



May 27, 2021 Board of Commissioners City Hall - Massie Chambers
6:30 PM

Agenda:

1. Call to order by the Mayor

Prayer

Pledge of Allegiance

2. Roll call by the Recorder.
3. Approval of minutes.
 - a. Reading of the minutes of the May 13, 2021 regular meeting of the Board of Commissioners by the Recorder for approval or correction.
4. Comments from citizens.
5. Comments of the City Manager and staff.
6. Reports and comments from committees, members of the Board of Commissioners and other officers.
7. Old Business.
 - a. Consider Ordinance 21-995, an ordinance of the City of Goodlettsville, Tennessee adopting the annual budget for the fiscal year beginning July 1, 2021 through June 30, 2022. **SECOND READING & PUBLIC HEARING**
 - b. Consider Ordinance 21-996, an ordinance to amend the City of Goodlettsville Municipal Code Title 9, by creating a new Chapter 6 entitled Sexually Oriented Businesses. **SECOND READING & PUBLIC HEARING**

8. New Business.
 - a. Consider Ordinance 21-997, an ordinance to amend the City of Goodlettsville Municipal Code Title 8, Chapter 2, Section 224 by creating a new subsection (3), as it relates to Off Premise Beer Permits. **FIRST READING**
 - b. Consider Resolution 21-984, a resolution proclaiming Thursday, June 3, 2021 as Clint Parnell Day in the City of Goodlettsville, Tennessee.
9. Adjournment.

For more information regarding this agenda, please contact the city recorder by email at:

abaker@goodlettsville.gov

A government committed to operating with efficiency and integrity in all we do as we strive to enhance the quality of life for the community we serve.

105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212

www.goodlettsville.gov



Board of Commissioners

May 13, 2021

6:30 PM

City Hall - Massie Chambers

Minutes:

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

Absent: None.

Also Present: Russell Freeman, Tim Ellis, Allison Baker, Sarah Jennings, Addam McCormick, Gary Goodwin, Kimberly Lynn, Larry DiOrio, Jeff McCormick, Mary Laine Hucks, Marilee Tice, Ken Reeves and Julie High.

Mayor Rusty Tinnin called the meeting to order. Rick Sturgis offered prayer and Mayor Rusty Tinnin led the chambers in the pledge of allegiance.

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

Consider the minutes of the April 22, 2021 regular meeting of the Board of Commissioners. Commissioner Huffman made a motion to approve the minutes as written. Vice Mayor Duncan seconded the motion and motion passed 5-0.

City Manager Tim Ellis expressed his appreciation to the current and former board for their recognition of Mr. David Wilson. This action was taken last March and due to Covid are just now able to display the naming of the Community Development property in his honor. The Police Memorial Service is May 19th at 10:00am on the grounds of City Hall. Immediately following, there will be an unveiling of the Detective Lynn Hicks Police Annex building on Memorial Drive. The construction signs on Long Hollow Pike are in regards to the traffic synchronization project.

Consider Old Business.

Consider Ordinance 21-993, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change properties on Dickerson Road, Dry Creek Road, and Robert Cartwright Drive from CPUD, Commercial Services to HDRPUD, High Density Residential Planned Unit Development and revised Dry Creek Farms Master Plan approval, second reading and public hearing. Commissioner Anderson made a motion to consider Ordinance 21-993. Commissioner Young seconded the motion. The public hearing was opened. Scotty Bernick, with Ragan Smith, the landscape architect for the project stated he was available for any

questions regarding the project. With no one speaking in favor or against the proposed amendment, the public hearing was declared closed. City Manager Ellis stated, in working with Metro Water Services, there is an issue with the amount of sewer that we can let flow through their system. Dry Creek and Rivergate trunk lines feed through a Metro main line and Metro Nashville had a concern about the impact of the number of units on this line. We have an agreement in place where we pay one amount as long as we don't exceed a certain amount of flow and we pay an increased amount if it exceeds it. Mr. Jeff McCormick meets with Metro Water on the 19th to discuss revising our contract with Metro Water which would permit this development to go forward. City Manager Ellis stated the Commissioner could go ahead with the rezoning or defer for one meeting to see if this agreement can be amended. If it cannot be amended, the developer through us would have to share in the cost to upgrade Metro's trunk line to the Dry Creek treatment plant. There was discussion. City Manager Ellis recommended deferral for one meeting. Commissioner Young asked the developer's opinion on this. Scotty Bernick stated they are looking for the rezoning for the land use and the sewer item will be there. He said certain improvements may be required following the May 19th meeting. Commissioner Young stated the sewer availability issue will be there regardless if it is rezoned. He said he wasn't sure what the harm would be to go ahead with the rezoning. He also stated the rezoning may help with the conversations as far as the intent of the city with an actual project. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 21-993.

Consider Ordinance 21-994, an ordinance to amend Ordinance 06-674 as amended, the Zoning Ordinance of the City of Goodlettsville, to expand adult oriented establishment definitions, define use separation distances per Tennessee Code Annotated Section 7-51-1407, and define the use permitted in the IG, General Industrial Zoning District, second reading and public hearing. Commissioner Young made a motion to consider Ordinance 21-994. Commissioner Huffman seconded the motion. The public hearing was opened. City Manager Ellis explained the ordinance established zoning districts for adult entertainment businesses. We have had no interest of a business being located in the city, however there is no zoning classification for those businesses in the city so if someone made an application for one they could basically go anywhere. With no one speaking in favor or against the proposed amendment, the public hearing was closed. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 21-994.

Consider New Business.

Consider Ordinance 21-995, an ordinance of the City of Goodlettsville, Tennessee adopting the annual budget for the fiscal year beginning July 1, 2021 through June 30, 2022, first reading. City Manager Ellis stated this is a balanced budget with a 68% reserve compared to operating costs. Commissioner Anderson made a motion to consider Ordinance 21-995. Commissioner Young seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 21-995.

