractors engaged by the Developer(s), the Developer(s) shall indemnify, defend, and hold the City harmless from all claims, liability, damages, loss, cost, and expense of every type whatsoever, including, without limitation, attorney fees and expenses.

E. Developer at 722 Hancock Lane shall cause the Project to be performed in accordance with the Project Plans, as approved by the City and the terms of this agreement.

F. Developer(s) understand the City will regularly inspect the progress of the construction and installation of the Project.

G. Upon completion of the construction and installation of the Project, and upon approval by the City, the Developer(s) will convey ownership of the public infrastructure to the City at no cost, and the City will be responsible for ongoing operation and maintenance.

H. Developer at 722 Hancock Lane shall warrant the improvements for 1 (one) year after final completion of the Project or a separate agreement is approved by the Commissioner of Public Services.

III. PAYMENT AND OTHER RESPONSIBILITIES

A. Anticipated Costs: 

| Roads/Drainage         | $1,004,164 |
| 16" Water Line Relocation | $597,621 |
| **Total**             | **$1,601,785** (the "Projected Total Cost") |

B. The Developer shall be responsible for twenty-four percent (24%) of the Projected Total Cost. The City and Developer agree and acknowledge that the City may seek additional contribution from the developer of Barton’s Mill for a percentage of the City Share, to be reimbursed to the City pursuant to a separate agreement with that developer.
C. The City agrees and acknowledges that the Water Department’s share of the water line relocation shall not exceed the lower amount of 33% of the cost of the Water Line Relocation or $200,000.

D. If the actual cost of the Project exceeds the Projected Total Cost, then the City shall be responsible for 33.3% of any such additional costs and each Developer shall be responsible for an equal portion (33.3%) of the remaining 66.7% of such additional costs.

E. The date on which this agreement is passed on the second reading at City Council shall be referred to herein as the “Deposit Trigger Date”. On or before the date that is five (5) business days following the Deposit Trigger Date, the City shall deliver the full sum of the City Share to Wilson Bank to be held in an interest-bearing escrow account (the “Escrow Account”)

F. Developer at 722 Hancock Lane shall be entitled to draw down 25% of the City Share from the Escrow Account upon the Deposit Trigger Date.

G. Developer at 722 Hancock Lane shall be entitled to draw down the remaining amount of the City Share upon the City’s final approval and acceptance of the Project, which approval and acceptance shall not be unreasonably withheld or delayed. The City’s cumulative obligation shall not exceed $650,000 for the scope of work presently contemplated in the Project; however, the City may be liable for additional amounts as expressly described in Section III(D) hereof.

H. Developer at 1920 Coles Ferry Pike shall reimburse the City for their share of the cost within 10 business days of the issuance of the grading permit for their development OR within 30 days of work beginning on the road widening project, whichever is earliest.

I. City Staff will expedite reviews & approval of the construction plans for 1920 Coles Ferry Pike in an effort to allow the Developer of said project to purchase the property and reimburse the City in a timely manner.

J. Developer at 722 Hancock Lane has obtained the City’s Commissioner of Public Services approval of the plans for the scope of the Project prior to commencing construction as described and depicted in the Project Plans.

K. The Mayor and Commissioner of Finance are authorized to establish and execute the necessary escrow account as mentioned above.

IV. MISCELLANEOUS:

A. This agreement may be modified, altered, amended, canceled, or terminated only by the written agreement of the parties hereto.

B. Any amendment to this agreement must be approved via ordinance of the City Council.
C. Developer/owner may assign ALL its rights, herein to the Agreement, at its sole option and discretion, upon written notice to the City at 200 North Castle Heights Avenue, Lebanon, Tennessee 37087 Attn: Commissioner of Public Services, with a copy to be sent to the City Attorney at 106 North Castle Heights Avenue, Lebanon, Tennessee 37087. In any such event, all rights, powers, privileges, and obligations of the Developer/owner including the Developer Reimbursement shall be fully assigned and assumed by the named Assignee.

D. This agreement shall be governed by and construed in accordance with the laws of the State of Tennessee and shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors in interest and assigns. Venue for all matter arising under this Agreement shall be in the courts of Wilson County, Tennessee, and the parties hereto consent to the jurisdiction of such courts for any such legal proceedings.

