



December 8, 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 November 10th 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.

- a. Consider Resolution 22-1099, a resolution to ratify the membership and appointments to the Goodlettsville Beer Board, Industrial Development Board, Tree Board, Planning Commission, Board of Zoning and Sign Appeals, and Parks Advisory Board.
 - b. Consider Resolution 22-1100, 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.

- c. Consider Resolution 22-1106, a resolution of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Capital Asset and Depreciation Policy.

8. Old Business.

- a. Consider Ordinance 22-1054, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by changing the zoning designation of a property on Harris Street from R10 Medium Density Residential to CSL, Commercial Services Limited/Commercial Core Overlay. **SECOND READING & PUBLIC HEARING**
- b. Consider Ordinance 22-1055, an ordinance to amend the City of Goodlettsville Municipal Code Title 1, Chapter 1, Section 101, by deleting Section 101 in its entirety and replacing it with a new Section 101 as it relates to Board of Commission meeting dates. **SECOND READING**

9. New Business.

- a. Consider Ordinance 22-1056, an ordinance to amend sections of the Zoning Ordinance regarding the definition of a home day care center and conditional use review by the Board of Zoning and Sign Appeals. **FIRST READING**
- b. Consider Ordinance 22-1057, an ordinance of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Capital Investment Policy. **FIRST READING**
- c. Consider Resolution 22-1101, a resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee establishing user and rental fees for various Parks and Recreation facilities.
- d. Consider Resolution 22-1102, a resolution authorizing the City Manager to execute a Memorandum of Agreement with the Sumner County Government and each municipality of Sumner County for the joint utilization of a crime center platform in a collaborative effort.
- e. Consider Resolution 22-1103, a resolution authorizing the execution of an agreement between the City of Goodlettsville and Kimley Horn and Associates, Incorporated as it relates to conducting an Aquatics Feasibility Study.
- f. Consider Resolution 22-1104, a resolution authorizing a budgetary allocation for employee cost of living compensation adjustments effective January 1, 2023.
- g. Consider Resolution 22-1105, a resolution to adopt the City of Goodlettsville's Legislative Agenda for the first session of the 113th General Assembly of the State of Tennessee.

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



Board of Commissioners

November 10, 2022

6:30 PM

City Hall - Massie Chambers

Minutes:

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

Absent:

Also Present: Russell Freeman, Tim Ellis, Allison Baker, Addam McCormick, Kimberly Lynn, Larry DiOrio, Mary Laine Hucks, Gary Goodwin, and Julie High.

Mayor Rusty Tinnin called the meeting to order. Pastor Philip Smith 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 October 13, 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.

Judge Ali Toll administered the Oath of Office to recently re-elected City Commissioners Rusty Tinnin and Jimmy D. Anderson.

Vice Mayor Duncan nominated Rusty Tinnin for Mayor. Vote was then taken which resulted in a 5-0 vote re-electing Rusty Tinnin as Mayor.

Commissioner Anderson nominated Jennifer Duncan for Vice Mayor. Vote was then taken which resulted in a 5-0 vote to re-elect Jennifer Duncan as Vice Mayor.

Mrs. Kim Sutton of 3280 Patton Branch congratulated the mayor and Commissioner Anderson on their re-election. She stated this was the most vicious election she had seen in her time in Goodlettsville. She stated there is no room for outside political machines in this local election such as the Victory Fund. She stated this caused the attacks on the city leaders. She said we can run our own elections and take care of each other. She asked if we could amend the charter or go to the State of Tennessee, but she requested that all local leaders only hold one elected position. We need our leaders to focus on our city and not be stretched on obligations.

Mr. Scott Trew of 506 Geneva asked the Board of Commissioners to work together closely for the next two years. He asked they be harmonious so Goodlettsville can thrive.

City Manager Tim Ellis announced the Tree Lighting Event on Friday, December 2nd, the Christmas Parade on Saturday, December 3rd followed by Yulefest. The Planning Commission approved a site plan for BJ's Wholesale on Monday that will be built in the RiverGate area.

City Recorder Allison Baker addressed the board regarding the beautification efforts that are taking place across the city. Each department will play a vital role in these efforts. She stated the city is currently working on placemaking projects to include public art on existing utility boxes as well as murals throughout the city. The recent cemetery cleanup is included in these efforts and exhibits how the community can partner with the city on multiple projects. She encouraged all employees, city leaders, residents, and business leaders to continue to showcase the GOOD in Goodlettsville.

Commissioner Jimmy D. Anderson thanked everyone for re-electing him. He stated he will work hard over the next four years. He stated it was not the best election and that it was rough. He said there are a lot of things he could say but he won't and let his character shine through.

Mayor Rusty Tinnin thanked everyone for their support for working on his campaign. He said he appreciated everyone and the support. He thanked his family for everything and for standing strong through all of this. He stated it is an honor to serve on this board and to serve this community.

Consider Consent agenda items.

Commissioner Huffman made a motion to consider the consent agenda items. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve the consent agenda items.

Approved Ordinance 22-1055, an ordinance to amend the City of Goodlettsville Municipal Code Title 1, Chapter 1, Section 101, by deleting Section 101 in its entirety and replacing it with a new Section 101 as it relates to Board of Commission meeting dates, first reading.

Approved Resolution 22-1094, a resolution authorizing the City of Goodlettsville to make application for and participate in the State of Tennessee Violent Crime Intervention Fund program.

Approved Resolution 22-1096, a resolution officially requesting the State of Tennessee Department of Transportation to construct a dedicated turn lane along Long Hollow Pike in order to access southbound Interstate 65 at interchange 97 as it relates to Phase I of the Interstate 65 widening project.

Approved Resolution 22-1097, a resolution authorizing the City of Goodlettsville to make

application for and participate in the State of Tennessee Tourism and Hospitality Recovery Fund Grant.

Consider Old Business.

Consider Ordinance 22-1050, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2022-2023 budget, passed by Ordinance 22-1040, second reading. City Manager Ellis stated there has been a recommended amendment to this that was sent to the board. The amendment has to do with the cost of an item at the Mansker Creek Pump Station, receiving a marketing grant from the State of Tennessee, and the construction of the volleyball courts and the need for additional funds. Vice Mayor Duncan made a motion to consider Ordinance 22-1050. Commissioner Anderson seconded the motion. Commissioner Huffman made a motion to amend Ordinance 22-1050 based upon the language as presented. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 22-1050 as amended.

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, second reading and public hearing. Commissioner Anderson made a motion to consider Ordinance 22-1052. Vice Mayor Duncan 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 22-1052.

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, second reading and public hearing. Vice Mayor Duncan made a motion to consider Ordinance 22-1053. 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. Commissioner Young asked City Manager Ellis to remind him why this was before the board. City Manager Ellis stated we have individuals feeding large groups of cats and creating a nuisance. This does not prohibit feeding any animal or prevent rescue organizations. This is in regards to feeding feral animals throughout the city. He stated if you went to Walgreens at Long Hollow Pike you would see 15-20 bowls in the parking lot. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 22-1053.

Consider New Business.

Consider Ordinance 22-1054, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by changing the zoning designation of a property on Harris Street from R10 Medium Density Residential to CSL, Commercial Services Limited/Commercial Core Overlay, first reading. Commissioner Anderson made a motion to consider Ordinance 22-1054. Commissioner Huffman seconded the motion. There was discussion. Commissioner Young asked as this goes to the Planning Commission to make sure the applicants know we want to eventually align this intersection. City Manager Ellis stated in

the preliminary plans of the alignment, it would not affect any of these parcels. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 22-1054.

Consider Resolution 22-1095, a resolution to amend Resolution 22-1034 setting certain fees charged by the City of Goodlettsville for various municipal services. Vice Mayor Duncan made a motion to consider Resolution 22-1095. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1095.

Consider Resolution 22-1098, a resolution recognizing Ms. Pat Wildrick, Mr. Toby Swager, and others for their cleanup efforts at Grissard Cemetery. City Manager Ellis stated this cemetery is located within the Windsor Green subdivision. Ms. Pat Wildrick addressed the board. She stated she called the City Manager and the City Recorder about this project and was supported along the way. She thanked the board for the opportunity to restore this stonewall property. She thanked everyone for their support on the day of the cleanup. She asked all who have served in the military to stand up and thanked them for their service. She then read the State poem, "Oh Tennessee, My Tennessee" by William Porter Lawrence. Vice Mayor Duncan made a motion to consider Resolution 22-1098. Commissioner Anderson seconded the motion. Commissioner Young wanted to clarify the resolution needed to be corrected to read 'Grizzard' instead of Grissard. City Manager Ellis stated it would be corrected. Vote was then taken which resulted in a 5-0 vote to approve Resolution 22-1098. Mayor Tinnin thanked Ms. Pat for all her hard work. He said there are people that want to help clean up all of the cemeteries in the city.

Vice Mayor Duncan expressed her gratitude to all of the veterans.

Mayor Tinnin thanked everyone for being in attendance. He thanked the following people for being in attendance: former Mayor Jeff Duncan, Cowboy, and three former Commissioners Long, Childers, and Bell.

With no further business, Vice Mayor Duncan made a motion to adjourn. Commissioner Anderson seconded the motion. The meeting adjourned at approximately 7:16pm with a 5-0 vote.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> RESOLUTION 22-1099 A resolution to ratify the membership and appointments to the Goodlettsville Beer Board, Industrial Development Board, Tree Board, Planning Commission, Board of Zoning and Sign Appeals, and Parks Advisory Board. <u>PRESENTED BY:</u> Mayor Rusty Tinnin	Agenda Item: Resolution 22-1099 Dept. of Origin: Administration For Agenda of: December 8, 2022 Originator: Mayor Rusty Tinnin Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1099

SUMMARY STATEMENT:

This resolution ratifies the membership and appointments to the Goodlettsville Beer Board, Industrial Development Board, Tree Board, Planning Commission, Board of Zoning and Sign Appeals, and Parks Advisory Board.