Consider Ordinance 21-996, an ordinance to amend the City of Goodlettsville Municipal Code Title 9, by creating a new Chapter 6 entitled Sexually Oriented Businesses, first reading. City Manager Tim Ellis stated this has nothing to do with zoning but creates regulations for those

businesses within our city. Vice Mayor Duncan made a motion to consider Ordinance 21-996. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 21-996.

Consider Resolution 21-983, a resolution approving a contract with the Tennessee Department of Transportation for traffic flow improvements and traffic signal upgrades (Phase III) as a part of the Congestion Mitigation and Air Quality Improvement program. City Manager Ellis stated this is a grant for \$3,006,000. The city's only obligation to this is a small part that is not on a state highway and totals \$113,000 or 3.75% of grant funds. Commissioner Anderson made a motion to consider Resolution 21-983. Commissioner Huffman seconded the motion. Commissioner Young asked City Manager Ellis to explain in detail what this traffic flow improvement project entails. Public Works Director Jeff McCormick stated Phase II was written 6 or 7 years ago and when it came time to fund the Federal Highway Administration had us take out handicap sidewalk improvements. Phase III will add in what was cut from Phase II and expand to some intersections that still have old equipment and will redo the crosswalk at Old Springfield Highway. There was discussion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 21-983.

With no further business, Commissioner Young made a motion to adjourn. Vice Mayor Duncan seconded the motion. The meeting adjourned at approximately 6:50 p.m. with a 5-0 vote.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 21-995</u> An ordinance of the City of Goodlettsville, Tennessee adopting the annual budget for the fiscal year July 1, 2021 through June 30, 2022 SECOND READING & PUBLIC HEARING <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Assistant City Manager	Agenda Item: Ordinance 21-995 Dept. of Origin: Administration For Agenda of: May 27, 2021 Originator: Julie High Cost of Item: See Attached Ordinance
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AGENDA ITEM ATTACHMENTS:

Ordinance 21-995

SUMMARY STATEMENT:

This Ordinance adopts the FY 2022 budget.

FINANCIAL SUMMARY:

See Attached Ordinance

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 21-995.

ORDINANCE # 21-995

**AN ORDINANCE OF THE CITY OF GOODLETTSVILLE, TENNESSEE,
ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING
JULY 1, 2021 THROUGH JUNE 30, 2022.**

- Whereas, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds of the State of Tennessee and all its political subdivisions shall first be appropriated before being expended and that only funds that are available shall be appropriated; and
- Whereas, the Municipal Budget Law of 1982 requires that the governing body of each municipality adopt and operate under an annual budget ordinance presenting a financial plan with at least the information required by that state statute, that no municipality may expend any moneys regardless of the source except in accordance with a budget ordinance and that the governing body shall not make any appropriation in excess of estimated available funds; and
- Whereas, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF GOODLETTSVILLE, TENNESSEE BOARD OF COMMISSIONERS AS FOLLOWS:

SECTION 1: That the governing body estimates anticipated revenues of the municipality from all sources to be as follows:

General Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Local Taxes	\$ 12,177,086	\$ 12,253,518	\$ 12,673,102
Intergovernmental Revenue	\$ 2,505,908	\$ 3,016,289	\$ 2,777,800
Fines and Forfeitures	\$ 220,275	\$ 70,659	\$ 120,000
Licenses and Permits	\$ 552,916	\$ 457,037	\$ 402,000
Charges for Services	\$ 158,185	\$ 98,256	\$ 96,000
Other Financing Sources	\$ -	\$ -	\$ -
Transfers from Other Funds	\$ 122,677	\$ -	\$ 206,000
Miscellaneous Revenue	\$ 338,287	\$ 48,318	\$ 27,000
Total Revenue	\$ 16,075,334	\$ 15,944,077	\$ 16,301,902
Fund Balance	\$ 6,616,029	\$ 8,425,609	\$ 10,758,132
Total Available Funds	\$ 22,691,363	\$ 24,369,686	\$ 27,060,034

Drug Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Court Fines and Costs	\$ 35,869	\$ 7,500	\$ 15,000
Miscellaneous	\$ 18,223	\$ -	\$ -
Transfers from General Fund	\$ -	\$ -	\$ -
Total Revenue	\$ 54,092	\$ 7,500	\$ 15,000
Fund Balance	\$ 88,652	\$ 128,967	\$ 77,879
Total Available Funds	\$ 142,744	\$ 136,467	\$ 92,879

Electronic Citation Fee	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Fines and Fees	\$ 5,520	\$ 3,000	\$ 7,000
Miscellaneous Revenue	\$ -	\$ -	
Total Revenue	\$ 5,520	\$ 3,000	\$ 7,000
Fund Balance	\$ 13,782	\$ 19,302	\$ 17,302
Total Available Funds	\$ 19,302	\$ 22,302	\$ 24,302

Sanitation Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Service Fees	\$ 1,038,282	\$ 1,010,309	\$ 955,500
Miscellaneous Revenue	\$ 26,375	\$ 26,346	\$ 20,000
Grant Proceeds	\$ 67,218	\$ -	\$ -
Total Revenue	\$ 1,131,875	\$ 1,036,655	\$ 975,500
Fund Balance	\$ 361,562	\$ 340,355	\$ 316,722
Total Available Funds	\$ 1,493,437	\$ 1,377,010	\$ 1,292,222

