



October 13, 2022

Board of Commissioners
6:30 PM

City Hall - Massie Chambers

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 September 8th 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. Consent agenda items.

8. Old Business.

- a. Consider Ordinance 22-1048, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040. **SECOND READING**

- b. Consider Ordinance 22-1049, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040. **SECOND READING**
- c. Consider Resolution 22-1080, a resolution recognizing Mr. Jim Hitt for his 30 years of exemplary service to the citizens of Goodlettsville, Tennessee

9. New Business.

- a. Consider Ordinance 22-1050, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040. **FIRST READING**
- b. Consider Ordinance 22-1051, an ordinance to amend the sign regulations of the Zoning Ordinance to allow for consolidation of maximum permitted signage area to one sided sign. **FIRST READING**
- c. Consider Ordinance 22-1052, an ordinance to amend Ordinance 06-674 as amended, the Zoning Ordinance of the City of Goodlettsville, to amend signage requirements to authorize the Planning Commission the alternative application of permitted maximum sign area and heights. **FIRST READING**
- d. Consider Ordinance 22-1053, an ordinance of the Board of Commissioners of the City of Goodlettsville, Tennessee prohibiting the feeding of feral animals within the city limits. **FIRST READING**
- e. Consider Resolution 22-1087, a resolution authorizing the City of Goodlettsville to participate in the PE Partners "Safety Partners" Matching Grant Program.
- f. Consider Resolution 22-1088, a resolution of the City of Goodlettsville Board of Commissioners authorizing and assuring the acceptance of funds, matching of funds, administration of grant and execution of grants as it relates to American Rescue Plan Act Funds (ARPA) to be used for wastewater improvements.
- g. Consider Resolution 22-1089, a resolution to proclaim the week of October 9-15, 2022 as Fire Prevention Week in the City of Goodlettsville.
- h. Consider Resolution 22-1090, a resolution of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Automated License Plate Reader Policy.
- i. Consider Resolution 22-1091, a resolution authorizing the City Manager to negotiate and execute a Memorandum of Agreement with the government of Metropolitan Nashville, Davidson County, Tennessee as it relates to the operation and maintenance of the traffic signal located at Rivergate Parkway and South Main Street.
- j. Consider Resolution 22-1092, a resolution to approve an agreement between the City of Goodlettsville and FoxPE. Incorporated as it relates to engineering services.

- k. Consider Resolution 22-1093, a resolution authorizing an agreement with Flock Safety, Incorporated for the installation and utilization of ten Automated License Plate Readers.

10. 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



September 8, 2022 Board of Commissioners 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, Ken Reeves, Jeff McCormick, Kimberly Lynn, Julie High, Mary Laine Hucks, Marilee Tice and Lauren High.

Mayor Rusty Tinnin called the meeting to order. Pastor Toby Swager offered prayer and Mayor 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, Commissioner Young present.

Consider the minutes of the August 11, 2022 regular meeting of the Board of Commissioners by the Recorder for approval or correction. Vice Mayor Duncan made a motion to approve the minutes as written. Commissioner Anderson seconded the motion and motion passed 5-0.

Goodlettsville Chamber President Marilee Tice thanked the City of Goodlettsville for their partnership on the Salty Dog Festival to be held Saturday, September 10th. She invited all of the board and everyone watching to the event. She also introduced new staff member Lauren High.

City Manager Tim Ellis expressed condolences to Pastor Toby Swager in the passing of his mother this past week. He then welcomed District 17 Sumner County Commissioner Bob Brown.

He announced the Household Hazardous Waste Event to be held on Saturday, October 29th as well as a cleanup day with a free drop-off at the convenience center. On Saturday, October 22nd the GOODFest Fall Market and the Ghost and Lantern Tour will be held at Mansker's Station. The Dog Dash check presentation will be September 26th at 11am from the grant from the Boyd Foundation.

Consent agenda items.

Consider Old Business.

Consider Ordinance 22-1047, an ordinance to amend Title 14, Goodlettsville Municipal Code by amending the Zoning Ordinance to remove right-of-way sections from the Interchange Sign Zone and Mall Sign Zone area district maps, second reading and public hearing. Commissioner Young made a motion to consider Ordinance 22-1047. Commissioner Huffman seconded the motion. The public hearing was opened. 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 22-1047.

Consider New Business.

Consider Ordinance 22-1048, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040, first reading. City Manager Ellis stated this is in regards to the American Rescue Plan and allows us to allocate those funds to our current budget. Commissioner Huffman made a motion to consider Ordinance 22-1048. Vice Mayor Duncan seconded the motion. Commissioner Young asked if a policy will be coming back before the board on how the license plate readers are to be used so the public understands they are not intended to be used for revenue generating purposes but for public safety purposes. City Manager Ellis stated we could do that but did not think it was needed. He said the only city that has done that is Metro Nashville. Commissioner Young stated it was important to set rules for what it is to be used for and wanted to clarify data retention. City Manager Ellis stated that should not be a problem but it will be very generally written. There was additional discussion. City Manager Ellis stated we will create a policy to be approved by Resolution. Commissioner Young stated he would be voting against this ordinance as he is not in support of purchasing event flooring to be used as a revenue generator and a feasibility study for an indoor aquatics facility when we can't hire enough staff for our current pool. There was additional discussion. Vote was then taken which resulted in a 4-1 vote to approve Ordinance 22-1048 with Commissioner Young voting no.

Consider Ordinance 22-1049, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040, first reading. City Manager Ellis stated this is referencing a marketing grant, a dog park grant, and a stormwater project. Vice Mayor Duncan made a motion to consider Ordinance 22-1049. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 22-1049.

Consider Resolution 22-1076, 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. Commissioner Anderson made a motion to consider Resolution 22-1076. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1076.

Consider Resolution 22-1077, a resolution to amend a contract between the City of Goodlettsville, Tennessee and the State of Tennessee Department of Transportation as it relates to project number 120327.00 - Conference Drive Enhancements. City Manager Ellis stated the contractor failed to satisfy the landscaping requirements. There is a limited window to when plantings can occur and it cannot occur again until October so this contract

needs to be extended. Vice Mayor Duncan made a motion to consider Resolution 22-1077. Commissioner Young seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1077.

Consider Resolution 22-1078, a resolution to rescind Resolution 22-1051 as it relates to the City of Goodlettsville assuming authority over certain wastewater utility territory outside the corporate limits. City Manager Ellis stated the original resolution made sense for us as it added customers for our financial base and once it got to the end asked that we give up certain territory and that was not something he could recommend to the board. Vice Mayor Duncan made a motion to consider Resolution 22-1078. Commissioner Anderson seconded the motion. Commissioner Young wanted to be recorded as abstaining. Vote was then taken which resulted in a 4-0 vote to approve Resolution 22-1078 with Commissioner Young abstaining.

Consider Resolution 22-1079, a resolution to approve the capital expenditure for the purchase of a new fire engine. City Manager Ellis stated this is one item we need to go ahead and purchase as the price will go up next week as well as a 15 month waiting period for construction. Commissioner Anderson made a motion to consider Resolution 22-1079. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1079.

Consider Resolution 22-1080, a resolution recognizing Mr. Jim Hitt for his 30 years of exemplary service to the citizens of Goodlettsville, Tennessee. Mayor Tinnin stated Mr. Hitt would love to be in attendance for this and could not be here tonight. Vice Mayor Duncan made a motion to defer. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to defer Resolution 22-1080.

Consider Resolution 22-1081, a resolution of the City of Goodlettsville Board of Commissioners authorizing the City of Goodlettsville Traffic Calming Policy. City Manager Ellis stated this creates the system in which decisions will be made on traffic calming measures. He said citizens can request a study and those can be done year round. He said long term we would have a portion of our budget dedicated to traffic calming and that there is a lot we can do to calm traffic without using speed humps. Commissioner Young made a motion to consider Resolution 22-1081. Commissioner Huffman seconded the motion. There was discussion. City Manager Ellis stated there may be instances where we bring a traffic engineer in. This will put a system in place to see what is warranted for each case. There was discussion. City Manager Ellis stated this policy is the best route for us at this time. Commissioner Young asked if the intent was to budget each year the amount for projects throughout the year. City Manager Ellis confirmed. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1081.

Consider Resolution 22-1082, a resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee, authorizing the administrative services of Community Development Partners, LLC for assistance with the 2020 Local Parks and Recreation Fund grant program. Commissioner Huffman made a motion to consider Resolution 22-1082. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1082.

Consider Resolution 22-1083, a resolution authorizing the execution of an agreement between the City of Goodlettsville and Kimley Horn and Associates, Incorporated as it relates to engineering services for an all-access playground. Vice Mayor Duncan made a motion to consider Resolution 22-1083. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1083.

Consider Resolution 22-1084, a resolution approving a Memorandum of Understanding with the City of Millersville, Tennessee as it relates to acceptance of a military rated truck for use by the Goodlettsville Fire Department. City Manager Ellis stated this will be used in swift water rescues as it is a very high profile vehicle. Commissioner Anderson made a motion to consider Resolution 22-1084. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1084.

Consider Resolution 22-1085, a resolution to authorize the execution of an agreement between the City of Goodlettsville and FoxPE, Incorporated as it relates to engineering services. City Manager Ellis stated part of this funding is coming through ARPA funding from TDEC. Commissioner Anderson made a motion to consider Resolution 22-1085. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1085.

Consider Resolution 22-1086, a resolution approving the execution of an agreement between the City of Goodlettsville and Western Kentucky University for non-analytical monitoring and surveying of all City of Goodlettsville streams. Vice Mayor Duncan made a motion to consider Resolution 22-1086. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1086.

With no further business, Commissioner Anderson made a motion to adjourn. Vice Mayor Duncan seconded the motion. The meeting adjourned at approximately 7:02 pm with a 5-0 vote.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> ORDINANCE 22-1048 An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040. SECOND READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Asst. City Manager	Agenda Item: Ordinance 22-1048 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Julie High Cost of Item: See Financial Summary
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1048

SUMMARY STATEMENT:

An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040.