[Signature Page attached Hereto]
IN WITNESS WHEREOF, the parties hereby have caused this Agreement to be executed by their duly authorized officers on the day and year above written.

APPROVED AND RECOMMENDED:

Commissioner of Public Services

Utilities Director

APPROVED AS TO AVAILABILITY OF FUNDS:

Commissioner of Finance

APPROVED AS TO FORM:

City Attorney

THE CITY OF LEBANON:

Rick Bell, Mayor

Date

ATTEST:

Authorized Officer
8/3/2023

DEVELOPER:

MI Homes c/o Dave Cumming

Date:
EXHIBIT A

Scope of Work

Coles Ferry Pike Improvements – to be completed prior to the City’s issuance of the first CO of Phase 2 of the Averitt Landing Development:

a. Widen a portion of Coles Ferry Pike to a three-lane section with two (2) foot paved shoulders as depicted in the Project Plans;
b. Overlay and restripe a portion of Coles Ferry Pike as depicted in the Project Plans;
c. Build sidewalks along the portions of the improvements as depicted in the Project Plans (excluding the frontages of the Averitt Landing & 1920 Coles Ferry Pike Developments);
d. Abandon in place the existing 16" water main and install a new 16" water main outside of proposed roadway in a public utility easement as depicted in the Project Plans;
e. Improve and accommodate for proper drainage along the length of the improvements as depicted in the Project Plans (excluding the frontages of the Averitt Landing & 1920 Coles Ferry Pike Developments).
ORDINANCE NO. 23-6841

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE BUDGET AMENDMENTS FOR THE FIRE DEPARTMENT TO
REPLACE BAY DOORS AND FURNITURE AT STATION 1

WHEREAS, the Lebanon City Council approved and adopted the 2023 – 2024 fiscal year budget on June 6, 2023 by Ordinance No. 23-6753; and

WHEREAS, replacements parts for the Station 1 bay doors are no longer being made and it is now necessary to replace the bay doors; and

WHEREAS, replacement furniture is necessary for the Station 1 living room; and

WHEREAS, budget amendments are required to cover the cost.

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 City of Lebanon budget as follows:

Department: Fire

<table>
<thead>
<tr>
<th>From: 11090000-79000</th>
<th>Budget Fund Balance</th>
<th>$29,010.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>To: 11042200-72600</td>
<td>Maintenance</td>
<td>$21,773.00</td>
</tr>
<tr>
<td>11042200-73200</td>
<td>Operating Supplies</td>
<td>$7,237.00</td>
</tr>
</tbody>
</table>

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

Attest: 

Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Passed first reading: 

Passed second reading: 

Approved by:

Mayor
CITY OF LEBANON ACCTG. DEPT.  
BUDGET AMENDMENT FORM  
FY 2023-2024

DEPARTMENT  
Fire

TRANSFER FROM

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11090000-79000</td>
<td>Fund Balance</td>
<td>$ 29,010.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $ 29,010.00

TRANSFER TO

<table>
<thead>
<tr>
<th>G/L ACCT NO</th>
<th>ACCT DESCRIPTION</th>
<th>DEBIT</th>
<th>CREDIT</th>
</tr>
</thead>
<tbody>
<tr>
<td>11042200-72600</td>
<td>Maintenance</td>
<td>$ 21,773.00</td>
<td></td>
</tr>
<tr>
<td>11042200-73200</td>
<td>Operating Supplies</td>
<td>$ 7,237.00</td>
<td></td>
</tr>
</tbody>
</table>

Total $ 29,010.00

REQUESTED BY  
Jason Baird

DATE 8/4/2023

DEPARTMENT HEAD  
[Signature]

DATE 8/4/23

COMM. OF FINANCE  
[Signature]

DATE 8-4-23

MAYOR

DATE

REASON FOR THIS TRANSFER:

- Current bay doors at Station 1 were installed in 2005 and they no longer make the parts to make repairs. The cost of maintenance has surpassed the cost of replacement.
- Replacement living room furniture due to contamination at Station 1.