Tourism Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Hotel/Motel Tax	\$ 744,869	\$ 507,579	\$ 600,000
Miscellaneous Revenue	\$ 61,812	\$ 52,185	\$ 84,200
Grant Revenue	\$ 14,850	\$ 70,174	
Total Revenue	\$ 821,531	\$ 629,938	\$ 684,200
Fund Balance	\$ 1,010,287	\$ 1,040,511	\$ 967,774
Total Available Funds	\$ 1,831,818	\$ 1,670,449	\$ 1,651,974

Capital Projects Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Grant Revenue	\$ 381,540	\$ 129,772	\$ 13,825,407
Loan Proceeds	\$ 272,107	\$ -	\$ 1,894,343
Transfer from General Fund	\$ -	\$ -	\$ -
Total Revenue	\$ 653,647	\$ 129,772	\$ 15,719,750
Fund Balance	\$ (498,422)	\$ (329,830)	\$ (360,558)
Total Available Funds	\$ 155,225	\$ (200,058)	\$ 15,359,192

Sewer Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Sewer User Fees	\$ 4,617,613	\$ 4,663,267	\$ 4,949,698
Sewer Tap Fees	\$ 159,850	\$ 113,250	\$ 55,000
Other Fees	\$ 7,025	\$ 9,815	\$ 7,000
Non Operating Revenue	\$ 157,597	\$ 53,000	\$ 38,000
Grants	\$ 100,000	\$ -	\$ -
Total Revenue	\$ 5,042,085	\$ 4,839,332	\$ 5,049,698

Stormwater Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Utility Fees	\$ 971,429	\$ 864,931	\$ 850,000
Miscellaneous Revenues	\$ 19,807	\$ 15,360	\$ 10,000
Total Revenue	\$ 991,236	\$ 880,291	\$ 860,000
Fund Balance	\$ 1,355,320	\$ 1,474,711	\$ 923,570
Total Available Funds	\$ 2,346,556	\$ 2,355,002	\$ 1,783,570

SECTION 2: That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows:

General Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
General Government	\$ 2,800,188	\$ 2,645,370	\$ 2,785,732
Police	\$ 5,439,231	\$ 5,086,923	\$ 5,713,974
Fire	\$ 2,521,054	\$ 2,588,152	\$ 2,589,839
Hwys and Streets	\$ 1,386,749	\$ 1,467,807	\$ 2,901,752
Parks and Recreation	\$ 1,558,097	\$ 1,424,481	\$ 1,617,653
Debt Service	\$ 639,832	\$ 530,069	\$ 408,872
Transfers to Other Funds	\$ -	\$ -	\$ -
Total Appropriations	\$ 14,345,151	\$ 13,742,802	\$ 16,017,822

Drug Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Operating Expenditures	\$ 9,537	\$ 6,000	\$ 40,000
Debt Service	\$ -	\$ -	\$ -
Capital Expenditures	\$ 4,240	\$ 52,588	\$ 45,000
Miscellaneous	\$ -	\$ -	\$ -
Total Appropriations	\$ 13,777	\$ 58,588	\$ 85,000

Electronic Citation Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Operating Expenditures	\$ 5,520	\$ 3,000	\$ 7,000
Capital Outlay	\$ -	\$ -	\$ -
Total Appropriations	\$ 5,520	\$ 3,000	\$ 7,000

Sanitation Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Operating Expenditures	\$ 986,000	\$ 1,010,286	\$ 1,020,329
Debt Service	\$ -	\$ -	\$ -
Capital	\$ 167,082	\$ 50,000	\$ 50,000
Total Appropriations	\$ 1,153,082	\$ 1,060,286	\$ 1,070,329

Tourism Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Administration	\$ 611,416	\$ 551,724	\$ 632,083
Historic Sites	\$ 60,920	\$ 48,251	\$ 33,500
Economic Development	\$ 31,179	\$ 27,700	\$ 27,200
Tourism	\$ 87,792	\$ 75,000	\$ 54,000
Total Appropriations	\$ 791,307	\$ 702,675	\$ 746,783

Capital Projects Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Main Street Redevelopment	\$ 425,164	\$ 150,000	\$ 9,619,201
Conference Drive Enhancement	\$ 33,250	\$ 10,000	\$ 275,482
CMAQ Project-Confer Dr II	\$ -	\$ 500	\$ 1,609,101
CMAQ Project-III	\$ -	\$ -	\$ 3,109,000
Sidewalk Tap Project	\$ 9,230	\$ -	\$ 745,500
LPRF Grant Splash Pad Proj	\$ 17,413	\$ -	\$ -
Total Appropriations	\$ 485,057	\$ 160,500	\$ 15,358,284

Sewer Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Operating Expenses	\$ 4,915,027	\$ 4,344,977	\$ 4,457,110
Interest Expense	\$ 171,671	\$ 148,700	\$ 170,202
Payment in Lieu of Tax	\$ 122,677	\$ 135,000	\$ 125,000
Capital	\$ 1,623,430	\$ 1,800,000	\$ 1,400,000
Total Appropriations	\$ 6,832,805	\$ 6,428,677	\$ 6,152,312

Stormwater Fund	FY 2020 Actual	FY 2021 Estimated	FY 2022 Proposed
Operating Expenses	\$ 461,890	\$ 419,290	\$ 549,734
Non-Operating Expenses	\$ -	\$ -	\$ -
Capital	\$ 409,955	\$ 1,012,142	\$ 685,000
Total Appropriations	\$ 871,845	\$ 1,431,432	\$ 1,234,734

SECTION 3. At the end of the fiscal year 2022, the governing body estimates balances/deficits as follows:

General Fund	\$ 11,042,212
Drug Fund	\$ 7,879
Electronic Citation Fund	\$ 17,302
Sanitation Fund	\$ 221,893
Tourism Fund	\$ 905,191
Stormwater Fund	\$ 548,836
Capital Projects Fund	\$ 908