FINANCIAL SUMMARY:

ARPA Fund Balance (\$2,327,000)

General Fund -

Public Works Capital Outlay	Paving Conference Drive	\$770,000
Fire Capital Outlay	Fire Truck	\$800,000
Parks Capital Outlay	Shelter Peay Park and Fencing	\$348,000
Public Works Capital Outlay	Message Boards	\$ 34,000
Police Capital Outlay	License Plate Readers	\$125,000
Parks Capital Outlay	Shade Structures (Moss Wright)	\$ 75,000
Parks Capital Outlay	Feasibility Study-Indoor Aquatics	\$ 50,000

Tourism Fund

Tourism Capital Outlay	Bowen-Event Flooring	\$125,000
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RECOMMENDED ACTION:

Staff recommends approval of Ordinance 22-1048.

ORDINANCE NO. 22-1048

AN ORDINANCE OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING THE FISCAL YEAR 2022-2023 BUDGET, PASSED BY ORDINANCE # 22-1040

WHEREAS, the City of Goodlettsville adopted the fiscal year 2022-2023 budget by passage of Ordinance #22-1040 on May 12, 2022; and

WHEREAS, pursuant to the Tennessee state constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, the City of Goodlettsville received funds in the amount of \$2,492,096 through the American Rescue Plan Act of 2021 (ARPA) under the Coronavirus Local Fiscal Recovery Fund in November 2021; and

WHEREAS, the City will receive the second tranche of ARPA funding in November of 2022; and

WHEREAS, the Board of Commissioners of the City of Goodlettsville approved Resolution 22-1073 designating the use of funds in Tranche 1 of the American Rescue Plan Act of 2021 for various public projects and purposes.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2022-2023 BUDGET AS FOLLOWS:

ARPA Fund Balance (\$2,327,000)

General Fund -

Public Works Capital Outlay	Paving Conference Drive	\$770,000
Fire Capital Outlay	Fire Truck	\$800,000
Parks Capital Outlay	Shelter Peay Park and Fencing	\$348,000
Public Works Capital Outlay	Message Boards	\$ 34,000
Police Capital Outlay	License Plate Readers	\$125,000
Parks Capital Outlay	Shade Structures (Moss Wright)	\$ 75,000
Parks Capital Outlay	Feasibility Study-Indoor Aquatics	\$ 50,000

Tourism Fund

Tourism Capital Outlay	Bowen-Event Flooring	\$125,000
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THIS ORDINANCE SHALL TAKE EFFECT FIFTEEN DAYS AFTER ITS FINAL ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Mayor Rusty Tinnin

Passed first reading:_____

City Recorder

Passed second reading:_____

Approved as to form and legality.

City Attorney



AGENDA SUMMARY SHEET
Board of Commissioners
City of Goodlettsville

<u>SUBJECT TITLE: ORDINANCE 22-1049</u> An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040. SECOND READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Asst. City Manager	Agenda Item: Ordinance 22-1049 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Julie High Cost of Item: See Financial Summary
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1049

SUMMARY STATEMENT:

An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040.

FINANCIAL SUMMARY:

Tourism Fund Grant Revenue (increase)		(\$35,000)
Tourism Fund Marketing Expenditures (increase)	\$35,000	
<i>(State of Tennessee Tourism Marketing Grant)</i>		
General Fund Grant Revenue (increase)		(\$25,000)
Parks and Recreation Maintenance (increase)	\$25,000	
<i>(Boyd Foundation Dog Park Grant)</i>		
Stormwater Fund Balance (decrease)		(-\$325,000)
Stormwater Capital Project (increase)	\$325,000	
<i>(Capital Project Deferred from FY21/22)</i>		

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 22-1049.

ORDINANCE NO. 22-1049

AN ORDINANCE OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING THE FISCAL YEAR 2022-2023 BUDGET, PASSED BY ORDINANCE # 22-1040

WHEREAS, the City of Goodlettsville adopted the fiscal year 2022-2023 budget by passage of Ordinance #22-1040 on May 12, 2022; and

WHEREAS, pursuant to the Tennessee state constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, the City has received a marketing grant from the Tennessee Department of Tourist Development; and

WHEREAS, the City has received a 2022 Dog Park Dash Grant from the Boyd Foundation; and

WHEREAS, the City has a need to make certain improvements to stormwater infrastructure.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2022-2023 BUDGET AS FOLLOWS:

Tourism Fund Grant Revenue (increase)		(\$35,000)
Tourism Fund Marketing Expenditures (increase)	\$35,000	
General Fund Grant Revenue (increase)		(\$25,000)
Parks and Recreation Maintenance (increase)	\$25,000	
Stormwater Fund balance (decrease)		(\$325,000)
Stormwater Capital Improvements (increase)	\$325,000	

THIS ORDINANCE SHALL TAKE EFFECT FIFTEEN DAYS AFTER ITS FINAL ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Mayor Rusty Tinnin

Passed first reading:_____

City Recorder
Approved as to form and legality.

Passed second reading:_____

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1080 A resolution recognizing Mr. Jim Hitt for his 30 years of exemplary service to the citizens of Goodlettsville, Tennessee. <u>PRESENTED BY:</u> Mayor Rusty Tinnin	Agenda Item: Resolution 22-1080 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Mayor Rusty Tinnin Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1080

SUMMARY STATEMENT:

A resolution recognizing Mr. Jim Hitt for his 30 years of exemplary service to the citizens of Goodlettsville, Tennessee.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Mayor Tinnin recommends approval of Resolution 22-1080.

RESOLUTION NO. 22-1080

**A RESOLUTION RECOGNIZING
MR. JIM HITT
FOR HIS 30 YEARS OF EXEMPLARY SERVICE TO THE
CITIZENS OF GOODLETTSVILLE, TENNESSEE**

WHEREAS, Mr. Jim Hitt, is a long-time resident of the City of Goodlettsville and a staple of the Goodlettsville community; and

WHEREAS, Mr. Jim Hitt was first appointed to the Construction Board of Appeals for the City of Goodlettsville, Tennessee in 1992; and

WHEREAS, Mr. Jim Hit was later appointed to the Planning and Zoning Board of the City of Goodlettsville, Tennessee in 1995, where he served through 2021; and

WHEREAS, Mr. Jim Hitt's knowledge and experience, while serving on said boards, were proven to be invaluable to the City of Goodlettsville, Tennessee; and

WHEREAS, Mr. Jim Hitt loyally and tirelessly served the citizens of Goodlettsville in an exemplary manner for 30 years and has contributed significantly in making Goodlettsville a Great Place to Live, Work and Play.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT MR. JIM HITT IS RECOGNIZED FOR HIS EXEMPLARY SERVICE TO THE CITIZENS OF THE CITY OF GOODLETTSVILLE FOR OVER 30 YEARS.

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

Passed this 13th day of October, 2022.

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> ORDINANCE 22-1050 An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Asst. City Manager	Agenda Item: Ordinance 22-1050 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Julie High Cost of Item: See Financial Summary
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1050

SUMMARY STATEMENT:

An ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040.

FINANCIAL SUMMARY:

Insurance Proceeds (increase)	(\$11,200)
City Hall Admin Maintenance Expenditures (increase)	\$11,200

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 22-1050.

ORDINANCE NO. 22-1050

AN ORDINANCE OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING THE FISCAL YEAR 2022-2023 BUDGET, PASSED BY ORDINANCE # 22-1040

WHEREAS, the City of Goodlettsville adopted the fiscal year 2022-2023 budget by passage of Ordinance #22-1040 on May 12, 2022; and

WHEREAS, pursuant to the Tennessee state constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, an extremely heavy rain event caused a backup in the drainage pipe in front of City Hall, causing water to rush into the front of City Hall, through the lobby, and into the auditorium; and

WHEREAS, the City Hall lobby and auditorium flooring and carpet were damaged as a result, requiring considerable clean-up effort; and

WHEREAS, insurance proceeds have been received to cover this expenditure.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT CHANGES BE MADE TO THE FISCAL YEAR 2022-2023 BUDGET AS FOLLOWS:

Insurance Proceeds (increase)	(\$11,200)
City Hall Admin Maintenance Expenditures (increase)	\$11,200

THIS ORDINANCE SHALL TAKE EFFECT FIFTEEN DAYS AFTER ITS FINAL ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Mayor Rusty Tinnin

Passed first reading:_____

City Recorder
Approved as to form and legality.

Passed second reading:_____

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 22-1051</u> An ordinance to amend the sign regulations of the Zoning Ordinance to allow for consolidation of maximum permitted signage area to one sided sign. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Planning	Agenda Item: Ordinance 22-1051 Dept. of Origin: Planning For Agenda of: October 13, 2022 Originator: Addam McCormick Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1051

SUMMARY STATEMENT:

An ordinance to amend the sign regulations of the Zoning Ordinance to allow for consolidation of maximum permitted signage area to one sided sign.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Planning Commission voted to deny this amendment on September 12, 2022.

ORDINANCE 22-1051

AN ORDINANCE TO AMEND THE SIGN REGULATIONS OF THE ZONING ORDINANCE TO ALLOW FOR CONSOLIDATION OF MAXIMUM PERMITTED SIGNAGE AREA TO ONE SIDED SIGN

WHEREAS, the Sign Regulations Section of the City's Zoning Ordinance, intent and purpose includes protecting the value of property and improvements thereon and the quality of life by enhancing the appearance of streetscapes of the city; and,

WHEREAS, the Sign Regulations Section of the City's Zoning Ordinance, intent and purpose includes ensuring that signs are appropriate to their surroundings, aesthetically pleasing, appropriately scaled and integrated with the surrounding landscape; and,

WHEREAS, the Zoning Ordinance amendment includes a provision whereby the maximum permitted signage area for a two-sided high rise sign may be consolidated for a one-sided sign, provided that the total signage area of the one-sided sign shall not be greater than the sum of the maximum permitted signage area for the two-sided sign; and,

WHEREAS, the Goodlettsville Planning Commission at the regularly scheduled meeting on September 12, 2022 voted to deny the amendment for passage to the Board of Commissioners and discussed that this amendment is to allow for high rise signs in the Interchange Sign Zone to consolidate the maximum permitted signage area onto a one-sided sign.