FINANCIAL SUMMARY:

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

RECOMMENDED ACTION:

Mayor recommends approval of Resolution 22-1099.

RESOLUTION NO. 22-1099

A RESOLUTION RATIFYING THE MEMBERSHIP AND APPOINTMENTS TO THE GOODLETTSVILLE BEER BOARD, INDUSTRIAL DEVELOPMENT BOARD, TREE BOARD, PLANNING COMMISSION, BOARD OF ZONING AND SIGN APPEALS, AND PARKS ADVISORY BOARD.

WHEREAS, as a requirement in the City's charter, the public good is served through citizen advisory and policy boards; and,

WHEREAS, the citizens of Goodlettsville are best served when all positions on those boards are filled;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT THE FOLLOWING APPOINTMENTS BE RATIFIED AS FOLLOWS:

PLANNING COMMISSION (4 Year Term)

Scott Trew
Tony Espinosa

BOARD OF ZONING AND SIGN APPEALS (4 Year Term)

Brian Rager

BEER BOARD (3 Year Term)

Ernest Denson
Harry Bell

INDUSTRIAL DEVELOPMENT BOARD (6 Year Term)

Beth Deering

PARKS & RECREATION ADVISORY BOARD (3 Year Term)

Jarrold Curcio
Jimmy D. Anderson

TREE BOARD (3 Year Term)

Chris Taylor
Eddie Allen

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

Adopted: December 8, 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:</u> RESOLUTION 22-1100 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. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 22-1100 Dept. of Origin: Administration For Agenda of: December 8, 2022 Originator: Tim Ellis Cost of Item: Positive Impact
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1100

SUMMARY STATEMENT:

This resolution would declare certain property surplus to the needs of the City of Goodlettsville and calling for its disposal by trade-in or online auction or any other reasonable manner.

FINANCIAL SUMMARY:

There would be a positive fiscal impact to the city based on the sale of the surplus property.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1100.

RESOLUTION NO. 22-1100

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.

WHEREAS, occasionally, the City of Goodlettsville owns property that is no longer of use or has value for its intended use; and,

WHEREAS, The City of Goodlettsville foresees no future need or use of said property; and,

WHEREAS, The City of Goodlettsville desires to dispose of said property;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT PROPERTY LISTED IN EXHIBIT 1 OF THIS RESOLUTION IS DECLARED TO BE SURPLUS PROPERTY.

BE IT FURTHER RESOLVED THAT SAID PROPERTY SHALL BE DISPOSED OF BY ONLINE AUCTION OR ANY OTHER MEANS IN ACCORDANCE WITH STATE LAW AND THE CITY'S PURCHASING POLICY.

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

MAYOR RUSTY TINNIN

Adopted: December 8, 2022

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

EXHIBIT 1 (RESOLUTION 22-1100)

- 1 6ft desk
- 1 HP Officejet J6480 All-in-One printer (Fire)



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1106 A resolution of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Capital Asset and Depreciation Policy. <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Assistant City Manager	Agenda Item: Resolution 22-1106 Dept. of Origin: Administration For Agenda of: December 8, 2022 Originator: Julie High Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1106

SUMMARY STATEMENT:

A resolution of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Capital Asset and Depreciation Policy.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1106.

RESOLUTION NO. 22-1106

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS ADOPTING THE CITY OF GOODLETTSVILLE CAPITAL ASSET AND DEPRECIATION POLICY.

WHEREAS, the City of Goodlettsville Board of Commissioners strives to have sound and practical financial policies; and,

WHEREAS, there is currently a need to adopt a policy that will further strengthen its financial policies; and,

WHEREAS, the City of Goodlettsville Board of Commission desires to adopt and implement a Capital Asset and Depreciation Policy.

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

Section 1. That the Board of Commissioners adopts and approves the City of Goodlettsville Capital Asset and Depreciation Policy

Section 2. That this resolution shall take effect from and after its adoption, the welfare of The City of Goodlettsville requiring it.

Date adopted: December 8, 2022

Mayor Rusty Tinnin

Attest

City Recorder

Approved as to form and legality

City Attorney



City of Goodlettsville

Capital Asset and Depreciation Policy

Purpose

This Capital Asset Policy is designed to ensure a uniform understanding of the City of Goodlettsville's capitalization policy for assets. This policy establishes the method of maintaining fixed asset information and the minimum cost (capitalization amount) that shall be used to determine the fixed assets that are to be reported in the financial statements in accordance with standards established by the Governmental Accounting Standards Board (GASB).

Capital Asset Classifications

- **Land** - Land is the surface on earth, which may be used to support structures. Land improvements consist of betterments, site preparation and site improvements (other than buildings) of a permanent nature that ready the land for its intended use. The costs associated with improvements to land are added to the cost of the land. Land and land improvements are inexhaustible assets and do not depreciate over time.
- **Buildings** - A structure that is permanently attached to the land and is not intended to be transportable or moveable. Building improvements are capital events that materially extend the useful life of a building, increase the value of a building or both. A building improvement should be capitalized and recorded as an increase to the value of the existing building.
- **Improvements other than Buildings**- Include depreciable improvements and betterments made to land of a permanent nature, other than buildings that add value to land, but do not have an indefinite useful life. Parks and Recreation Facilities and Distribution and Collection systems are types of improvements the city reports on.
- **Motor Vehicles**- Vehicles for which title and license must be obtained such as cars, trucks, buses, ambulances, boats, airplanes, motorcycles, and road-going trailers.
- **Machinery and Equipment** - An apparatus, tool, or conglomeration of pieces to form a tool, or purchased equipment, used in operations. These items can be fixed or movable tangible assets. They will stand alone and not become a part of a basic structure or building. The city reports on various types of capital assets as equipment such as furniture and fixtures, mobile equipment, machinery and equipment, computer hardware and computer software.
- **Construction Work in Progress**- Represents a temporary accumulation of labor, materials, equipment and overhead costs (excluding administrative overhead) of a construction project. Upon completion of the work, the total cost is transferred to one or more of the above classes of capital assets.
- **Infrastructure**- Long-lived capital assets that normally can be preserved for a significantly greater number of years than most capital assets. Infrastructure assets include drainage, water distribution and sewer collection system rehabilitation, streets and parking lots, curb and gutter, streetscape enhancement, bridges and tunnels, sidewalks, traffic signals and streetlights.

Capitalization Thresholds

Assets purchased, constructed, or received through capital lease or donation must be uniformly grouped into capital asset types. The following table summarizes the capitalization thresholds for the city's capital asset types. Amounts are capitalized when the cost or value equals or exceeds the applicable threshold amount. A capital asset has a historical cost of \$5,000 or more.

Type	Threshold Amount
Land	Purchase Price
Buildings	\$50,000.00
Improvements other than buildings	\$15,000.00
Motor Vehicles (Automobiles)	\$10,000.00
Mobile Equipment	\$10,000.00
Machinery and Equipment	\$5,000.00
Hardware/Software	\$20,000.00
Infrastructure (Water/Sewer Rehabilitation)	\$100,000.00
Infrastructure (Street Paving/sidewalks)	\$50,000.00

Useful Life

The useful life of an asset is that period during which the asset provides benefits. Estimates of useful life consider factors such as physical wear and tear and technological changes that bear on the economic usefulness of the asset. They typically have a useful life of more than one year. The city uses straight-line depreciation over the estimated useful life of the capital asset. Listed below is schedule used for its capital assets.

Type	Estimated Life (Years)
Land	Not Depreciated
Buildings	50
Improvements other than buildings	15-50
Motor Vehicles (Automobiles)	7
Mobile Equipment	10
Machinery and Equipment	5
Hardware/Software	5
Infrastructure (Water/Sewer Rehabilitation)	50
Infrastructure (Street Paving/sidewalks)	30

Surplus Property- Disposition of Capital Fixed Assets

Surplus property is defined as assets retained by the city that are not currently in use. Once an asset is determined to be surplus, it is the responsibility of the owning department to coordinate with the finance department. The asset remains in owning location's inventory until the asset is physically removed. The city may utilize the public auction process to dispose of surplus property. The owning department will provide proceeds from the sale of fixed assets to Finance Department.

Procedures and Exceptions

The Finance Department will implement procedures that are in accordance with this policy. If a capital assets situation arises that is not covered within this policy, the City Manager may authorize the method of handling. The capital assets exception will be reported at the next available Commission meeting.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 22-1054</u> An ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by changing the zoning designation of a property on Harris Street from R10 Medium Density Residential to CSL, Commercial Services Limited/Commercial Core Overlay. SECOND READING & PUBLIC HEARING <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Planning	Agenda Item: Ordinance 22-1054 Dept. of Origin: Planning For Agenda of: December 8, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1054

SUMMARY STATEMENT:

An ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 by changing the zoning designation of a property on Harris Street from R10 Medium Density Residential to CSL, Commercial Services Limited/Commercial Core Overlay.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff and Planning Commission recommend approval of Ordinance 22-1054.

ORDINANCE NO. 22-1054

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF GOODLETTSVILLE ADOPTED PER ORDINANCE 15-851 BY CHANGING THE ZONING DESIGNATION OF A PROPERTY ON HARRIS STREET FROM R10 MEDIUM DENSITY RESIDENTIAL TO CSL, COMMERCIAL SERVICES LIMITED/COMMERCIAL CORE OVERLAY

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to dividing the city into zones and districts restricting and regulating therein the location, construction, and use of commercial and industrial buildings, structures; and,

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to protecting the character and maintain the stability of business, commercial, and industrial areas within the city, and to promote the orderly and beneficial development of such areas; and,

WHEREAS, the City's Comprehensive Land Use Plan intent and purpose includes but is not limited to defining future land use of area including future commercial and industrial zoning classifications; and,

WHEREAS, the Goodlettsville Planning Commission has reviewed and discussed this proposed amendment and voted on November 7, 2022 to recommend its passage to the Board of Commissioners based on the zoning designation of existing adjacent properties and the City's Comprehensive Land Use Plan Designation for commercial development along Main Street 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 the Official Zoning Map adopted by Ordinance No. 15-851 entered on second reading on November 12, 2015 being the municipal zoning map of Goodlettsville, Tennessee, be and the same is hereby amended as follows:

By changing the property classification from R-10, Medium Density Residential to CSL, Commercial Services Limited and CCO, Commercial Core Overlay for the referenced property attached as "EXHIBIT A" and described as follows:

MAP 02508 PARCELS 021.00 -107 HARRIS STREET WHICH CONTAINS APPROXIMATELY 0.32 ACRES AS SHOWN IN THE RECORDS OF THE ASSESSOR OF PROPERTY OF DAVIDSON COUNTY, TENNESSEE.