SECTION 4. That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Outstanding 06/30/21	New Debt Issued FY21-22	Debt Redemption	Interest Requirements	Debt Outstanding 06/30/22
Bonds	\$ 1,940,000	\$ -	\$ 145,000	\$ 45,205	\$ 1,795,000
SRLF	\$ 7,055,379	\$ -	\$ 635,143	\$ 179,627	\$ 6,420,236
Notes	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Leases	\$ 107,621	\$ -	\$ 19,196	\$ 4,046	\$ 88,425
Other Debt	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 9,103,000	\$ -	\$ 799,339	\$ 228,878	\$ 8,303,661

SECTION 5. During the coming fiscal year the governing body has planned capital projects and proposed funding as follows:

Proposed Capital Projects	Proposed Amount Financed by Appropriations	Proposed Amount Financed by Grants
Main Street Redevelopment	\$ 9,619,201	\$ 8,296,310
Conference Drive Improvements	\$ 275,482	\$ 256,370
Conference Drive CMAQ II	\$ 1,609,101	\$ 1,567,327
Conference Drive CMAQ III	\$ 3,109,000	\$ 3,109,000
Sidewalk Tap Project	\$ 745,500	\$ 596,400
Software migration to cloud	\$ 70,000	\$ -
Police Fleet replacement	\$ 182,000	\$ -
Parks 3/4 ton truck replacement	\$ 24,000	\$ -
Parks tractor	\$ 20,000	\$ -
Parks Tennis Court Resurface/Pickleball	\$ 50,000	\$ -
Highways and Streets Annual Paving	\$ 2,000,000	
Police Laptop replacement	\$ 30,000	
RMS	\$ 15,000	
Sanitation carts	\$ 40,000	
Sanitation Cardboard Recycling Container	\$ 10,000	
Stormwater Improvements	\$ 685,000	\$ -
Sewer Mansker Creek Pump Station Rehab	\$ 1,400,000	\$ -
	\$ 19,884,284	\$ 13,825,407

SECTION 6. No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by the Municipal Budget Law of 1982 T.C.A. Section 6-56-208. In addition, no appropriation may be made in excess of available funds except to provide for an actual emergency threatening the health, property or lives of the inhabitants of the municipality and declared by a two-thirds (2/3) vote of at least a quorum of the governing body in accord with Section 6-56-205 of the *Tennessee Code Annotated*.

SECTION 7. Money may be transferred from one appropriation to another in the same fund by the City Manager, subject to such limitations and procedures as it may describe as allowed by Section 6-56-209 of the *Tennessee Code Annotated*. Any resulting transfers shall be reported to the governing body at its next regular meeting and entered into the minutes.

SECTION 8. A detailed financial plan will be attached to this budget and become part of this budget ordinance. In addition, the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees required by Section 6-56-206, *Tennessee Code Annotated* will be attached.

SECTION 9. If for any reason a budget ordinance is not adopted prior to the beginning of the next fiscal year, the appropriations in this budget ordinance shall become the appropriations for the next fiscal year until the adoption of the new budget ordinance in accordance with the Section 6-56-210, *Tennessee Code Annotated* provided sufficient revenues are being collected to support the continuing appropriations. Approval of the Director of the Division Local Finance in the Comptroller of the Treasury for a continuation budget will be requested if any indebtedness is outstanding.

SECTION 10. City Property Tax rates will be approved when the State Board of Equalization sets a certified property tax rate for the City. This budget assumes no property tax increase.

SECTION 11. All unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse and revert to the respective fund balances.

SECTION 12. This ordinance shall take effect on July 1, 2021, the public welfare requiring it.

Passed First Reading:

Passed Second and Final Reading:

Mayor Rusty Tinnin

Approved as to form and legality:

City Recorder

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Ordinance 21-996 An ordinance to amend the City of Goodlettsville Municipal Code Title 9, by creating a new Chapter 6 entitled Sexually Oriented Businesses. SECOND READING & PUBLIC HEARING <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Ordinance 21-996 Dept. of Origin: Administration For Agenda of: May 27, 2021 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 21-996

SUMMARY STATEMENT:

An ordinance to amend the City of Goodlettsville Municipal Code Title 9, by creating a new Chapter 6 entitled Sexually Oriented Businesses.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 21-996.

Ordinance 21-996

AN ORDINANCE TO AMEND THE CITY OF GOODLETTSVILLE MUNICIPAL CODE TITLE 9, BY CREATING A NEW CHAPTER 6 ENTITLED SEXUALLY ORIENTED BUSINESSES

WHEREAS, it has been deemed in the best interest of the City of Goodlettsville to adopt policies that will regulate a wide variety of sexually oriented businesses within the city; and

WHEREAS, the Board of Commissioners desires adopt such policies as a part of the City of Goodlettsville Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS:

Section 1: There is hereby created a new Title 9, Chapter 6, entitled Sexually Oriented Businesses as follows:

TITLE 9 - CHAPTER 6. - SEXUALLY ORIENTED BUSINESSES

Sec. 9-601. - Title.

This article shall be known and may be cited as "The Sexually Oriented Business Ordinance."

Sec. 9-602. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult arcade means any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration, electronically, electrically, or mechanically controlled still or motion picture machines, projectors, video or laser disc players, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

Adult bookstore, adult novelty store or adult video store means a commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration any one or more of the following:

(1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, computer software or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas;" or

(2) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities."

A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified

anatomical areas" and still be categorized as an adult bookstore, adult novelty store or adult video store. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of the principal business purposes is the offering for sale or rental for consideration the specified materials which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult cabaret means a nightclub, bar, restaurant or similar establishment which regularly features:

- (1) Persons who appear in a state of nudity or semi-nude; or
- (2) Live performances which are characterized by "specified sexual activities" or by the exposure of any of the "specified anatomical areas," even if partially covered by opaque material or partially or completely covered by translucent material, including swim suits, lingerie, or latex covering; or
- (3) Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult entertainment means any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, which has as a significant or substantial portion of such exhibition any actual or simulated performance of "specified sexual activities" or the viewing of "specified anatomical areas."

Adult motel means a hotel, motel or similar commercial establishment which

- (1) Offers sleeping room accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or
- (2) Offers a sleeping room for rent for a period of time that is less than ten hours.

Adult motion picture theater means a commercial establishment where, as one of its principal purposes, and for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult theater means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nude, or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

Codes department means the department or division of the city which is authorized to enforce building codes and other provisions of this Code of Ordinances.

Employee means a person who performs any service on the premises of a sexually oriented business on a full-time, part-time, or contract basis, whether or not the person is denominated as an employee, independent contractor, agent or otherwise and whether or not said person is paid a salary, wage, or other compensation by the operator of said business. "Employee" does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises.

Entertainer means any person who provides entertainment within a sexually oriented business as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee or an independent contractor.

Escort means a person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Massage parlor means an establishment or place primarily in the business of providing massage or tanning services for purposes of sexual stimulation or where one or more of the employees exposes to public view of the patrons within said establishment, at any time, "specified anatomical areas."

Nude model studio means a commercial establishment where a person appears semi-nude or in a state of nudity, or displays "specified anatomical areas," and is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration. Nude model studio as defined herein shall not include a proprietary school licensed by the State of Tennessee or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college or university supported entirely or partly by taxation; or a structure:

- (1) That has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
- (2) Where in order to participate in a class, a student must enroll at least three days in advance of the class; and
- (3) Where no more than one nude or semi-nude model is on the premises at any one time.

Nudity or state of nudity means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state.

Operator means a person operating, conducting or maintaining a sexually oriented business or a person who is identified in any report filed with the city as the operator of a sexually oriented business.

Sauna means an establishment or place primarily in the business of providing, for purposes of sexual stimulation:

- (1) A steam bath or dry heat sauna; or
- (2) Massage services.

Semi-nude means the showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit or other wearing apparel, provided the areola is not exposed in whole or in part.

Sexual conduct means the engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organs, pubic region, buttocks or female breast of a person for the purpose of arousing or gratifying the sexual desire of that person or another person.

Sexual encounter center means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

(1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

(2) For purposes of sexual stimulation, activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

Sexually oriented business includes, but is not limited to, an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, nude model studio, sexual encounter center, massage parlor, or sauna, and further means any premises to which patrons or members of the public are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult entertainment, when such is held, conducted, operated or maintained for a profit, direct or indirect.

Sexual stimulation means to excite or arouse the prurient interest or to offer or solicit acts of "sexual conduct" as defined in this chapter.

Specified anatomical areas means:

(1) Less than completely and opaquely covered:

a. Human genitals;

b. Pubic region;

c. Buttocks; and

d. Female breasts below a point immediately above the top of the areola; and

(2) Human male genitals in a discernibly turgid state, even if completely opaquely covered.

Specified criminal activity means any of the following offenses: prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; rape; sexual assault; molestation; gambling; or distribution of a controlled substance; or any similar offenses to those described above under the criminal or penal code of this state or other states or countries; for which:

(1) Less than five years have elapsed since the date of conviction or plea of nolo contendere or the date of release from confinement imposed, whichever is the later date, if the conviction or plea is for a misdemeanor offense;

(2) Less than ten years have elapsed since the date of conviction or plea of nolo contendere or the date of release from confinement imposed, whichever is the later date, if the conviction is of a felony offense; or

(3) Less than ten years have elapsed since the date of conviction or plea of nolo contendere or the date of release from confinement imposed for the last conviction or plea, whichever is the later date, if the convictions or pleas are for two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any twenty-four-month period;

provided further that the fact that a conviction is being appealed shall have no effect whatsoever on the provisions of this article.

Specified services mean's massage services, private dances, private modeling, or acting as an "escort" as defined in this chapter.

Specified sexual activities means:

(1) Human genitals in a state of sexual arousal;(2)Acts of human masturbation, oral copulation, sexual intercourse or sodomy; or(3)Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts.

Sec. 9-603. - Prevention of sexual activity.

(a) No person who owns, operates or manages a sexually oriented business shall permit "specified sexual activities," as defined in this chapter, to occur on the premises.

(b) No commercial building, structure, premises or portion thereof shall be designed for or used to promote high-risk sexual conduct.

(c) No person who owns, operates, causes to be operated or manages a sexually oriented business, other than an adult motel, which exhibits on the premises in any one or more viewing rooms or booths of less than 150 square feet of floor space, a film, video cassette, other reproduction or live entertainment which depicts "specified sexual activities" or "specified anatomical areas," shall cause or allow any deviation from the following requirements:

(1) The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. No manager's station may exceed 32 square feet of floor area. If the premises have two or more manager's stations, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose, excluding restrooms, from at least one of the manager's stations. Each such area shall remain unobstructed by doors, curtains, partitions, walls, merchandise, display racks or other materials. All viewing rooms and booths shall have at least one side open so that the area inside is visible from a manager's station. The view required in this subsection must be by direct line of sight from the manager's station.

(2) No alteration in the configuration or location of a manager's station may be made without the prior approval of the codes department.

(3) At least one employee shall be on duty and situated in each manager's station at all times that any patron is present inside the premises.

(4) No viewing room or booth may be occupied by more than one person at any time.

(5) Each viewing room or booth shall be lighted in such a manner that persons within are visible from a manager's station. The illumination level of each viewing room or booth, when not in use, shall be a minimum of ten footcandles at all times, as measured from the floor. The illumination level of all other portions of the premises open to the public shall be a minimum of ten footcandles at all times.

(6) No patron shall be permitted access to any area which has been designated as an area in which patrons will not be allowed.

(7) Each viewing room or booth shall be totally separated from adjacent viewing rooms and booths and any nonpublic areas by walls. All such walls shall be solid and extended from the floor to a height of not less than six feet and shall be of light colored, nonporous, nonabsorbent, smooth textured and easily cleanable material. No such wall may be constructed of plywood or composition board. No opening or aperture of any kind shall be allowed to exist between viewing rooms or booths. No person shall make or attempt to make an opening or aperture of any kind between viewing rooms or booths.

(8) All floor coverings in viewing rooms or booths shall be light colored, nonporous, nonabsorbent, smooth textured, easily cleanable surfaces, with no rugs or carpeting.

(9) The premises shall be maintained in a clean and sanitary manner at all times.

(10) No occupant of a viewing room or booth shall be allowed to damage or deface any portion therein or to engage in any type of sexual activity, cause any bodily discharge or litter while inside.

Sec. 9-604. - Involvement of minors.

An operator of a sexually oriented business is in violation of this article if:

(1) The operator is less than 18 years of age, if an individual.

(2) Any officer, director, partner, stockholder or other individual having a direct or beneficial financial interest in the operator is less than 18 years of age, if the operator is a corporation, partnership or other form of business organization.

(3) Any employee of the sexually oriented business is less than 18 years of age.

(4) Any entertainer at the sexually oriented business is less than 18 years of age.

Sec. 9-605. - Specified criminal activity by operators, employees, entertainers and others.

(a) No person may own or operate a sexually oriented business within the city if:

(1) He has a record of "specified criminal activity," as defined in this article, if the owner or operator is an individual.

(2) Any officer, director, partner or other individual having at least a ten percent direct or beneficial financial interest in the operator has a record of "specified criminal activity," as defined in this article, if the owner or operator is a corporation, partnership or other form of business organization.

(b) No operator of a sexually oriented business may allow any employee who has a record of "specified criminal activity," as defined in this article, to work on the premises of the business.

(c) No operator of a sexually oriented business may allow any entertainer who has a record of "specified criminal activity," as defined in this article, to perform on the premises of the business.

(d) No operator or employee of a sexually oriented business may knowingly allow any "specified criminal activity" to occur on the premises of the business.

(e) No operator or employee of a sexually oriented business may allow any patron or customer who has carried out any "specified criminal activity" on the premises of the business to reenter the premises.

(f) The police department may at any time investigate the criminal record of any person identified pursuant to section 9-609(4) or of any employee of a sexually oriented business or any entertainer performing at a sexually oriented business.

Sec. 9-606. - Prohibited hours of operation.

No sexually oriented business, except for an adult motel, shall be open between the hours of 11:00 p.m. and 8:00 a.m. No adult motel may allow any guest to check into a room between the hours of 11:00 p.m. and 8:00 a.m.

Sec. 18-157. - Duties and responsibilities of operators, entertainers and employees.

(a) The operator of each sexually oriented business shall maintain a register of all employees, showing the name, all aliases, home address, age, birth date, sex, weight, color of hair and eyes, telephone number, social security numbers, driver license or other state identification number and state of issuance, date of employment and termination, and duties of each employee. The above information for each employee shall be maintained on the premises during his or her employment and for a period of three years following termination.

(b) The operator shall make such information available for inspection immediately upon request by the city manager or his authorized representative or by the police department or codes department. Alternatively, if the city manager or his authorized representative, the police department or the codes department requests that copies of any such information be delivered to them, the operator shall have such copies delivered within three days of the request.

(c) An operator shall be responsible for the conduct of all employees on the premises of the sexually oriented business and any act or omission of any employee constituting a violation of the provisions of this part shall be deemed the act or omission of the operator.

(d) There shall be posted and conspicuously displayed in the common areas of each sexually oriented business a list of any and all entertainment and services provided on the premises. Viewing adult-oriented motion pictures shall be considered as entertainment. The operator shall make the list available immediately upon demand of the city manager or his authorized representative or by the police department or codes department.

(e) No operator or employee of a sexually oriented business shall allow any person under the age of 18 years on the premises of a sexually oriented business.

(f) A sign shall be conspicuously displayed in the common area of the premises of each sexually oriented business, and shall read as follows:

This sexually oriented business is regulated by the City of Goodlettsville, Tennessee. Employees, entertainers and customers are not permitted to engage in any type of sexual conduct.

(g) Operators of sexually oriented businesses that provide "specified services," as defined in this article, for customers or patrons shall comply with the following requirements:

(1) For each "specified service," such customers or patrons shall be provided with written receipts. Operators shall keep copies of such receipts for at least three years, showing:

- a. "Specified service" provided.
- b. Cost of "specified service."
- c. Date and time of service provided.
- d. Name of person providing the "specified service."
- e. Method of payment for service.

(2) Copies of all published advertisements for the business shall be kept for at least three years.

(3) Copies of the receipts and advertisements required under this section shall be made available immediately upon request by the city manager or his authorized representative or by the police department or codes department.

(h) It shall be the duty of the operator and all employees on the premises of a sexually oriented business to ensure that the line of sight between the manager's station(s) and each viewing room or booth remains unobstructed by doors, curtains, partitions, walls, merchandise, display racks or other materials.

(i) It shall be the duty of the operator and all employees on the premises of a sexually oriented business to ensure that the illumination required by this article is maintained at all times during business hours.

(j) It shall be the duty of the operator and all employees on the premises of a sexually oriented business to ensure that no openings of any kind exist between viewing rooms or booths.

(k) The operator or his/her agent shall, during each business day, regularly inspect the walls of all viewing rooms and booths to determine if any openings or holes exist. If such openings exist, it is the duty of the operator to immediately repair the damage. No patron shall be permitted access to a viewing room or booth where such an opening exists. It shall be the duty of the operator and all employees on the premises to ensure that such rooms or booths are unoccupied by patrons until the opening is repaired and covered.

Sec. 9-608. - Prohibited activities.

(a) No operator, entertainer or employee of a sexually oriented business shall perform or offer to perform any specified sexual activities on the premises of the business, or allow or encourage any person on the premises to perform or participate in any specified sexual activities.

(b) No entertainer, employee, or customer shall be permitted to have any physical contact with any other person on the premises during any performance and all performances shall only occur upon a stage at least eighteen inches above the immediate floor level and removed at least six feet from the nearest entertainer, employee, and/or customer.

(c) No business shall advertise that it offers or provides any entertainment or services which would fall under the definitions of "sexual conduct," "sexual stimulation" or "specified sexual activities" as defined in this chapter.

(d) No operator or employee shall serve or allow to be served or consumed any intoxicating liquor or malt beverage on the premises of a sexually oriented business.

(e) No operator or employee shall knowingly allow possession, use or sale of controlled substances on the premises of a sexually oriented business.

(f) The possession of weapons by any patron or customer on the premises of a sexually oriented business shall be prohibited. Notice of such prohibition shall be posted on the premises. No operator or employee shall knowingly allow a patron or customer on the premises of a sexually oriented business to have a weapon in his possession.

(g) No hotel, motel or similar commercial establishment may knowingly allow a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten hours.

Sec. 9-609. - Reports.

Any person operating or desiring to operate a sexually oriented business shall file a report with the codes department at least thirty days prior to the opening of the business and no later than November 1 of each year thereafter. The report shall be filed in triplicate with and dated by the codes department upon receipt. One copy of the dated report shall be returned to the operator and one copy shall be promptly provided to the police department. The report shall be upon a form provided by the codes department and shall include the following information, which shall be sworn by the operator to be true and correct under oath:

(1) The name under which the sexually oriented business is or will be operated.

(2) The location and all telephone numbers for the sexually oriented business.

(3) The type of sexually oriented business which is being or will be operated, using the terms included in the definition of "sexually oriented business" provided in this article, if applicable, and a complete description of all types of entertainment and services provided or to be provided by the business.

(4) If the operator is an individual, or for any individual who owns or will own at least a ten percent direct or beneficial interest in the business:

a. Legal name and any other names or aliases used by the individual.

b. Mailing address and residential address and telephone number.

c. Business address and telephone number.

d. A recent photograph of the individual.

e. Age, date and place of birth.

f. Height, weight, and hair and eye color.

g. Date, issuing state and number of the individual's driver's license or other state identification card information.

h. Social Security number.

i. Proof that the individual is at least 18 years of age.

j. The business, occupation or employment of the individual for five years immediately preceding the date of the report.

(5) If the operator is a partnership:

a. The partnership's complete name.

b. The names of all partners and the information required above for all individuals who own or will own at least a ten percent direct or beneficial interest in the business.

c. Whether the partnership is general or limited.

d. A copy of any printed partnership agreement.

(6) If the operator is a corporation:

a. The corporation's complete name, address and telephone number.

b. The date and state of incorporation.

c. The corporation's federal tax identification number.

d. Evidence that the corporation is in good standing under the laws of the state of incorporation.

e. The names and capacity of all officers, directors and principal stockholders and the information required above for all individuals who own or will own at least a ten percent direct or beneficial interest in the business.

f. The name and address of the registered corporate agent for service of process.

(7) The sexually oriented business or similar business history of the operator and of each individual listed under section 9-609(4) above, including:

a. The name and location of each sexually oriented business or similar business currently or previously owned or operated by such operator or individual.

b. If the operator or individual is or was a partner, officer, or director or holds or held at least a ten percent direct or beneficial interest in a partnership, corporation or other business entity which operates or operated or is or was majority owner of any sexually oriented business or similar business, the name and location of each such business and the owning or operating business entity.

c. Whether such operator or individual, has had any license or permit issued to a sexually oriented business or similar business denied, suspended or revoked.

d. The name and location of each sexually oriented business or similar business for which the license or permit was denied, suspended or revoked, and the dates and reasons for each such suspension or revocation.

(8) Whether the operator or any of the operator's officers or directors or any individual listed under section 9-609(4) above has a record of any "specified criminal activity" as defined in this article, and, if so, the "specified criminal activity" or activities involved and the date, place and jurisdiction of each.

(9) If the premises are leased or being purchased under contract, a copy of such lease or contract.

(10) A sketch or diagram showing the configuration of the premises, including the total amount of floor space occupied by the business. The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches. The codes department may waive this requirement if the report adopts a sketch or diagram that was previously submitted and the operator certifies that the configuration of the premises has not been altered since it was prepared. This requirement does not excuse the operator from compliance with all other applicable requirements for approval of building plans.

(11) For the initial report, a current certificate and straight-line drawing prepared within 30 days prior to the filing of the report by a registered land surveyor depicting the property lines and the structures containing any existing sexually oriented businesses within 1,000 feet of the property of the business filing the report; the boundary lines of any residential zoning district within 1,000 feet of said property; and the property lines of any parcel which includes an established religious facility, child care or educational facility, public park or recreation area, family entertainment business, liquor store or residence within 1,000 feet of said property. For purposes of this section, a use shall be considered existing or established if it is in existence at the time a report is submitted.

(12) A signed statement by the operator that the operator is familiar with the provisions of this article and is and will continue to be in compliance therewith, provided that if the operator is not an individual, such statement shall be signed by each individual who owns or will own at least a ten percent direct or beneficial interest in the operator. (13) Any other reasonably available information determined by the city manager, codes department or police department to be necessary in determining whether the operator and the sexually oriented business meet the requirements of this article.