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

SECTION 1. That Ordinance No. O6-674 adopted on second and final reading on June 22, 2006, being the municipal zoning ordinance of Goodlettsville, Tennessee, be and the same is hereby amended by including this amendment as a new sentence at the end of Section 14-305(2)(b), as shown in **Exhibit A**.

SECTION 2. That the Commissioners of the City of Goodlettsville, Tennessee, hereby certify that this Ordinance has been submitted to the Planning Commission of the City of Goodlettsville for a recommendation, and a notice of hearing thereon has been ordered after at least fifteen (15) days' notice of the time and place of said meeting has been published in a newspaper circulated in the City of Goodlettsville, Tennessee. This Ordinance shall take effect fifteen (15) days from the date of its final passage, the public welfare requiring it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Goodlettsville, the most restrictive shall in all cases apply.

MAYOR RUSTY TINNIN

PASSED FIRST READING: _____

CITY RECORDER

PASSED SECOND READING: _____

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

EXHIBIT A

AMENDMENT TO SECTION 14-305(b)

Amended language shown in underlined bold italics

(b) The maximum display surface area for a pole sign shall be one hundred seventy-five (175) square feet **unless the Planning Commission approves a request to consolidate signage pursuant to this section.** The Planning Commission in review of a project site plan for a property within the Interstate Sign Zone designated areas may permit an increased sign area for a high rise sign based on the distance the high rise sign is located from the roadway providing direct access to the property per the following sign area increases. The Planning Commission shall review all requests for increased sign area subject to protecting the streetscape appearance of the roadway providing direct access to the property with the sign and the visibility of the increased signage area from adjacent residential areas. A high rise sign located between 200 feet and 300 feet from the roadway providing direct access may be permitted a ten (10%) percent sign area increase in sign area, 300 feet to 400 feet from roadway providing direct access may be permitted a twenty (20%) percent increase in sign area, and a sign exceeding 400 feet from the roadway providing direct access may be permitted a maximum thirty (30%) increase in sign area. **If the Planning Commission approves a high rise sign pursuant to this section and the high rise sign is permitted to have two faces pursuant to Section 14-303(3)(d), the maximum approved display surface of the two permitted sign faces may be consolidated into a single sign face, provided that the single face of the high rise sign will be oriented so as to be viewable from an interstate highway and such consolidation is approved by the Planning Commission. The display surface area for purposes of Section 14-303(3) for the single face of the consolidated sign shall be calculated based on the total of the maximum approved display surface of each face of the high rise sign approved pursuant to this section.**



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 22-1052</u> An ordinance to amend Ordinance 06-674 as amended, the Zoning Ordinance of the City of Goodlettsville, to amend signage requirements to authorize the Planning Commission the alternative application of permitted maximum sign area and heights. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Planning	Agenda Item: Ordinance 22-1052 Dept. of Origin: Planning For Agenda of: October 13, 2022 Originator: Addam McCormick Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1052

SUMMARY STATEMENT:

An ordinance to amend Ordinance 06-674 as amended, the Zoning Ordinance of the City of Goodlettsville, to amend signage requirements to authorize the Planning Commission the alternative application of permitted maximum sign area and heights.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff and Planning Commission recommend approval of Ordinance 22-1052

ORDINANCE 22-1052

AN ORDINANCE TO AMEND ORDINANCE 06-674 AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF GOODLETTSVILLE, TO AMEND SIGNAGE REQUIREMENTS TO AUTHORIZE THE PLANNING COMMISSION THE ALTERNATIVE APPLICATION OF PERMITTED MAXIMUM SIGN AREA AND HEIGHTS

WHEREAS, the Sign Regulations Section of the City's Zoning Ordinance, intent and purpose includes protecting the value of property and improvements thereon and the quality of life by enhancing the appearance of streetscapes of the city, and;

WHEREAS, the Sign Regulations Section of the City's Zoning Ordinance, intent and purpose includes ensuring that signs are appropriate to their surroundings, aesthetically pleasing, appropriately scaled and integrated with the surrounding landscape, and;

WHEREAS, the Sign Regulations Section of the City's Zoning Ordinance, intent and purpose includes encourage designs that enhances the readability and effectiveness of signs while minimizing clutter including the example of pole and ground signage associated with a commercial center development, and;

WHEREAS, the City of Goodlettsville Planning Commission at the September 12, 2022 scheduled meeting voted to recommend its passage to the Board of Commissioners and discussed that these amendments are to provide flexibility in applying the permitted sign area and height in a commercial center development, and;

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

SECTION 1. That Ordinance No. O6-674 adopted on second and final reading on June 22, 2006, being the municipal zoning ordinance of Goodlettsville, Tennessee, be and the same is hereby amended by adding sections 14-305 (1)(d)(vi) and 14-305 (5)(c) as shown in "EXHIBIT A"

SECTION 2. That the Commissioners of the City of Goodlettsville, Tennessee, hereby certify that this Ordinance has been submitted to the Planning Commission of the City of Goodlettsville for a recommendation, and a notice of hearing thereon has been ordered after at least fifteen (15) days notice of the time and place of said meeting has been published in a newspaper circulated in the City of Goodlettsville, Tennessee. This Ordinance shall take effect fifteen (15) day from the date of its final passage, the public welfare demanding it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion, of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Goodlettsville, the most restrictive shall in all cases apply.

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: _____

Passed Second Reading: _____

ORDINANCE 22-1052
“EXHIBIT A”

14-305 (1)(d)(vi)

(Proposed New Section)

(vi) The Planning Commission in the review of development project site plans may permit the total pole and ground sign square footage permitted for a development project per the provisions of this ordinance to be alternatively applied to permit a shared development project sign to include increased sign area and height for a ground sign or pole sign. The alternatively applied sign area and height is only permitted by the equal or greater elimination or reduction of the sign area and sign height of the other pole and ground signs permitted by the provisions of this ordinance within a development project. The maximum sign area increase permitted to be applied to a single sign is sixty-six (66%) percent. The maximum sign height increase permitted to be applied to a single sign is thirty-three (33%) percent, but no pole sign shall exceed thirty (30') feet in height. The project site plan shall define the alternately applied sign square footage and a written agreement shall be recorded against the impacted properties.

14-305 (5)(c)

(Proposed New Section)

(c) The Planning Commission in the review of development project master plans may permit the total pole and ground sign square footage permitted for a development project per the provisions of this ordinance to be alternatively applied to permit a shared development project sign to include increased sign area and height for a ground sign or pole sign. The alternatively applied sign area and height is only permitted by the equal or greater elimination or reduction of the sign area and sign height of the other pole and ground signs permitted by the provisions of this ordinance within a development project. The maximum sign area increase permitted to be applied to a single sign is sixty-six (66%) percent. The maximum sign height increase permitted to be applied to a single sign is thirty-three (33%) percent, but no pole sign shall exceed thirty (30') feet in height. The project master plan shall define the alternately applied sign square footage and a written agreement shall be recorded against the impacted properties.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 22-1053</u> An ordinance of the Board of Commissioners of the City of Goodlettsville, Tennessee prohibiting the feeding of feral animals within the city limits. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Ordinance 22-1053 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1053

SUMMARY STATEMENT:

An ordinance of the Board of Commissioners of the City of Goodlettsville, Tennessee prohibiting the feeding of feral animals within the city limits.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 22-1053.

ORDINANCE NO. 22-1053

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE PROHIBITING THE FEEDING OF FERAL ANIMALS WITHIN THE CITY LIMITS.

WHEREAS, research indicates that many species of feral animals are highly adaptable to urban environments and their populations are increasing in urban and suburban areas, and

WHEREAS, the feeding of feral animals can have the unintentional consequence of attracting rodents to the feeding sites, and can hasten the spread of disease among animals and humans, and

WHEREAS, feral animals can become habituated to humans when regularly fed and as a result may become more dangerous, aggressive and territorial, and

WHEREAS, the feeding of feral animals by humans can contribute to their unnatural concentration, contributing to deaths of animals by automobile, destruction of private property, creating a unsanitary environment, creating conflict between wildlife and domestic pets, and more dangerous human-animal conflict.

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

SECTION 1. The City of Goodlettsville Municipal Code is hereby amended to add a new Title 10, Chapter 2, entitled: “Feral Animal Feeding”:

201. Feral Animals – Definitions

A. “Feral Animals” are defined in this section as an animal having reverted to a wild state, as from domestication. One, but not necessarily all, examples of feral animals could include cats.

B. “Food” is defined in this section as a nourishing substance that is eaten or otherwise taken in the body of an organism to sustain life, provide energy, or promote growth. “Food” also includes substances containing mineral nutrients, such as salt.

202. Feeding – Prohibited

A. Except as provided in subsection (C) below, a person commits an offense if the person intentionally feeds feral animals, or makes food available for consumption by said animals on private or public property within the City limits.

B. A person shall be presumed to have intentionally fed feral animals or made food available for their consumption if the person places food or causes food to be placed, on the ground outdoors or in any outdoor area reachable by these animals.

C. This section does not apply to an animal control officer, veterinarian, peace officer, city employee, federal or state wildlife official or property owner who is authorized by a local, state, or federal government to treat, manage, capture, trap,

hunt or remove wild animals and who is acting within the scope of the person’s authority.

- 1.This section does not apply to food that may derive from landscaping or gardening elements including shrubs, live crops, plants, flowers, vegetation, gardens, trees, and fruit or nuts that have fallen on the ground from trees.
- 2. The feeding of feral animals does not apply to a person placing food on public or private property for the purpose of feeding domestic livestock, pets, or wildlife.

203. Penalties: While City staff will endeavor to first seek compliance through a Correction Notice(s), nothing prevents the City from issuing an citation consistent with this section. Any person violating any provision of this section shall be guilty of an infraction and shall be punished by a fine not to exceed \$50.00 for each offense.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Goodlettsville, the most restrictive shall in all cases apply.

SECTION 5. This ordinance shall take effect fifteen (15) days from and after its final passage, the public welfare requiring it.