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 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

CITY RECORDER

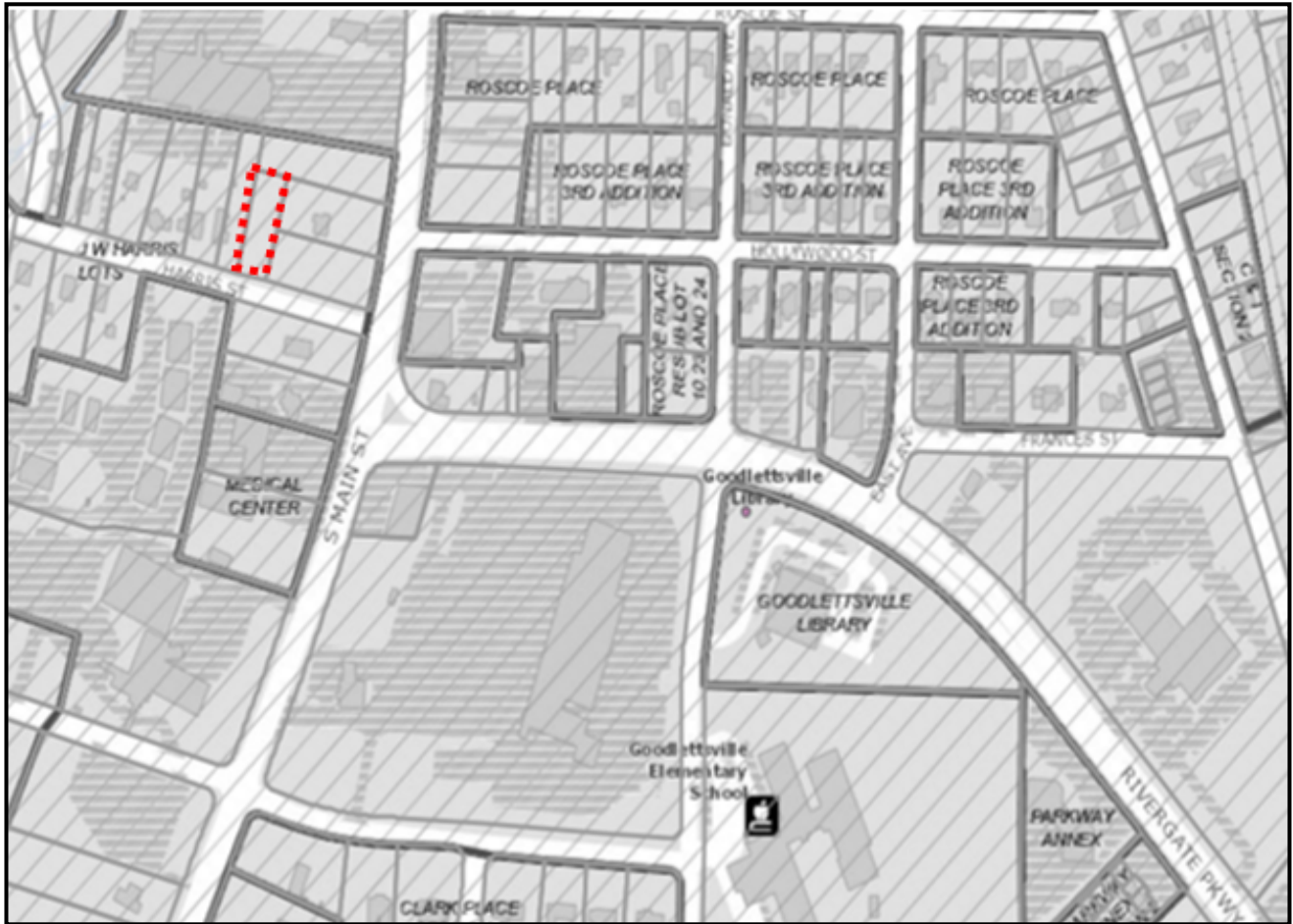
APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: _____

Passed Second Reading: _____

ORDINANCE 22-1054
“EXHIBIT A”



GOODLETTSVILLE
TENNESSEE
AGENDA SUMMARY SHEET
Board of Commissioners
City of Goodlettsville

SUBJECT TITLE: ORDINANCE 22-1055
AN ORDINANCE TO AMEND THE CITY
OF GOODLETTSVILLE MUNICIPAL
CODE TITLE 1, CHAPTER 1, SECTION
101, BY DELETING SECTION 101 IN ITS
ENTIRETY AND REPLACING IT WITH A
NEW SECTION 101 AS IT RELATES TO
BOARD OF COMMISSION MEETING
DATES. **SECOND READING**

PRESENTED BY:
Tim Ellis, City Manager

Agenda Item: Ordinance 22-1055

Dept. of Origin: Administration

For Agenda of: December 8, 2022

Originator: Tim Ellis

Cost of Item: N/A

AGENDA ITEM ATTACHMENTS:

Ordinance 22-1055

SUMMARY STATEMENT:

AN ORDINANCE TO AMEND THE CITY OF GOODLETTSVILLE MUNICIPAL CODE
TITLE 1, CHAPTER 1, SECTION 101, BY DELETING SECTION 101 IN ITS ENTIRETY
AND REPLACING IT WITH A NEW SECTION 101 AS IT RELATES TO BOARD OF
COMMISSION MEETING DATES.

FINANCIAL SUMMARY:

Not Applicable

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 22-1055.

ORDINANCE NO. 22-1055

AN ORDINANCE TO AMEND THE CITY OF GOODLETTSVILLE MUNICIPAL CODE TITLE 1, CHAPTER 1, SECTION 101, BY DELETING SECTION 101 IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 101 AS IT RELATES TO BOARD OF COMMISSION MEETING DATES.

WHEREAS, the City of Goodlettsville desires to function in the most effective and efficient manner; and

WHEREAS, the City of Goodlettsville Board of Commissioners have determined that it would be in the best interest of the city to hold Board of Commission meetings once per month.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, THAT THE CITY OF GOODLETTSVILLE MUNICIPAL CODE, TITLE 1, CHAPTER 1, SECTION 101, IS AMENDED BY DELETING SECTION 101 IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 101 AS FOLLOWS:

SECTION 1. 1-101. Time and place of regular meetings. The board of commissioners shall hold regular monthly meetings at 6:30 P.M. on the second Thursday of each month at the city offices at 105 S. Main Street.

SECTION 2. 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 3. 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

Passed First Reading: _____

Passed Second Reading: _____

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

CURRENT SECTION 101

1-101. Time and place of regular meetings. The board of commissioners shall hold regular monthly meetings at 6:30 P.M. on the second and fourth Thursday of each month at the city offices at 105 S. Main Street. (2000 Code, § 1-101)



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 22-1056</u> An ordinance to amend sections of the Zoning Ordinance regarding the definition of a home day care center and conditional use review by the Board of Zoning and Sign Appeals. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Planning	Agenda Item: Ordinance 22-1056 Dept. of Origin: Planning For Agenda of: December 8, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1056

SUMMARY STATEMENT:

An ordinance to amend sections of the Zoning Ordinance regarding the definition of a home day care center and conditional use review by the Board of Zoning and Sign Appeals.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff and Planning Commission recommend approval of Ordinance 22-1056.

ORDINANCE 22-1056

**AN ORDINANCE TO AMEND SECTIONS OF THE ZONING ORDINANCE REGARDING THE
DEFINITION OF A HOME DAY CARE CENTER AND CONDITIONAL USE REVIEW BY THE
BOARD OF ZONING AND SIGN APPEALS**

WHEREAS, the City's Zoning Ordinance intent and purpose includes to promote and protect the public health, safety, and general welfare of the people; and,

WHEREAS, the City's Zoning Ordinance intent and purpose includes to define and limit the powers and duties of the administrative officers and bodies as provided herein; and,

WHEREAS, the Goodlettsville Planning Commission after receiving an amendment request by a Goodlettsville resident at the November 7, 2022 scheduled meeting voted to recommend the requested amendment passage to the Board of Commissioners and discussed that the amendment is to provide a minimum threshold for a home day center and when a home day care center would be reviewed through a conditional use process by the City's Board of Zoning and Sign Appeals based on provisions of state law and examples of Zoning Ordinances of other local communities; 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 section 14-201(3)(llll) and amending section 14-213 (9)(e)(ii)(A) 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 22-1056

“EXHIBIT A”

AMENDMENT 14-201 (3)(III)

“Day Care Home” A childcare facility operated in a residential dwelling unit for the purpose of providing care, protection and guidance to four (4) but not more than eight (8) children who are unrelated by blood or adoption to the resident of the dwelling unit providing such care during only part of a twenty-four (24) hour day.

AMENDMENT 14-213 (9)(e)(ii)(A)

(9) Conditional Use Permits

(e) Specific Standards for Community Facility Activities

(ii) Special conditions for personal and group care

facilities (day care). For purposes of this ordinance, day care facilities are classified into two (2) types as defined below:

(A) Day care home - include day care in an occupied residence of **four (4)** to not more than eight (8) children **not** including children living in the home.

