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REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: July 23, 2020

Time: 6:30

Place: City Hall

Present: Jimmy D. Anderson, Harry Bell, Jeff Duncan, Rusty Tinnin, and Zach Young.

Absent: None.

Also Present: Russell Freeman, Tim Ellis, Gary Goodwin, Allison Baker, Julie High, and Addam McCormick.

Mayor Jeff Duncan called the meeting to order and apologized for the audio. He stated we hope to resolve the issue in the next day or so. Philip Smith offered prayer. Mayor Duncan led the chambers in the pledge of allegiance.

City Recorder Allison Baker called the roll: Mayor Duncan present, Vice Mayor Tinnin present, Commissioner Anderson present, Commissioner Bell present, and Commissioner Young present.

Consider minutes of the July 9, 2020 regular meeting of the Board of Commissioners.

Commissioner Young made a motion to approve the minutes as written. Commissioner Bell seconded the motion and motion passed 5-0.

City Manager Tim Ellis apologized for the sound system as it will require a new mixer to be installed and should arrive in the morning. He also stated the Commissioners had a folder at their desks with the latest report regarding Streetlights and the PATH update relating to NES and taking all of our streetlights to LED. He asked the Commission if they would like to hold a special called study session to discuss the project. He stated it could be covered by Zoom meeting. There was discussion and it was agreed that the meeting would be held Thursday, July 30th at 6:00pm via Zoom.

City Manager Ellis stated the Commissioners also had at their desks a printed copy of a conceptual site plan that will go along with item b on the agenda that was not included in their packet.

City Manager Ellis told the Commission we have received \$402,052 from the direct appropriation grant from the State as it relates to COVID economic enhancement to the city. The city has received a 100% CMAQ grant from TDOT in the amount of \$3,006,000 for Phase III of our traffic flow improvements. This phase would encompass the camera system that has been previously discussed.

Commissioner Young asked if the \$400,000 from the state was the money we put in the paving budget and City Manager Ellis confirmed that it was.

Commissioner Young reminded everyone that since the Boston Butt BBQ sale was cancelled for Rachel's Garden that the good folks at Goodlettsville Nazarene Church are hosting a drive through fundraiser on Friday, July 24th from 5-7pm. You can drive through and get a hot dog supper and donate whatever is on your heart. There is a matching grant we are close to getting

and if received will get us over the \$100,000 mark of money raised. He stated once we get to that threshold it shows we have a lot of community support for the project. He encouraged everyone to have supper on Friday and give what is on your heart to support Rachel's Garden.

Mayor Duncan shared that everyone in attendance was wearing a mask. He stated he had one and was properly social distanced at the time so he removed his but will put it back on before he leaves. He said we need our community to do the right thing and wear their masks and said if not we will not be able to continue forward with school and other things like that.

Consider old business.

Consider new business.

Consider Ordinance 20-973, an ordinance to establish an updated occupational safety and health program plan, devise rules and regulations, and to provide for a safety director and the implementation of such program plan, first reading. City Manager Ellis stated this updates the plan we currently have and designates someone to serve as safety director. Commissioner Young made a motion to consider Ordinance 20-973. Commissioner Anderson seconded the motion. Commissioner Bell stated he remembered voting on this once before. There was some discussion. City Manager Ellis confirmed this had to be updated every seven years. Commissioner Bell asked if Dawn West was still the safety director and City Manager Ellis confirmed she was and that no one would be hired for this position. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 20-973.

Consider Ordinance 20-974, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change properties on Dickerson Road/Hwy 41/SR 11 from Agricultural to High Density Residential Planned Unit Development, first reading. City Manager Ellis asked Planning Director Addam McCormick to address the Board to explain how we got to this point. Commissioner Young made a motion to consider Ordinance 20-974. Mayor Duncan stated he considered this part of the introduction but accepted the motion. Planning Director McCormick stated this request originally came before the Planning Commission and then COVID hit and we had to do some things differently. This had a rezoning and a comprehensive plan amendment. The comprehensive plan shows it as Low Density and zoned Agricultural. At the April Planning Commission meeting, the Planning Commission approved the rezoning recommendation to come to this board and instead of doing a master plan they did a list of conditions included in the ordinance. The approval has stipulations that the Planning Commission approve the comprehensive plan to go along with it. He stated this was irregular but we had to do what we had to do. We took it to June Planning Commission meeting and they deferred it. They felt they wanted to go back and see a preliminary master plan before they recommended the rezoning onto the City Commission. The ordinance tonight includes that and that the Planning Commission has not approved a preliminary master plan for this project. The property representative wanted to do a first reading to show people the city would be interested in getting rid of agricultural zoning. Before second reading, the preliminary master plan will go back before the Planning Commission for approval so they could recommend it to the City Commission and it would be clean. Vice Mayor Tinnin seconded the motion. Commissioner

Young stated this seems backwards that the land use plan would be amended after a zoning change is recommended and asked if he was wrong in thinking that. He said technically your land use plan is what is supposed to guide your development so he just questioned why it happened this way. Planning Director McCormick stated he was correct and they originally had these set up for the same meeting but we could not do a public hearing. The comprehensive plan, at the Planning Commission level, requires a public hearing but since we were doing Zoom meetings we didn't feel we could do a fair public hearing so that's why it was split up. He stated it is irregular and he wishes we could have done it at the same time but that is why the comprehensive plan came later. Commissioner Young stated this concept has been given to us and feels like this is meaningless from the point that it is not an actual site plan that has been submitted as part of the rezone. He said it was throwing him since he and Mr. McCormick had talked this week about this and is curious what the point of this is. Mr. McCormick stated we received this this morning as a preliminary guide from the project representative, Jeff Parnell. Planning Director McCormick stated it had not been to the Planning Commission. City Manager Ellis stated this was solely for the board to have an idea of what it would like and that is why it was presented tonight.

Commissioner Young asked if the intent was only to do this on first reading and then defer the second and final reading until there is a buyer? He stated his understating is the applicant for this zone change actually wants to sell the property and has no intentions of building anything. Planning Director McCormick stated it would be deferred until the Planning Commission approves the preliminary master plan. Commissioner Young asked if on a zone change when it is a PUD, when there is no master plan attached to it on first reading, is it not too substantial of an amendment to be made on the second reading? He asked if it was permissible to amend it on second reading to include a site plan. He said he is asking because the site plan would also need to be approved by the Planning Commission but if the Planning Commission has already recommended approval of the PUD, which in this case they have, what exactly would they be considering or recommending if they have already taken action on the PUD. It's just that the PUD typically includes the site plan but it does not in this case. Planning Director McCormick answered the difference with this one is instead of the master plan it was a list of design stipulations that are included in the ordinance. Commissioner Young said his concern is since the Planning Commission has already approved this PUD and recommended this PUD, with what they recommended, rather than a site plan, it includes their set of conditions so what is the mechanism of why if a buyer comes along for this property would that process not have to start all over again. If the City Commission already has this as recommended from the Planning Commission, which did not include a site plan, if we add a site plan to it at the commission then that was something that the Planning Commission never saw and never had a say in.

Planning Director McCormick stated the way this ordinance is written it explains that the Planning Commission deferred the comprehensive plan to require a master plan. The intention is the Planning Commission would have to approve a master plan before recommending second reading. Commissioner Young didn't understand what authority the Planning Commission would have on approving a master plan if they have already approved the PUD that traditionally

includes the master plan. He said he is not trying to complicate this but it is just a little odd for him.

Mayor Duncan asked if the Planning Commission truly approved the PUD or just approved Section 2 of this ordinance. Planning Director McCormick stated at the April meeting the rezoning was recommended to the City Commission with those conditions and anything future coming in would be per that section. He said when they come back with the comprehensive plan they wanted it to be a master plan and basically changed their minds and wanted to see a master plan after all before they felt comfortable redoing the comprehensive plan. There was additional discussion. Commissioner Young said it feels backward and the purpose was to show any potential buyers that the city is open to rezoning this out of agricultural. He said he feels like the commission is probably agreeable that a parcel of land in the middle of the city could go out of agriculture, but it would make more sense if the Planning Commission had approved a land use plan amendment saying that eventually we could see this parcel becoming residential at some point. He said that would show enough intent. He said for him there is no way he could vote for this on second and final reading without a master plan that has been approved by the Planning Commission and he wanted to make that clear. He stated he is ok with doing it this the way it is now on first reading, however he wanted his objection noted to the backwards process. There was additional discussion.

City Manager Ellis stated this is on first reading and would not come back to the board until the Planning Commission adopts a comprehensive plan change. He confirmed that is backwards. He said at the time we thought we were doing the best thing by not having a public hearing with a lot of people here. When it finally got to the comprehensive plan to be considered, that's when the Planning Commission asked to see the site plan. City Manager Ellis confirmed that nothing will come back before this board until everything is corrected with the Planning Commission and PUD. The second reading at the City Commission meeting will include the public hearing. There was additional discussion. City Manager Ellis recommended that this ordinance be passed on first reading and then deferred until all action is taken with the Planning Commission in regards to the comprehensive plan and anything else.

Mayor Duncan asked if Commissioner Young wanted to amend his original motion. Commissioner Young amended his motion to approve on first reading with the condition that this is re referred to the Planning Commission for site plan approval. There was additional discussion. Vice Mayor Tinnin seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 20-974.

Consider Resolution 20-931, a resolution declaring certain property surplus to the needs of the City of Goodlettsville and calling for its disposal by online auction or any other reasonable manner. City Manager Ellis addressed the board regarding previous discussion in which possibly giving the City Manager discretion in putting certain items up for auction. After researching this and with City Attorney Freeman researching this in great detail, the Board of Commissioners are the only ones that can declare certain property surplus. The goal at this point is to have surplus on the agenda every other month, however this item came up in which we were awarded a 2007 Toyota FJ Cruiser by the court and we felt it best to go ahead and put this up for auction since it was a seizure. City Manager Ellis stated that since we entered into a contract with GovDeals, we have sold almost a

half of a million dollars worth of property. Mayor Duncan clarified that as a board they could not come up with a monetary amount that would require items to come before them. City Attorney Russell Freeman confirmed. There was additional discussion. Commissioner Bell made a motion to consider Resolution 20-931. Vice Mayor Tinnin seconded the motion. Commissioner Young stated surplus sales typically go to fleet management fund, but since this is a police seizure he asked if the proceeds from this sale would go to the drug fund. There was discussion. Police Chief Goodwin answered that since this is a police seizure it will need to go into the drug fund. There was additional discussion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 20-931.

Mayor Duncan introduced Resolution 20-932 as he has brought before the Board a nominee to replace the unexpired term of Mr. Chad Ray on the Board of Zoning Appeals. Mr. Ray has moved outside of the city. He is recommending Jay Philpot as he is a longtime resident of our city and has been very active in our Parks Department. Mayor Duncan made a motion to consider Resolution 20-932. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 20-932.

With no further business, Commissioner Young made a motion to adjourn. Vice Mayor Tinnin seconded the motion. The meeting was adjourned at approximately 7:06 p.m. with a 5-0 vote.

City Recorder

Mayor