MAYOR

Passed First Reading: _____
Passed Second Reading: _____

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

GOODLETTSVILLE
TENNESSEE
AGENDA SUMMARY SHEET
Board of Commissioners
City of Goodlettsville

SUBJECT TITLE: Resolution 22-1087

A resolution authorizing the City of Goodlettsville to participate in the PE Partners "Safety Partners" Matching Grant Program.

PRESENTED BY: Tim Ellis, City Manager

Agenda Item: Resolution 22-1087

Dept. of Origin: Administration

For Agenda of: October 13, 2022

Originator: Dawn West, HR

Cost of Item: \$2,000.00 City's
Portion

AGENDA ITEM ATTACHMENTS:

Resolution 22-1087

SUMMARY STATEMENT:

Each year, the Public Entity Partners sponsors a competitive grant program for its members whereby the winning grant recipients receive funds to apply towards workplace safety. A requirement of the grant application must be a resolution of the governing body to participate in the program. Adoption of this resolution meets that requirement.

FINANCIAL SUMMARY:

Grant will be used to match up to \$2,000.00 (50%/50%) of safety supplies included within the FY2023 budget. (\$4,000.00 Total Grant)

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1087.

**RESOLUTION
NO. 22-1087**

A Resolution authorizing The City of Goodlettsville to participate in the PE Partners “Safety Partners” Matching Grant Program.

WHEREAS, the safety and well-being of the employees of the City of Goodlettsville is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Goodlettsville employees; and

WHEREAS, PE Partners seeks to encourage the establishment of a safe workplace by offering a “Safety Partners” Matching Grant Program; and

WHEREAS, the City of Goodlettsville now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF GOODLETTSVILLE, TENNESSEE the following:

SECTION 1. The City of Goodlettsville is hereby authorized to submit application for a “Safety Partners” Matching Grant through PE Partners.

SECTION 2. That the City of Goodlettsville is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Passed: October 13, 2022

Mayor Rusty Tinnin

City Recorder

Approved as to form and legality

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: Resolution 22-1088</u> A resolution of the City of Goodlettsville Board of Commissioners authorizing and assuring the acceptance of funds, matching of funds, administration of grant and execution of grants as it relates to American Rescue Plan Act funds (ARPA) to be used for wastewater improvements. <u>PRESENTED BY:</u> Tim Ellis, City Manager Jeff McCormick, PW Director	Agenda Item: Resolution 22-1088 Dept. of Origin: Public Works For Agenda of: October 13, 2022 Originator: Jeff McCormick Cost of Item: See Financial Summary below.
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1088

SUMMARY STATEMENT:

A resolution of the City of Goodlettsville Board of Commissioners authorizing and assuring the acceptance of funds, matching of funds, administration of grant and execution of grants as it relates to American Rescue Plan Act funds (ARPA) to be used for wastewater improvements.

FINANCIAL SUMMARY:

- 1) The City of Goodlettsville accepts the appropriation of \$1,909,021.85 from TDEC to be used for water and sewer improvements as allowed by the TDEC ARP grant guidelines.
- 2) The City of Goodlettsville will be responsible for the required 25% match and accept the 5% match reduction if deemed eligible.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1088.

RESOLUTION No. 22-1088

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING AND ASSURING THE ACCEPTANCE OF FUNDS, MATCHING OF FUNDS, ADMINISTRATION OF GRANT AND EXECUTION OF GRANTS AS IT RELATES TO AMERICAN RESCUE PLAN ACT FUNDS (ARPA) TO BE USED FOR WASTEWATER IMPROVEMENTS.

WHEREAS, funds have been authorized and appropriated by the federal American Rescue Plan Act (ARP) to be used for eligible drinking water, wastewater, or stormwater projects. The Tennessee Department of Environment and Conservation (TDEC) has been designated to administer these funds; and

WHEREAS, ARP guidelines stipulate that “Project Owners are those entities that may execute projects. Project owners must operate a drinking water or wastewater system or a permitted stormwater system or execute a project on behalf of a drinking water or wastewater system or a permitted stormwater system”; and

WHEREAS, the City of Goodlettsville owns and operates water and wastewater systems that provide water and wastewater services to residents of Goodlettsville and Sumner and Davidson counties; and

WHEREAS, TDEC has appropriated \$1,909,021.85 in non-competitive ARP funds to the City of Goodlettsville to be used for eligible water, sewer, and stormwater needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS, THAT

- 1) The City of Goodlettsville accepts the appropriation of \$1,909,021.85 from TDEC to be used for water and sewer improvements as allowed by the TDEC ARP grant guidelines.
- 2) The City of Goodlettsville will be responsible for the required 25% match and accept the 5% match reduction if deemed eligible.
- 3) The City of Goodlettsville will be responsible for application process; administration; reporting; or contractual agreements with engineers, contractors, administrators, and any other parties necessary to carry out the program.
- 4) The City Manager is hereby authorized to execute and submit documents, forms, assurances and agreements, as necessary to carry out the program.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

ADOPTED, this 13th day of October, 2022.

Mayor Rusty Tinnin

Attest:

City Recorder
APPROVED AS TO FORM AND LEGALITY

City Attorney



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1089 A resolution to proclaim the week of October 9-15, 2022 as Fire Prevention Week in the City of Goodlettsville. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 22-1089 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1089

SUMMARY STATEMENT:

A resolution to proclaim the week of October 9-15, 2022 as Fire Prevention Week in the City of Goodlettsville.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1089.

Resolution 22-1089

A RESOLUTION TO PROCLAIM THE WEEK OF OCTOBER 9-15, 2022 AS FIRE PREVENTION WEEK IN THE CITY OF GOODLETTSVILLE.

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and

WHEREAS, according to the National Fire Protection Association® most recent data, U.S. home fires resulted in 2,580 civilian deaths in 2020, and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of a fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half and residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, all members of the household should be regularly reminded of the sound of the smoke alarm and when it sounds respond by going outside immediately to the designated meeting place; and

WHEREAS, residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, City of Goodlettsville Fire Department is dedicated to reducing the occurrence of home fires and home fire injuries through prevention and education; and provide free smoke alarms for installation in Goodlettsville homes; and

WHEREAS, the 2022 Fire Prevention Week theme, "Fire won't wait. Plan your escape," effectively serves to remind us that it is important to have a home fire escape plan.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF CITY OF GOODLETTSVILLE, TENNESSEE, HEREBY RESOLVES the week of October 9-15, 2022, as:

"FIRE PREVENTION WEEK" With the theme, "Fire won't wait. Plan your escape. TM"

And encourages all City of Goodlettsville residents to be aware of their surroundings, look for places fire can start, listen for the sound of the smoke alarm, learn and practice home fire escape plans, and observe this week with appropriate programs, ceremonies, and activities.

Adopted: _____

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1090 A resolution of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Automated License Plate Reader Policy. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 22-1090 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1090

SUMMARY STATEMENT:

A resolution of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Automated License Plate Reader Policy.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1090.

RESOLUTION 22-1090

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS ADOPTING THE CITY OF GOODLETTSVILLE AUTOMATED LICENSE PLATE READER POLICY.

WHEREAS, the utilization of automated license plate readers has been determined to be an effective manner in both crime prevention and in solving crimes; and

WHEREAS, the City of Goodlettsville desires to begin utilizing Automated License Plate Readers within its Police Department, and

WHEREAS, the need to create an Automated License Plate Reader Policy exists; and

WHEREAS, such a policy has been created for consideration by the Board of Commissioners.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE ADOPTION OF THE CITY OF GOODLETTSVILLE AUTOMATED LICENSE PLATE READER POLICY IS HEREBY ADOPTED AND IS ATTACHED HERETO AS EXHIBIT I.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

ADOPTED, this 13th day of October, 2022.

Mayor Rusty Tinnin

Attest:

City Recorder

APPROVED AS TO FORM AND LEGALITY

City Attorney

CITY OF GOODLETTSVILLE
AUTOMATED LICENSE PLATE READER (ALPR) POLICY

A. AUTOMATED LICENSE PLATE READER (ALPR) TECHNOLOGIES

To support authorized law enforcement and public safety purposes of local, state and federal agencies, the Goodlettsville Police Department utilizes Automated License Plate Reader (ALPR) technology, and supporting software, to gather and analyze ALPR data to enable the rapid identification and location of vehicles of legitimate interest to law enforcement. ALPR units are attached to law enforcement vehicles or deployed at fixed locations, where they collect license plate information from vehicles on public roadways and public property. In one common use of ALPR technology, license plate encounters are compared against law enforcement “hotlists” – lists of vehicles associated with active investigations; for example, related to Amber Alerts or other missing children, stolen vehicles, or stolen license plates. The information is also retained for a fixed retention period, though it is only re-accessible by law enforcement given a legitimate law enforcement purpose as listed below.

B. PURPOSE

This Goodlettsville Police Department Automated License Plate Reader Policy (ALPR Policy) defines a minimum set of binding guidelines to govern the use of Automated License Plate Reader Data (ALPR Data), in order to enable the collection and use of such data in a manner consistent with respect for individuals’ privacy and civil liberties.

C. AUTHORIZED PURPOSES, COLLECTION, AND USE OF ALPR DATA

1. To support the mission of the Goodlettsville Police Department, Law enforcement personnel with a need and right to know will utilize ALPR technology to:
 1. Locate stolen, wanted, and subject of investigation vehicles;
 2. Locate and apprehend individuals subject to arrest warrants or otherwise lawfully sought by law enforcement;
 3. Locate witnesses and victims of violent crime;
 4. Locate missing children and elderly individuals, including responding to Amber and Silver Alerts;
 5. Support local, state, federal, and tribal public safety departments in the identification of vehicles associated with targets of criminal investigations, including investigations of serial crimes;
 6. Protect participants at special events; and
 7. Protect critical sites.

D. RESTRICTIONS ON COLLECTION OF ALPR DATA AND USE OF ALPR SYSTEMS

1. Goodlettsville Police Department ALPR units may be used to collect data that is within public view, but may not be used for the sole purpose of monitoring individual activities protected by the First Amendment to the United States Constitution.
2. ALPR operators may not contact occupants of stolen, wanted, or subject-of-investigation vehicles unless the ALPR operators are sworn law enforcement officers. ALPR operators must rely on Police Department rules and regulations regarding equipment, protection, self-identification, and use of force when stopping vehicles or making contact.
3. ALPR operators must recognize that the data collected from the ALPR device, and the content of referenced hotlists, consists of data that may or may not be accurate, despite ongoing efforts to maximize the currency and accuracy of such data. To the greatest extent possible, vehicle and subject information will be verified from separate Law enforcement information sources to confirm the vehicle or subject's identity and justification for contact. Users of ALPR Data must, to the fullest extent possible, visually confirm the plate characters generated by the ALPR readers correspond with the digital image of the license plate in question.
4. All users of Goodlettsville Police Department ALPR equipment or accessing Goodlettsville Police Department ALPR Data are required to acknowledge that they have read and understood Goodlettsville Police Department General Orders prior to use of the ALPR System.
5. In no case shall the Goodlettsville police Department ALPR system be used for any purpose other than legitimate law enforcement or public safety purpose.

E. TRAINING

1. Only persons trained in the use of the Goodlettsville Police Department ALPR system, including its privacy and civil liberties protections, shall be allowed access to Goodlettsville Police Department ALPR Data. Training shall consist of:
 1. Legal authorities, developments, and issues involving the use of ALPR Data and technology
 2. Current Goodlettsville Police Department Policy regarding appropriate use of Goodlettsville Police Department ALPR systems;
 3. Evolution of ALPR and related technologies, including new capabilities and associated risks;
 4. Technical, physical, administrative, and procedural measures to protect the security of ALPR Data against unauthorized access or use; and
 5. Practical exercises in the use of the Goodlettsville Police Department ALPR system

2. Training shall be updated as technological, legal, and other changes that affect the use of the Goodlettsville Police Department ALPR system occur. In no case shall a person utilize the Goodlettsville Police Department ALPR system if he/she has not completed training in more than a year.

F. DATA QUALITY AND ACCURACY

1. The Goodlettsville Police Department will take reasonable measures to ensure the accuracy of ALPR Data collected by the Goodlettsville Police Department ALPR units and partner agency ALPR systems. Errors discovered in ALPR Data collected by the Goodlettsville Police Department ALPR units are marked, corrected, or deleted in accordance with the type and severity of the error in question. Errors discovered in ALPR Data collected from partner agencies' ALPR systems are communicated back to the controlling agency to be addressed as deemed appropriate by that agency or in accordance with the agency's own ALPR data policies. As the downstream custodian of "hotlists", the Goodlettsville Police Department will provide the most recent version of these lists available and ensure the lists are refreshed from state or federal sources on a daily basis.

2. The Goodlettsville Police Department acknowledges that, in rare instances, ALPR units may inadvertently capture information contrary to the collection guidelines set forth in this policy. Such records will be purged upon identification. Any discovered notable increase in frequency of these incidents from specific ALPR units or agencies will be followed up with for equipment repairs, cameras realignment, or personnel training as necessary.

H. PHYSICAL AND ELECTRONIC SECURITY OF ALPR DATA

1. Data collected by ALPR systems is stored by third party vendor. Physical access is limited to law enforcement staff.

I. RETENTION OF ALPR DATA

1. ALPR Data collected by Goodlettsville Police Department ALPR units or shared from partner agencies' ALPR units shall not be retained longer than 90 days (*T.C.A. § 55-10-302 (b)*) or the length of time required by the partner agency who is custodian of the record – whichever is shorter. Once the retention period has expired, the record will be purged entirely from all active and backup systems unless a reasonable suspicion has been established that the vehicle identified by the ALPR read is connected to criminal activities.

2. ALPR records matching an entry in a current law enforcement hotlist will trigger an immediate notification to the officer operating the ALPR unit, the active dispatch officer at the agency owning the ALPR unit, the Goodlettsville Police Department, and the custodial agency of the hotlist. Such notifications are also subject to a maximum retention of 90 days (*T.C.A. § 55-10-302 (b)*).

3. ALPR Data obtained with license plate information not appearing on hotlists, and with no immediate reasonable connection to criminal activity, will be retained in secure systems

as to only be made accessible to authorized personnel for a maximum period of 90 days, and then purged entirely from all systems. If during the specific retention period there is information which supports a legitimate law enforcement purpose (see above section enumerating AUTHORIZED PURPOSES, COLLECTIONS, AND USE OF ALPR DATE) as to a license plate or partial license plate which was recorded and is retained in these systems, then limited access will be permitted for predicate-based query for potential matches against the parameters specific to the legitimate law enforcement purpose. Such events shall be recorded in an access log showing date, time, name of person seeking access, agency of employment, reason for access, and tracking identifiers such as an agency case number.

4. ALPR records of vehicles having identified and linked to criminal investigation will be entered into the relevant Goodlettsville Police Department database(s) and retained for a period of no more than five years. If during the five-year period Goodlettsville Police Department personnel become aware that the vehicle license plate information is no longer associated with a criminal investigation, it will be purged from the Goodlettsville Police Department's databases.

J. CUSTODIAN OF RECORDS AND RECORDS REQUESTS

Each agency sharing data retains control and ownership as the official custodian of its records, and must independently verify all external information obtained via the Goodlettsville Police Department Information Systems. To the extent permitted by law, requests for information under the Tennessee Public Records Act (*T.C.A. 10-7-5(a)*) or similar applicable laws will be directed back to the owner of the requested data.

K. SYSTEM MANAGEMENT AND ACCOUNTABILITY

The Goodlettsville Police Department shall assign a Police Department Manager who will have responsibility, and be accountable, for managing the ALPR Data collected and ensuring that the privacy and civil liberties protection and other provisions of this ALPR Policy are carried out. This individual shall also be responsible for managing a process for maintaining the most current and accurate hotlists available from Goodlettsville Police Department law enforcement sources. This individual shall also have the responsibility for the security of the hotlist information and any ALPR Data which is maintained by the Goodlettsville Police Department. It remains, however, the personal responsibility of all officers with access to ALPR Data to take reasonable measures to protect the privacy and civil liberties of individuals, as well as the security and confidentiality of ALPR Data.

L. COMMERCIALY CREATED ALPR DATA

Except as explicitly authorized below with regard to critical infrastructure, the Goodlettsville Police Department will not share Goodlettsville Police Department or partner agency ALPR Data with commercial or other private entities or individuals.

M. DISSEMINATION

1. The Goodlettsville Police Department may disseminate ALPR data to any governmental entity with an authorized law enforcement or public safety purpose for access to such data. The Goodlettsville Police Department assumes no responsibility or liability for the acts or omissions of other agencies in making use of the ALPR data properly disseminated. Though the Goodlettsville Police Department will make every reasonable effort to ensure the quality of shared ALPR Data and hotlists, it cannot make absolute guarantees of the accuracy of information provided.

N. POLICY REVISIONS

Goodlettsville Police Department ALPR Policies will be reviewed, and updated as necessary, no less frequently than every 12 months, or more frequently based on changes in data sources, technology, data use and/or sharing agreements, and other relevant considerations.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: RESOLUTION 22-1091</u> A resolution authorizing the City Manager to negotiate and execute a Memorandum of Agreement with the government of Metropolitan Nashville, Davidson County, Tennessee as it relates to the operation and maintenance of the traffic signal located at Rivergate Parkway and South Main Street. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 22-1091 Dept. of Origin: Administration For Agenda of: October 13, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1091

SUMMARY STATEMENT:

A resolution authorizing the City Manager to negotiate and execute a Memorandum of Agreement with the government of Metropolitan Nashville, Davidson County, Tennessee as it relates to the operation and maintenance of the traffic signal located at Rivergate Parkway and South Main Street.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1091

RESOLUTION NO. 22-1091

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF AGREEMENT WITH THE GOVERNMENT OF METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE AS IT RELATES TO THE OPERATION AND MAINTENANCE OF THE TRAFFIC SIGNAL LOCATED AT RIVERGATE PARKWAY AND SOUTH MAIN STREET.

WHEREAS, the City of Goodlettsville desires to provide an effective and efficient traffic infrastructure system to its residents; and

WHEREAS, currently there are six (6) traffic signals located on what is recognized as Dickerson Pike, South Main Street, North Main Street and Springfield Highway; and

WHEREAS, the City of Goodlettsville has ownership and operational responsibilities of five (5) of the aforementioned traffic signals; and

WHEREAS, the traffic signal located at RiverGate Parkway and South Main Street is owned and operated by Metropolitan Nashville Department of Transportation; and

WHEREAS, in an effort of the City to Goodlettsville to provide the greatest efficiency in traffic flow at peak times it is in the best interest of the city to take over maintenance and operation of the previously referenced traffic signal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A MEMORANDUM OF AGREEMENT WITH THE GOVERNMENT OF METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE AS IT RELATES TO THE OPERATION AND MAINTENANCE OF THE TRAFFIC SIGNAL LOCATED AT RIVERGATE PARKWAY AND SOUTH MAIN STREET.

BE IT FURTHER RESOLVED THAT THERE NOT BE ANY MONETARY PAYMENT ASSOCIATED WITH THIS MEMORANDUM OF AGREEMENT AND THE CITY ATTORNEY APPROVES SUCH AGREEMENT AS TO FORM AND LEGALITY.

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Adopted: October 13, 2022

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



AGENDA SUMMARY SHEET

Board of Commissioners

City of Goodlettsville, Tennessee

SUBJECT TITLE: RESOLUTION 22-1092

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND FOXPE, INCORPORATED AS IT RELATES TO ENGINEERING SERVICES.

PRESENTD BY: Tim Ellis City Manager

Jeff McCormick, Director of Public Services

Agenda Item: Resolution 22-1092

Dept. of Origin: Public Works

For Agenda of: October 13, 2022

Originator: Jeff McCormick

Cost of Item: Dependent upon services

AGENDA ITEM ATTACHMENTS:

Resolution 22-1092

Exhibit 1

SUMMARY STATEMENT:

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND FOXPE, INCORPORATED AS IT RELATES TO ENGINEERING SERVICES.

FINANCIAL SUMMARY:

Cost is derived from services performed.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1092

RESOLUTION NO. 22-1092

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND FOXPE, INCORPORATED AS IT RELATES TO ENGINEERING SERVICES AND WASTEWATER FLOW MONITORING.

WHEREAS, the City of Goodlettsville has a continuous need for wastewater engineering and flow monitoring services; and

WHEREAS, it has been determined that FoxPE, Incorporated is the most qualified for performing such engineering services for the City of Goodlettsville.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT AN AGREEMENT WITH FOXPE, INCORPORATED IS APPROVED AS FOLLOWS:

SECTION 1. Approve the execution of an engineering agreement with FoxPE, Incorporated for engineering and flow monitoring services and is attached hereto as Exhibit I.

SECTION 2. Authorizes the City Manager to execute said agreement and any related Authorizations to Proceed.

SECTION 3. If any section, clause, provision, or portion of this Resolution is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Resolution which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Resolution or any part thereof and the whole or part of any existing or future Resolution of the City of Goodlettsville, the most restrictive shall in all cases apply.

SECTION 5. This resolution shall take effect immediately upon passage, the welfare of the Citizens of Goodlettsville requiring it.

MAYOR RUSTY TINNIN

Adopted: _____

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

AGREEMENT FOR DESIGN SERVICES

THIS AGREEMENT, made and entered into as of the ____ day of September, 2022 by and between **the City of Goodlettsville, Tennessee** (hereinafter referred to as "**The City**") and **FOXPE, LLC**, a limited liability company organized and existing under the laws of the State of Tennessee and authorized to conduct business within the State of Tennessee, (hereinafter referred to as "**Engineer**").

W I T N E S S E T H:

WHEREAS, The City from time to time requires professional Engineering services in connection with the planning, construction, operation, maintenance, management and financing of the infrastructure owned and operated by The City; and

WHEREAS, the Engineer is willing to serve as The City's professional Engineering consultant in those assignments to which this Agreement applies, and in such capacity is willing to give consultation and advice to The City during the performance of Engineer's services under the terms and conditions of this Agreement, as supplemented by a written authorization signed by The City and the Engineer (the "Authorization") for each project authorized (the "Project") under this Agreement.

NOW, THEREFORE, The City and the Engineer mutually agree as follows:

ARTICLE 1

AUTHORIZATION AND SCOPE OF WORK

1.1. The work to be performed on any Project shall be undertaken only upon the execution of an Authorization by The City and Engineer for that Project. The Authorizations for all Projects shall be considered integral parts of this Agreement and subject to the terms and conditions hereof.

1.2. The scope of work to be performed by the Engineer for any Project shall be specified on the Authorization for that Project. The Engineer shall manage the Engineer's services, consult with the City, research applicable design criteria, attend Project meetings, communicate with members of the Project team and report progress to the City. The Engineer shall coordinate its services with those services provided by the City and the City's consultants. The Engineer shall be entitled to rely on the accuracy and completeness of services and information furnished by the City and the City's consultants. The Engineer shall provide prompt written notice to the City if the Engineer becomes aware of any error, omission or inconsistency in such services or information.

1.3. The Engineer may perform portions of its work under this Agreement through subcontractors; provided, however, that (i) before work is begun under any subcontract it shall be approved in writing by The City as to the form, content, cost and identity of the subcontractor; (ii) all of Engineer's contracts with his subcontractors shall be in writing, signed by both parties, and shall include the following provision: "The City is intended to be a third party beneficiary of this Agreement," and (iii) Engineer shall be responsible to City for the services furnished to Engineer by any subcontractor to the same extent as if Engineer had furnished the service itself. Engineer also agrees to coordinate, and resolve any inconsistencies its work and the work of its subcontractors. In the event of the use of a subcontract(s) it is understood that the obligations and requirements set forth in Article 6 - Service Standards and Article 7 - Insurance shall apply to the subcontractor(s). Consent to sublet, assign or otherwise dispose of any portion of the work to be performed under any Authorization shall not be construed to relieve the Engineer of

any responsibility for the fulfillment of his obligations under this Agreement.

1.4 Engineer shall provide a design which, when constructed in accordance with all drawings and specifications and other documents prepared by Engineer for the Project, will comply with all applicable federal, state and local laws, statutes, ordinances, rules, regulations, orders or other legal requirements, including but not limited to all zoning, restrictions or requirements of record, building, occupancy, environmental, disabled persons accessibility and land use laws, requirements, regulations and ordinances relating to the construction, use and occupancy of the Project (collectively "Governmental Requirements"). Engineer shall use its best efforts to avoid incorporating into the Project design, elements that would give rise to legal or regulatory interpretation disputes and agrees to discuss in advance all such situations with City.

1.5 Engineer's opinions of probable Construction Cost (as defined below) are to be made on the basis of Engineer's experience and qualifications and represent Engineer's best judgment as an experienced and qualified professional generally familiar with the construction industry. The "Construction Cost" shall mean the cost to City to construct all elements of the entire Project designed or specified by Engineer, and shall include, without limitation, contractors' general conditions costs, overhead and profit. Construction Cost does not include costs of services of Engineer or other design professionals and consultants or cost of land or rights-of-way. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that

proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by Engineer.

ARTICLE 2

COMPENSATION AND PAYMENT

2.1. In consideration of the services performed by the Engineer under this Agreement, The City shall pay the Engineer for its services and expenses associated with each Project as specified in the Authorization for such Project.

2.2. Unless otherwise specified in the Authorization for the Project, invoices shall be submitted by the Engineer to The City on a monthly basis in proportion to services performed, and are due and payable within thirty (30) days of receipt of same by The City.

2.3 Promptly upon receipt, City shall review Engineer's invoice. If City contests an invoice, City shall promptly advise Engineer of the specific basis for doing so. Any invoice or portion of a invoice not disputed by City shall be paid by City pursuant to the terms herein; provided, that such payment shall not act as City's waiver of any claims that may be asserted against Engineer for the performance of defective or deficient services. City shall not be required to make payment to Engineer on account of any amount disputed in good faith by City in the manner set forth above until the matter in dispute has been resolved by the parties. Any amount so disputed shall not be deemed to be an amount due Engineer under this Agreement and shall bear no interest nor incur any late fees until the matter is so resolved by the parties.

2.3. Except for Projects, or portions thereof, that are to be paid on a fixed sum basis, all other work shall be reflected on certified invoices that set forth the following: The hours worked and classification for each person on the Project, total

hours worked for each classification, total labor billing and a summary of expenses and charges. Statements shall include maximum fee for that authorization, total fee billed to date and the remaining fee. Engineer shall provide with each invoice, documentation of reimbursable expenses included in the statement, together with any additional supporting documentation reasonably requested by City.

2.4. The City may, from time to time, request changes in the scope of services of the Engineer in accordance with Article 4. Such changes in the scope of work may increase or decrease the amount of the Engineer's compensation.

2.5. "Reimbursable Expenses" include the following expenses reasonably incurred by the Engineer directly related to the Project:

- .1 Transportation and authorized out-of-town travel and subsistence;
- .2 Long distance services, dedicated data and communication services, teleconferences, and Project Web sites;
- .3 Fees paid for securing approval of authorities having jurisdiction over the Project;
- .4 Printing, reproductions, plots, standard form documents;
- .5 Postage, handling and delivery; and
- .6 Renderings, models, mock-ups, professional photography, and presentation materials requested by the Owner.

Records which provide the basis for Engineer's compensation and Reimbursable Expenses relating to the Project and records of accounts between City and Engineer shall be kept on a generally recognized accounting basis. Such records shall be available for audit by City and its authorized representative during

normal business hours at Engineer's principal place of business for a period of one year following completion of the Project, upon request of the City.

ARTICLE 3

COMMENCEMENT, SCHEDULE AND COMPLETION

3.1. The Engineer is authorized to commence work under this Agreement on any particular Project upon receipt of a duly executed copy of the Authorization for such Project. The time allowed for the Engineer to complete his work for each Project shall be specified in the Authorization for the Project. Time is of the essence with this Agreement, and Engineer shall expeditiously complete tasks in accordance with the Authorization for the Project. The City is not obligated to provide the Engineer any quantity of work and does not guarantee issuance of work to the Engineer under this agreement.

3.2 Within thirty (30) days of execution of this Agreement, the Engineer shall submit for the City's approval a detailed, milestone-based schedule for the performance of the Engineer's services. The schedule shall be attached as Exhibit 1 once complete. The schedule shall include allowances for periods of time required for the City's review, for the performance of the City's consultants, and for approval of submissions by authorities having jurisdiction over the Project. Once approved by the City, time limits established by the schedule shall not, except for reasonable cause, be exceeded by the Engineer or City. With the City's approval, the Engineer shall adjust the schedule, if necessary as the Project proceeds until the commencement of construction. Engineer shall promptly advise City of any problems which come to his attention that may cause a delay in the completion of the Project, or any portion thereof, or in the performance of Engineer's services.

ARTICLE 4
CHANGES IN WORK

4.1. The City reserves the right, without impairing this Agreement, to order changes or alterations in the scope of each Project and the work to be performed on each Project by the Engineer. If changes or alterations ordered affect the cost of the work, the parties must agree upon an adjustment in the compensation owing to the Engineer before the Engineer begins work on the change.

ARTICLE 5
OBLIGATIONS OF THE CITY

5.1. With respect to each Project authorized under this Agreement, The City shall:

A. Collaborate with and assist the Engineer in providing information as requested by the Engineer regarding requirements for and limitations on the Project.

B. To the extent reasonably available, provide the Engineer with information which is pertinent to the Project including copies of reports, plans, designs, and other relevant materials.

C. Guarantee access to The City's right-of-way and facilities, and make all provisions for the Engineer to enter upon public and private lands as required to perform surveys and work essential to the Project.

D. Give thorough consideration to all reports, sketches, estimates, drawings, specifications, proposals, and other documents presented by the Engineer and inform the Engineer of all decisions within a reasonable time so as not to materially delay the work of the Engineer.

E. Designate, in writing, one or more persons to act as The City's representative to coordinate the work of the Project with the Engineer.

F. Provide all legal, appraisal, title search, accounting, and independent cost estimating as may be reasonably required for the Project.