(B) Day care center - includes day care for more than eight (8) pre-teenage children in any kind of building.

(1) Day care home.

(i) The required lot size, yard, and bulk regulations of the district shall apply. No variances shall be permitted for lots on which such use is to be located.

(ii) All public utilities and sanitary sewers shall be available and connected to the site unless the site is over one (1) acre in size and sewer is not available. The fire department shall approve the facility for safety.

(iii) All requirements of the State of Tennessee that pertain to the use shall be met.

(iv) An outdoor play area of at least

two hundred (200) square feet per child in size shall be available and shall be fenced.

(v) The facility shall be located so as to be compatible with the surrounding area and provide safety to those using the facility.

(vi) Fencing, screening, and landscaping shall be provided as appropriate to protect the surrounding area.

(vii) A site plan shall be submitted in conjunction with the application for a conditional use permit.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Ordinance 22-1057 An ordinance of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Capital Investment Policy. FIRST READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Julie High, Assistant City Manager	Agenda Item: Ordinance 22-1057 Dept. of Origin: Finance For Agenda of: December 8, 2022 Originator: Julie High Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 22-1057
Capital Investment Policy

SUMMARY STATEMENT:

An ordinance of the City of Goodlettsville Board of Commissioners adopting the City of Goodlettsville Capital Investment Policy.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 22-1057.

Ordinance NO. 22-1057

**AN ORDINANCE OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS
ADOPTING THE CITY OF GOODLETTSVILLE CAPITAL INVESTMENT POLICY.**

WHEREAS, the City of Goodlettsville Board of Commissioners strives to have sound and practical financial policies; and,

WHEREAS, there is currently a need to adopt a policy that will further strengthen its financial policies; and,

WHEREAS, the City of Goodlettsville Board of Commissioners desires to adopt and implement an Investment Policy.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY
OF GOODLETTSVILLE, TENNESSEE:**

Section 1. That the Board of Commissioners adopts and approves the City of Goodlettsville Capital Investment Policy.

Section 2. That this ordinance shall take effect fifteen days from its final adoption, the welfare of The City of Goodlettsville requiring it.

Mayor Rusty Tinnin

Attest

City Recorder

Approved as to form and legality

City Attorney

Passed first reading: _____

Passed second reading: _____



City of Goodlettsville Investment Policy

Purpose

The purpose of The Investment Policy (Policy) is to set forth the investment and operational policies for the management of public funds of the City of Goodlettsville (City). This Policy defines the parameters to which funds are to be invested by the City and will provide guidelines that will assist in maximizing the efficiency of the City's cash management system while meeting the daily cash flow demands of the City.

Governing Authority

It is the policy of the City of Goodlettsville to invest idle public funds in a manner that is in compliance with federal, state, and other legal requirements including Tennessee Code Annotated (T.C.A.) 6-56-106, titled Suitable and Authorized Investments; which governs the investment of public funds by cities and towns.

Scope

This policy applies to the investment of all funds of the City of Goodlettsville, excluding the retirement funds. Retirement funds and proceeds from certain bond issues are covered by separate policies.

1. Pooling of funds

Except for cash in certain restricted and special funds, the City will seek to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping and administration. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

2. Special Funds

Those funds that are considered restricted and special funds are: City of Goodlettsville Employee Retirement Fund and retainage accounts.

Objectives

The primary objectives of investment activities shall be safety, liquidity, and yield:

1. Safety of Principal

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate the following risks:

A. Credit Risk

The City will minimize credit risk, which is the risk of loss due to the failure of the investment issuer or backer, by:

- Limiting the portfolio to the types of investments pursuant to TCA 6-56-106
- Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.

B. Interest Rate Risk

The City will minimize interest rate risk, which is the risk that the market value of investments in the portfolio will fall due to changes in market interest rates, by:

- Structuring the portfolio to meet the cash requirements of ongoing operations, thereby mitigating the need to liquidate investments at a loss prior to maturity;
- Investing operating funds primarily in shorter-term investments and limiting the average maturity of the portfolio in accordance with this policy in accordance with T.C.A. 6-56-106.

2. Liquidity

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands.

3. Yield

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

Standards of Care

1. Delegation of Authority

The Finance Director hereinafter referred to as the Investment Officer, will have responsibility for the investment process and carry out the day-to-day operational requirements in concurrence with the City Manager. The Investment Officer and those to whom he/she has delegated will be charged with the following responsibilities:

- A. To review and update the Investment Policy as necessary.
- B. Monitor the investment transactions to ensure that proper controls are in place to ensure the integrity and security of the City Portfolio
- C. Assure that the City is in compliance with current state law, any applicable City Charter provisions and the Investment Policy.

2. Prudence

The standard of prudence to be used in the context of managing the overall portfolio is the prudent person rule which states:

Investments will be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of the funds considering the probable income as well as the probable safety of the capital.

3. *Ethics and Conflict of Interest*

The City of Goodlettsville employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution and management of the investment program or which could impair their ability to make impartial investment decisions. They shall disclose any material financial interests and that could be related to the performance of the City's portfolio.

Authorized and suitable investments

The City of Goodlettsville's Investment Officer, in order to provide a safe temporary medium for investment of idle funds, shall have the authority to purchase and invest prudently as authorized in by TCA 6-56-106 or as it may be amended (Appendix A).

Reporting

The Investment Officer shall prepare an annual report of the status of the current investments. The report will include the following:

1. Percent invested in each security type (CD, US Treasury, etc.);
2. Listing of investments by maturity date

Portfolio Diversification

It is the policy of the City of Goodlettsville to reduce overall risks while attaining average market rates of return by diversifying its investments. The investments shall be diversified by:

1. Limiting investments to avoid over concentration in eligible securities from a specific issuer or business sector (excluding U.S. Treasury securities);
2. Investing a portion of the portfolio in readily available funds such as the Tennessee Local Government Investment Pool (LGIP) or collateralized money market funds to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.
3. Portfolio maturities shall be staggered to avoid undue concentration of assets with similar maturity dates.

Amendments

This Investment Policy shall be reviewed periodically.

Tenn. Code Ann. § 6-56-106. Authorized Investments.

(a) In order to provide a safe temporary medium for investment of idle funds, municipalities are authorized to invest in the following:

- (1) Bonds, notes or treasury bills of the United States;
- (2) Nonconvertible debt securities of the following federal government sponsored enterprises that are chartered by the United States congress; provided, that such securities are rated in the highest category by at least two (2) nationally recognized rating services:
 - (A) The federal home loan bank; and
 - (B) The federal national mortgage association; and
 - (C) The federal farm credit bank; and
 - (D) The federal home loan mortgage corporation.
- (3) Any other obligations not listed in subdivisions (a)(1) and (2) that are guaranteed as to principal and interest by the United States or any of its agencies;
- (4) Certificates of deposit and other evidence of deposit at state and federally chartered banks, and savings and loan associations. Notwithstanding any other public or private act to the contrary, all investments made pursuant to this subdivision (a)(4) shall be secured by collateral in the same manner and under the same conditions as state deposits under title 9, chapter 4, parts 1 and 4, or as provided in a collateral pool created under title 9, chapter 4, part 5;
- (5) Obligations of the United States or its agencies under a repurchase agreement for a shorter time than the maturity date of the security itself if the market value of the security itself is more than the amount of funds invested; provided, that municipalities may invest in repurchase agreements only if the comptroller of the treasury or the comptroller's designee approves repurchase agreements as an authorized investment, and if such investments are made in accordance with procedures established by the state funding board;
- (6) The local government investment pool created by title 9, chapter 4, part 7;
- (7) (A) Municipalities having a population in excess of one hundred fifty thousand (150,000), according to the 1990 federal census or any subsequent federal census, may also permit investment of idle funds in the following investment instruments:
 - (i) Prime banker's acceptances that are eligible for purchase by the federal reserve system; and

(ii) Prime commercial paper that is rated at least A1 or equivalent by at least two (2) nationally recognized rating services;

(B) Municipalities having a population of not less than twenty thousand (20,000) nor more than one hundred fifty thousand (150,000), according to the 1990 federal census or any subsequent federal census, may also permit investment of idle funds in prime commercial paper in accordance with the following:

(i) Such paper shall be rated in the highest category by at least two (2) commercial paper rating services; and

(ii) The paper shall have a remaining maturity of ninety (90) days or less;

(C) Investment in the instruments set forth in this subdivision (a)(8) shall first be authorized by the municipality's legislative body, acting by resolution or ordinance. In addition, investment in such instruments shall be prohibited until the legislative body has adopted written policies to govern the use of such instruments, with such policies being no less restrictive than those established by the state funding board to govern state investments in such instruments.

(8) The municipality's own bonds or notes issued in accordance with title 9, chapter 21; and

(9) (A) Investment in the instruments set forth in subdivision (a)(2), (a)(5), (a)(6), or any type of investment authorized pursuant to a municipality's charter that is of a type that is not included in this part shall require the following:

(i) The municipality's legislative body must authorize the investment by ordinance; and

(ii) The legislative body must adopt a written enforceable investment policy by ordinance to govern the use of investments, with the policies being no less restrictive than those established by the state funding board to govern state investments in these types of instruments.

(B) Investment in instruments covered by this subdivision (a)(9) shall be prohibited until the legislative body has adopted written policies to govern the use of the investments or an ordinance has been passed to authorize the investment.

(b) The investments listed in subdivisions (a)(1)-(4) may have a maturity of not greater than four (4) years from the date of investment; however, such investments may have a maturity of greater than four (4) years from the date of investment if such maturity is approved by the comptroller of the treasury or the comptroller's designee.

(c) (1) Proceeds of bonds, notes and other obligations issued by municipalities, reserves held in connection therewith and the investment income therefrom, may be invested in obligations that:

(A) Are rated in either of the two (2) highest rated categories by a nationally recognized rating agency of such obligation;

(B) Are direct general obligations of a state of the United States, or a political subdivision or instrumentality thereof, having general taxing powers; and

(C) Have a final maturity on the date of investment of not to exceed forty-eight (48) months or that may be tendered by the holder to the issuer thereof, or an agent of the issuer, at not less than forty-eight-month intervals.