REVISED 07-01-2023
## Terms
<table>
<thead>
<tr>
<th>Terms</th>
<th>Due Date</th>
<th>PO #</th>
<th>JOB ID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Due on receipt</td>
<td>07/18/2023</td>
<td></td>
<td>9579</td>
</tr>
</tbody>
</table>

## Bill to
<table>
<thead>
<tr>
<th>Bill to</th>
<th>Billing Contact</th>
<th>Service Location</th>
<th>Service Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Lebanon Fire Dept</td>
<td>Nick McCorklen</td>
<td>City of Lebanon Fire Dept</td>
<td>Nick McCorklen</td>
</tr>
<tr>
<td>520 Coles Ferry Pike</td>
<td></td>
<td>520 Coles Ferry Pike</td>
<td></td>
</tr>
<tr>
<td>Lebanon, TN 37087</td>
<td></td>
<td>Lebanon, TN 37087</td>
<td></td>
</tr>
</tbody>
</table>

## Job Name
Lebanon Station #1 Complete Door Replacement

## Service / Product
<table>
<thead>
<tr>
<th>SERVICE / PRODUCT</th>
<th>DESCRIPTION</th>
<th>COMPLETED</th>
<th>QTY</th>
<th>PRICE / RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clopay Energy Series</td>
<td>Model 3200 (3-layer steel back, 9.0 R-value) 13/6 x 11 commercial Tan, 3rd</td>
<td>3.0</td>
<td></td>
<td>$5,160.00</td>
<td>$15,480.00</td>
</tr>
<tr>
<td></td>
<td>section 24 x 12 Insulated glass, 50k cycle springs, 3&quot; reverse angle track installed</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clopay Energy Series</td>
<td>Model 3200 13/6 x 12/6 Torsion front, LHR Track (Same Specs) installed</td>
<td>1.0</td>
<td></td>
<td>$6,293.00</td>
<td>$6,293.00</td>
</tr>
</tbody>
</table>

## Total:
$21,773.00
M | Lebanon Fire Dept.
Address | 520 Coles Ferry Pike
City | Lebanon, TN 37087
Phone # | 615-443-2903

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>DESCRIPTION</th>
<th>PRICE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Softline Leather Sofas 7003 Splendor Chestnut</td>
<td>1779</td>
<td>5337.00</td>
</tr>
<tr>
<td>1</td>
<td>Softline Leather Ottoman 7003 Splendor Chestnut</td>
<td>475</td>
<td>475.00</td>
</tr>
</tbody>
</table>

*Delivery To: Station #1
209 E. Gay St.
Lebanon, TN 37087

Furniture Safeware  □ Yes  □ No  Initial
Appliance Warranty  □ Yes  □ No  Initial
Bedding Mattress Protector  □ Yes  □ No  Initial

□ Web  □ Radio  □ Newspaper  □ TV  □ Mailer

5812.00

TAX exempt
TOTAL 5812.00

All claims and returned goods MUST be accompanied by this bill. I have read and agree to policies on reverse side. By signing below you agree to the merchandise and price charged. If special order, not subject to cancellation or exchange. Order time approx. 6-8 weeks, but not guaranteed.

195013
twc for delivery note-eoa 3-4 weeks
**Order Information**

- **Purchase Order No.:**
- **Date:** 7-25-23
- **Ship To:**
  - **Company:** Lebanon Fire Dept.
  - **Address:** 520 Coles Ferry Pike
  - **City:** Lebanon, TN 37087
  - **Phone:** 615-443-2903

**Sales Information**

- **Sold By:** JASON H.
- **Quantity:**
- **Description:**
  - 3 Softline Leather Ottomans
  - 7003 Splendor Chestnut #10002

**Order Details**

- **Price:** 1425.00
- **Amount:**
- **Deliver To:**
  - Station #1
  - 209 E. Gay St
  - Lebanon, TN 37087

**Furniture and Warranty**

- **Furniture Safeware:** Yes
- **Appliance Warranty:** Yes
- **Bedding Mattress Protector:** Yes

**Final Calculations**

- **Tax:** exempt
- **Total:** 1425.00

---

**Special Order Notes**

- Special order—call when in ETA October
ORDINANCE NO. 23-6845

AN ORDINANCE OF THE CITY COUNCIL OF LEBANON
TO DONATE A 2013 CHEVROLET CAPRICE TO THE LEBANON HIGH SCHOOL
CRIMINAL JUSTICE PROGRAM

WHEREAS, Article II, Section 1(11) of the Lebanon City Charter authorizes the
disposal of city property by ordinance; and

WHEREAS, the Lebanon Police Department wishes to donate an out of service 2013
Chevrolet Caprice to the Lebanon High School Criminal Justice Program for use as a training
prop; and

WHEREAS, coordination between the Lebanon Police Department and the LHS
Criminal Justice Program is beneficial for both parties; and

WHEREAS, the 2013 Chevrolet Caprice has been out of service and the equipment on
the vehicle is antiquated; and

WHEREAS, the vehicle will be used as a prop and not on the roadway.

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

Section 1. The donation of the 2013 Chevrolet Caprice, VIN 6G1MK5U29DL828122, mileage 105,387, to the Lebanon High School Criminal Justice
Program is hereby approved. The Mayor and the Commissioner of Finance and Revenue are
hereby authorized to execute any documentation necessary to affect such donation and
transference of title.

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

Attest:                                  Approved:

Commissioner of Finance & Revenue

Approved as to form:

City Attorney

Passed first reading:

Passed second reading:
RESOLUTION NO. 23-2642

A RESOLUTION OF THE CITY COUNCIL OF LEBANON
TO ACCEPT BIDS FOR THE NEW PORTABLE STAGE FOR CITY EVENTS

WHEREAS, the city is in need of a new portable stage for city events; and

WHEREAS, competitive bidding for this project was opened on August 1, 2023 wherein the City of Lebanon received the following bids; and

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>AMOUNT OF BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>Astra Stages, LLC</td>
<td>$69,295.00</td>
</tr>
<tr>
<td>Century Industries</td>
<td>$116,151.00</td>
</tr>
<tr>
<td>Stageline</td>
<td>$114,750.00</td>
</tr>
</tbody>
</table>

WHEREAS, Astra Stages, LLC is recommended as the best and lowest bidder; and

WHEREAS, funds are available in line 11044234-77210 to cover the cost.

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

Section 1. The bids for a new portable stage for city events, attached hereto by reference as if appearing verbatim herein, are hereby approved. The Mayor and the Commissioner of Finance and Revenue are hereby authorized to enter into a contract with Astra Stages, LLC, the best and lowest bidder, for the amount of Sixty-nine Thousand, Two Hundred Ninety-five Dollars and No Cents ($69,295.00).

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

Adopted this ______ day of ____________, 2023.

Attest:                                            Approved:

Commissioner of Finance & Revenue                    Mayor

Approved as to form:

City Attorney
RESOLUTION NO. 23-2643

A RESOLUTION OF THE CITY COUNCIL OF LEBANON
TO AUTHORIZE BIDDING THE REPLACEMENT ROOF PROJECT FOR THE
GYM AREA OF JIMMY FLOYD FAMILY CENTER

WHEREAS, it is now necessary to advertise for bids to replace the roof for the gym area of the Jimmy Floyd Family Center.

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

Section 1. The Purchasing Department is hereby authorized to advertise for bids for the Jimmy Floyd Family Center Phase 2 (Gym area) roof replacement.

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

Adopted this ______ day of __________, 2023.

Attest:                                      Approved:

Commissioner of Finance & Revenue          Mayor

Approved as to form:

______________________________________  ____________________________________
City Attorney
RESOLUTION NO. 23-2645

A RESOLUTION OF THE CITY COUNCIL OF LEBANON TO AUTHORIZE THE PURCHASE OF A SCADA SYSTEM FOR THE GAS DEPARTMENT FROM THE SOLE SOURCE VENDOR

WHEREAS, the Gas Department has a need for a SCADA System, as detailed on the quote attached hereto by reference as if appearing verbatim herein; and

WHEREAS, Experitec, Inc. and Emerson Automation Solutions is the sole source vendor for such SCADA System, as detailed on the Sole Sourced Letter 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 a contract with Experitec, Inc. and Emerson Automation Solutions, the sole source provider, for RTU, Transmitters, and Configuration, as detailed on the quote attached hereto by reference as if appearing verbatim herein, for the amount of One Hundred Fifty-four Thousand, Two Hundred Eighty-two Dollars and No Cents ($154,282.00).

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

Adopted this ______ day of __________, 2023.

Attest:  
Approved:

Commissioner of Finance & Revenue  
Mayor

Approved as to form:

City Attorney
<table>
<thead>
<tr>
<th>Item</th>
<th>Qtn.</th>
<th>Unit Price</th>
<th>Unit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>RTU, Transmitters and Configuration</td>
<td>154282.00</td>
<td>$154282.00</td>
<td>154282.00</td>
<td>Total: $154282.00</td>
</tr>
</tbody>
</table>

**Reconciliation #**

**Date**

**Prepared by**

**Comments**

**Budget Year**

**Requested Contract Closing Date**

**Approved by**

**$154,282.00** for the purchase of RTU, Transmitters and Configuration for the Gas Department.

**Reason for Award:**

- [ ] Low Bid
- [ ] Recommendation made to Executive, E. Emerson, for sole source price of
- [ ] Better or Required Design
- [ ] Only Source Available

**Sole Source Vendor:**

- [ ] Item # 45-16520

**Total Price:**

- [ ] $154,282.00

**City of Lebanon - Purchasing Office**

**Opening Date:** August 3, 2023

**Transmittal of Bids/Proposals**

(6 vendors)
**Sole Source Justification Form**

Only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation, such as technical qualifications, ability to deliver at a particular time, or services from a public utility.

**Vendor:** Experitec, Inc. and Emerson Automation Solutions

**Commodity (item to purchase):**

**RTU, Transmitters and Configuration**

Estimated cost for the above commodity or service: $154,282

Initial all entries below that apply to the proposed purchase. Attach a memorandum containing complete justification and support documentation as directed in initialed entry. (More than one entry will apply to most sole source products/services requested).

1. **SOLE SOURCE REQUEST IS FOR THE ORIGINAL MANUFACTURER OR PROVIDER, THERE ARE NO REGIONAL DISTRIBUTORS.** (Attach the manufacturer's written certification that no regional distributors exist. Item no. 4 also must be completed.)

2. **SOLE SOURCE REQUEST IS FOR THE ONLY TENNESSEE AREA DISTRIBUTOR OF THE ORIGINAL MANUFACTURER OR PROVIDER.** (Attach the manufacturer's written certification that identifies all regional distributors. Item no. 4 also must be completed.)

3. **THE PARTS/EQUIPMENT ARE NOT INTERCHANGEABLE WITH SIMILAR PARTS OF ANOTHER MANUFACTURER.** (Explain in separate memorandum.)

4. **THIS IS THE ONLY KNOWN ITEM OR SERVICE THAT WILL MEET THE SPECIALIZED NEEDS OF THIS DEPARTMENT OR PERFORM THE INTENDED FUNCTION.** (Attach memorandum with details of specialized function or application.)

5. **THE PARTS/EQUIPMENT ARE REQUIRED FROM THIS SOURCE TO PERMIT STANDARDIZATION.** (Attach memorandum-describing basis for standardization request.)

6. **NONE OF THE ABOVE APPLY. A DETAILED EXPLANATION AND JUSTIFICATION FOR THIS SOLE SOURCE REQUEST IS CONTAINED IN ATTACHED MEMORANDUM.**

The undersigned requests that competitive procurement be waived and that the vendor identified as the supplier of the service or material described in this sole source justification be authorized as a sole source for the service or material.

**REQUISITIONER:**

**DEPARTMENT HEAD OR SUPERVISOR**

(IF OVER $5,000)

**DEPARTMENT ISSUED DATE:** 7-21-23

**APPROVED BY:**

**SOLE SOURCE AUTHORIZATION PURCHASING DATE:**

**DISAPPROVED BY:**

**DATE:**

**REASON FOR DISAPPROVAL:**

**Reason for approval:**
Dear Chad,

On behalf of Experitec, Inc. and Emerson Automation Solutions, we are pleased to submit the following sole source justification for your gas system upgrade to the TETCO and Columbia Gulf stations.

1. SOLE SOURCE REQUEST IS FOR THE ORIGINAL MANUFACTURER OR PROVIDER, THERE ARE NO REGIONAL DISTRIBUTORS. (Attach the manufacturers written certification that no regional distributors exist. Item no. 4 also must be completed.)

The products and services we are offering are being supplied via the Emerson Impact Partner Network. This network is an integrated alliance of locally accessible, Emerson-certified, strategic partners delivering Emerson products, services and solutions throughout North America. Experitec is the only company in your area of Tennessee that offers these products and services. Please see attached Impact Partner Network document.

2. SOLE SOURCE REQUEST IS FOR THE ONLY TENNESSEE AREA DISTRIBUTOR OF THE ORIGINAL MANUFACTURER OR PROVIDER. (Attach the manufacturer's - not the distributors - written certification that identifies all regional distributors. Item no. 4 also must be completed.)