G. Give prompt written notice to the Engineer whenever the City becomes aware of any errors and omissions exist in the performance by Engineer of the work associated with the Project. Notwithstanding anything to the contrary contained in this Agreement, City's review and approval of any and all documents or other matters required herein shall be for the purpose of providing Engineer with information as to City's objectives and goals with respect to the Project and not for the purpose of determining the accuracy and completeness of such documents, and in no way should any such review and approval alter Engineer's responsibilities hereunder and with respect to such documents.

H. Furnish approvals and permits from all government authorities having jurisdiction over the Project and such approvals and consents from others as may be necessary for the Project.

I. Provide, as reasonably necessary, appropriate personnel to accompany Engineer to The City's facilities.

ARTICLE 6

SERVICE STANDARDS

6.1. The Engineer's services shall be performed in a professional manner, using that degree of professional skill and care employed by similarly situated professional engineers licensed to practice in Tennessee, practicing under similar circumstances, and required by applicable law.

6.2. If the Engineer or its subcontractor(s) or its consultant(s) fails to meet these standards, it shall promptly cure all such deficiencies.

6.3. To the fullest extent permitted by law, the Engineer shall indemnify and hold harmless The City, its Mayor, council members, management and employees from and against all costs (including and not limited to attorney's fees and expenses), claims, suits, actions, damages and losses (including, without limitation, injury to or death of any persons and damage to property) asserted by third parties against City to the extent arising from the negligent errors or omissions of the Engineer, even if caused in part by City. However, Engineer shall not be required to indemnify City from the consequences of City's own negligence.

6.4. All services authorized under any Authorization shall be performed under the direction of a professional Engineer registered in the State of Tennessee and qualified in the particular field.

6.5. The Engineer shall periodically request sufficient conferences with The City's representative for the Project to ensure that the work is being done by the Engineer or its subcontractor(s) or its consultant(s) in a satisfactory manner and in accordance with The City's requirements.

6.6 Engineer shall comply with applicable Laws and regulations. The Engineer shall, at appropriate times, contact the governmental authorities required to approve the plans and specifications and the entities providing utility services to the Project. In designing the Project, the Engineer shall comply with all applicable design requirements imposed by such governmental authorities and by such entities providing utility services. Engineer shall notify City in a prompt and timely manner of any discovered discrepancies, inconsistencies or

missing information necessary to provide reasonably accurate and complete documents.

6.7 The Engineer shall identify a representative authorized to act on behalf of the Engineer with respect to the Project.

ARTICLE 7

INSURANCE

The Engineer shall procure and maintain for the duration of the Contract the following required insurance, with insurers financially acceptable and lawfully authorized to do business in the State of Tennessee. Such coverage shall protect Engineer against claims arising from sickness, disease, death or injury to persons, and/or physical damage to tangible property, including loss of use, which may arise from services performed by or on behalf of the Engineer, and those parties for whom the Engineer is liable.

7.1 **Minimum Scope of Insurance.** Engineer's insurance coverage shall include the following minimum limits and coverage:

.1 Commercial General Liability insurance on an occurrence coverage form, at least as broad as the Insurance Services Office Commercial General Liability Policy, form CG 0001, current edition. Other than standard exclusions applicable to pollution, asbestos, mold, employment practices and Engineer liability, there shall be no additional limitations or exclusions beyond those contained in the above referenced policy form, including but not limited to additional limitations or exclusions applicable to property damage, products and completed operations and contractual liability.

.2 Automobile Liability insurance covering liability arising from the use or operation of any auto, including those owned, hired or otherwise operated or used by or on behalf of the Engineer. The coverage shall be at least as broad as the Insurance Services Office Business Automobile Policy, form CA 0001, current edition.

.3 Workers' Compensation and Employer's Liability insurance as is required by statute or law, or as may be available on a voluntary basis with limits not less than \$500,000.00 per accident, \$500,000.00 per disease and \$500,000.00 policy limit on disease.

.4 Professional Liability insurance covering negligent acts or omissions made by or on behalf of the Engineer in the performance of professional services. Claims-made coverage is permitted, provided the policy retroactive date is continuously maintained prior to the commencement of Engineer services rendered to City, plus an additional period of five years after such services have been rendered to City. If the Engineer's scope of work includes environmental Engineering or consulting, the coverage required hereunder must not exclude coverage for environmental services. Engineer agrees to furnish annual proof of coverage to City during the five year period, and the coverage minimums shall not be less than those required below.

7.2 **Minimum Limits of Insurance.** The Engineer shall maintain the following minimum limits of insurance (unless higher limits required by law or statute):

.1 Commercial General Liability: \$1,000,000 per occurrence, bodily injury and property damage liability; \$1,000,000 per offense, personal and advertising injury liability; \$1,000,000 products and completed operations

policy aggregate and \$2,000,000 policy general aggregate applicable to lines other than products and completed operations.

.2 Automobile Liability: \$1,000,000 combined bodily injury and property damage liability per accident for bodily injury and property damage.

.3 Employer's Liability: \$1,000,000 per accident for bodily injury by accident or disease, including \$1,000,000 disease aggregate.

.4 Professional Liability: \$1,000,000 per claim, \$2,000,000 annual policy aggregate.

7.3 **Deductibles and Self-insured Retentions.** The funding of deductibles and self-insured retentions maintained by Engineer shall be the sole responsibility of Engineer. Self-insured retentions in excess of \$50,000 must be declared to and approved by City.

7.4 **Additional Provisions.** The required insurance shall contain the following additional provisions:

.1 Additional Insured - The City must be included as an additional insured under Engineer's Commercial General Liability policy as respects liability arising from work or operations performed for City by or on behalf of the Engineer.

.2 Waiver of Subrogation - The City and Engineer waive all rights against each other and any of their sub-consultants, agents, employees and representatives, for damages caused by fire or other causes of loss to the extent covered by property insurance. In addition, Engineer waives all rights of subrogation against City for claims covered by CGL and Workers' Compensation insurance. The City and Engineer shall require their sub-consultants, agents, employees and representatives to execute similar

waivers of subrogation. The waiver of subrogation shall be effective as to a person or entity even though that person or entity would otherwise have a duty of indemnification contractual or otherwise, did not pay the insurance premium directly or indirectly, and whether or not the person or entity had an insurable interest in the property damaged.

.3 Notice Of Cancellation - Each insurance policy provided by the Engineer shall be endorsed to require any of its insurer(s) to provide thirty (30) days' written notice to City by certified mail, return receipt requested, prior to any suspension, cancellation or non-renewal of the required insurance.

7.5 **Acceptability of Insurers.** Insurance is to be placed with insurers with a current A.M. Best's rating of not less than A- VII, unless otherwise approved by City.

7.6 **Verification of Coverage.** The Engineer shall furnish City with a certificate of insurance evidencing the required coverage prior to the delivery of services to City. The certificates are to be signed by a person authorized by the insurer(s) to bind coverage on their behalf. Renewal certificates are to be provided to City prior to the expiration of the required insurance policies. As an alternative to a certificate of insurance, Engineer's broker or insurer may provide complete, certified copies of all required insurance policies, including endorsements necessary to affect coverage required by these specifications. Engineer agrees to obtain evidence of insurance coverage of all its consultants and furnish same to City prior to the execution of this Agreement. Engineer's consultants' insurance coverage shall be maintained at their expense, in amounts and through carriers' acceptable to City, whose acceptance shall not be unreasonably withheld. Engineer's consultants' shall incorporate a provision requiring

the giving of written notice to the City at least thirty (30) days prior to the cancellation or non-renewal of any such policies evidenced by return receipt of United States certified mail.

ARTICLE 8

DISPUTE RESOLUTION; TERMINATION

8.1. Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to litigation. If such

matter relates to or is the subject of a lien arising out of the Engineer's services, the Engineer may proceed in accordance with applicable law to comply with the lien notice or filing deadlines prior to resolution of the matter by mediation.

8.2. The City and Engineer shall endeavor to resolve claims, disputes and other matters in question between them by mediation which, unless the parties mutually agree otherwise, shall be administered by the American Arbitration Association in accordance with its Construction Industry Mediation Procedures in effect on the date of the Agreement. A request for mediation shall be made in writing, delivered to the other party to the Agreement, and filed with the person or entity administering the mediation. The request may be made concurrently with the filing of a complaint but, in such event, mediation shall proceed in advance of binding dispute resolution proceedings, which shall be stayed pending mediation for a period of 60 days from the date of filing, unless stayed for a longer period by agreement of the parties or court order.

8.3. The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be

enforceable as settlement agreements in any court having jurisdiction thereof.

8.4. If the parties do not resolve a dispute through mediation pursuant to Section 8.2, the method of binding dispute resolution shall be litigation.

8.5. Either The City or the Engineer may terminate this Agreement with or without cause by giving the other party at least fifteen (15) days written notice which shall specify the date of termination. Payment to the Engineer shall be made for work completed by the Engineer through the date notice of termination is received, plus reasonable costs incurred by the Engineer in terminating its services, but City shall have no obligation to pay or reimburse Engineer for lost profits and/or unabsorbed overhead, or any other consequential or incidental damages.

ARTICLE 9

PERSONNEL MATTERS; CONFLICTS OF INTEREST

9.1. **Personnel.** The Engineer represents that he has or will secure at his own expense all personnel required in performing the services under this Agreement. Such personnel shall not be employees of or have any contractual relationship with The City. All services required hereunder will be performed by the Engineer or under his supervision, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such services.

9.2. **Interest of Members of The City's Staff.** No member of The City staff and no other officer, employee, or agent of The City who exercises any function or responsibility in connection with any Project to which this Agreement pertains, shall have any personal interest, direct or indirect, in this Agreement.

9.3. **Interest of Other Local Public Officials.** No member of the governing body of the locality in which any Project is situated and no other public official of such locality who exercises any function or responsibility in the review or approval of such Project shall have any personal interest, direct or indirect, in this Agreement.

9.4. **Future Conflicts Prohibited.** No officer, director, shareholder or partner of Engineer has any relationship with The City, which would be violative of the conflict of interest provisions of Tenn. Code Ann. Section 6-54-107 and/or 12-4-101.

