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REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: March 11, 2021

Time: 6:30

Place: Held Electronically via Zoom

Present: Jimmy D. Anderson, Jennifer Duncan, Stuart Huffman, and Rusty Tinnin.

Absent: Zach Young.

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

Mayor Rusty Tinnin called the meeting to order.

City Manager Tim Ellis stated, "As you may know Governor Bill Lee issued Executive Order 16 on Friday, March 16, 2020 and subsequent Executive Order 78 on March 1, 2021. The orders issued were to ensure that governments continue to function openly and transparently during the COVID-19 emergency while taking appropriate measures to protect the health and safety of citizens and government officials. In his executive order Governor Lee recognized guidance from the White House and Centers for Disease Control and Prevention advising that Americans should avoid social gatherings and that older persons with serious underlying health condition should remain at home. The governor also emphasized that in the interest of limiting community spread of COVID-19 private and government entities of all types should eliminate large public gatherings and conduct business remotely by electronic meetings to the greatest extent possible. The order provides that governments may meet to conduct essential business by electronic means when the governing body determines that it is necessary to protect its citizens. Sadly COVID-19 is once again spreading rapidly throughout the state, the counties and within the City of Goodlettsville. Therefore, the city has determined that in the interest of protecting the health, safety and welfare of Tennesseans and the citizens of Goodlettsville, it is necessary for the Board of Commissioners to meet by electronic means rather than in person. We have posted the link for public viewing on the city website and social media pages."

Mayor Tinnin asked if there was any objection by the Commission to hosting this meeting in this format. There was no objection.

City Manager Tim Ellis offered prayer.

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

Consider minutes of the February 25, 2021 regular meeting of the Board of Commissioners. Commissioner Anderson made a motion to approve the minutes as written. Vice Mayor Duncan seconded the motion. City Recorder Baker called roll: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes; Commissioner Young, absent. Minutes were approved by a 4-0 vote.

City Recorder Allison Baker read the submitted Citizen Comment from Robert McCoin:

Old Business:

Has all the old business at tonight's Meeting been reviewed by City Counsel vs State of Tennessee Code annotated or Firms that draw the plans or any part thereof?

The interest being that if Our City etc. are litigated for error and we loose then that equates to dollars that the city pays or are there provisions for the preparer of the rendering ?

1. New Business

e. of Resolution 21-969 (opinion based on my research)

The City Manager said as per the 2/25/2021 Minutes Draft (Please read starting with Commissioner Anderson stated at the last meeting/ Read thru Paragraph where Commissioner YOUNG asked if -----

Note: The value of the Property (\$22,000) setting a precedent.

There were only 2 to represent the will of the board (will this set a precedent?)

The commissioner did not check their budget or any amount that might have been raised when Hendersonville gifted the engine to them?

Since they Could Help Us/ what are the county and city agreements on the subject?

501c3 item was Rectified By Mayor John W. Coombs and The Mayor of Millersville. (recalled)

Jeremy Grenat at 212 Buffalo Run addressed the Commission regarding speeding on Buffalo Run. He stated he had made calls over the last year about speeding and the Police Department was sent out to do enforcement and it helped for a day or two. He wanted to engage in conversation on what could be done to cut down on the speeding. Most of the speeding comes from pass through traffic coming out of Twelve Stones so he did not know what the answer is but didn't feel like it was enforcement issue. He suggested speed bumps or stop signs. He just wanted to start the conversation to come up with a solution.

Mayor Tinnin asked City Manager Ellis if he had a comment to this. City Manager Ellis stated he has talked to Mr. Grenat and the Police Chief regarding this issue. He stated he went to the board after one of the last times he talked to Mr. Grenat about traffic calming measures and at the time the board felt that it wasn't a good time for that to proceed. It may be something we need to revisit in regards to traffic calming throughout the city.

Mr. Grenat said people are nowhere close the 20 miles per hour posted. He stated a month ago a car came from the back of the neighborhood and had to come into his driveway to not hit his neighbor backing out of their driveway.

Mayor Tinnin stated the board will take another look into it and he will meet with the City Manager on Monday.

City Manager Ellis stated he talked with Police Chief Gary Goodwin and they will put their speed sign in the neighborhood in the next week to see what we are dealing with. He said he did agree with having the discussion on traffic calming. He stated we cannot do a speed bump because of the manual uniform traffic control devices but there are other things we can do that have not been adopted.

Vice Mayor Duncan stated she would work with Mayor Tinnin and the City Manager on this.

City Manager Ellis stated we have taken on the battle with COVID for some time now. He said with our Board of Commission we can spread out in the seats at the desk with a distance greater than six feet. He recommended that we begin meeting in person on March 25th and asked if there was any objection. All of the members present stated they did not have an objection to meeting in person. The Planning Commission will meet in April electronically due to the number of members on the board.

City Manager Ellis stated President Biden signed into law the American Rescue Act of 2021 and certain funds will be given to municipalities. He was amazed that Goodlettsville and the other four satellite cities of Nashville were not listed. He has not been told why we were excluded. It would be just short of 4.7 million dollars. He has talked to Congressman Cooper's office and they are working on it. He stated the 4.7 million dollars has a small window in which the funds can be used for.

City Manager Ellis then updated the board on current projects. Fannin Road should be open by next Friday. Phase II of the Gateway drainage system is complete. Phase III will be complete by the end of next week.

Mayor Tinnin asked City Recorder Baker the resolution that Mr. McCain had written in about. City Recorder Baker confirmed it was Resolution 21-969.

Consider old business.

Consider Ordinance 21-984, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change a property on N. Main Street from CS, Commercial Services to HDRPUD, High Density Residential Planned Unit Development and preliminary master plan approval, second reading and public hearing. City Manager Ellis stated staff recommended an amendment that came out of discussion on the first reading. It was recommended to create an amendment in regard to the live/work space and it is attached in the packet. Commissioner Huffman made a motion to consider Ordinance 21-984. Commissioner Anderson seconded the motion. The public hearing was declared open. With no one speaking in favor or against the proposed amendment, the public hearing was closed. Commissioner Anderson made a motion to amend based on the language presented in this ordinance. Commissioner Huffman seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. The amendment to Ordinance 21-984 was approved by a 4-0 vote. Commissioner Huffman made a motion to adopt Ordinance 21-984 as amended. Vice Mayor Duncan seconded the motion. City Recorder Baker

called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-984 was approved by a 4-0 vote.

Consider Ordinance 21-985, an ordinance to amend the zoning ordinance definition of building height to include a provision for sloped/pitched building roofs, second reading and public hearing. Vice Mayor Duncan made a motion to consider Ordinance 21-985. Commissioner Anderson seconded the motion. The public hearing was declared open. With no one speaking in favor or against the proposed amendment, the public hearing was closed. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-985 was approved by a 4-0 vote.

Consider Ordinance 21-986, an ordinance to close a section of right-of-way at the Two Mile Pike and Frances Street intersection and designate area to the adjacent property owner, second reading and public hearing. Commissioner Anderson made a motion to consider Ordinance 21-986. Vice Mayor Duncan seconded the motion. The public hearing was declared open. With no one speaking in favor or against the proposed ordinance, the public hearing was closed. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-986 was approved by a 4-0 vote.

Consider Ordinance 21-988, an ordinance to amend Ordinance 12-788, being an ordinance to amend nos. 70-120, 90-440, 94-496, 95-529, 09-725, and 10-745 being ordinances establishing a schedule of rates to be charged for sewer services to be supplied by the sewer system of the City of Goodlettsville, and establishing rules and regulations for the operation thereof by inserting a new schedule of rates, second reading and public hearing. Commissioner Anderson made a motion to consider Ordinance 21-988. Vice Mayor Duncan seconded the motion. The public hearing was declared open. With no one speaking in favor or against the proposed amendment, the public hearing was closed. Commissioner Huffman stated he was frustrated on a couple of levels with this. He said this should have been addressed three or four years ago instead of kicking it down the road. He also stated he was frustrated because he knew 7% sounds like a lot and knows it is not as much as what we are talking about, however, he feels like the board has to vote on the lesser of two evils here: the 7% increase or the state telling us to increase it by 10, 15, or 20%. It is frustrating we are in this position at this point. He wanted everyone to understand his frustration with having to raise this during these times. Mayor Tinnin stated his points were valid and it was out of their control. City Manager Ellis stated there will be a follow up rate study and we will know what this gap is. We will still have to go before the Wastewater Hearing Board. One of the things as we look at this going forward and our annual increases with Metro being about 1%, it would be more advantageous to everyone that we pass along those small increases when necessary than what we are doing now. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-988 was approved by a 4-0 vote.

Consider Ordinance 21-989, an ordinance to amend the City of Goodlettsville Municipal Code Title 18, Chapter 2 by deleting Chapter 2 in its entirety and replacing it with a new Chapter as it relates to Sewer Use Regulation, second reading. City Manager Ellis stated this is to replace verbiage within this chapter that was copied and pasted from Metro Charter. The content has not changed, only the references to reflect Goodlettsville's Municipal Code. Vice Mayor Duncan made

a motion to consider Ordinance 21-989. Commissioner Huffman seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-989 was approved by a 4-0 vote.

Consider new business.

Consider Ordinance 21-990, an ordinance establishing a local litigation tax in accordance to Tennessee Code Annotated 67-4-601 and a court administrative fee in accordance to Tennessee Code Annotated, first reading. City Manager Ellis recommended this be deferred because there are aspects to this that need to be cleaned up significantly. Commissioner Anderson made a motion to defer Ordinance 21-990. Vice Mayor Duncan seconded the motion. There was clarification on the motion to defer. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-990 was deferred by a 4-0 vote. There was additional discussion if any further action was needed. City Attorney Freeman confirmed not at this time.

Consider Ordinance 21-991, an ordinance to amend the sign regulations of the Zoning Ordinance to include defined criteria for increased interstate sign height based on the location of the sign, first reading. Commissioner Huffman made a motion to consider Ordinance 21-991. Commissioner Anderson seconded the motion. Vice Mayor Duncan asked what the purpose of this was. Planning Director Addam McCormick stated we have three interstate exits and we have an interchange sign district that the city did years ago. This amendment would allow a bigger sign. This would allow a sign up to 60' in height. Last year, the city amended the ordinance based on the area of the sign. We have received a request for a larger sign on Highway 31W at Exit 98 due to some of the grade changes in the area and the trees. The request is for this sign to be up to 100' tall and this ordinance would protect the streetscapes of the road where the project comes in on. Any sign increase would be pushed further back on the property and further away from the road. One provision of the ordinance is the sign has to be within 50 feet of the interstate right-of-way with the intent to be for interstate visibility. This would have to go through the Planning Commission for the site development plan. Commissioner Huffman asked if the business looked or studied to see how tall they needed to go with the sign so it doesn't impact other businesses or residential areas. He asked if they did this by balloon or drone. Planning Director McCormick answered that there was a diagram that was presented at the Planning Commission that would show what the sign would look like. This would apply beyond that property. There was additional discussion. The closest house is about 950 feet from the proposed sign. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-991 was approved by a 4-0 vote.

Consider Ordinance 21-992, an ordinance to amend the zoning ordinance to define critical lots and engineer design plan requirements for permit applications, first reading. Commissioner Huffman made a motion to consider Ordinance 21-992. Vice Mayor Duncan seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Ordinance 21-992 was approved by a 4-0 vote.

Consider Resolution 21-968, a resolution adopting the State of Tennessee's Consultant Selection Policy, known as Local Government Guidelines Form 1-2, for projects funded in whole or in part with funds provided by the Federal Highway Administration or the Tennessee Department of

Transportation. City Manager Ellis stated we have used the same procurement process that is required by TDOT and now they are requiring we adopt the policy by resolution. Vice Mayor Duncan made a motion to consider Resolution 21-968. Commissioner Anderson seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Resolution 21-968 was approved by a 4-0 vote.

Consider Resolution 21-969, a resolution amending Resolution 21-963, as it relates to the donation of a surplus Fire Department rescue vehicle to the Shackle Island Volunteer Fire Department, a registered non-profit corporation with the State of Tennessee. City Manager Ellis stated there is one thing that has come up since they had started looking into this and they are not a registered non-profit with the State of Tennessee which complicates this a bit. City Attorney Russell Freeman said there are two ways to register with one being to go through the process with the Internal Revenue Service and the Shackle Island Volunteer Fire Department has started that process. He has been in communication with Shackle Island's Treasurer Steve Frost and Mr. Frost is not sure when that process can be completed. This non-profit is also not listed with the Comptroller's Office. The volunteer fire department seems to be charitable in nature but there are still concerns based on the statute that requires them to be a non-profit. City Attorney Freeman stated the other components discussed would be having to put out a public hearing to allow citizens comments but that only applies if you are awarding funds. We would not have to do that. He also followed up with MTAS and the attorneys there had some deep discussion and they had serious concerns it violated the Public Purpose Doctrine. He argued the fact we have had a long-term relationship with Shackle Island Fire Department and we could probably justify the mutual aid and could possibly give with the brush buggy in the future, but even with that there were still concerns and this would not be something that they would recommend. This leaves it to see if we want to see how potentially fast they can receive their 501(c)3 status and get registered with the Comptroller's Office. He said under the COVID procedures there has been no indication for how long that could take. City Attorney Freeman stated his legal opinion, since we are giving away tangible property, he could not recommend it as they are not registered based on the pure black letter reading of the law. City Manager Ellis asked if they are eligible, as this resolution is written, once they become a non-profit. He stated we currently have it on loan to them with an agreement that they have it covered under insurance. He said if the Board's will is to want to donate this to them, he would make a motion to defer this until they get their non-profit and they will still use that truck on loan. City Attorney Freeman stated it was surplus property and talked through the issue of loaning surplus property. He stated it should be determined whether or not to call it surplus property before we put it out to loan. He said we would need to amend to declare it no longer surplus property and stated the property does need to be insured. Commissioner Huffman stated we have already voted this to be surplus property and asked if what we need to do now is defer this or make a motion to declare this non-surplus. Mayor Tinnin stated we needed a motion to defer to buy some time. City Manager Ellis stated the city still has it insured and Shackle Island also has it covered. City Attorney Freeman recommended deferring this resolution and then come back with either donating it if they can get their status or bringing it back in and putting it on loan. Commissioner Huffman made a motion to defer. Mayor Tinnin asked if they needed a motion to consider and get it on the table before having a motion to defer. City Attorney Freeman stated we could move forward with the motion to defer. Commissioner Anderson asked if we defer it, did we make the decision that they could not be using it. City Manager Ellis said that was not correct and they could still use it.

Vice Mayor Duncan seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Resolution 21-969 was deferred by a 4-0 vote.

Consider Resolution 21-970, a resolution authorizing the City Manager to make application for Local Government Recovery and Rebuilding Direct Appropriation Grant. City Manager Ellis stated this is in anticipation of the budget being passed. The City would receive \$400,000 in non-matching funds. Commissioner Huffman made a motion to consider Resolution 21-970. Vice Mayor Duncan seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Resolution 21-970 was approved by a 4-0 vote.

Consider Resolution 21-971, a resolution recognizing the University of Tennessee Institute of Public Service (IPS) as it celebrates its 50th Anniversary during the year 2021. City Manager Ellis stated this would be nice to send to this group to recognize their anniversary for their services to local municipalities. Vice Mayor Duncan made a motion to consider Resolution 21-971. Commissioner Anderson seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. Resolution 21-971 was approved by a 4-0 vote.

With no further business, Vice Mayor Duncan made a motion to adjourn. Commissioner Huffman seconded the motion. City Recorder Baker called roll for a vote: Mayor Tinnin, yes; Vice Mayor Duncan, yes; Commissioner Anderson, yes; Commissioner Huffman, yes. The meeting was adjourned at approximately 7:31 p.m. with a 4-0 vote.

City Recorder

Mayor