Same as above

4. THIS IS THE ONLY KNOWN ITEM OR SERVICE THAT WILL MEET THE SPECIALIZED NEEDS OF THIS DEPARTMENT OR PERFORM THE INTENDED FUNCTION. (Attach memorandum with details of specialized function or application.)

Pipeline cybersecurity is more important now than ever before. As demand surges, the technology landscape morphs and risk become realities, it's more apparent than ever that keeping the backbone of energy secure, is crucial to our survival. The Emerson FB3000 was designed and built with security in mind. It communicates over a secure protocol called DNP3. Emerson has set itself above and beyond all other competitors by enabling DNP3 Secure Authentication v5 (SAv5), which guarantees that every device and server on your network is authenticated, while also optimizing the use of your available bandwidth in ways that traditional insecure protocols never could.

Here's a few other items that set Emerson's security above the competition.

- Role-based Security: FBxConnect provides multi-level role-based security, allowing different users the required accessibility to perform their tasks. User authentication is more robust with stronger and longer encrypted passwords (up to 16 characters: upper, lower case, numbers, and special characters) and the ability to apply a minimum password length.
- Security Lock-out: A security lock-out option prevents multiple unsuccessful login attempts for a pre-configured time.
- Authentication: An added security feature is that flow computer firmware is authenticated by Emerson and will not load without the required signature.
Attached is a Cybersecurity bulletin which explains in more detail the security of our family of field devices.

Emerson is the only manufacturer offering Security Authentication v5. Providing the most robust cybersecurity platform available for field SCADA equipment exceeding TSA requirements. Experitec is the local Impact Partner for Emerson in Tennessee and is the sole provider of Emerson OEM equipment and services. Please contact me with any questions or clarifications.

Sincerely,

Dan Gray
The Emerson Impact Partner Network
Local expertise, enterprise knowledge, impact delivered.

Emerson Impact Partner Network
An integrated alliance of locally accessible, Emerson-certified, strategic partners delivering Emerson products, services and solutions throughout North America.
A Connected Local Partner Delivering Everything Emerson

When you have unique or urgent process, safety, reliability, or application issues that require implementation of quality products and solutions at the highest level, you need a locally vested partner with global access to industry knowledge and best practices.

Your local Emerson Impact Partner is factory certified and connected to the full breadth of Emerson products, solutions, and enterprise expertise leveraging proven technologies and methodologies to help solve the most complex and urgent automation challenges.


Local Regardless of Location
Emerson Impact Partners have nearby offices and service facilities that are ready to quickly provide you with certified engineering and service resources for any situation, plus local inventories of products and parts for fast delivery.

One Point of Contact
Emerson Impact Partners are a single provider for all your industrial automation and digital transformation needs without the complexity and stress of managing multiple vendors for each step of the process.

Risk Management: Robust and Consistent
Emerson Impact Partners have decades of experience collaborating with customers, and help develop reliable and consistent risk management strategies designed to improve and secure your operations.

Breadth and Depth, Connected and Integrated
Emerson Impact Partners help you evaluate, select, and apply the entire spectrum of Emerson products and services across different sites, industries, platforms, and applications to engineer customized solutions that measurably improve the performance of your business.
Broad and Diverse Offerings
Emerson Impact Partners have ready access to global insight, industry best practices, and a vast distribution network with an extensive range of innovative products, services and engineered solutions to solve your most complex issues.

Consistency and Support from Site to Site
Emerson Impact Partners communicate, cooperate and collaborate to deliver a cohesive Emerson experience for multi-site operations no matter the geographic or operational differences.

Automation and Application Excellence
Emerson Impact Partners provide unmatched levels of process automation, digital data management, and application expertise through our network of locally available engineers, industry consultants and subject matter experts.

Trained and Certified by Emerson
Emerson Impact Partners must each pass a comprehensive training and certification process to officially offer and deliver the exemplary service and support you expect from Emerson.

For a comprehensive list of capabilities see Emerson.com/ImpactPartners

**Customized Application Solutions**

Unique, complex operations require multiple solutions and vendor interactions to address numerous requirements across your enterprise.

**Rapid Response Services for the Unexpected**

When the unexpected strikes, your trusted partner offers immediate problem-solving support to prevent costly delays in your operation.

---

**Your Emerson Impact Partner provides**

- Customized and scalable engineered solutions tailored to meet your specific needs and application requirements.
- Local project team execution with Emerson-factory trained and certified personnel to handle any degree of complexity.
- Collaborative processes for engineering solutions, project implementation, maintenance services, and process optimization.
- Emerson technologies and the expertise to digitally connect your critical equipment assets, processes, and operations.

---

**Your Emerson Impact Partner provides**

- Immediate access to responsive local or remote expertise and support.
- Emergency on-site services with factory-trained and certified engineers and technicians.
- Comprehensive service agreements tailored to fit your specific business needs that provide for prioritized rapid response.
- Local service facilities equipped to provide in-shop and on-site repair for all your process automation and controls equipment.
Inventory for Quick Repair, Replacement, or Upgrade

When scheduling maintenance service and upgrade installations, you need fast fulfillment on products and parts.

Your Emerson Impact Partner provides

- An unmatched distribution network in close proximity to your operations that leverages Emerson's global infrastructure and inventory sharing across the Emerson Impact Partner Network.
- Local availability and access to Emerson products and parts inventory.
- Emerson's QuickShip program, providing immediate availability of critical products and parts.
- Inventory programs tailored to meet your site-specific operational needs that reduce scheduling and financial impacts caused by unexpected lead-time and logistics delays.

Planned Services to Reduce Downtime and Maximize Operational Efficiency

Planned maintenance programs along with product and automation upgrades, minimize downtime and ensure safe, optimal, and reliable performance.

Your Emerson Impact Partner provides

- Early engagement, local site planning, and resource coordination to ensure on-time success.
- Improved risk identification and prevention through working with our process automation, safety, and reliability consultants and engineers.
- Experienced project managers who plan and supervise multi-disciplinary plant maintenance events across all process automation and controls assets.
- A variety of connected and cloud-based performance monitoring services that provide actionable insights to improve reliability, safety, and performance.
- Predictive, data-driven maintenance and asset management programs that improve asset reliability, uptime, and process performance.

For a comprehensive list of capabilities see Emerson.com/ImpactPartners
Emerson Impact Partner Network = Easy Access to Experts and Innovative Technology

An integrated network of 19 Emerson Impact Partners geographically distributed throughout North America for local access to:

- **3M+ sq. ft of facilities with $275M+** in Emerson inventory in local markets
- **5,600+** employees across North America
- **2,500+** sales & service professionals
- **1,900+** engineering and field techs
- **700+** customer support and administration personnel
- **60+** certified service centers
North America

1) APPLIED CONTROL
2) CALTROL
3) CONTROL ASSOCIATES
4) CONTROL SOUTHERN
5) CORNERSTONE

6) ECI
7) EXPERITEC
8) JOHN H. CARTER
9) LAKESIDE
10) LAURENTIDE

11) NECI
12) NOVASPECT
13) PCE PACIFIC
14) PROCONEX
15) PUFFER

16) R.E. MASON
17) SCALLON CONTROLS
18) SPARTAN CONTROLS
19) VINSON

For a comprehensive list of capabilities see Emerson.com/ImpactPartners
The Emerson Impact Partner Network

Local expertise, enterprise knowledge, impact delivered.

The Emerson Impact Partner Network uniquely empowers you to locally access and harness everything Emerson. Emerson technology, Industry expertise, and highly skilled resources to engineer and implement innovative solutions for maximum business performance and operational impact.

For more information visit Emerson.com/ImpactPartners.
CyberSecurity and Emerson’s SCADA Solutions for Oil & Gas

CyberSecurity starts in the field - the principals of Defense in Depth are that every individual component in your system must protect itself from attack. You cannot trust any individual device, network, or computer to remain secure - so your most critical assets, your field devices, must be able to defend themselves and maintain operations and data integrity throughout any event. At Emerson, we are used to providing this kind of 100% availability to all our customers, but modern CyberAttacks present a new challenge, which we are meeting in several ways.

Secure Devices
Our FB Automation Platform includes the FB3000 RTU and FB1000 and FB2000 Series Flow Computers, and these devices are where security begins. All firmware is digitally signed at the factory, and the devices will not accept any modified or unknown firmware. Each time a device boots it checks its own firmware, and if the device has been compromised or modified, it will revert to a known factory installed image - ensuring that even if all defenses have been breached, the devices themselves will continue to operate.

Secure Protocols
DNP3 has become the de-facto standard for secure communications within the electrical and water industries globally. Emerson is bringing the same protection to the oil and gas industry with the release of support for DNP3 Secure Authentication v5 (SAv5), which guarantees that every device and server on your network is authenticated, while also optimizing the use of your available bandwidth in ways that traditional insecure protocols never could.

Every FB Automation Platform and ControlWave™ device will support a unique DNP3 Update Key that will limit control and configuration actions to the software and servers selected by the end user, ensuring that every individual action is authenticated before it occurs. We are introducing SAv5 across the FB Automation Platform and ControlWave product lines and already support it within both the OpenEnterprise™ and AspenTech’s monarch™ SCADA platforms. Together these products provide end to end security that protect your Emerson SCADA system – and as an open industry standard, DNP3 also provides maximum compatibility and interoperability with non-Emerson equipment and software.

For more information:
www.Emerson.com/SCADAforEnergy
Security Enhancements
We recognize the investment customers have made in our existing Emerson hardware products. While we are introducing DNP3 SAV5 for the ControlWave platform, the ROC800 and FloBoss™ platforms introduced a different challenge. For these devices, we are introducing new firmware and tools which support longer and more complex usernames and passwords, as well as a significantly more secure version of the ROC and ROC+ protocols.

These enhancements will allow our existing customers to meet and exceed the current TSA Directives for US pipeline operators for securing field devices – and will be made available free of charge to all our existing customers. It is important to understand that these protocol changes also require modifications to SCADA software drivers. We are implementing these changes within the OpenEnterprise and monarch SCADA platforms and working with a wide range of third party vendors to ensure that customers can take advantage of these enhancements.

Credential Management Tools
New security regulations in the US, and good practice, require that credentials are changed quickly when staff leave your organization. With large deployments of 1000’s of field devices, this can become a real challenge. We recently introduced Credential Manager – a new tool for managing usernames and passwords across large fleets of RTUs. Credential Manager supports the FB Automation Platform as well as ROC800, FloBoss and ControlWave platforms in a single product. With Credential Manager, you can simplify compliance and reduce costs while meeting your CyberSecurity requirements.

Emerson's Cyber-Secure SCADA Solutions
- FB3000 RTU
- FB Series Flow Computers
- ROC800-Series Controllers
- ControlWave Micro
- ControlWave PAC
- ControlWave Express
- FloBoss 107 Flow Manager
- OSI monarch SCADA System
- OpenEnterprise SCADA System

Emerson Automation Solutions
www.Emerson.com/SCADAforEnergy
© 2022. Energy and Transportation Solutions, an affiliate of Emerson Electric Co. All rights reserved. The Emerson logo is a trademark and service mark of Emerson Electric Co. All other marks are the property of their respective owners.
RESOLUTION NO. 23-2646

A RESOLUTION ADOPTING A PROPOSED URBAN GROWTH BOUNDARY
PURSUANT TO THE PROVISIONS OF PUBLIC CHAPTER 1101 ADOPTED BY THE
 TENNESSEE STATE GENERAL ASSEMBLY

WHEREAS, Public Chapter 1101 of 1998 enacted by the Tennessee State General
Assembly requires the adoption of an urban growth plan to be ratified by the counties and cities; and

WHEREAS, Public Chapter 1101 provides an amendment process for modifying adopted
Urban Growth Boundaries; and

WHEREAS, the Wilson County Growth Coordinating Committee has considered the
request of the City of Mt. Juliet to revise the City’s Urban Growth Boundaries; and

WHEREAS, the attached Wilson County Urban Growth Boundary map was
recommended by the Wilson County Growth Coordinating Committee on July 19, 2023; and

WHEREAS, the attached physical description is provided to assist in determining the most
accurate location of the physical boundary for the Lebanon Growth Boundary.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lebanon,
Tennessee, Wilson County, while in regular session on August 15, 2023 as follows:

Section 1. The Wilson County Growth Management Plan dated July 19, 2023 is adopted
as the proposed urban growth boundaries for the City of Lebanon, Tennessee.

Section 2. If any section, clause, provision or portion of this resolution is held to be invalid
or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other
section, clause, provision or portion of this resolution.

Section 3. Resolution adopted this 15th day of August 2023.

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

Page 1 of 3