ARTICLE 10

DOCUMENTS AND RECORDS

10.1. **Ownership.** All written documentation, plans, and drawings or other instruments of service relating to each Project which is prepared or obtained under the terms of this Agreement shall be the property of The City inclusive of any intangible copyright or other protectable interest. No written documentation relating to the Project shall be delivered or otherwise disclosed or made available to any third party without the prior written approval of The City.

10.2. **Reuse of Documents.** All documents furnished by the Engineer pursuant to this Agreement are instruments of his services with respect to the respective Project. They are not intended or represented to be suitable for reuse by The City or others on extensions of the Project or on any other Project. Any reuse without specific written verification or adaptation by the Engineer will be at The City's sole risk and without liability or legal exposure to the Engineer; and The City shall indemnify and hold harmless the Engineer for all claims, damage, losses, and expenses including attorney's fees, arising out of or resulting therefrom.

10.3. **Access to Records.** The Engineer shall maintain books, records, documents, and other evidence directly pertinent to performance of work under this Agreement in accordance with accepted professional practice and Generally Accepted Accounting Principles. Such records shall be available for audit by City or its authorized representative during normal business hours at Engineer's principal place of business, during the term of this Agreement and for a period of one year following completion of the Project, upon request of City. Audits conducted pursuant to this provision shall be in accordance with generally accepted auditing standards and formally established audit regulations, procedures, and guidelines of the reviewing or audit agency.

ARTICLE 11

MISCELLANEOUS PROVISIONS

11.1. This Agreement shall be governed by the laws of the State of Tennessee.

11.2. Except where otherwise provided herein, any notice, approval, acceptance, request, bill, demand or statement hereunder from either party to the other shall be in writing and shall be deemed satisfactorily given and any time period provided for giving such notice herein shall commence when such notice is (I) deposited in the United States mail, postage prepaid, certified or registered mail, return receipt requested, or forwarded by a nationally recognized overnight courier service to the address of the respective party specified below, or such other address as may be specified in an original notice forwarded to all parties hereto as herein specified, or (II) personally delivered to such address:

If to Engineer: FOXPE, LLC
James Dudley Fox, P.E.
2711 Berrywood Dr

Nashville, TN 37204

If to The City: City of Goodlettsville, Tennessee
Tim Ellis, City Manager
105 South Main Street
Goodlettsville, Tennessee 37072

11.3. Intentionally Deleted.

11.4. This Agreement and the Authorizations executed hereunder constitute the entire agreement between the parties with respect to the subject matter hereof and supersede all prior negotiations, representations or agreements, written or oral, between the parties on said subject matter. The form utilized for the Authorization is attached hereto as Exhibit 2. This Agreement and its Authorizations may not be modified, amended, or changed in any manner, nor shall any waiver of any provision of the same be effective except by an instrument in writing signed by the party against whom enforcement of such modification, amendment, change or waiver is sought.

11.5. Neither The City nor the Engineer may assign or transfer their respective duties or interests in this Agreement without the written consent of the other party.

11.6. This Agreement is solely for the benefit of The City and the Engineer and shall not be interpreted to benefit any third party.

11.7. The paragraph captions in this Agreement are set forth for convenience only and are not to be construed in interpreting the provisions of this Agreement. The gender and number terms used herein are used as reference terms only and shall apply with the same effect whether the parties are of the masculine or feminine gender, corporate or other form, and the singular shall likewise include the plural.

11.8. If any term or provision of this Agreement shall to any extent be held invalid or unenforceable, the remainder hereof, or the application of such term or provision to persons or circumstances other than those to which it is invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

11.9. The obligations of The City arising from Projects under this Agreement may be satisfied only from the revenues of The City's division for such services relating to such project being performed.

11.10. The Engineer was selected and approved through an evaluated process based on factual information submitted at the time of this agreement. The Consultant shall provide annual updates on all information concerning this agreement beginning one year from the date and year first above written.

11.11 The term or duration of this Agreement shall be two (2) years in length.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their authorized officers as of the date and year first above written.

FOXPE, LLC

By:  James D. Fox, P.E.
Its Principal 9/23/22

The City of Goodlettsville

By: _____

Goodlettsville, Tennessee

AUTHORIZATION NO. 1
for
PROFESSIONAL DESIGN SERVICES
to
FOXPE, LLC

PROJECT NAME: Mansker Creek Pump Station Improvements

In accordance with the AGREEMENT FOR PROFESSIONAL DESIGN SERVICES dated September _____, 2022 (the "Agreement"), between the CITY OF GOODLETTSVILLE (hereinafter "City") and FOXPE, LLC (hereinafter referred to as "Engineer"), the City hereby authorizes the Engineer to proceed with the following services for the above-referenced Project (the "Project").

I. PROJECT SCOPE

The scope of services to be provided by the Engineer in connection with this Authorization is as follows:

Provide flow metering monitoring and maintenance services to support ongoing Sewer Rehabilitation and Improvements projects. Services will be provided by a sub-consultant to Engineer. The City owned flow metering equipment will be utilized for the project.

Conduct various meetings with the City to ensure that the flow metering services are functional for the needs of the department and that the project will be within the designated budget.

II. TIME OF SERVICE

The Engineer will proceed with providing the services set forth herein immediately upon execution of this Authorization by the City and the Engineer. The work authorized herein shall be completed as follows:

The total period of service is 12 months.

III. COMPENSATION

The City shall compensate the Engineer for providing the services set forth herein in accordance with the terms of the Agreement on the following fee basis:

Sewer Flow Metering Services: Are based on time and materials at a not-to-exceed amount of \$50,000, payable monthly in accordance with the terms of the Agreement.

The Lump Sum includes compensation for all Engineer's services and services of Engineer's Consultants, if any. Appropriate amounts have been incorporated in the Lump Sum to account for all labor, overhead, profit, and Reimbursable Expenses.

This Authorization, when executed by the City and the Engineer, shall become an integral part of the Agreement as if stated therein verbatim and shall be subject thereto; provided, however, that to the extent the terms of this Authorization should conflict with the terms of the Agreement, the terms of this Authorization shall control.

(Signatures on the following page)

AUTHORIZED BY:

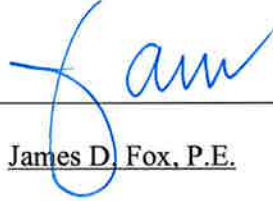
CITY OF GOODLETTSVILLE

By: _____

Title: _____

Date: _____

ACCEPTED BY:



By: James D. Fox, P.E.

Title: Principal, FOXPE, LLC

Date: 9/23/22



AGENDA SUMMARY SHEET

Board of Commissioners

City of Goodlettsville, Tennessee

SUBJECT TITLE: RESOLUTION 22-1093

A RESOLUTION AUTHORIZING AN AGREEMENT WITH FLOCK SAFETY, INCORPORATED FOR THE INSTALLATION AND UTILIZATION OF TEN AUTOMATED LICENSE PLATE READERS

PRESENTD BY: Tim Ellis City Manager

Gary Goodwin, Chief of Police

Agenda Item: Resolution 22-1093

Dept. of Origin: Police Department

For Agenda of: October 13, 2022

Originator: Gary Goodwin

Cost of Item: \$28,500 Year 1

\$25,000 Year 2-5

AGENDA ITEM ATTACHMENTS:

Resolution 22-1093

Exhibit 1

SUMMARY STATEMENT:

A RESOLUTION AUTHORIZING AN AGREEMENT WITH FLOCK SAFETY, INCORPORATED FOR THE INSTALLATION AND UTILIZATION OF TEN AUTOMATED LICENSE PLATE READERS

FINANCIAL SUMMARY:

\$28,500 Year 1

\$25,000 Year 2-5

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1093

RESOLUTION NO. 22-1093

A RESOLUTION TO APPROVE AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND FLOCK SAFETY, INCORPORATED FOR THE INSTALLATION AND UTILIZATION OF TEN AUTOMATED LICENSE PLATE READERS

WHEREAS, the City of Goodlettsville desires to maintain a safe community for our residents to enjoy; and

WHEREAS, the utilization of Automated License Plate Readers would assist our Police Department in keeping Goodlettsville a safe community.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT AN AGREEMENT WITH FLOCK SAFETY, INCORPORATED IS APPROVED AS FOLLOWS:

SECTION 1. Approve the procurement of ten Automated License Plate Readers with Flock Safety, Incorporated and is attached hereto as Exhibit I.

SECTION 2. Authorizes the City Manager to execute said agreement and any related Authorizations to Proceed.

SECTION 3. If any section, clause, provision, or portion of this Resolution is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Resolution which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Resolution or any part thereof and the whole or part of any existing or future Resolution of the City of Goodlettsville, the most restrictive shall in all cases apply.

SECTION 5. This resolution shall take effect immediately upon passage, the welfare of the Citizens of Goodlettsville requiring it.

MAYOR RUSTY TINNIN

Adopted: _____

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



Created Date: 09/01/2022

Expiration Date: 10/01/2022

Quote Number: Q-03886

Prepared By: Nick Bloom

Phone: 6032131275

Email: nicklaus.bloom@flocksafety.com

Address Information

Bill To:
105 S Main St
Goodlettsville, Tennessee 37072

Ship To:
105 S Main St
Goodlettsville, Tennessee 37072

Billing Company Name: TN - Goodlettsville PD
Billing Contact Name:
Billing Email Address:

Billing Phone:
Billing Fax:

Terms and Conditions

Contract Start Date: 09/01/2022

Billing Method: Net 30

Subscription Term: 24

Billing Frequency: 50%/25%/25%

Services

Product	Description	List Price	Sales Price	Quantity	Total Price
Falcon	Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users.	\$2,500	\$2,500	10.00	\$25,000

flock safety

Standard Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.	\$350.00	\$350.00	10.00	\$3,500.00
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Total Price: \$28,500 Year 1

Estimated Tax: \$0.00 (Please Provide Exempt Certificate)

Recurring Total: \$25,000.00

Prices shown above do not include any taxes that may apply. Any such taxes are the responsibility of Customer. This is not an invoice – this document is a non-binding proposal for providing informational purposes only. Pricing is subject to change. This proposal shall be valid until the documented expiration date.