(2) Such proceeds and the investment income thereon may also be invested as otherwise set forth in this section.

(d) The investments authorized by this section are in addition to those authorized in any other general law or in any municipality's charter.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1101 A resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee establishing user and rental fees for various Parks and Recreation facilities. <u>PRESENTED BY:</u> Tim Ellis, City Manager Sarah Jennings, Parks Director	Agenda Item: Resolution 22-1101 Dept. of Origin: Parks For Agenda of: December 8, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Proposed Fee Changes
Resolution 22-1101
Exhibit 1

SUMMARY STATEMENT:

A resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee establishing user and rental fees for various Parks and Recreation facilities.

FINANCIAL SUMMARY:

Positive financial impact.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1101.

Proposed Fee Updates – Athletics

The below chart indicates the proposed fee updates for athletic specific fees to be implemented on January 1, 2023. Tournament fees and miscellaneous fees have been updated to reflect the rising cost of field preparation equipment. Volleyball and pickleball court fees have been added to this fee scale, both of which do not currently have a fee structure established. A fee study was conducted by our department to determine rates that were comparable to surrounding municipalities. Lastly, rental increments were changed to (1) one hour from (1.5) one hour and a half. Fees highlighted in green indicate change.

Athletic Participation Fees and Field Rental Fees		Current Fee		Proposed Fee Changes	
Field Rental Fees		Per 1.5 Hours	Per 1.5 hours	Per Hour	Per Hour
Fee Description		without lights	with lights	without lights	with lights
Baseball/Softball Field		\$20.00 *	\$35.00	\$20.00 *	\$35.00
Soccer Field		\$20.00 *	n/a	\$20.00 *	n/a
Tennis Court				\$20.00	\$35.00
Volleyball Court				\$20.00	\$35.00
Pickleball Court				\$20.00	\$35.00
School Club Team Fees					
Baseball/Softball Field Practice		\$15.00	\$30.00	\$15.00	\$30.00
Baseball/Softball Field Game		\$25.00	\$40.00	\$25.00	\$40.00
Soccer Field per Practice		\$5.00	n/a	\$5.00	n/a
Soccer Field per Game		\$20.00	n/a	\$20.00	n/a
Tennis Court per hour		\$10.00	\$25.00	\$10.00	\$25.00
Volleyball Court per Practice				\$5.00	n/a
Volleyball Court per Game				\$20.00	n/a
Pickleball Court per hour				\$10.00	n/a
Tournament Fees					
Baseball/Softball Fields (per field, per day)		\$75.00		\$75.00	
Soccer Field Fee (per field, per day)		\$25.00		\$25.00	
Entire Soccer Complex (Fri, Sat, Sun)		\$1,000.00		\$1,500.00	
Entire Volleyball Complex (Fri, Sat, Sun)				\$1,000.00	
Entire Pickleball Complex (Fri, Sat, Sun)				\$750.00	
Deposit to Secure Fields		\$250.00		\$250.00	
Miscellaneous Fees					
Field Changeovers		\$25.00		\$25.00	
Drag/Line		\$25.00		\$50.00	
Install Pitching Mound		\$75.00		\$75.00	
Field Absorbent (per bag)		\$10.00		\$50.00	
Vendor Fees		\$20.00		\$20.00	

Proposed Fee Updates – Shelter Rentals

The below chart indicates the proposed fee updates for picnic shelter fees to be implemented on January 1, 2023. A fee study was conducted by our department to determine rates that were comparable to surrounding municipalities. A new fee has been added for the Peay Park Shelter (Shelter 8) that will be developed with approved APRA funding. Fees highlighted in green indicate change.

Shelter Rental Fees	Current Fee		Proposed Fee Changes	
Facility Rental Fees	Resident	Non-Resident	Resident	Non-Resident
Moss-Wright Park	Per Hour	Per Hour	Per Hour	Per Hour
Shelter 1	\$10.00	\$15.00	\$15.00	\$20.00
Shelter 2	\$10.00	\$15.00	\$15.00	\$20.00
Shelter 3	\$20.00	\$40.00	\$25.00	\$45.00
Pleasant Green Park				
Shelter 6	\$10.00	\$15.00	\$15.00	\$20.00
Shelter 7	\$10.00	\$15.00	\$15.00	\$20.00
Peay Park				
Shelter 8			\$25.00	\$45.00

Proposed Fee Updates – Community Center

The below chart indicates the proposed fee updates for Delmas Long Community Center fees to be implemented on January 1, 2023. A fee study was conducted by our department to determine rates that were comparable to surrounding municipalities. Fees highlighted in green indicate change.

Delmas Long Community Center Fees	Current Fee		Proposed Fee Changes	
Facility Rental Fees	Resident	Non-Resident	Resident	Non-Resident
Meeting or Special Occasion	Per Hour	Per Hour	Per Hour	Per Hour
Full Private Gym (First 3 hours)	\$100.00	\$125.00	\$100.00	\$125.00
Full Private Gym Additional Hour (4 hours or more)	\$75.00	\$100.00	\$75.00	\$100.00
Small Meeting Room	\$10.00	\$15.00	\$20.00	\$40.00
Large Meeting Room	\$40.00	\$60.00	\$40.00	\$60.00
Catering Kitchen and Large Meeting Room	\$25.00	\$50.00	\$200.00	\$225.00
Fitness Room	\$10.00	\$20.00	\$15.00	\$25.00
Non-League Athletic Use				
Half Court	\$20.00	\$40.00	\$20.00	\$40.00
Full Court - during regular business hours	\$35.00	\$50.00	\$35.00	\$50.00
Full Court - after hours	\$100.00	\$125.00	\$100.00	\$125.00
Fitness Room	\$10.00	\$20.00	\$15.00	\$25.00
Other Fees				
Fee Description				
Gym Floor Cover	\$100.00		\$100.00	
Set up of Tables and Chairs (up to 100)	\$100.00		\$100.00	
Set up of Tables and Chairs (up to 200)	\$200.00		\$200.00	
Stage	\$400.00		\$500.00	
PA System	\$50.00		\$200.00	
Tablecloth Rental (per cloth)	\$5.00		\$5.00	
Police Security/Traffic (per officer, per hour) 2 hour minimum	\$30.00		\$30.00	
Volleyball System Setup	\$25.00		\$25.00	

RESOLUTION 22-1101

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE ESTABLISHING USER AND RENTAL FEES FOR VARIOUS PARKS AND RECREATION FACILITIES.

Whereas, the City currently offers a broad and diverse range of facilities for its citizens to use and enjoy at a nominal fee; and

Whereas, Staff often reviews said fees to assure that they are fair and equitable to all patrons of said facilities, both residents of the City of Goodlettsville and non-residents; and

Whereas, it has been determined by such a review that adjustments need to be made for the rental and use of various facilities,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT THE RENTAL AND USER FEES LISTED IN EXHIBIT 1 OF THIS RESOLUTION BE ADOPTED EFFECTIVE JANUARY 1, 2023.

Passed: December 8, 2022

Mayor Rusty Tinnin

City Recorder

Approved as to form and legality

City Attorney

EXHIBIT 1
USER AND RENTAL FEES (RESOLUTION 22-1101)

Athletic Participation Fees and Field Rental Fees

League Participation Fees	Resident	Non-Resident
Youth Participation Fees	\$20.00	\$40.00
Field Rental Fees	Per Hour	Per Hour
Fee Description	without lights	with lights
Baseball/Softball Field	\$20.00 *	\$35.00
Soccer Field	\$20.00 *	n/a
Tennis Court	\$20.00	\$35.00
Volleyball Court	\$20.00	\$35.00
Pickleball Court	\$20.00	\$35.00
School Club Team Fees		
Baseball/Softball Field Practice	\$15.00	\$30.00
Baseball/Softball Field Game	\$25.00	\$40.00
Soccer Field per Practice	\$5.00	n/a
Soccer Field per Game	\$20.00	n/a
Tennis Court per hour	\$10.00	\$25.00
Volleyball Court per Practice	\$5.00	n/a
Volleyball Court per Game	\$20.00	n/a
Pickleball Court per hour	\$10.00	n/a
Tournament Fees		
Baseball/Softball Fields (per field, per day)	\$75.00	
Soccer Field Fee (per field, per day)	\$25.00	
Entire Soccer Complex (Fri, Sat, Sun)	\$1,500.00	
Entire Volleyball Complex (Fri, Sat, Sun)	\$1,000.00	
Entire Pickleball Complex (Fri, Sat, Sun)	\$750.00	
Deposit to Secure Fields	\$250.00	
Miscellaneous Fees		
Field Changeovers	\$25.00	
Drag/Line	\$50.00	
Install Pitching Mound	\$75.00	
Field Absorbent (per bag)	\$50.00	
Vendor Fees	\$20.00	
Camp or Skill Development Fees		
Soccer Field (per field, per day)	\$50.00	
Baseball/Softball Fee (per field, per day)	\$50.00	
Football Field (per field, per day)	\$50.00	

Violations & Penalty Fees		
Failure to vacate park premises by contracted end time.	2x the hourly rate	
Damage to any Park property during the course of the event. This would include park space or property that may not have been requested on the application. Penalty includes denial of all future event requests to Goodlettsville Parks. \$100 fee plus full cost of labor and materials.	\$100.00	
Misrepresentation of event. Penalty includes denial of all future event requests to Goodlettsville Parks.	\$100.00	
Failure to sufficiently clean the venue used for event. Fee assessed plus full cost of labor and equipment utilized by Goodlettsville Parks staff to sufficiently clean the venue.	\$100.00	
Other. Any other violation of the contract not listed.	As determined by violation	

* Rental not available for youth league teams seeking additional practice time

Shelter Rental Fees

Facility Rental Fees	Resident	Non-Resident
Moss-Wright Park	Per Hour	Per Hour
Shelter 1	\$15.00	\$20.00
Shelter 2	\$15.00	\$20.00
Shelter 3	\$25.00	\$45.00
Pleasant Green Park		
Shelter 6	\$15.00	\$20.00
Shelter 7	\$15.00	\$20.00
Peay Park		
Shelter 8	\$25.00	\$45.00
Violations & Penalty Fees		
Failure to remove event elements by the contracted ending time indicated on the application. (i.e. dumpsters, stages, scaffolding, vehicles, cooking equipment and all event related equipment and supplies). Per day.	\$100.00	
Failure to vacate park premises by contracted end time.	2x the hourly rate	
Dumping or failure to remove items post event: (i.e. charcoal ashes, cooking oils, waste water, other food service related items) \$100 fee plus the full cost of labor and materials.	\$100.00	
Damage to any Park property during the course of the event. This would include park space or property that may not have been requested on the application. Penalty includes denial of all future event requests to Goodlettsville Parks. \$100 fee plus full cost of labor and materials.	\$100.00	

Misrepresentation of event. Penalty includes denial of all future event requests to Goodlettsville Parks.	\$100.00	
Failure to sufficiently clean the venue used for event. Fee assessed plus full cost of labor and equipment utilized by Goodlettsville Parks staff to sufficiently clean the venue.	\$100.00	
Other. Any other violation of the contract not listed.	As determined by violation	

Delmas Long Community Center Fees

Facility Rental Fees	Resident	Non-Resident
Meeting or Special Occasion	Per Hour	Per Hour
Full Private Gym (First 3 hours)	\$100.00	\$125.00
Full Private Gym Additional Hour (4 hours or more)	\$75.00	\$100.00
Small Meeting Room	\$20.00	\$40.00
Large Meeting Room	\$40.00	\$60.00
Catering Kitchen and Large Meeting Room	\$200.00	\$225.00
Fitness Room	\$15.00	\$25.00
Non-League Athletic Use		
Half Court	\$20.00	\$40.00
Full Court - during regular business hours	\$35.00	\$50.00
Full Court - after hours	\$100.00	\$125.00
Fitness Room	\$15.00	\$25.00
Other Fees		
Fee Description		
Gym Floor Cover	\$100.00	
Set up of Tables and Chairs (up to 100)	\$100.00	
Set up of Tables and Chairs (up to 200)	\$200.00	
Stage	\$500.00	
PA System	\$200.00	
Tablecloth Rental (per cloth)	\$5.00	
Police Security/Traffic (per officer, per hour) 2 hour minimum	\$30.00	
Volleyball System Setup	\$25.00	
Deposits		
Security Deposit (required for all events to guarantee that the venue will be cleaned, free of damages, and vacated by the time and date indicated)	\$100-\$1000	
Violations & Penalty Fees		
Failure to remove event elements by the contracted ending time indicated on the application. (i.e. dumpsters, stages, scaffolding, vehicles, cooking equipment and all event related equipment and supplies). Per day.	\$100.00	

Failure to vacate park premises by contracted end time.	2x the hourly rate	
Dumping or failure to remove items post event: (i.e. charcoal ashes, cooking oils, waste water, other food service related items) \$100 fee plus the full cost of labor and materials.	\$100.00	
Damage to any Park property during the course of the event. This would include park space or property that may not have been requested on the application. Penalty includes denial of all future event requests to Goodlettsville Parks. \$100 fee plus full cost of labor and materials.	\$100.00	
Misrepresentation of event. Penalty includes denial of all future event requests to Goodlettsville Parks.	\$100.00	
Failure to sufficiently clean the venue used for event. Fee assessed plus full cost of labor and equipment utilized by Goodlettsville Parks staff to sufficiently clean the venue.	\$100.00	
Other. Any other violation of the contract not listed.	As determined by violation	



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1102 A resolution authorizing the City Manager to execute a Memorandum of Agreement with the Sumner County Government and each municipality of Sumner County for the joint utilization of a crime center platform in a collaborative effort. <u>PRESENTED BY:</u> Tim Ellis, City Manager Gary Goodwin, Chief of Police	Agenda Item: Resolution 22-1102 Dept. of Origin: Police For Agenda of: December 8, 2022 Originator: Gary Goodwin Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1102

SUMMARY STATEMENT:

This will be utilized to improve communication with neighboring police jurisdictions through a unified web-based platform. All organizations will be on a singular software platform providing access to all field units, investigators, supervisors, managers and executive leadership.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1102.

RESOLUTION NO. 22-1102

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE SUMNER COUNTY GOVERNMENT AND EACH MUNICIPALITY OF SUMNER COUNTY FOR THE JOINT UTILIZATION OF A CRIME CENTER PLATFORM IN A COLLABORATIVE EFFORT.

WHEREAS, the State of Tennessee are providing certain funds to local government entities for the purpose of preventing violent crimes; and

WHEREAS, such funding can be used in a collaborative manner across multiple agencies; and

WHEREAS, there is a desire of all law enforcement agencies within Sumner County to begin utilizing crime center platform that will assist in sharing pertinent information; and

WHEREAS, such a program can qualify for funding un the State of Tennessee Violent Crime Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A MEMORANDUM OF AGREEMENT MEMORANDUM OF AGREEMENT WITH THE SUMNER COUNTY GOVERNMENT AND EACH MUNICIPALITY OF SUMNER COUNTY FOR THE JOINT UTILIZATION OF A CRIME CENTER PLATFORM IN A COLLABORATIVE EFFORT.

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: December 8, 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 22-1103

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND KIMLEY HORN AND ASSOCIATES, INCORPORATED AS IT RELATES TO CONDUCTING AN AQUATICS FEASIBILITY STUDY

PRESENTD BY: Tim Ellis City Manager

Sarah Jennings, P& R Director

Agenda Item: Resolution 22-1103

Dept. of Origin: Parks & Rec

For Agenda of: December 8, 2022

Originator: Sarah Jennings

Cost of Item: \$50,000.00 Maximum

ATTACHMENTS:

Resolution 22-1103

Exhibit 1

SUMMARY STATEMENT:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND KIMLEY HORN AND ASSOCIATES, INCORPORATED AS IT RELATES TO CONDUCTING AN AQUATICS FEASIBILITY STUDY

FINANCIAL SUMMARY:

\$50,000.00 Maximum

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1103

RESOLUTION NO. 22-1103

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND KIMLEY HORN AND ASSOCIATES, INCORPORATED AS IT RELATES TO CONDUCTING AN AQUATICS FEASIBILITY STUDY.

WHEREAS, the City of Goodlettsville authorized expenditures for conducting an aquatics feasibility study for the city; and

WHEREAS, the City of Goodlettsville has solicited for qualifications from professional firms to conduct such a study; and

WHEREAS, Kimley Horn and Associates were deemed to be the most qualified to conduct such a study by a selection panel.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF GOODLETTSVILLE AND KIMLEY HORN AND ASSOCIATES, INCORPORATED BE EXECUTED:

SECTION 1. Approve an agreement between the City of Goodlettsville and Kimley Horn and Associates for engineering services associated with conducting an aquatics feasibility study and attached hereto as Exhibit I.

SECTION 2. The City Manager is authorized to execute said agreement.

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

December 1, 2022

Mrs. Sarah Jennings, CPRP
Director of Parks & Recreation
City of Goodlettsville
200 Memorial Drive
Goodlettsville, Tennessee 37072

Re: Professional Services Agreement
Aquatics Feasibility Study

Dear Mrs. Jennings:

Kimley-Horn and Associates, Inc. (“Kimley-Horn” or “Consultant”) is pleased to submit this letter agreement (the “Agreement”) to the City of Goodlettsville (“Client”) for providing design services related to the Aquatics Feasibility Study.

Project Understanding

The City of Goodlettsville desires to complete a feasibility study for the construction of an indoor aquatic facility in order to allow for year-round use. The City has an existing outdoor pool that is difficult to staff and wants to understand the possibilities of providing an indoor aquatic facility for the community needs. The City anticipates the indoor facility, if identified as feasible during this study, to be a building addition to the existing Delmas Long Community Center.

Scope of Services

Kimley-Horn will provide the services specifically set forth below.

Task 1 – Project Coordination and Meetings

This task will consist of general project management, administrative, and accounting activities for the project. Coordination activities will consist of preparing and distributing project correspondence, scheduling of meetings, and discussion of project elements with the Client throughout the process.

Task 1.1 – Kickoff Meeting and Site Visit

Kimley-Horn and its Subconsultants will attend one (1) in-person kickoff meeting and site visit with staff and any stakeholders. The goal is to understand the needs and determine objectives in order to ascertain existing levels of service and the perceived needs of various user groups in the community. A matrix of programming priorities will be developed and discussed to prioritize programming and facility features. We will use the feedback from this meeting to develop a needs profile.

Task 1.2 – Design Workshop

Kimley-Horn will attend one (1) in-person meeting to participate in a design workshop with staff and stakeholders. Preliminary concepts and program features will be discussed.

Task 2 – Existing Conditions

Kimley-Horn will compile available aerial imagery and GIS files to prepare an existing conditions base file to utilize for conceptual plans in Task 4 below. We will also review the existing Delmas Long Community Center floorplan and architecture to understand future expansion limitations and opportunities.

Task 3 – Needs Analysis*Task 3.1 – Demographics*

We will conduct research and compile demographic information necessary to appropriately evaluate the proposed facility which may consist of population, age distribution, income, weather analysis, and economic considerations that could affect the project's viability.

Task 3.2 – Survey

Kimley-Horn will prepare a web-based survey in order to gather community input for the preferred aquatic facility features.

Task 3.3 – Design Program

We will prepare and submit an outline of a Design Program of spaces and features for the proposed aquatic facility describing the aquatic facility, pool size, shape, and support spaces based on preliminary discussions and meetings noted above.

Task 4 – Conceptual Plan*Task 4.1 – Preliminary Concept Options*

Based on the agreed upon Design Program, we will prepare up to three (3) concepts. We will provide a conceptual plan of each option. The purpose of the plans will be to illustrate ways to organize the spaces in a functional arrangement and to confirm that the facility footprint will contain the areas proposed in the Design Program.

Task 4.2 – Opinion of Probable Construction Cost

We will prepare an Opinion of Probable Construction Cost for the aquatic facility. Recent project bid figures of similar projects will be used as well as national estimating guides and local cost adjustment factors. The hard construction cost figures will be supplemented by a development cost factor, which will consist of such "soft" costs as professional fees, survey, geotechnical report, document reproduction, advertisement for bids and all anticipated expenses related to the administration of the project. The sum of these two (2) cost figures will be the total project costs so that the Owner will have a comprehensive overview before making an informed decision about the project.

Task 4.3 – Concept Revision

Based on input from the Client during the Design Workshop in Task 1.2 above, we will revise the selected concept for the final deliverable.

Task 5 – Operational Cost Analysis

We will prepare an Operation Cost Analysis that will develop an opinion of operations protocol for the proposed aquatic facility. The following will be researched and analyzed:

1. Operational data consisting of attendance levels and trends, visitor mix, per capita expenditures, revenue, operating expenses, net operating income and net income after capital costs.
2. Proposed marketing strategies, pricing policies and sponsorship efforts.
3. Analysis of market penetration and compilation of demographic trends in the market area, consisting of population levels and trends, incomes, age distribution and ethnic composition based on the Consultant's demographic data bank.
4. A review of local weather patterns during the pool's effective operating season.
5. A review of local school year schedules.
6. A review of competing aquatic facilities in the market area.
7. Partnership types and operating strategies
8. Projections of attendance potential.
9. Projections of design level attendance figures and required capacity requirements.
10. Projections of aquatic facility operational expenses consisting of personnel, chemical demand, operating supplies, maintenance and repair, utility demand, marketing, food and beverage and retail.
11. Projections of financial performance
12. Preliminary estimates of warranted investment levels based on projected net operating income.

Upon compilation of this data, a virtual final presentation to the Client outlining the methods and results of the study will be made.

Additional Services

Any services not specifically provided for in the above scope will be billed as additional services and performed at our then current hourly rates. Additional services we can provide include, but are not limited to, the following:

- Additional meetings beyond those listed above
- Design services beyond those listed above
- Geotechnical studies
- Construction documents
- Electrical, mechanical, and structural engineering
- Others as requested by the Client

Schedule

We will provide our services as expeditiously as practicable.

Fee and Expenses

Kimley-Horn will perform the services in Tasks 1-5 for the total lump sum fee of \$46,500. All permitting, application, and similar project fees will be paid directly by the Client.

Lump sum fees will be invoiced monthly based upon the overall percentage of services performed. Payment will be due within 25 days of your receipt of the invoice and should include the invoice number and Kimley-Horn project number.

Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the attached Standard Provisions, which are incorporated by reference. As used in the Standard Provisions, "Consultant" shall refer to Kimley-Horn and Associates, Inc., and "Client" shall refer to the City of Goodlettsville.

Kimley-Horn, in an effort to expedite invoices and reduce paper waste, submits invoices via email in an Adobe PDF format. We can also provide a paper copy via regular mail if requested. Please include the invoice number and Kimley-Horn project number with all payments. Please provide the following information:

____ Please email all invoices to _____

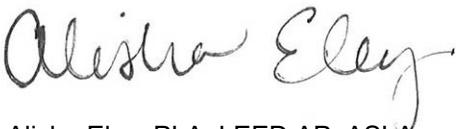
____ Please copy _____

To ensure proper set up of your projects so that we can get started, please complete and return with the signed copy of this Agreement. Failure to supply this information could result in delay in starting work on your project.

We appreciate the opportunity to provide these services to you. Please contact me if you have any questions.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



Alisha Eley, PLA, LEED AP, ASLA
Project Manager



Christopher D. Rhodes, P.E.
Vice President

CITY OF GOODLETTSVILLE

SIGNED: _____

PRINTED NAME: _____

TITLE: _____

DATE: _____

Attachments – Standard Provisions

KIMLEY-HORN AND ASSOCIATES, INC.
STANDARD PROVISIONS

- 1) **Consultant's Scope of Services and Additional Services.** The Consultant will perform only the services specifically described in this Agreement. If requested by the Client and agreed to by the Consultant, the Consultant will perform Additional Services, which shall be governed by these provisions. Unless otherwise agreed to in writing, the Client shall pay the Consultant for any Additional Services an amount based upon the Consultant's then-current hourly rates plus an amount to cover certain direct expenses including telecommunications, in-house reproduction, postage, supplies, project related computer time, and local mileage. Other direct expenses will be billed at 1.15 times cost.
- 2) **Client's Responsibilities.** In addition to other responsibilities herein or imposed by law, the Client shall:
 - a. Designate in writing a person to act as its representative, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.
 - b. Provide all information and criteria as to the Client's requirements, objectives, and expectations for the project and all standards of development, design, or construction.
 - c. Provide the Consultant all available studies, plans, or other documents pertaining to the project, such as surveys, engineering data, environmental information, etc., all of which the Consultant may rely upon.
 - d. Arrange for access to the site and other property as required for the Consultant to provide its services.
 - e. Review all documents or reports presented by the Consultant and communicate decisions pertaining thereto within a reasonable time so as not to delay the Consultant.
 - f. Furnish approvals and permits from governmental authorities having jurisdiction over the project and approvals and consents from other parties as may be necessary.
 - g. Obtain any independent accounting, legal, insurance, cost estimating, and feasibility services required by Client.
 - h. Give prompt written notice to the Consultant whenever the Client becomes aware of any development that affects the Consultant's services or any defect or noncompliance in any aspect of the project.
- 3) **Period of Services.** Unless otherwise stated herein, the Consultant will begin work after receipt of a properly executed copy of this Agreement. This Agreement assumes conditions permitting continuous and orderly progress through completion of the services. Times for performance shall be extended as necessary for delays or suspensions due to circumstances that the Consultant does not control. If such delay or suspension extends for more than six months, Consultant's compensation shall be renegotiated.
- 4) **Method of Payment.** Client shall pay Consultant as follows:
 - a. Invoices will be submitted periodically for services performed and expenses incurred. Payment of each invoice will be due within 25 days of receipt. The Client shall also pay any applicable sales tax. All retainers will be held by the Consultant and applied against the final invoice. Interest will be added to accounts not paid within 25 days at the maximum rate allowed by law. If the Client fails to make any payment due under this or any other agreement within 30 days after the Consultant's transmittal of its invoice, the Consultant may, after giving notice to the Client, suspend services and withhold deliverables until all amounts due are paid.
 - b. If the Client relies on payment or proceeds from a third party to pay Consultant and Client does not pay Consultant's invoice within 60 days of receipt, Consultant may communicate directly with such third party to secure payment.
 - c. If the Client objects to an invoice, it must advise the Consultant in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections will be waived, and the invoice shall conclusively be deemed due and owing. If the Client objects to only a portion of the invoice, payment for all other portions remains due.
 - d. If the Consultant initiates legal proceedings to collect payment, it may recover, in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Consultant's normal hourly billing rates, of the time devoted to such proceedings by its employees.
 - e. The Client agrees that the payment to the Consultant is not subject to any contingency or condition. The Consultant may negotiate payment of any check tendered by the Client, even if the words "in full satisfaction" or words intended to have similar effect appear on the check without such negotiation being an accord and satisfaction of any disputed debt and without prejudicing any right of the Consultant to collect additional amounts from the Client.
- 5) **Use of Documents.** All documents and data prepared by the Consultant are related exclusively to the services described in this Agreement and may be used only if the Client has satisfied all of its obligations under this Agreement. They are not intended or represented to be suitable for use or reuse by the Client or others on extensions of this project or on any other project. Any modifications by the Client to any of the Consultant's documents, or any reuse of the documents without written authorization by the Consultant will be at the Client's sole risk and without liability to the Consultant, and the Client shall indemnify, defend and hold the Consultant harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. The Consultant's electronic files and source code remain the property of the Consultant and shall be provided to the Client only if expressly provided for in this Agreement. Any electronic files not containing an

electronic seal are provided only for the convenience of the Client and use of them is at the Client's sole risk. In the case of any defects in the electronic files or any discrepancies between them and the hardcopy of the documents prepared by the Consultant, the hardcopy shall govern.

- 6) **Intellectual Property.** Consultant may use or develop its proprietary software, patents, copyrights, trademarks, trade secrets, and other intellectual property owned by Consultant or its affiliates ("Intellectual Property") in the performance of this Agreement. Unless explicitly agreed to in writing by both parties to the contrary, Consultant maintains all interest in and ownership of its Intellectual Property and conveys no interest, ownership, license to use, or any other rights in the Intellectual Property to Client. Any enhancements of Intellectual Property made during the performance of this Agreement are solely owned by Consultant and its affiliates.
- 7) **Opinions of Cost.** Because the Consultant does not control the cost of labor, materials, equipment or services furnished by others, methods of determining prices, or competitive bidding or market conditions, any opinions rendered as to costs, including but not limited to the costs of construction and materials, are made solely based on its judgment as a professional familiar with the industry. The Consultant cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator. Consultant's services required to bring costs within any limitation established by the Client will be paid for as Additional Services.
- 8) **Termination.** The obligation to provide further services under this Agreement may be terminated by either party upon seven days' written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof, or upon thirty days' written notice for the convenience of the terminating party. The Consultant shall be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by the Consultant as a result of such termination.
- 9) **Standard of Care.** The standard of care applicable to Consultant's services will be the degree of care and skill ordinarily exercised by consultants performing the same or similar services in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by the Consultant's performance of services, and it is agreed that the Consultant is not a fiduciary with respect to the Client.
- 10) **LIMITATION OF LIABILITY.** In recognition of the relative risks and benefits of the Project to the Client and the Consultant, the risks are allocated such that, to the fullest extent allowed by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, that the total liability, in the aggregate, of the Consultant and the Consultant's officers, directors, employees, agents, and subconsultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs or damages whatsoever arising out of or in any way related to the services under this Agreement from any causes, including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of the Consultant or the Consultant's officers, directors, employees, agents, and subconsultants, shall not exceed twice the total compensation received by the Consultant under this Agreement or \$50,000, whichever is greater. Higher limits of liability may be negotiated for additional fee. This Section is intended solely to limit the remedies available to the Client or those claiming by or through the Client, and nothing in this Section shall require the Client to indemnify the Consultant.
- 11) **Mutual Waiver of Consequential Damages.** In no event shall either party be liable to the other for any consequential, incidental, punitive, or indirect damages including but not limited to loss of income or loss of profits.
- 12) **Construction Costs.** Under no circumstances shall the Consultant be liable for extra costs or other consequences due to unknown conditions or related to the failure of contractors to perform work in accordance with the plans and specifications. Consultant shall have no liability whatsoever for any costs arising out of the Client's decision to obtain bids or proceed with construction before the Consultant has issued final, fully approved plans and specifications. The Client acknowledges that all preliminary plans are subject to substantial revision until plans are fully approved and all permits obtained.
- 13) **Certifications.** All requests for the Consultant to execute certificates, lender consents, or other third-party reliance letters must be submitted to the Consultant at least 14 days prior to the requested date of execution. The Consultant shall not be required to execute certificates, consents, or third-party reliance letters that are inaccurate, that relate to facts of which the Consultant does not have actual knowledge, or that would cause the Consultant to violate applicable rules of professional responsibility.
- 14) **Dispute Resolution.** All claims arising out of this Agreement or its breach shall be submitted first to mediation in accordance with the American Arbitration Association as a condition precedent to litigation. Any mediation or civil action by Client must be commenced within one year of the accrual of the cause of action asserted but in no event later than allowed by applicable statutes.

- 15) **Hazardous Substances and Conditions.** Consultant shall not be a custodian, transporter, handler, arranger, contractor, or remediator with respect to hazardous substances and conditions. Consultant's services will be limited to analysis, recommendations, and reporting, including, when agreed to, plans and specifications for isolation, removal, or remediation. The Consultant will notify the Client of unanticipated hazardous substances or conditions of which the Consultant actually becomes aware. The Consultant may stop affected portions of its services until the hazardous substance or condition is eliminated.
- 16) **Construction Phase Services.**
- a. If the Consultant prepares construction documents and the Consultant is not retained to make periodic site visits, the Client assumes all responsibility for interpretation of the documents and for construction observation, and the Client waives any claims against the Consultant in any way connected thereto.
 - b. The Consultant shall have no responsibility for any contractor's means, methods, techniques, equipment choice and usage, sequence, schedule, safety programs, or safety practices, nor shall Consultant have any authority or responsibility to stop or direct the work of any contractor. The Consultant's visits will be for the purpose of endeavoring to provide the Client a greater degree of confidence that the completed work of its contractors will generally conform to the construction documents prepared by the Consultant. Consultant neither guarantees the performance of contractors, nor assumes responsibility for any contractor's failure to perform its work in accordance with the contract documents.
 - c. The Consultant is not responsible for any duties assigned to it in the construction contract that are not expressly provided for in this Agreement. The Client agrees that each contract with any contractor shall state that the contractor shall be solely responsible for job site safety and its means and methods; that the contractor shall indemnify the Client and the Consultant for all claims and liability arising out of job site accidents; and that the Client and the Consultant shall be made additional insureds under the contractor's general liability insurance policy.
- 17) **No Third-Party Beneficiaries; Assignment and Subcontracting.** This Agreement gives no rights or benefits to anyone other than the Client and the Consultant, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole benefit of the Client and the Consultant. The Client shall not assign or transfer any rights under or interest in this Agreement, or any claim arising out of the performance of services by Consultant, without the written consent of the Consultant. The Consultant reserves the right to augment its staff with subconsultants as it deems appropriate due to project logistics, schedules, or market conditions. If the Consultant exercises this right, the Consultant will maintain the agreed-upon billing rates for services identified in the contract, regardless of whether the services are provided by in-house employees, contract employees, or independent subconsultants.
- 18) **Confidentiality.** The Client consents to the use and dissemination by the Consultant of photographs of the project and to the use by the Consultant of facts, data and information obtained by the Consultant in the performance of its services. If, however, any facts, data or information are specifically identified in writing by the Client as confidential, the Consultant shall use reasonable care to maintain the confidentiality of that material.
- 19) **Miscellaneous Provisions.** This Agreement is to be governed by the law of the State where the Project is located. This Agreement contains the entire and fully integrated agreement between the parties and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. Except as provided in Section 1, this Agreement can be supplemented or amended only by a written document executed by both parties. Any conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by the Consultant. If Client requires Consultant to register with or use an online vendor portal for payment or any other purpose, any terms included in the registration or use of the online vendor portal that are inconsistent or in addition to these terms shall be void and shall have no effect on Consultant or this Agreement. Any provision in this Agreement that is unenforceable shall be ineffective to the extent of such unenforceability without invalidating the remaining provisions. The non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 22-1104 A resolution authorizing a budgetary allocation for employee cost of living compensation adjustments effective January 1, 2023. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 22-1104 Dept. of Origin: Administration For Agenda of: December 8, 2022 Originator: Tim Ellis Cost of Item: \$240,000
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1104

SUMMARY STATEMENT:

A resolution authorizing a budgetary allocation for employee cost of living compensation adjustments effective January 1, 2023.

FINANCIAL SUMMARY:

An allocation of \$240,000 for fiscal year 2022-2023.

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1104.

RESOLUTION NO. 22-1104

A RESOLUTION AUTHORIZING A BUDGETARY ALLOCATION FOR EMPLOYEE COST OF LIVING COMPENSATION ADJUSTMENTS EFFECTIVE JANUARY 1, 2023.

WHEREAS, one of the greatest assets that the City of Goodlettsville possesses is its hard-working employees, and

WHEREAS, during this time the city has experienced record sales tax collections; and

WHEREAS, the current market value for each position has rapidly surpassed the current employee compensation plan, and

WHEREAS, the Federal Employee Retirement System will provide a 8.7% cost of living increase and the Civil Service Retirement System will provide a 10% cost or living increase on January 1, 2023.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE FOLLOWING IS HEREBY AUTHORIZED.

1. An allocation of \$240,000 for Cost-of-Living Compensation Increases for fiscal year 2022-2023 effective January 1, 2023, that will require a future budget amendment.

2. The city manager may provide up to a 5% cost of living compensation adjustment to all full-time city employees and 2.5% increase to all part-time employees.

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 22-1105 A resolution to adopt the City of Goodlettsville's Legislative Agenda for the first session of the 113 th General Assembly of the State of Tennessee. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 22-1105 Dept. of Origin: Administration For Agenda of: December 8, 2022 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 22-1105

SUMMARY STATEMENT:

A resolution to adopt the City of Goodlettsville's Legislative Agenda for the first session of the 113th General Assembly of the State of Tennessee.

FINANCIAL SUMMARY:

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

RECOMMENDED ACTION:

Staff recommends approval of Resolution 22-1105.

RESOLUTION NO. 22-1105

A RESOLUTION TO ADOPT THE CITY OF GOODLETTSVILLE'S LEGISLATIVE AGENDA FOR THE FIRST SESSION OF THE 113TH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, THAT THE FOLLOWING IS HEREBY ADOPTED AS THE CITY OF GOODLETTSVILLE'S LEGISLATIVE AGENDA FOR THE FIRST SESSION OF THE 113TH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

- Support legislation that will reverse action take in 2002 and allow municipalities to be provided state shared taxes based on the states full seven percent (7%) sales tax collection rather than only on five and one half percent (5.5%) .
- Support an increase in the single article local option sales tax cap from \$1,600 to \$3,200 in order to align with the state sales tax single article limit of \$3,200.
- Support legislation that would permit the City of Goodlettsville's desire to receive a portion of the hotel / motel tax collected from hotel's / motel's within the city by the Counties for specific construction projects for the purpose of tourism related activities.
- Support the legislation that would create a standardized system of implementing and collecting Hotel / Motel Tax.
- Support legislation that would permit municipalities to meet by electronic means if it is deemed a necessity.
- Support the creation of a standardized funding plan for all 911 Emergency Communications systems. A system that would adequately fund its operation and not require residents of any municipality to be double taxed (City and County Taxes) for its operation.
- Support legislation that would permit municipalities to utilize the "Design Build" procurement process as it relates to construction projects.
- Support legislation that will continue Public Chapter 1101, as it relates to adopted urban growth boundaries.

- Support legislation that would reduce or eliminate the administrative fees associated with the collection and disbursement of local option sales tax by both the State of Tennessee Department of Revenue and the respective County Trustee's.
- Oppose legislation that would require the consent of a county before a municipality may annex territory that is not contiguous to the municipality's boundary.
- Support legislation that would permit retirees under the Tennessee Consolidated Retirement System to return to work without penalty or having to stop retirement benefits when a municipality cannot recruit qualified individuals to vacant positions. Not to exceed thirty six months.
- Support legislation that will generate alternative methods in which to fund transportation projects.
- Support legislation that would standardize the sale of a public utilities as it relates to assets, fund balances, etc.
- Oppose legislative mandates that are not fully funded by the State of Tennessee in perpetuity.
- Oppose legislation that further limits a municipality's ability to annex property.
- Oppose legislation that makes any changes to the current eminent domain laws of the State of Tennessee that would negatively impact local governments.

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

Passed this 8th day of December, 2022.

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY