
**CITY OF GALLATIN
COUNCIL MEETING**

September 4, 2012

6:00 pm

**Dr. J. Deotha Malone
Council Chambers**

- Call to Order – Mayor Jo Ann Graves
- Opening Prayer – Rev. Stacey Durham, Creekview Church of Christ
- Pledge of Allegiance – Councilman Overton
- Roll Call: Vice Mayor Mayberry – Alexander – Camp – Garrott – Hayes – Kemp – Overton
- Approval of Minutes – August 21, 2012
- TDOT 109 S Presentation – Greg Hamilton, TDOT
- Public Recognition on Agenda Related Items
- Mayor’s Comments

AGENDA

1. **Public Hearing – Ordinance #O1207-47** amending Zoning Ordinance of the City of Gallatin, Tennessee by amending Agricultural (A) Agricultural Residential Zone District to Residential 40 (R40) Low Density Residential Zone District – 2.02 (+/-) acres, Ann Reagan Tomlinson, owner, S.B.E. Tax Map #134//Parcel 038.00 – located at 855 Coles Ferry Road, at the intersection with Stonegate Drive **(Councilman Camp)**
2. **Second Reading – Ordinance #O1208-50** appropriating funds for 2012 General Fund budget overages **(Councilman Jimmy Overton)**
3. **Second Reading – Ordinance #O1208-51** appropriating funds for 2012 Drug Fund budget overages **(Councilman Hayes)**
4. **First Reading – Ordinance #1208-52** to vacate right-of-way to James Caldwell Etux Faye Caldwell and accept right-of-way and drainage easement from James Caldwell Etux Faye Caldwell **(Councilman Alexander)**
5. **Resolution #R1209-38** reclassifying Director of Finance **(Councilman Garrott)**
6. **Resolution #R1209-39** awarding health insurance contract for the City of Gallatin **(Vice Mayor Mayberry)**
7. **Resolution #R1209-40** confirming appointment of Kenneth Thomson, Jr. and reappointment of John Garrott to Gallatin Historic District Commission **(Councilwoman Anne Kemp)**

- Other Business
- Public Recognition on Non-Agenda Related Items
- Adjourn

City of Gallatin City Council Meeting

August 21, 2012

The Gallatin City Council met in regular session on Tuesday, August 21, 2012 in the Dr. J. Deotha Malone Council Chambers in Gallatin City Hall. Mayor Jo Ann Graves called the meeting to order at 6:00 P.M. The opening prayer was led by Jim Huffman, Chaplain to the American Legion and the Pledge of Allegiance was led by Councilwoman Anne Kemp.

Mr. Jim Huffman announced that the American Legion will host a Memorial Service on September 11, 2012 at 6:00 P.M. Mr. Huffman invited everyone to come and join them in honoring those that gave their lives in the Twin Towers.

Mr. Huffman also announced an "All You Can Eat Breakfast" on September 15, 2012 at the American Legion from 6:30 A.M. until 10:00 A.M. He added that the cost is \$6.00 and the money raised goes to the youth of Gallatin.

City Recorder Connie Kittrell called the roll and the following were present: Vice Mayor Ed Mayberry, Councilman John D. Alexander, Councilman Steve Camp, Councilman Tommy Garrott, Councilman Craig Hayes, Councilwoman Anne Kemp and Councilman Jimmy Overton.

Approval of Minutes

Mayor Graves presented the minutes of the August 7, 2012 City Council Meeting for approval. Councilman Overton made motion to approve; Councilman Alexander seconded. Motion carried with 7 ayes and 0 nays.

Public Recognition on Agenda Related Items

Mayor opened public recognition on agenda related items.

Councilman Overton requested council to allow Mr. Chuck Gregory of the Lions Club to be able to speak at this time.

There was no objection from council.

Mr. Chuck Gregory, representing the Gallatin Lions Club, stated the club is sponsoring a Bike Ride Across Sumner County on September 22, 2012. Mr. Gregory requested the

City Council Meeting
August 21, 2012

Downtown Square "L" be closed on the morning of the event from 7:00 A.M until 9:30 A.M. Mr. Gregory also stated he has all the required paperwork for the closing.

Councilwoman Kemp made motion to approve; Councilman Overton seconded. Motion carried with 7 ayes and 0 nays.

Mr. Gregory thanked council and invited everyone to the Wilson County Fair.

Mayor's Comments

Public Meeting regarding Albert Gallatin/Hatten Track this Thursday, August 23, 2012 at 5:00 P.M. located at the Civic Center

Mayor's Night In is next Tuesday, August 28, 2012 from 4:30 P.M. until 6:00 P.M. in Mayor's office located in City Hall

September 10, 2012 is the Chamber of Commerce Luncheon beginning at 11:30 A.M. located at the Epic Event Center. Mayor Graves will deliver the State of the City Address.

Agenda

1. Ordinance #O1207-48 - Second Reading

Vice Mayor Mayberry presented this ordinance awarding bid and authorizing funds in the total amount of \$1,700,000.00 from water/sewer reserves for 2012 sewer system rehabilitation in various areas in the city - contract "212".

Vice Mayor Mayberry made motion to approve; Councilman Camp seconded. Motion carried with 7 ayes and 0 nays.

2. Ordinance #O1207-49 - Second Reading

Vice Mayor Mayberry presented this ordinance amending Chapter 11, Article V, Section 11-138 the Gallatin Municipal Code relating to peddlers, solicitors, and itinerant vendors by establishing a Do Not Solicit List.

Vice Mayor Mayberry made motion to approve; Councilman Overton seconded. Motion carried with 7 ayes and 0 nays.

3. Ordinance #O1207-47 - First Reading

Councilman Camp presented this ordinance amending Zoning Ordinance of the City of Gallatin, Tennessee by amending Agricultural (A) Zone District to Residential 40 (R40) Low Density Zone District - 2.02 (+/-) acres, Ann Reagan Tomlinson, owner, S.B.E. Tax Map #134//Parcel 038.00 - located at 855 Coles Ferry Road, at the intersection with Stonegate Drive.

Councilman Camp made motion to approve; Councilman Garrott seconded. Motion carried with 6 ayes, 0 nays and Councilman Overton abstained.

4. Ordinance #O1208-51 - First Reading

Councilman Hayes presented this ordinance appropriating funds for 2012 Drug Fund budget overages.

Councilman Hayes made motion to approve; Vice Mayor Mayberry seconded. Motion carried with 7 ayes and 0 nays.

5. Ordinance #O1208-50 - First Reading

Councilman Jimmy Overton presented this ordinance appropriating funds for 2012 General Fund budget overages.

Councilman Overton made motion to approve; Councilman Alexander seconded.

Councilman Garrott asked where the money is coming from in this year's budget.

Finance Director Rachel Nichols stated the first block of overages is paid out of the Fire Department Health Insurance line. Mr. Nichols added that the second item which is legal services was taken from excess funds in the Liability Insurance line.

Ms. Nichols stated that all of these appropriations were taken from other funds that had not been spent because she did not want to go into the reserves.

Council discussed these appropriations are taken out of last year funds to balance the June 30 budget.

Mayor called for the vote. Motion carried with 7 ayes and 0 nays.

6. Resolution #R1206-29

Councilwoman Kemp presented this resolution accepting public improvements by the City of Gallatin, Tennessee – Odric Gregory Industrial Park, Phase 3.

Councilwoman Kemp made motion to approve; Councilman Alexander seconded.

City Engineer Nick Tuttle stated that he approved these improvements.

Mayor called for the vote. Motion carried with 7 ayes and 0 nays.

Other Business

EDA Director James Fenton announced the Groundbreaking Ceremony for the new Gateway Extension is this Thursday, 1:30 P.M. in the Gallatin Industrial Park. Mr. Fenton invited everyone to come and join in this great event.

Public Works Director Ronnie Stiles stated he got the order to demolish the two houses from the dangerous building show cause hearings. Mr. Stiles stated this will run him over budget.

Mr. Stiles was directed to charge this expense to his budget.

There was discussion that these funds will go back into Mr. Stiles budget once the city passes a budget.

Councilman Overton asked for an update on the sign ordinance.

Codes/Planning Director Tony Allers stated the committee has worked diligently on this sign ordinance and City Attorney Joe Thompson presently has the ordinance and council should be receiving it soon.

Council discussed the many meetings and work sessions required to determine the proper text and create a comprehensive document.

Councilman Overton asked if there were changes in the bus route from Gallatin to Nashville.

Mayor Graves stated RTA is splitting the route, a bus for Gallatin and a bus for Hendersonville. RTA identified a location at the Farmers Market for a second pick-up point.

City Council Meeting
August 21, 2012

Councilman Garrott stated the Farmers Market pick-up will create a problem with the parking.

Councilman Garrott spoke about the golf carts at Long Hollow Golf Course and requested this be on the agenda at the next committee meeting for discussion.

Councilman Garrott also requested the budget be placed at the end of the next committee meeting agenda.

Public Recognition on Non-Agenda Related Items

Mayor opened public recognition on non-agenda related items and with no one wishing to speak, public recognition was closed.

Adjourn

There being no other business to discuss, the meeting was adjourned.

Mayor Jo Ann Graves

PUBLIC HEARING: SEPTEMBER 4, 2012
2ND READING: SEPTEMBER 18, 2012

ORDINANCE NO. 01207-47

ORDINANCE AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING AGRICULTURAL (A) AGRICULTURAL RESIDENTIAL ZONE DISTRICT TO RESIDENTIAL 40 (R40) LOW DENSITY RESIDENTIAL ZONE DISTRICT – 2.02 (+/-) ACRES, ANN REAGAN TOMLINSON, OWNER, S.B.E. TAX MAP #134//PARCEL 038.00- LOCATED AT 855 COLES FERRY ROAD, AT THE INTERSECTION WITH STONEGATE DRIVE.

WHEREAS, the Gallatin Municipal-Regional Planning Commission, pursuant to Section 15.07.040 of the Gallatin Zoning Ordinance has reviewed and recommended approval of this amendment in GMRPC Resolution No. 2011-69, attached hereto as Exhibit A; and

WHEREAS, notice and public hearing before the Gallatin City Council has or will occur before final passage of this amendment pursuant to Section 15.07.060 of the Gallatin Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE as follows:

1. The Gallatin City Council hereby concurs with the recommendations of the Gallatin Municipal-Regional Planning Commission has reviewed and recommended approval of this amendment in GMRPC Resolution No. 2011-69, attached hereto as Exhibit A; and
2. That based upon recommendation of approval by the Gallatin Municipal-Regional Planning Commission, public notice, and after public hearing in compliance with Section 15.07.060 of the Gallatin Zoning Ordinance, the zone of the real property described in Exhibit C, attached hereto, and further defined in Exhibit D, Rezoning Exhibit for Ann Reagan Tomlinson Property, shall be amended from the regular zoning district of Agricultural (A) agricultural residential zone district to Residential 40 (R40) low residential density zone district.
3. In accordance with Section 15.07.080 of the Gallatin Zoning Ordinance, the official zoning map of the City of Gallatin, Tennessee, shall, upon the effective date of this ordinance, be amended to reflect the zoning changes herein made.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect upon final passage, the public welfare requiring such.

PASSED FIRST READING: August 21, 2012.

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER
APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

RESOLUTION RECOMMENDING APPROVAL OF ORDINANCE NO. 01207-47 TO THE GALLATIN CITY COUNCIL - AMENDING ZONING ORDINANCE OF THE CITY OF GALLATIN, TENNESSEE BY AMENDING AGRICULTURAL (A) AGRICULTURAL RESIDENTIAL ZONE DISTRICT TO RESIDENTIAL 40 (R40) LOW RESIDENTIAL DENSITY ZONE DISTRICT – 2.02 (+/-) ACRES, ANN REAGAN TOMLINSON, OWNER, S.B.E. TAX MAP #134//PARCEL 038.00- LOCATED AT 855 COLES FERRY ROAD, AT THE INTERSECTION WITH STONEGATE DRIVE – PC0020-12

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION considered the rezoning request submitted by the applicant, C&K Surveyors, LLC., at its regular meeting on July 23, 2012; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and in the Planning Commission Staff Report, attached as Exhibit A, and evidence and testimony presented during the meeting.

NOW THEREFORE BE IT RESOLVED BY THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION as follows.

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to TCA § 13-3-103 and 13-4-102:

1. This zoning amendment is in agreement and consistent with the recommendations of the General Development and Transportation Plan for the area.
2. It has been determined that the legal purposes for which zoning regulations exists are not contravened.
3. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can be justified by the public good or welfare.
4. It has been determined that no one property owner or small group of property owners will benefit materially from the change to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the zoning amendment to the Gallatin City Council with the following conditions:

1. The applicant shall submit a copy of the signed affidavit that property owners have been notified by mail once letters are mailed. The deadline to mail the letters is 15

EXHIBIT A

- days before the Public Hearing is held at City Council (not counting that date).
2. The applicant shall submit fourteen (14) corrected copies of the rezoning exhibit to the Codes/Planning Department.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL-REGIONAL PLANNING COMMISSION that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

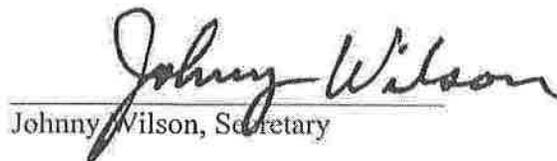
PRESENT AND VOTING

AYE: 6

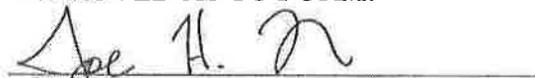
NAY: \emptyset

DATED: 7/23/12


Dick Dempsey, Chairman


Johnny Wilson, Secretary

APPROVED AS TO FORM:



JOE H. THOMPSON
CITY ATTORNEY

EXHIBIT A

R E C E I V E D
JUN 26 2012

GALLATIN PLANNING
& ZONING

**Legal Description
For
Ann Reagan Tomlinson
Map 134 – Parcel 38.00**

Property located at 855 Coles Ferry Road in the City of Gallatin, 3rd Civil District of Sumner County, Tennessee. Being described according to a survey by C&K Surveyors, LLC, William E. Crenshaw, R.L.S. #2395, dated June 10, 2012, as follows:

BEGINNING at an existing iron rod in the easterly right-of-way of Coles Ferry Road at the Southwest corner of the herein-described tract. Said pin also being the Northwest corner of the Tom W. Stone et ux property of record in Deed Book 163, Page 213, R.O.S.C., TN. Thence, from said POINT OF BEGINNING, along the easterly right-of-way of Coles Ferry Road (25 feet from the centerline) N 17°06'22" W – 290.84' to an iron rod set at the Northwest corner of the herein-described tract and the Southwest corner of the Charles Tomlinson et ux property of record in Deed Book 281, Page 222, R.O.S.C., TN. Thence, leaving the easterly right-of-way of Coles Ferry with the southerly line of the Charles Tomlinson property, S 85°21'16" E – 432.54' to an iron rod set in the westerly right-of-way of the C.S.X. Railroad at the Northeast corner of the herein-described tract and the Southeast corner of the James R. Clifton et ux property of record in D.B. 535, Page 375, R.O.S.C., TN. Thence, along the westerly right-of-way of the railroad (50 feet from the centerline) S 18°16'33" E – 209.60' to an existing concrete monument at the Southeast corner of the herein-described tract and the Northeast corner of Tom W. Stone, aforementioned. Thence leaving the railroad with the northerly line of Stone, N 83°50'55" W – 294.53' to an existing planted stone; Thence S 57°29'42" W – 140.46' to the POINT OF BEGINNING, containing 2.02 acres.

Being the same property conveyed to Ann Reagan Tomlinson by deeds of record in Deed Book 281, Page 219 and Deed Book 546, Page 606, R.O.S.C., TN.

EXHIBIT C

PC0020-12

ITEM 4
7/23/12 GMRPC MEETING

Public Comment

Applicant requests approval to rezone 2.02 (+/-) acres from Agriculture (A) to Residential 40 (R40). Property is located at 855 Coles Ferry Road.

Attachment 4-1 **Rezoning Exhibit**
Attachment 4-2 **Rezoning Ordinance NO. O12Ø7-47**
Attachment 4-3 **Legal Description of Property**

ANALYSIS

The applicant is requesting approval to rezone 2.02 (+/-) acres from Agriculture (A) to Residential 40 (R40). The property is located at 855 Coles Ferry Road, across from the intersection with Stonegate Drive. The property is currently zoned Agricultural (A). The existing use is Dwelling, One-Family Detached, which is a permitted use in the Agricultural zoned district. If the rezoning is approved by the Gallatin City Council the use of Dwelling, One-Family Detached will be maintained. No portion of this property is located in a flood hazard area. The property is located within the Gallatin Planning Region and the property is not contiguous with the existing City Limits, therefore annexation of this property is not being requested.

Gallatin on the Move 2020 General Development and Transportation Plan

The *Gallatin on the Move 2020 General Development and Transportation Plan* identifies this parcel on the Community Character Area Map as Suburban Neighborhood Emerging. The Suburban Neighborhood Emerging classification features the single-family residential use as well as small and large scale apartment and townhomes. According to the *Gallatin on the Move 2020 General Development and Transportation Plan*, the requested zone district of R40 is an applicable zone district for the Suburban Neighborhood Emerging Character Area. Staff is comfortable that the proposed use for this property meets the overall intent of *Gallatin on the Move 2020 General Development and Transportation Plan*.

Adjacent Zoning

Currently, the property at 855 Coles Ferry Road is 2.02 acres, which does not meet the zoning requirement of 2.5 acres per lot in the Agricultural zone. The applicant is wishing to rezone the property to bring it into compliance with the zoning ordinance and so a second parcel can be subdivided off at a later date. The subject property is bordered by Agricultural zoned property to the north and south, and Residential-20 (R20) to the west. To the east are the C.S.X. railroad and two (2) additional parcels. These two (2) parcels are located within Sumner County and outside of the Gallatin Planning Region. The Staff supports the applicant's request to rezone the property from A to R40.

Departmental Comments

All other departmental comments have been satisfied.

EXHIBIT A

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of the rezoning request to the Gallatin City Council with the following conditions:

1. The applicant shall submit a copy of the signed affidavit that property owners have been notified by mail once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
2. The applicant shall submit fourteen (14) corrected copies of the rezoning exhibit to the Codes/Planning Department.

EXHIBIT A

ATTACHMENT 4-2

ORDINANCE NO. 01207-47

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3. In accordance with Section 15.07.080 of the Gallatin Zoning Ordinance, the official zoning map of the City of Gallatin, Tennessee, shall, upon the effective date of this ordinance, be amended to reflect the zoning changes herein made.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect upon final passage, the public welfare requiring such.

PASSED FIRST READING:

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

ATTACHMENT 4-2

EXHIBIT A

CONNIE KITTRELL
CITY RECORDER
APPROVED AS TO FORM:

JOE H. THOMPSON
CITY ATTORNEY

ATTACHMENT 4-3

RECEIVED
JUN 26 2012

GALLATIN PLANNING
& ZONING

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For
Ann Reagan Tomlinson
Map 134 – Parcel 38.00**

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Being the same property conveyed to Ann Reagan Tomlinson by deeds of record in Deed Book 281, Page 219 and Deed Book 546, Page 606, R.O.S.C., TN.

EXHIBIT C

PC0020-12



City of Gallatin, Tennessee

Codes/Planning Department

**Gallatin Municipal-Regional Planning Commission
ACTION FORM**

DATE: July 24, 2012

TO: Mr. Chuck Kemp
CK Surveyors, LLC
242 W. Main St., PMB 199
Hendersonville, TN 37075

FROM: Gallatin Codes/Planning Department

RE: July 23, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Ann Reagan Tomlinson Property: PC File #0020-12

At the above referenced meeting, the request for rezoning was:

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Conditions of Approval:

1. The applicant shall submit a copy of the signed affidavit that property owners have been notified by mail once letters are mailed. The deadline to mail the letters is 15 days before the Public Hearing is held at City Council (not counting that date).
2. The applicant shall submit fourteen (14) corrected copies of the rezoning exhibit to the Codes/Planning Department.

Approval contains the following requirements:

- NONE
- BUILDING PERMIT/USE AND OCCUPANCY PERMIT
- ZONING PERMIT
- SIGN PERMIT
- LAND DISTURBANCE PERMIT
- MAINTENANCE SURETY
- SITE SURETY

EXHIBIT A



City of Gallatin, Tennessee

Codes/Planning Department

- SUBDIVISION SURETY
- LIST CONDITIONS OF APPROVAL ON RESUBMITTAL
- CITY COUNCIL APPROVAL
 - Council Committee: 8/14/12
 - 1st Reading at City Council: 8/21/12
 - Ad run for Public Hearing by Codes/Planning Department: 8/15/12
 - Public Hearing at City Council: 9/4/12
 - 2nd Reading at City Council: 9/18/12
- COUNCIL SUBMITTAL
- SUBMIT 3 CORRECTED, FOLDED COPIES (1 FULL SIZE AND 2 HALF SIZE IF ORIGINAL PLANS ARE LARGER THAN 18 x 24)
- OTHER

cc: Ms. Ann Reagan Tomlinson
Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #0020-12

EXHIBIT A

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

AUGUST 14, 2012

DEPARTMENT: CODES/PLANNING

AGENDA # 2

SUBJECT:

Ordinance #O1207-47 amending the Zoning Ordinance of the City of Gallatin, Tennessee by amending property located at 855 Coles Ferry Road, at the intersection with Stonegate Drive, from Agricultural (A) zone district to Residential 40 (R40) low density zone district.

SUMMARY:

Applicant request amending Agricultural (A) 2.02 (+/-) acres to Residential 40 (R40) zone district. S.B.E. Tax Map #134//Parcel 038.00 located at 855 Coles Ferry Road, at the intersection of Stonegate Drive. This rezoning was recommended at the July 23, 2012 Planning Commission meeting.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

EXHIBIT A

ORDINANCE NO. O12Ø8-50

ORDINANCE APPROPRIATING FUNDS FOR 2012 GENERAL FUND BUDGET
OVERAGES

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the following sums of money are hereby appropriated from unspent funds of the 2012 general fund budget:

\$7,000 from 11042220-142, Fire Health Insurance, to the following lines:

\$500, 11041500-142, Finance Health Insurance

\$4,500, 11041620-142, Attorney's Office Health Insurance

\$500, 11042300-142, Animal Control Health Insurance

\$1,500, 11044410-142, Civic Center Health Insurance

for overages caused by the health insurance increase that occurred in October 2011, and

\$3,500 from 11041590-522, Liability Insurance, to 11041620-252, Legal Services, and

\$4,500 from 11042110-123, Police Overtime, to 11042300-123, Animal Control Overtime, and

\$2,000 from 11043170-331, Vehicle Maintenance Gas and Oil, to 11042300-331, Animal Control Gas and Oil, and

\$6,000 from 11044450-350, Golf Items for Resale, to 11044410-323, Leisure Services Food, and

\$15,100 from 11044450-939, Golf Other Improvements, to 11044420-290, Civic Center Other Contractual Services, and

\$5,000 from 11044450-266 Golf Maintenance and Repairs
\$16,300 from 11041310-299 City Admin Council Expenses
\$7,000 from 11041310-171 City Admin Fees of Officials
\$3,000 from 11041310-172 City Admin Election Fees
\$4,700 from 11041310-259 City Admin Other Professional Services
\$500 from 11041310-287 City Administration Meals
\$12,500 to 11044720-147 Parks Unemployment
\$13,300 to 11044720-241 Parks Electricity
\$500 to 11044720-261 Parks Maintenance & Repairs Vehicles
\$10,200 to 11044720-922 Parks Operational Building; and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE,
that this Ordinance shall take effect from and after its final passage, the public welfare
requiring such.

PASSED FIRST READING: *Aug. 21, 2012*

PASSED SECOND READING:

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

8/14//2012

DEPARTMENT: Finance

AGENDA #

SUBJECT:

Ordinance to correct 2012 budget overages in General Fund

SUMMARY:

Ordinance to correct 2012 budget overages in General Fund

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE NO. 01208-51

ORDINANCE APPROPRIATING FUNDS FOR 2012 DRUG FUND BUDGET
OVERAGES

BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that the sum of \$1,000 is hereby appropriated from account 127-35140, Drug Fines, to account number 12742129-329, Operational Supplies, for overages in the fiscal year 2012 budget, and

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this Ordinance shall take effect from and after its final passage, the public welfare requiring such.

PASSED FIRST READING: Aug. 21, 2012

PASSED SECOND READING: _____

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

8/14//2012

DEPARTMENT: Finance

AGENDA #

SUBJECT:

Ordinance to correct 2012 budget overages in Drug Fund

SUMMARY:

Ordinance to correct 2012 budget overages in Drug Fund

RECOMMENDATION:

approval

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

ORDINANCE TO VACATE RIGHT-OF-WAY TO JAMES CALDWELL ETUX FAYE CALDWELL AND ACCEPT RIGHT-OF-WAY AND DRAINAGE EASEMENT FROM JAMES CALDWELL ETUX FAYE CALDWELL.

WHEREAS, THE CITY OF GALLATIN has determined that it no longer needs and proposes to vacate certain right-of-way;

WHEREAS, THE CITY OF GALLATIN has determined it needs to accept a certain right-of-way and drainage easement;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GALLATIN, TENNESSEE:

Section 1. That all that portion of the right-of-way, as shown as "Dixon Street ROW", as shown in attached EXHIBIT "A" is wholly vacated and shall no longer be a part of the street and alley systems of the City of Gallatin and is hereby transferred to JAMES CALDWELL ETUX FAYE CALDWELL;

Section 2. That the CITY OF GALLATIN accepts the North Water Right-of-Way and Drainage Easement as shown on Exhibits A and B; and the attached Offer of Irrevocable Dedication by JAMES CALDWELL ETUX FAYE CALDWELL;

Section 3. That the Mayor is authorized to execute any and all documents necessary to effectuate the terms of this agreement.

BE IT FURTHER ORDAINED BY THE CITY OF GALLATIN, TENNESSEE, that this ordinance shall take effect on final passage, the public welfare requiring such.