Sec. 9-610. - Inspections.

In order to effectuate the provisions of this article, the police department, codes department, city manager and/or his authorized representatives are empowered to:

(1) Conduct investigations of the premises of any sexually oriented business or any business believed by any of them to be a sexually oriented business at any time such business is occupied or open for business.

(2) Inspect all licenses and records of any sexually oriented business and its operators and employees for compliance with this article at any time such business is occupied or open for business.

(3) Conduct investigations of persons engaged or believed to be engaged in the operation of any sexually oriented business.

Sec. 9-611. - Applicability of state statutes.

The provisions of this article are not intended to supersede any obligations or requirements, including licensing requirements, imposed by state statute and shall be in addition thereto.

Sec. 9-612. - Violations.

(a) Each of the following acts and omissions shall be considered a civil offense against the city:

(1) Failure to file any report required under this article at the time required or submittal of false or misleading information or omission of any material facts in any report required under this article.

(2) Any operator, entertainer, or any employee of the operator, violates any provision of this article.

(3) Any operator, employee or entertainer denies access to the police department, codes department, fire department, city manager or his authorized representatives to any portion of the premises of the sexually oriented business at any time it is open for business.

(4) Any operator fails to maintain the premises of a sexually oriented business in a clean, sanitary and safe condition.

(b) Upon a second or subsequent violation by an operator, entertainer or employee of a sexually oriented business, of any part of this article, or of any state statute regarding nudity, sexually oriented businesses or adult entertainment, such business shall be deemed a nuisance and shall also be subject to an order of closure, and/or to cease and desist, by chancery court action seeking injunctive relief to enforce the provisions of this article, provided that such second or subsequent violation occurs after a conviction or plea of nolo contendere has been obtained for the previous such violation

Section 2. This ordinance shall take effect fifteen (15) days from and after its final passage, the public welfare requiring it.

MAYOR RUSTY TINNIN

Passed: _____

Passed: _____

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

SUBJECT TITLE: ORDINANCE 21-997 An ordinance to amend the City of Goodlettsville Municipal Code Title 8, Chapter 2, Section 224 by creating a new subsection (3), as it relates to Off Premise Beer Permits. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Ordinance 21-997 Dept. of Origin: Administration For Agenda of: May 27, 2021 Originator: Tim Ellis Cost of Item: None
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AGENDA ITEM ATTACHMENTS:

Ordinance 21-997

SUMMARY STATEMENT:

An ordinance to amend the City of Goodlettsville Municipal Code Title 11, Chapter 3, Section 301, subsection 1(h) by deleting subsection 1(h) in its entirety and creating a new subsection 1(h) as it relates to anti-noise regulations.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 21-997

ORDINANCE 21-997

AN ORDINANCE TO AMEND THE CITY OF GOODLETTSVILLE MUNICIPAL CODE TITLE 8, CHAPTER 2, SECTION 224, BY CREATING A NEW SUBSECTION (3), AS IT RELATES TO OFF PREMISE BEER PERMITS.

WHEREAS, the City of Goodlettsville has determined that it is in its best interest to assure that all off-premise beer permits are in relation to stores that are open to the public; and

WHEREAS, currently there is no regulations as it relates to home delivery of beer from a store not open to the public for purchase on site.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE ADOPTED AS FOLLOWS:

§ Title 8 – Chapter 2 – Section 204 – Subsection (3)

(3). The permittee's establishment or place of business for the off-premises retail beer sales shall be located within an appropriate zoning district and open for customers by public access not less than five (5) days per week and eight (8) hours per day

THIS ORDINANCE SHALL TAKE EFFECT FIFTEEN (15) DAYS FROM ITS PASSAGE, THE PUBLIC WELFARE OF THE CITIZENS OF GOODLETTSVILLE, TENNESSEE REQUIRING IT.

Mayor Rusty Tinnin

Passed first reading: _____
(date)

City Recorder

Passed second reading: _____
(date)

Approved as to form and legality

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> RESOLUTION 21-984 A resolution proclaiming Thursday, June 3, 2021 as Clint Parnell Day in the City of Goodlettsville, Tennessee. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 21-984 Dept. of Origin: Administration For Agenda of: May 27, 2021 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 21-84

SUMMARY STATEMENT:

A resolution proclaiming Thursday, June 3, 2021 as Clint Parnell Day in the City of Goodlettsville, Tennessee.

FINANCIAL SUMMARY:

This resolution will have no fiscal impact on the City of Goodlettsville.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 21-984.

RESOLUTION NO. 2021-984

**A RESOLUTION PROCLAIMING THURSDAY, JUNE 3, 2021 AS
CLINT PARNELL DAY
IN THE CITY OF GOODLETTSVILLE, TENNESSEE**

WHEREAS, Clint Parnell has worked tirelessly with various programs in the Goodlettsville community over the years, and

WHEREAS, Clint Parnell has positively impacted the lives of many youth of the Goodlettsville Community over the decades, and

WHEREAS, Clint Parnell served as an employee of the City of Goodlettsville Parks & Recreation Department during the time in which Moss-Wright Park was constructed, and

WHEREAS, Clint Parnell has served as athletic director at Goodpasture Christian School for decades, and

WHEREAS, on June 3, 2021 Goodpasture Christian School will dedicate the “Parnell Athletic Center” in honor of Clint Parnell.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THURSDAY, JUNE 3, 2021 BE DECLARED CLINT PARNELL DAY IN THE CITY OF GOODLETTSVILLE.

This resolution shall take effect from and after its adoption, the welfare of The City of Goodlettsville requiring it.

Passed this 27TH day of May, 2021.

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY