



Board of Commissioners

September 9, 2021

6:30 PM

City Hall - Massie Chambers

Minutes:

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

Absent: Zach Young.

Also Present: Russell Freeman, Tim Ellis, Marilee Tice, Addam McCormick, and Julie High.

Mayor Rusty Tinnin called the meeting to order. Pastor Tim Stutler offered prayer and Mayor Rusty Tinnin led the chambers in the pledge of allegiance.

Assistant City Manager Julie High called the roll: Mayor Rusty Tinnin present, Vice Mayor Duncan present, Commissioner Anderson present, Commissioner Huffman present, Commissioner Young absent.

Consider the minutes of the August 26, 2021 regular meeting of the Board of Commissioners. Vice Mayor Duncan made a motion to consider the minutes as written. Commissioner Huffman seconded the motion and the motion was passed 4-0.

Marilee Tice, President of the Goodlettsville Chamber of Commerce, thanked the City Commission and City staff for helping host the Salty Dog Festival to take place Saturday, September 11th. She also invited everyone to attend the Festival.

Denver Schimming of 943 Old Dickerson Pike addressed the Board regarding his recent comments about the situation at the stop sign at Dry Creek Road. He thanked Chief Goodwin and the Police Department for coming out with their presence as it seemed to abate the problem. He stated the problem is starting to pick up again and asked if the city would consider trying to make that corner a regular stop and be out there more. He also talked about the vehicle noise ordinance up for second reading. He stated the vehicle noise on his road is deafening and asked the Board to support the vehicle noise ordinance. Mr. Schimming's third comment was regarding the property across from his house and the developer. He stated he contacted the developer about a hole he left in his yard in 2019 that the city repaired and now he cannot grow grass as there are rocks left from the dirt to dig this hole. He said it looks like work will begin again at some point across the street and asked if the city or city attorney could require the developer to take the dirt back to his property.

Madelyn Bracken of 452 Moss Trail stated her family moved to Goodlettsville a couple of

months ago. She is a mother of three children and she bikes everywhere and addressed the Board regarding hazards on Goodlettsville roads such as not having any protected crossings on Main Street specifically. She stated she has talked to Planning Director Addam McCormick to request lighted, protected crosswalks where cars are required to stop and not just a line.

City Manager Ellis stated he was going to mention the Salty Dog Festival and that Marilee had it covered. He also invited everyone to the Ministerial Alliance's 9/11 Patriot Day Ceremony at City Hall at 6:30pm. He reminded everyone of the Household Hazardous Waste Drop Off on Saturday, October 30th at the Visitor's Center. He wanted to let the Board know that as we started the process for the American Rescue Plan funding we will need to discuss various projects that can be covered.

Old Business.

Mayor Tinnin stated before we get started, Item e. on Old Business will be moved to the end of the agenda after 21-1009.

Consider Ordinance 21-1001, an ordinance to amend the City of Goodlettsville Municipal Code Title 15, Chapter 1, Section 114 by creating a new Subsection (4) as it relates to vehicle noise, second reading and public hearing. Commissioner Anderson made a motion to consider Ordinance 21-1001. Commissioner Huffman seconded the motion. The public hearing was opened. David DeGrella of 202 Pear Orchard stated this ordinance sounded like a great idea but there is also an issue with loud music and this ordinance should be deferred and expanded. He said he can't go outside due to loud music. He stated his recommendation is that music should not be heard from a business unless you are on the premises of the business. With no further comments, the public hearing was declared closed. Commissioner Huffman asked if we currently had a noise ordinance for businesses. City Manager Ellis stated we do and stated it would do no good to defer this since it is specific to vehicle noise. He stated we can look at our noise ordinance again if needed. Vote was then taken which resulted in a 4-0 vote to approve Ordinance 21-1001.

Consider Ordinance 21-1002, an ordinance to amend Title 8, Chapter 2, entitled "Beer" of the Goodlettsville Municipal Code, second reading and public hearing. Vice Mayor Duncan made a motion to consider 21-1002. Commissioner Anderson seconded the motion. The public hearing was opened. With no one speaking in favor or against the proposed amendment, the public hearing was declared closed. Vote was then taken which resulted in a 4-0 vote to approve Ordinance 21-1002.

Consider Ordinance 21-1004, an ordinance to amend the City of Goodlettsville Municipal Code Title 11 by creating a new Chapter 11 as it relates to blocking sidewalks, streets, and rights-of-way, second reading and public hearing. Commissioner Anderson made a motion to consider Ordinance 21-1004. Commissioner Huffman seconded the motion. The public hearing was opened. Madelyn Bracken of 452 Moss Trail asked for clarification regarding the obstruction of a sidewalk by people. She wanted to clarify that this would in no way impede upon the first amendment right to assemble if perhaps there was a protest going on. City Manager Ellis

stated we have a display permit process that everyone would have to go through so it would not stop a demonstration from occurring. However, through the permitting process we do permit where that would occur. With no further comments, the public hearing was declared closed. Vote was then taken which resulted in a 4-0 vote to approve Ordinance 21-1004.

Consider Ordinance 21-1005, an ordinance to amend the Hill Place Master Plan for two (2) additional residential units for a HDRPUD, High Density Residential Planned Unit Development on Brick Church Pike, second reading and public hearing. Vice Mayor Duncan made a motion to consider Ordinance 21-1005. Commissioner Anderson seconded the motion. The public hearing was opened. Madelyn Bracken of 452 Moss Trail addressed the Board in support of this ordinance. Vote was then taken which resulted in a 4-0 vote to approve Ordinance 21-1005.

Consider Resolution 21-999, a resolution to approve an Employee Leave COVID Vaccination Incentive Program for those employees who choose to be vaccinated against the COVID-19 Virus. City Manager Ellis stated this is not a COVID passport. It is an incentive to our employees to be vaccinated. This has changed since the last time to reflect a new deadline of November 1, 2021. City Manager Ellis stated this afternoon all employers with over 100 employees, are mandated to have their employees vaccinated. Resolution 21-999 died due to a lack of a motion.

New Business.

Consider Ordinance 21-1013, an ordinance to amend the Zoning Ordinance to permit a primary use interstate advertisement facility use in the CSL, Commercial and IG, Industrial General and IR, Industrial Restricted zoning districts for properties adjacent to I-65, first reading. City Manager Ellis stated this was considered by the Planning Commission and failed unanimously. Planning Director Addam McCormick stated they received a sign permit application for a billboard sign at 705 Rivergate Parkway, Victory Church. TDOT has permitted a billboard type sign here. It's a typical billboard sign 96 feet tall and 750 square feet. But this property, per our sign ordinance, is in our interstate sign district, and we only allow signs up to 90 feet tall and 227 square feet. The Planning Commission did not want to see any additional signs in this area. There are 13 billboards on the west side and 5 on the other side. The applicant did submit a revised ordinance amendment proposal that is included in the memo to include this sign in the interstate sign district. John Kenjoh represented the project and asked to pass along information to the Board. Commissioner Anderson made a motion to consider Ordinance 21-1013. Commissioner Huffman seconded the motion. Mr. Kenjoh offered them a background on the project. The State of Tennessee approved this sign on 65. The City of Goodlettsville has permitted a sign up to 227 square feet and they will build a sign but are requesting to build a billboard of 750 square feet. He then explained his proposal for amendment and addressed the Planning Commission concerns. Commissioner Huffman asked why it needed to be three times bigger than what is allowed? Mr. Kenjoh stated sometimes the proportionality does not work and McDonald's can have the same size as an advertising company. A roll call vote was taken: Mayor Tinnin: no, Vice Mayor Duncan: no, Commissioner Anderson: no, Commissioner Huffman: no. This results in a 4-0 to deny Ordinance 21-1013.

Consider Ordinance 21-1014, an ordinance of the City of Goodlettsville, Tennessee, requesting the Commissioner of the Tennessee Department of Economic and Community Development to deactivate the Regional Planning Authority of the Goodlettsville Regional Planning Commission and dissolve the Goodlettsville Planning Region, first reading. City Manager Ellis stated this will dissolve the Regional portion, the boundary outside of our city limits, and our Planning Commission would become a Municipal Planning Commission. Vice Mayor Duncan made a motion to consider Ordinance 21-1014. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 4-0 vote to approve Ordinance 21-1014.

Consider Ordinance 21-1015, an ordinance to amend the Zoning Ordinance to expand the I-65 at Long Hollow Pike interchange interstate sign district map to include a portion of certain property parcel on South Cartwright Street, first reading. Planning Director Addam McCormick stated this is AWG and they want to put up a 60 foot sign of 170 square feet for their own marketing. The interstate sign district stops at the hotel and they are asking for an expansion of the district on South Cartwright Street. Vote was then taken which resulted in a 4-0 vote to approve Ordinance 21-1015.

Consider Resolution 21-1007, a resolution to accept the Copper Creek Phase 2-1 public improvements with a one-year maintenance bond from Meritage Homes. Commissioner Anderson made a motion to consider Resolution 21-1007. Commissioner Huffman seconded the motion. Planning Director Addam McCormick stated Copper Creek is finishing their improvements and is still about two weeks out from finishing the sidewalks. This is all contingent on the completion of the sidewalks. Vote was then taken which resulted in a 4-0 vote to approve Resolution 21-1007.

Consider Resolution 21-1008, a resolution amending a contract between the City of Goodlettsville and the State of Tennessee Department of Transportation, by extending the expiration date of the contract as it relates to project number 120327.01 - CMAQ Phase II Traffic Synchronization. City Manager Ellis stated this is the project that is currently under construction but we do not have a contract to approve so is recommending deferral until we receive the contract amendment to extend the expiration date of the contract. Commissioner Huffman made a motion to defer. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 4-0 vote to defer Resolution 21-1008.

Consider Resolution 21-1009, a resolution pursuant to the authority granted by Section 6-54-11 of the Tennessee Code Annotated, and in accordance with the internal control and compliance manual for Tennessee Municipalities authorizing the donation of equipment to the Shackle Island Volunteer Fire Department, a 501 (c)(3) non-profit organization whose services benefit the general welfare of the residents of Goodlettsville, public hearing. City Manager Ellis stated this is an enabling resolution that requires a public hearing and then we will hear Resolution 21-969 that would need an amendment. Vice Mayor Duncan made a motion to consider. Commissioner Huffman seconded the motion. The public hearing was opened. With no one speaking in favor or against this donation, the public hearing was declared closed. Vote was then taken which resulted in a 4-0 vote to approve Resolution 21-1009.

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 the Board had an amended copy to this to correct a mistake in the referenced Tennessee Code Annotated. City Attorney Freeman stated there is no registration required for a Volunteer Fire Department as they are exempt. City Manager Ellis stated Section 3 was a paragraph that was discussed and added after it was originally discussed. City Manager Ellis read Section 3. He stated basically we are giving them this truck and when it no longer has a useful life, they will give it back to us. Commissioner Anderson made a motion to consider Resolution 21-969. Vice Mayor Duncan seconded the motion. Vice Mayor Duncan stated last time it was mentioned this did not benefit the citizens of Goodlettsville and she disagrees. She stated that right across from this Fire Department sits Beech High School and T.W. Hunter where her children go to school and many other citizens attend so this directly affects the citizens of Goodlettsville. Vice Mayor Duncan made a motion to amend Resolution 21-969 based on the language as presented. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 4-0 vote to approve the amendment to Resolution 21-969 based on the language as presented. Commissioner Huffman made a motion to adopt Resolution 21-969 as amended. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 4-0 vote to approve Resolution 21-969 as amended.

Consider Resolution 21-1010, 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 stated he would like to add a skid steer loader to this list as we only hear them once a quarter. City Attorney Freeman confirmed it will need to be amended to add this item to the list. Commissioner Huffman made a motion to consider. Vice Mayor Duncan seconded the motion. Commissioner Huffman made a motion to amend based on the language as presented. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 4-0 vote to amend Resolution 21-1010 to add the skid steer loader. Commissioner Huffman made a motion to adopt Resolution 21-1010 as amended. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 4-0 vote to adopt as amended.

With no further business, Vice Mayor Duncan made a motion to adjourn. Commissioner Anderson seconded the motion. Chief Martin Bowers of Shackle Island Fire Department addressed the Board and thanked them, Chief Reeves, and the City of Goodlettsville for helping them. The meeting adjourned at approximately 7:40pm with a 4-0 vote.