Passed first reading: _____

Passed second reading: _____

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL
CITY RECORDER

APPROVED AS TO FORM:

JOE THOMPSON
CITY ATTORNEY

RESOLUTION RECOMMENDING ORDINANCE TO VACATE RIGHT-OF-WAY TO JAMES CALDWELL ETUX FAYE CALDWELL AND ACCEPT RIGHT-OF-WAY AND DRAINAGE EASEMENT FROM JAMES CALDWELL ETUX FAYE CALDWELL.
TO THE GALLATIN CITY COUNCIL – PC0033-12

WHEREAS, THE CITY OF GALLATIN PLANNING COMMISSION has considered and recommended vacation by the City of Gallatin of the right-of-way of Dixon Street, as shown in Exhibit A, and acquirement of right-of-way along North Water Avenue, as shown in Exhibit A, and dedication of drainage easement, as shown in Exhibit B; submitted by the applicant, City of Gallatin, at its regular meeting on August 27, 2012; and

WHEREAS, THE CITY OF GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION has reviewed the application materials and supporting documentation submitted by the applicant, the analysis, findings and recommendations presented by City Staff and evidence and testimony presented during the meeting.

NOW THEREFORE BE IT RESOLVED BY THE GALLATIN MUNICIPAL-REGIONAL PLANNING COMMISSION as follows.

Section 1. The Gallatin Municipal-Regional Planning Commission in its deliberations makes the following findings pursuant to TCA § 13-3-103 and 13-4-102:

1. The request for vacating of right-of-way and acceptance of right-of-way and drainage easement described above is in agreement with the requirements of the Gallatin Subdivision Regulations.
2. It has been determined that the legal purposes for which zoning and subdivision regulations exists are not contravened.
3. It has been determined that there will not be an adverse effect upon adjoining property owners or any such adverse effect can be justified by the public good or welfare.
4. It has been determined that no one property owner or small group of property owners will benefit materially from the acceptance to the detriment of the general public.

Section 2. Action – The Gallatin Municipal-Regional Planning Commission hereby recommends approval of the request to vacate the right-of-way of Dixon Street and accept acquirement of right-of-way along North Water Avenue and dedication of drainage easement, to the Gallatin City Council.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE MUNICIPAL-REGIONAL PLANNING COMMISSION that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: 7

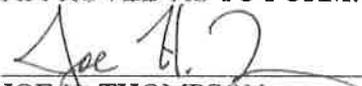
NAY: 0

DATED: 08/27/2012


Dick Dempsey, Chairman


Johnny Wilson, Secretary

APPROVED AS TO FORM:


JOE H. THOMPSON
CITY ATTORNEY

OFFER OF IRREVOCABLE DEDICATION

AGREEMENT made this _____ day of _____, _____, by and between James Caldwell Etux Faye Caldwell hereinafter designated as "grantor" and Gallatin, Tennessee, having its principal office at Gallatin, Tennessee, hereinafter designated as the "local government."

WHEREAS, Exhibit A, designates certain public improvements, shown as Right-of-Way along North Water to be dedicated, shown on the Exhibit A, to be dedicated to the CITY OF GALLATIN free and clear of all encumbrances and liens, pursuant to the requirements of the Planning Commission and the local government; and

WHEREAS, Exhibit B, designates certain public improvements, shown within a 20' wide drainage easement, shown on the Exhibit B, to be dedicated to the CITY OF GALLATIN free and clear of all encumbrances and liens, pursuant to the requirements of the Planning Commission and the local government; and

WHEREAS, the grantor is desirous of offering for dedication the said improvements and land to the local government, more particularly described in said Exhibits A and B; and

NOW, THEREFORE, in consideration of the sum of \$1.00 lawful money of the United States paid by the local government to the developer and other good and valuable consideration, it is mutually AGREED as follows:

1. The grantor agrees that the offer of dedication is irrevocable and can be accepted by the local government at any time.
2. That this Irrevocable Offer of Dedication shall run with the land and shall be binding on all assigns, grantees, successors, or heirs of the developer.

Date

Grantor(s)

ATTEST:

FOR THE CITY OF GALLATIN:

BY _____

Date

Date

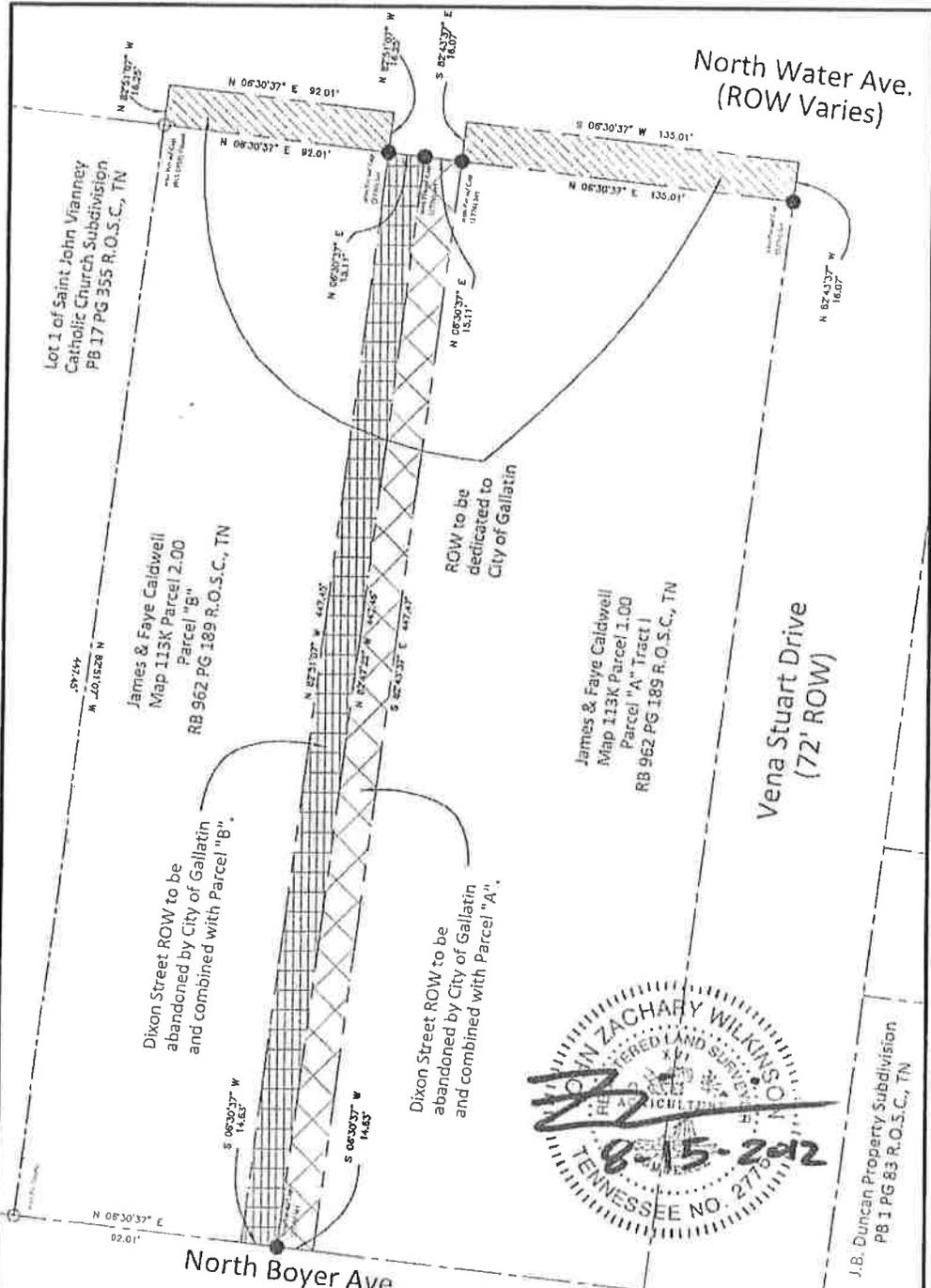
STATE OF TENNESSEE
COUNTY OF SUMNER

Before me, _____, of the state and county aforesaid, personally appeared James and Faye Caldwell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), executed the foregoing instrument for the purposes therein contained.

WITNESS my hand, at office, this ____ day of August, 2012.

NOTARY PUBLIC

My Commission Expires: _____



Tennessee State Plane (NAD 83)

EXHIBIT A

Gallatin, Sumner County, TN

Purpose: Abandonment and acquirement of Public Right of Way
Date of Survey: 5-29-2012

Prepared By: J. Zachary Wilkinson, RLS 2776
City of Gallatin Engineering Division
132 West Main Street
Gallatin, TN 37066
615-451-5965

SCALE: 1"=50'

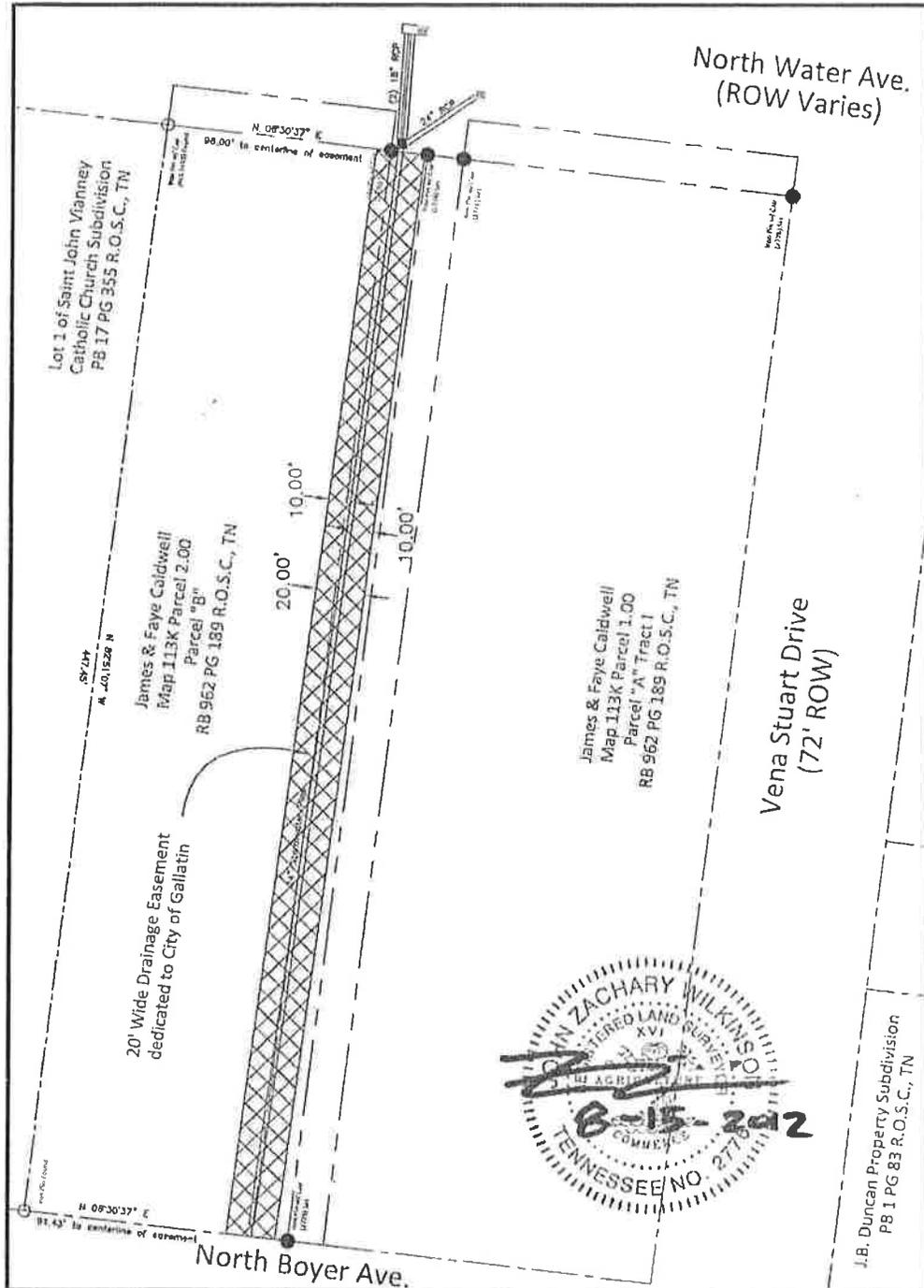
0 50 100 150

JOHN ZACHARY WILKINS
REGISTERED LAND SURVEYOR
8-15-2012
TENNESSEE NO. 2776

J.B. Duncan Property Subdivision PB 1 PG 83 R.O.S.C., TN

RECEIVED
AUG 16 2012
GALLATIN PLANNING & ZONING

PC0033-12



Tennessee State Plane
(NAD 83)



EXHIBIT B

Gallatin, Sumner County, TN

Purpose: Dedication of
Drainage Easement
Date of Survey: 7-17-2012



Prepared By: J. Zachary Wilkinson, RLS 2776
City of Gallatin Engineering Division
132 West Main Street
Gallatin, TN 37066
615-451-5965

GALLATIN PLANNING
& ZONING

RECEIVED
AUG 16 2012

PC0033-12



City of Gallatin, Tennessee

Codes/Planning Department

**Gallatin Municipal-Regional Planning Commission
ACTION FORM**

DATE: August 28, 2012

TO: Nick Tuttle, P.E.
City Engineer
City of Gallatin
132 W. Main St.
Gallatin, TN 37066

FROM: Gallatin Codes/Planning Department

RE: August 27, 2012: Gallatin Municipal-Regional Planning Commission Meeting
Dixon Street ROW - Vacating: PC File #0028-12

At the above referenced meeting, the request of approval to vacate the Dixon Street right-of-way and accept the North Water Ave. right-of-way and drainage easement was:

- RECOMMENDED
- RECOMMENDED WITH CONDITIONS
- NOT RECOMMENDED
- DEFERRED

Approval contains the following requirements:

- CITY COUNCIL APPROVAL
- Council Committee: 6/26/12
 - 1st Reading at City Council: 9/4/12
 - Public Hearing – Not Applicable
 - 2nd Reading at City Council: 9/18/12

cc: Mayor Jo Ann Graves
Mr. Joe H. Thompson, City Attorney
PC File #0028-12

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

JUNE 26, 2012

DEPARTMENT: Engineering

AGENDA # 6

SUBJECT:

REQUEST FOR ABANDONMENT OF RIGHT-OF-WAY - DIXON STREET

SUMMARY:

The City has been requested to abandon the right-of-way on Dixon Street to the adjacent property owner. E-mails were sent June 8, 2012, to Public Utilities, the Department of Electricity, Planning/Codes, and Public Works asking for their input. No one has indicated any problems with abandoning this right-of-way.

RECOMMENDATION:

Give Engineering permission to request a legal description from the property owner so that the abandonment can be described in an ordinance.

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1209-38

RESOLUTION RECLASSIFYING DIRECTOR OF FINANCE

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the position of Director of Finance is hereby reclassified from the Non-Classified Pay Grade MC to a Non-Classified Pay Grade MD, and that the incumbent, Rachel Nichols, be changed from a Pay Level MC17 (\$90,204.84) to Pay Level MD14 (\$90,861.44). Ms. Nichols' anniversary date shall remain August 29th.

BE IT FURTHER RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that this resolution shall take effect retroactively to December 30, 2010, the date of the assumption of additional duties, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE: _____

NAY: _____

DATED: _____.

MAYOR JO ANN GRAVES

ATTEST:

CONNIE KITTRELL, CITY RECORDER

APPROVED AS TO FORM:

JOE H. THOMPSON, CITY ATTORNEY



INTEROFFICE MEMO

DATE: 8/31/12
TO: Mayor Jo Ann Graves
FROM: Dave Crawford, Personnel Official *Dave*
SUBJECT: Salary Requested Information

Mayor, here is the information you requested.

	<u>Current Pay Grade</u>	<u>Current Salary</u>	<u>Eval. Date</u>	<u>Proposed Grade/Salary</u>	
David Gregory	ME16	\$106,259	7/1/12		
David Brown	MD15	\$93,133	7/1/12		
Rachel Nichols	MC17	\$90,205	8/29/12	MD14	\$90,861

DEPARTMENT HEADS' SALARY CHANGES DUE TO INCREASED DUTIES

DAVID BROWN

6/24/08 – Golf Course Operations placed under LSV Director duties.

12/2/08 – Mr. Brown's Pay grade changed from 32R to 34L (under Munis, this would be MB17 to MD11). Salary adjusted retroactive to 6/24/08. Salary increased from \$80,866 to \$84,374, a \$3,508 raise or 4.33%. This is equivalent to a step and three-quarters raise.

TONY ALLERS

6/8/09 – Mr. Allers hired as Building Official. Katherine Schoch was Acting Planning Director at that time.

9/2/09 – Mr. Allers promoted to Director of Codes/Planning from Pay grade MA11 to Pay grade MD8. Salary not adjusted retroactively due to no Planning Duties. Salary increased from \$63,391 to \$78,350, a \$14,959 raise, or 23.6%. This is equivalent to 9 and a half step raises.

RACHEL NICHOLS

12/30/10 – IT (Information Technology) placed under Finance Director duties. No salary adjustments.

8/29/12 – Ms. Nichols eligible for normal step increase to Pay grade MC17 at \$90,205.

To put Ms. Nichols at the same MD Pay grade as the other five DHs and on the same pay plan schedule as the others, the following Steps are options.

MD 14 at \$90,861.44, a \$656.60 raise from this month's current raise (0.73%).
MD 15 at \$93,132.98, a \$2,928.14 raise from this month's current raise (3.25%)
MD 16 at \$95,461.30, a \$5,256.46 raise from this month's current raise (5.83%)
MD 17 at \$97,847.83, a \$7,642.99 raise from this month's current raise (8.47%)
MD 18 at \$100,294.03, a \$10,089.19 raise from this month's current raise (11.2%)
MD 19 at \$102,801.38, a \$12,596.54 raise from this month's current raise (13.10%). This would be the top out Step with no future step raises other than COLAs.

It would be consistent to adjust Ms. Nichols' salary retroactive to 12/30/10.

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 28, 2012

DEPARTMENT: Mayor/Personnel

AGENDA # 5

SUBJECT:

Financial Officer Salary

SUMMARY:

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION NO. R1209-39

RESOLUTION AWARDING HEALTH INSURANCE CONTRACT FOR THE
CITY OF GALLATIN

BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that the City of Gallatin approves and accepts a contract for health insurance benefits provided by BlueCross BlueShield of Tennessee, and that the Mayor is hereby authorized to sign said contract on behalf of the City of Gallatin. The renewal contract shall begin October 1, 2012, and end September 30, 2013. (See attached plan summary)

BE IT FURTHER RESOLVED that Kelly Coley of Coley & Lyles Insurance and Michael Wertenberger of Premier Benefits Group remain appointed as co-agents of record for this one-year contract.

BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its final passage, the public welfare requiring such.

IT IS SO ORDERED.

PRESENT AND VOTING

AYE:

NAY:

DATED:

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL
CITY RECORDER

JOE THOMPSON
CITY ATTORNEY

Recommended Plan Designs (Set F/HRA)

*City Sponsored Plan	*Option #1	Buy Up Option #2	Buy Up Option #3
PPO Network	Basic (S PPO Network)	Enhanced (P PPO Network)	Basic (S PPO Network)
Individual Deductible	\$1,500 (\$1,000 Employee)	\$1,500 (\$1,000 Employee)	\$1,250 (\$750 Employee)
Coinsurance (In & Out)	80/60	80/60	90/70
Individual Out of Pocket (Includes Deductible)	\$2,500 (\$2,000 Employee)	\$2,500 (\$2,000 Employee)	\$2,500 (\$2,000 Employee)
Office Visit Copay	\$20/\$40	\$20/\$40	\$20/\$40
Outpatient Surgery	Ded/Coins	Ded/Coins	100%
Inpatient Hospitalization	Ded/Coins	Ded/Coins	Ded/Coins
Emergency Room Copay	\$250	\$250	\$250
Prescription Drug Card	\$10/25/50	\$10/25/50	\$10/25/50
Mental Health	Copay or Ded/Coins	Copay or Ded/Coins	Copay or Ded/Coins
Wellness	100%	100%	100%
Vision Coverage	Included	Included	Included
Lifetime Maximum	Unlimited	Unlimited	Unlimited

Enhanced network includes Tri-Star/HCA Hospitals.

City of Gallatin
BlueCross BlueShield of Tennessee Health Insurance Rates
Effective 10-1-2012

BCBST OPTION 1		Firm Monthly	City Monthly	Employee Monthly	Employee Biweekly
Employee Only	1/E	\$403.99	\$403.99	\$0.00	\$0.00
Employee + Spouse	1/E+SP	\$847.69	\$603.47	\$244.22	\$122.11
Employee + Child/ren	1/E+CH	\$738.78	\$518.55	\$220.23	\$110.12
Full Family	1/F	\$1,224.83	\$919.48	\$305.35	\$152.68

BCBST OPTION 2		Firm Monthly	City Monthly	Employee Monthly	Employee Biweekly
Employee Only	2/E	\$445.04	\$403.99	\$41.05	\$20.53
Employee + Spouse	2/E+SP	\$933.89	\$603.47	\$330.42	\$165.21
Employee + Child/ren	2/E+CH	\$813.90	\$518.55	\$295.35	\$147.68
Full Family	2/F	\$1,349.42	\$919.48	\$429.94	\$214.97

BCBST OPTION 3		Firm Monthly	City Monthly	Employee Monthly	Employee Biweekly
Employee Only	3/E	\$445.86	\$403.99	\$41.87	\$20.94
Employee + Spouse	3/E+SP	\$935.62	\$603.47	\$332.15	\$166.07
Employee + Child/ren	3/E+CH	\$815.39	\$518.55	\$296.84	\$148.42
Full Family	3/F	\$1,351.91	\$919.14	\$432.43	\$216.22

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 28, 2012

DEPARTMENT: Personnel

AGENDA # 1

SUBJECT:
Health Plan

SUMMARY:
Update on Health Plan Renewal effective October 1, 2012.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

RESOLUTION CONFIRMING APPOINTMENT OF KENNETH THOMSON, JR. AND
REAPPOINTMENT OF JOHN GARROTT TO GALLATIN HISTORIC DISTRICT
COMMISSION

WHEREAS, Section 10.02.040.A of the Gallatin Zoning Ordinance authorizes the Mayor to appoint members to the Gallatin Historic District Commission and

WHEREAS, the Mayor has forwarded the appointment of Kenneth Thomson, Jr. to the City Council for confirmation to replace Mary Ann Mudd who is resigning effective November 2012. Kenneth Thomson Jr, will serve the remainder of Mary Ann Mudd's term expiring in January 2013; and

WHEREAS, the Mayor has forwarded the reappointment of John Garrott to serve a five year term expiring in January, 2017; and

WHEREAS, Section 10.02.040.A requires that the City Council confirm the appointment by resolution;

THEREFORE, BE IT RESOLVED BY THE CITY OF GALLATIN, TENNESSEE, that Kenneth Thomson, Jr. and John Garrott are confirmed as appointees to the Gallatin Historic District Commission.

IT IS SO ORDERED.

AYE:

NAY:

DATE: _____, 2012

MAYOR JO ANN GRAVES

ATTEST:

APPROVED AS TO FORM:

CONNIE KITTRELL
CITY RECORDER

JOE H. THOMPSON
CITY ATTORNEY

**CITY OF GALLATIN
COUNCIL COMMITTEE AGENDA**

August 28, 2012

DEPARTMENT: Mayor Graves

AGENDA # 2

SUBJECT:

Appointment to the Historic Zoning Commission

SUMMARY:

Mary Anne Holder Mudd has notified the Mayor that she would like to end her term on the Historic District Commission effective November 13, 2012. Mayor Graves is recommending the appointment of Kenneth Thomson, Jr., who lives in one the historic districts, to replace Mrs. Mudd. Also, Mayor Graves is recommending that John Garrott be re-appointed for another term on the Historic Zoning Commission.

RECOMMENDATION:

ATTACHMENT:

Resolution
 Ordinance

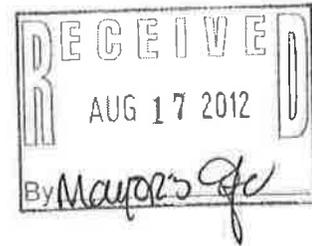
Correspondence
 Contract

Bid Tabulation
 Other

Approved
Rejected
Deferred

Notes:

440 North Water Avenue
Gallatin, Tennessee 37066



Mayor JoAnn Graves
Gallatin City Hall
132 West Main Street
Gallatin, Tennessee 37066

Dear Mayor Graves:

Mayor Wright appointed me to serve on the Gallatin Historic Commission in 2003. I have served for ten years and I feel it is time for me to step aside to allow other citizens to experience participation in community affairs. Let this letter serve to inform you that I will serve out my full term of five years. The last meeting I shall attend will be November 13, 2012.

Of course, it is totally your prerogative as to whom you appoint to fill that space on the Commission. But I would like to suggest Mr. Kenneth Thomson, Jr., who lives at 136 North Hume Street in Gallatin, Tn. As I am sure you are aware, he is a historian of some note and he lives in the Woodson Terrace Historic District.

Sincerely,


Dr. Mary Anne Holder Mudd

Cc: Mr. Kevin Chastine, AICP Planner II
Mr. Tom Richey, President Historic Commission

Historic Zoning Commission

Term Expires

Roger Matchett Matchett & Associates 113 E. Main Street Gallatin, TN 37066 Home 452-2788 Work 451-1505	1-2014
Mary Anne Mudd 440 North Water Avenue Gallatin, TN 37066 Home 452-1123	1-2013
John Garrott 332 E. Main Street Gallatin, TN 37066 Home 452-4483	1-2012
Tom Richey 200 Hume Avenue Gallatin, TN 37066 Home 452-4494	1-2015
Johnny Wilson 216 Sherry Circle Gallatin, TN 37066 Home 452-1591	1-2015

5 Year Term (Staggered)

Appointed By Mayor with Council Confirmation

5 Members – 1 Planning Commission, 1 Representative of Local Patriotic or Historical Organization, 1 Architect (if available), 2 Citizens

No Compensation