



June 8, 2023 Board of Commissioners City Hall - Massie Chambers
6:30 PM

Agenda:

1. Call to order by the Mayor

 Prayer

 Pledge of Allegiance
2. Roll call by the Recorder.
3. Approval of minutes.
 - a. Reading of the May 11th regular meeting of the Board of Commissioners by the Recorder for approval or correction.
4. Comments from citizens.
5. Comments of the City Manager and staff.
6. Reports and comments from committees, members of the Board of Commissioners and other officers.
7. Consent agenda items.
8. Old Business.
 - a. Consider Ordinance 23-1067, an ordinance to amend Title 20, Chapter 3 of the Goodlettsville Municipal Code by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3 entitled Beautification and Tree Advisory Board.
SECOND READING

- b. Consider Ordinance 23-1068, an ordinance to amend Ordinance 06-689 which sets the order of business of the Board of Commissioners meetings.

SECOND READING

- c. Consider Ordinance 23-1069, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change the properties at 806, 808, 810 Meadowlark Lane from CSL, Commercial Services Limited Zoning District to R2, Regional Center Low Intensity Planned Unit Development and Preliminary Master Plan Approval. **SECOND READING & PUBLIC HEARING**

9. New Business.

- a. Consider Ordinance 23-1070, an ordinance to amend Ordinance 21-1011 being an ordinance to adopt the 2018 International Code Series and amend Title 12, Chapter 1 of the Municipal Code, being the Standard Building Code for the City of Goodlettsville, Tennessee. **FIRST READING**
- b. Consider Resolution 23-1138, a resolution acknowledging an application for a Tennessee Agriculture Enhancement Program Grant (TAEP) from Tennessee Urban Forestry Council for the purpose of funding certain tree plantings within the city.
- c. Consider Resolution 23-1139, a resolution amending a contract between the City of Goodlettsville and the State of Tennessee Department of Transportation, by extending the expiration date of the contract as it relates to project number 120327.01 - CMAQ Phase II Traffic Synchronization.
- d. Consider Resolution 23-1140, 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.
- e. Consider Resolution 23-1141, a resolution of the City of Goodlettsville Board of Commissioners authorizing the application for funds to construct an all-inclusive playground through the State of Tennessee Department of Intellectual and Developmental Disabilities (DIDD).
- f. Consider Resolution 23-1142, a resolution of the City of Goodlettsville Board of Commissioners authorizing the procurement of drainage and construction easements associated with the Main Street Project.
- g. Consider Resolution 23-1143, a resolution to approve a contract between the City of Goodlettsville, Tennessee and the State of Tennessee Department of Transportation for the maintenance of certain State of Tennessee Right-of-Way.

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

May 11, 2023

6:30 PM

City Hall - Massie Chambers

Minutes:

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

Absent: None.

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

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

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

Consider the minutes of the April 13, 2023 regular meeting of the Board of Commissioners by the Recorder for approval or correction. Commissioner Young made a motion to approve the minutes as written. Commissioner Huffman seconded the motion and motion passed 5-0.

Mr. Jeff Parnell of 104 Grace Drive addressed the Board regarding the rezoning request on Meadowlark. He recommended the Commission approve this project.

City Manager Tim Ellis stated a notice was sent out about our solid waste contract with GFL Environmental being sold to Waste Management. We feel this will be great for us. He announced the Farmer's Market that kicked off the previous week and will continue every Thursday in October. Music on Main will start on June 1st at 6:30pm. All City offices will be closed on Memorial Day. The Independence Day Celebration will be on July 3rd this year.

Consent agenda items.

Old Business.

Consider Ordinance 23-1063, an ordinance to amend a section of the Zoning Ordinance regarding accessory building design requirements and number of accessory buildings, second reading and public hearing. Vice Mayor Duncan made a motion to consider Ordinance 23-1063. Commissioner Anderson seconded the motion. The public hearing was opened. With no one speaking in favor or against the proposed amendment, the public hearing was closed. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1063.

Consider Ordinance 23-1064, an ordinance of the City of Goodlettsville, Tennessee adopting the annual budget and tax rate for the fiscal year beginning July 1, 2023 and ending June 30, 2024, second reading and public hearing. Vice Mayor Duncan made a motion to consider Ordinance 23-1064. Commissioner Huffman seconded the motion. The public hearing was opened. With no one speaking in favor or against the proposed budget, the public hearing was closed. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1064.

Consider Ordinance 23-1065, an ordinance to amend Title 8, Chapter 2, Section 228 of the Goodlettsville Municipal Code by deleting Section 228 in its entirety and replacing it with a new Section 228 entitled Suspensions, Revocation and Assessment of Civil Penalties, second reading and public hearing. Vice Mayor Duncan made a motion to consider Ordinance 23-1065. Commissioner Anderson seconded the motion. The public hearing was opened. With no one speaking in favor or against the proposed amendment, the public hearing was closed. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1065.

Consider Ordinance 23-1066, 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 introduced an amendment adding funding that was omitted from the past year's budget for debt services. Vice Mayor Duncan made a motion to consider Ordinance 23-1066. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1066. Commissioner Anderson made a motion to amend the ordinance as presented. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1066 as amended.

New Business.

Consider Ordinance 23-1067, an ordinance to amend Title 20, Chapter 3 of the Goodlettsville Municipal Code by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3 entitled Beautification and Tree Advisory Board, first reading. Commissioner Anderson made a motion to consider Ordinance 23-1067. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1067.

Consider Ordinance 23-1068, an ordinance to amend Ordinance 06-689 which sets the order of business of the Board of Commissioners meetings, first reading. Commissioner Anderson made a motion to consider Ordinance 23-1068. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1068.

Consider Ordinance 23-1069, an ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change the properties at 806, 808, 810 Meadowlark Lane from CSL, Commercial Services Limited Zoning District to R2, Regional Center Low Intensity Planned Unit Development and Preliminary Master Plan Approval, first reading. Vice Mayor Duncan made a motion to consider Ordinance 23-1069. Commissioner Huffman seconded the motion. Planning Director Addam McCormick stated the proposal is a mixed use development with commercial and residential included. It would include 36 short-term rentals. This plan is based on the 2020 Comprehensive Plan amendment for the Rivergate area the city did. These are three properties the development would be spread across. Commissioner Young said on its surface it was terrific and moving towards the direction we need to see this area move towards. He wants to see this happen but is not a fan of the short-term rentals. He hopes with the redevelopment of this area it will benefit those that live here or can live here. He sees it as

a small unstaffed hotel and wants a space that true residents can live. He stated this is why he will be voting no. Vice Mayor Duncan stated she likes the idea of revitalization and states the short-term piece doesn't bother her as much since it is mostly all commercial surrounding this area. Commissioner Huffman asked for clarification how many number of units and number of bedrooms. It was confirmed there will be 12 1 (one) bedroom and 24 2 (two) bedroom units. Emmanuel Hall, property owner, addressed the board regarding the project. Commissioner Huffman asked about keeping it short-term rental. Mr. Hall stated it doesn't make sense financially to stabilize the housing. Commissioner Young stated Mr. Hall was very convincing. Mr. Hall said the spaces are 1,200 square feet and have full kitchens. Vote was then taken which resulted in a 5-0 vote to approve Ordinance 23-1069.

Consider Resolution 23-1134, a resolution of the City of Goodlettsville Board of Commissioners adopting and participating in the 2023 Sumner County, Tennessee Multi-Jurisdictional Hazard Mitigation Plan. Commissioner Anderson made a motion to consider Resolution 23-1134. Commissioner Huffman seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 23-1134.

Consider Resolution 23-1135, a resolution approving a contract between the Tennessee Department of Environment and Conservation and the City of Goodlettsville for the purpose of Phase I Mansker Creek Wastewater Pump Station rehabilitation project. Commissioner Anderson made a motion to consider Resolution 23-1135. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 23-1135.

Consider Resolution 23-1136, a resolution approving an agreement between the City of Goodlettsville and Kimley Horn and associates, Incorporated as it relates to on-call engineering services. Commissioner Huffman made a motion to consider Resolution 23-1136. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 23-1136.

Consider Resolution 23-1137, a resolution approving a contract between the City of Goodlettsville and the Corradino Group, Incorporated for the purpose of providing Construction Engineering Inspection services as it relates to traffic signal upgrades funded through a CMAQ (Congestion Mitigation and Air Quality) Grant. (Project 132638.00). Commissioner Huffman made a motion to consider Resolution 23-1137. Vice Mayor Duncan seconded the motion. Vote was then taken which resulted in a 5-0 vote to approve Resolution 23-1137.

Vice Mayor Duncan announced her daughter is graduating from Beech the following week and congratulated all of the seniors!

Mayor Tinnin thanked Parks Director Sarah Jennings, KABOOM, and Mapco for everything that went into the new playground at Brooks Parks.

With no further business, Vice Mayor Duncan made a motion to adjourn. Commissioner Anderson seconded the motion. The meeting adjourned at approximately 7:06pm with a 5-0 vote.



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 23-1067</u> An ordinance to amend Title 20, Chapter 3 of the Goodlettsville Municipal Code by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3 entitled Beautification and Tree Advisory Board. SECOND READING <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Ordinance 23-1067 Dept. of Origin: Administration For Agenda of: June 8, 2023 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 23-1067

SUMMARY STATEMENT:

An ordinance to amend Title 20, Chapter 3 of the Goodlettsville Municipal Code by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3 entitled Beautification and Tree Advisory Board.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 23-1067.

ORDINANCE 23-1067

AN ORDINANCE TO AMEND TITLE 20, CHAPTER 3 OF THE GOODLETTSVILLE MUNICIPAL CODE BY DELETING CHAPTER 3 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 3 ENTITLED BEAUTIFICATION AND TREE ADVISORY BOARD.

WHEREAS, the City of Goodlettsville desires to be a community with great beauty and sustaining trees, and

WHEREAS, the Board of Commissioners of the City of Goodlettsville has determined it will be in the best interest of the City to create an advisory board that would work to enhance the city's beautification and promote trees and urban forestry programs.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, THAT TITLE 20, CHAPTER 3 OF THE MUNICIPAL CODE OF ORDINANCES IS AMENDED BY DELETING CHAPTER 3 IN ITS ENTIRETY AND REPLACED WITH A NEW CHAPTER 3, ENTITLED BEAUTIFICATION AND TREE ADVISORY BOARD AS FOLLOWS:

CHAPTER 3. – BEAUTIFICATION AND TREE ADVISORY BOARD

- **Sec. 20-301. - Board created, membership, terms, appointments, and vacancies.**

There is hereby created the City of Goodlettsville Beautification and Tree Advisory Board, hereinafter called "the board." The board shall be composed of five members, one member of the parks and recreation board, four citizens who are residents of the City of Goodlettsville and appointed by the mayor. The term of office for the five shall be staggered three years or until their successors are appointed. The mayor shall fill vacancies in such board for the unexpired term. Board members should be representative of cross-sections of the community who possess a true interest in the trees, urban forestry, beautification and community aesthetics.

- **Sec. 20-302. - Powers and duties of the board.**

(1) It shall be the responsibility of the board to develop and recommend a written plan for the planting, maintenance, and removal of trees and other woody growth on all public parks, city-owned areas, and city parkways. This plan will be presented as part of the department of recreation and park development's annual report to the board of commissioners, and upon their approval shall constitute the official comprehensive city tree plan for the City of Goodlettsville. The board, when requested by board of commissioners and or the city manager, shall consider, investigate, make findings, report and recommend upon any special matter of question coming within the scope of its work.

(2) The board shall make recommendations to city staff as it relates to the beautification of the city.

(3) The board may appoint an advisory committee whom may offer specific expertise to beautification, trees, forestry, etc. Members of an advisory committee will not be required to be residence of the city.

(4) The Goodlettsville Parks and Recreation Department and Administrative staff shall serve as the city liaison with the beautification and tree advisory board.

(5) Duties of officers.

(a) *Chairman*. The chairman shall preside at all meetings of the board and shall call special meetings of the board. The chairman shall vote on all matters coming before the board.

(b) *Vice chairman*. The vice-chairman shall preside over any meeting in which the chairman is not present.

(c) *Secretary*. The director of parks and recreation or their designee shall act as secretary of the board. The secretary is responsible for preparing the agenda and minutes of all meetings.

(6) *Appointment of chairman.* The chairman and vice chairman shall be appointed annually by a majority vote of the board at its first meeting of the new calendar year.

(7) *Board meetings.*

(a) The board will meet regular basis. The board shall set the day and time.

(b) All regular and special called meetings of the board shall be open to the public.

(c) The director of parks and recreation, director of public works, director of planning and community development and the city horticulturist and any other appropriate staff will be present at all meetings of the board.

(d) Minutes of the board meetings will be available for review during regular business hours at Goodlettsville City Hall.

(8) *Minutes.* All proceedings of the board shall be in typed form and filed in a permanent book of record and open to the public for inspection at all reasonable and proper times.

(9) *Quorum.* A majority of the duly appointed board members shall constitute a quorum.

(10) *Voting.* The ayes and nays will be taken upon the passage of all board matters. All votes will be entered upon the minutes of the meeting. The act of a majority of members, at which a quorum is present, will be the official act of the board.

THIS ORDINANCE IS EFFECTIVE FIFTEEN DAYS PAST FINAL PASSAGE, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE, TENNESSEE REQUIRING IT.

MAYOR RUSTY TINNIN

Passed First Reading: May 11, 2023

Passed Second Reading: _____

CITY RECORDER

Approved as to Legality and Form:

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: ORDINANCE 23-1068</u> AN ORDINANCE TO AMEND ORDINANCE 06-689 WHICH SETS THE ORDER OF BUSINESS OF THE BOARD OF COMMISSIONERS MEETINGS. SECOND READING <u>PRESENTED BY:</u> Tim Ellis, City Manager Allison Baker, CR	Agenda Item: Ordinance 23-1068 Dept. of Origin: Administration For Agenda of: June 8, 2023 Originator: Allison Baker Cost of Item: n/a
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AGENDA ITEM ATTACHMENTS:

Ordinance 23-1068

SUMMARY STATEMENT:

AN ORDINANCE TO AMEND ORDINANCE 06-689 WHICH SETS THE ORDER OF BUSINESS OF THE BOARD OF COMMISSIONERS MEETINGS.

Changes “Old Business” to be recognized as “Unfinished Business” in the order of Business. This has come from a recommendation of MTAS Legal Counsel.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 23-1068.

ORDINANCE No. 23-1068

AN ORDINANCE TO AMEND ORDINANCE 06-689 WHICH SETS THE ORDER OF BUSINESS OF THE BOARD OF COMMISSIONERS MEETINGS.

WHEREAS, Ordinance No. 06-689, the ordinance to set the order of business at board of commissioners meetings, was adopted on December 21, 2006; and

WHEREAS, it has been determined that an amendment to the order of business for board of commission meetings would be in the in the best interest of the city.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE ORDER OF BUSINESS OF BOARD OF COMMISSIONER MEETINGS ESTABLISHED BY ORDINANCE NO. 06-689 IS HEREBY AMENDED BY CREATING THE FOLLOWING ORDER OF BUSINESS:

1. Call to order by the mayor.
2. Roll call by the recorder.
3. Reading of minutes of the previous meeting by the recorder and approval or correction
4. Comments from citizens.
5. Communications from city manager and city staff.
6. Reports and comments from committees, members of the board of commissioners, and other officers.
7. Consent agenda items.
8. Unfinished Business.
9. New Business.
10. Adjournment.

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

MAYOR RUSTY TINNIN

Adopted First Reading: _____

CITY RECORDER

Adopted Second Reading: _____

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: Ordinance 23-1069</u> An ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change the properties at 806, 808, 810 Meadowlark Lane from CSL, Commercial Services Limited Zoning District to R2, Regional Center Low Intensity Planned Unit Development and preliminary master plan approval. SECOND READING & PUBLIC HEARING <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Planning	Agenda Item: Ordinance 23-1069 Dept. of Origin: Planning For Agenda of: June 8, 2023 Originator: Addam McCormick Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 23-1069
Preliminary Master Plan

SUMMARY STATEMENT:

An ordinance to amend the official zoning map of Goodlettsville adopted per Ordinance 15-851 to change the properties at 806, 808, 810 Meadowlark Lane from CSL, Commercial Services Limited Zoning District to R2, Regional Center Low Intensity Planned Unit Development and preliminary master plan approval.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff and Planning Commission recommend approval of Ordinance 23-1069.

ORDINANCE NO. 23-1069

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF GOODLETTSVILLE ADOPTED PER ORDINANCE 15-851 TO CHANGE THE PROPERTIES AT 806, 808, 810 MEADOWLARK LANE FROM CSL, COMMERCIAL SERVICES LIMITED ZONING DISTRICT TO R2, REGIONAL CENTER LOW INTENSITY PLANNED UNIT DEVELOPMENT AND PRELIMINARY MASTER PLAN APPROVAL

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 residential 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 residential and business 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 permitting residential developments to develop at a density appropriate for the area; and,

WHEREAS, the Planned Unit Development section of the City's Zoning Ordinance intent and purpose includes but is not limited to promoting flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings; circulation systems, land use, and utilities; to preserve as much as possible existing landscape features and utilize them in a harmonious fashion; to encourage the total planning of tracts of land; and,

WHEREAS, The Goodlettsville Planning Commission has reviewed and discussed this proposed amendment and voted on April 3, 2023 to recommend its passage to the Board of Commissioners based on the designation of the City's Comprehensive Land Use Plan; and,

WHEREAS, The Goodlettsville Planning Commission also approved and recommended passage of the 806-810 Meadowlark Lane Preliminary Master Plan for the R2, Regional Center Low Intensity Residential Planned Unit Development Master Plan including thirty-six (36) residential units for either short term or permanent residential units and eight (8) commercial ground floor units; 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 existing CSL, Commercial Services Limited zoning classification and replacing the properties zoning designation to R2, Regional Center Low Intensity Residential Planned Unit

Development, per the 806-810 Meadowlark Lane Preliminary Master Plan for the properties attached as “EXHIBIT A” and described as follows:

THE PROPERTIES REFERENCED AS TAX MAP 34-01, PARCEL 42.00- 806 MEADOWLARK LANE-0.84 ACRES, PARCEL 43.00- 808 MEADOWLARK LANE-0.73 ACRES, PARCEL 44.00-810 MEADOWLARK LANE- 0.68 ACRES AS SHOWN IN THE RECORDS OF THE ASSESSOR OF PROPERTY OF DAVIDSON COUNTY, TENNESSEE.

806-810 MEADOWLARK LANE PRELIMINARY MASTER PLAN ATTACHED AS “EXHIBIT B”

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 RUSTY TINNIN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: _____

Passed Second Reading: _____

ORDINANCE 23-1069
“EXHIBIT A”



Preliminary Master Plan**806 - 810 Meadowlark Lane, Goodlettsville, TN 37072****City of Goodlettsville Planning Commission****Introduction**

This preliminary master plan proposes the rezoning and redevelopment of the properties located at 806, 808, and 810 Meadowlark Lane in Goodlettsville, TN. The project would be developed as a single project by one property Please see figure 1 for location of property

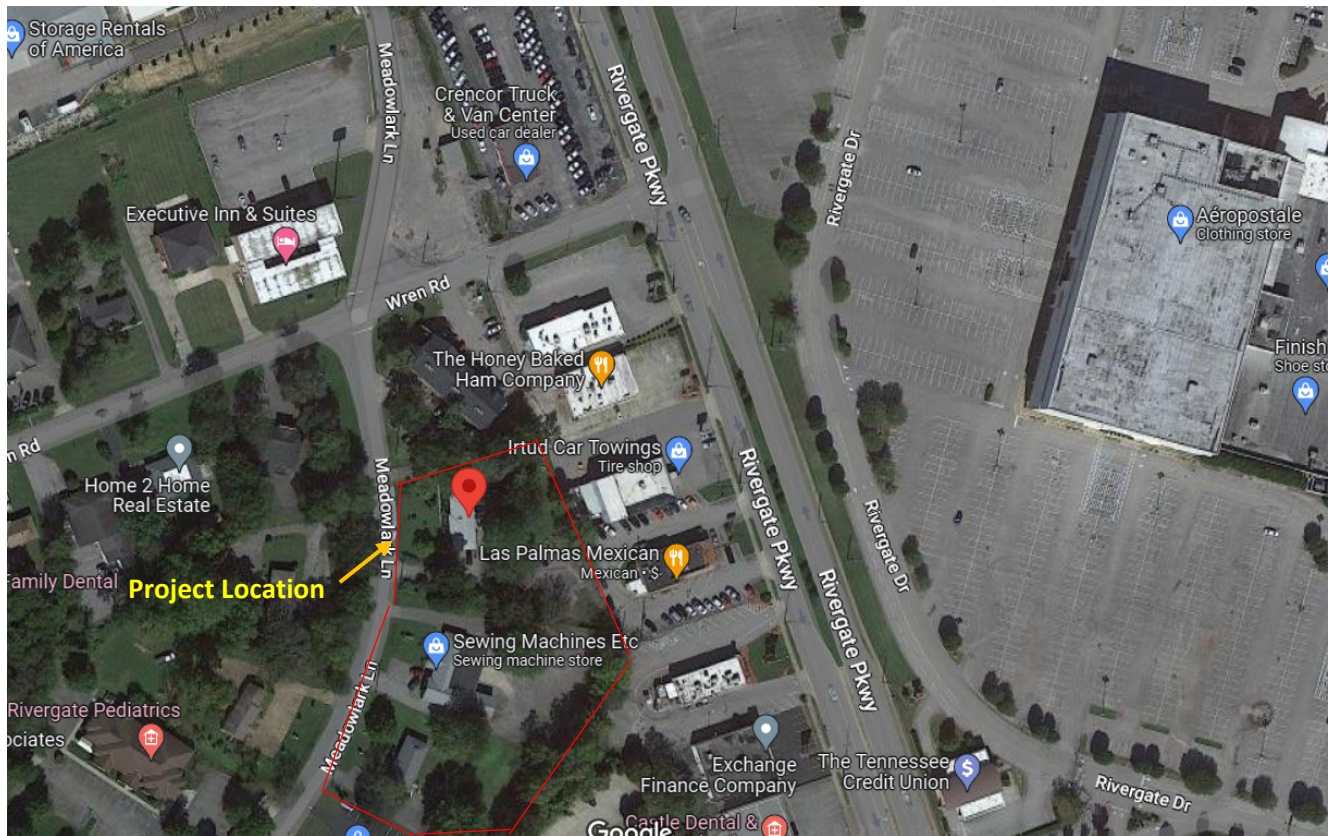


Figure 1 – 806, 808, and 810 Meadowlark Lane Location Map

These properties are currently commercial properties used as office space. This location is within the City of Goodlettsville's Regional Development Center. This master plan proposes rezoning these properties to RC2, Regional Center Planned Unit Development – Low Intensity.

Development Concept

The proposed redevelopment of the property would include removal of the existing structures and the construction of four multi-unit, multi-purpose buildings. Buildings 1 and 2, as shown in Figure 2, will have 12 – 2 bedroom, residential/short-term rental properties (STRP) each. Each building will have a street-facing commercial unit attached to the building.

Buildings 3 and 4 will have three stories with ground-level, small commercial spaces and residential/short term rental units on the second and third stories. The residential/short term rental units for these two buildings will be one-bedroom units. Figure 2 is a conceptual rendering of these two proposed buildings.

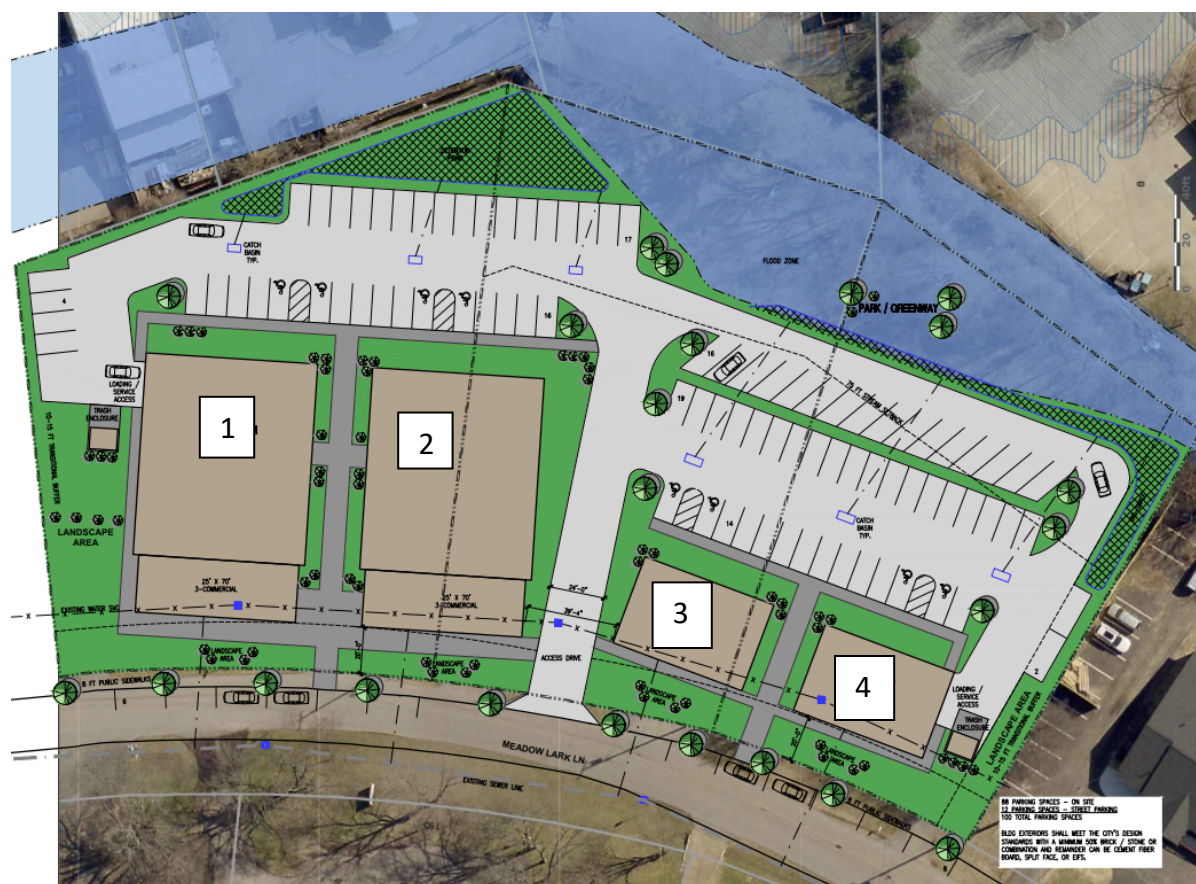


Figure 2 – Conceptual Site Plan Meadowlark Lane



Figure 2 – Conceptual Rendering of proposed building for Meadowlark Lane

This development would provide a total of 44 units, 36 STRP and 8 commercial properties. Buildings 3 and 4 would have three commercial spaces each that would provide approximately 1200 sq. ft of space each and six residential/short term rental units that average about 1050 sq. ft each. This property would promote pedestrian use with its proximity to Rivergate Pkwy and its streetscape on the property.

Buildings 1 and 2 would have a 1750 sq. ft commercial space for each building. The 12, 2-bedroom units would be approximately 1200 sq. ft each. Both buildings would be three stories.

Table 1 shows some of the property and development details.

Water usage for the entire development should be approximately 11,300 gpd (gallons per day). This is assuming 300 gpd per residential units and 16 gpd per commercial unit (64 for peak demand). Each building would have a sewer line that connects to the sewer main across the street, as shown in Figure 1.

Lot size	2.25 acres
Floor Area Ratio (FAR)	0.59
Impervious Surface Ratio (ISR)	0.62

Parking spaces	100
Building height	36 ft
Building 1 & 2 Dimensions	60 ft x 40 ft
Building 3 & 4 Dimensions	88 ft x 75 ft
Commercial Attachment to Buildings 3 & 4	25 ft x 70 ft
# of one bedroom units	12
# of two bedroom units	24
# of Commercial units	8

Table 1 – Proposed property details

Please see Attachment 1 for the plan view of proposed development layout.

Schedule

The tentative schedule for this project is as followings:

Preliminary Master Plan – April 2023

Final Master Plan – June 2023

Start Construction – September 2023

Complete Constructions – March 2024

Point of Contact:

Emanuel Hall

Phone: 615-364-7340

Email: emanuel@nationwideacquisition.com



SITE PLAN LEGEND

- PROPERTY LINE
- APPROXIMATE LOCATION OF WETLAND SETBACK
- EASEMENTS
- ZONING SETBACKS
- EXIST. SEWER (APPROXIMATE - NOT GEO-LOCATED)
- EXIST WATER (APPROXIMATE - NOT GEO-LOCATED)
- APPROXIMATE LOCATION OF FLOOD PLAIN BOUNDARY.
- BUILDING FOOT PRINT
- PAVED ASPHALT LOT
- PAVED CONCRETE PEDESTRIAN WALKWAY
- PAVED CONCRETE PUBLIC SIDEWALK
- INTERIOR LOT LANDSCAPE ISLANDS.
- EMERGENCY VEHICLE ACCESS LANE & TURN-AROUND.
- LANDSCAPING AREAS - REFER TO LANDSCAPING PLANS.
- EXISTING WATER METER LOCATION. (APPROXIMATE. NOT GEO-LOCATED)
- EXISTING MANHOLE LOCATION. (APPROXIMATE. NOT GEO-LOCATED)

PLAN NORTH
SITE PLAN
1" = 20'



KIAN Architecture
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www.thekiangroup.com
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513.808.2515

PROJECT PARTERS

OWNER:

LAND DEVELOPMT CONSULT.
MARIO BEDDINGFIELD
BEDDINGFIELD CONSULT. LLC
615-594-4756

DATE:	NO.	ITEM
04/03/2023	1	ZONING REVIEW
04/11/23	2	ZONING REVISION

806 MEADOWLARK LN
GOODLETTSVILLE, TN

DES:	bkd
DR:	bkd
CKD:	mb

DRAWING TITLE
SITE PLAN

SHEET NO.
A0.0



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Ordinance 23-1070 An ordinance to amend Ordinance 21-1011 being an ordinance to adopt the 2018 International Code Series and amend Title 12, Chapter 1 of the Municipal Code, being the Standard Building Code for the City of Goodlettsville. <u>FIRST READING</u> <u>PRESENTED BY:</u> Tim Ellis, City Manager Addam McCormick, Planning	Agenda Item: Ordinance 23-1070 Dept. of Origin: Planning For Agenda of: June 8, 2023 Originator: Addam McCormick Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Ordinance 23-1070

SUMMARY STATEMENT:

An ordinance to amend Ordinance 21-1011 being an ordinance to adopt the 2018 International Code Series and amend Title 12, Chapter 1 of the Municipal Code, being the Standard Building Code for the City of Goodlettsville.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 23-1070.

ORDINANCE 23-1070

AN ORDINANCE TO AMEND ORDINANCE NO 21-1011 BEING AN ORDINANCE TO ADOPT THE 2018 INTERNATIONAL CODE SERIES AND AMEND TITLE 12, CHAPTER 1 OF THE MUNICIPAL CODE, BEING THE STANDARD BUILDING CODE FOR THE CITY OF GOODLETTSVILLE

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

WHEREAS, Tennessee Code Annotated § 6-54-113 (b) defines the purpose and process for a governing body of a municipality to enforce and administer property conditions including growth of trees, vines, grass, underbrush of the accumulation of debris, trash, litter, or garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens or to encourage the infestation of rats and other harmful animals,

WHEREAS, It has been determined the International Property Maintenance Code amendments defined per Ordinance No. 09-733 need to remain with the adoption of 2018 International Code Series with Ordinance No. 21-1011 and this amendment is to include the previous International Property Maintenance Code local amendments with the 2018 International Property Maintenance Code Adoption,

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. 21-1011 adopted on second and final reading on September 23, 2021 being the adoption of the Standard Building Code for Goodlettsville, Tennessee, be and the same is hereby amended Sections 12-301 and 12-302 as shown in "EXHIBIT A"

SECTION 2. That the Commissioners of the City of Goodlettsville, Tennessee, hereby certify that 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

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: _____

Passed Second Reading: _____

ORDINANCE 23-1070
“EXHIBIT A”

Sec. 12-301. - Property maintenance code adopted.

The International Property Maintenance Code 2018 Edition, as prepared and adopted by the International Code Council, is hereby adopted and incorporated by reference as though it was fully copied herein.

Copies of the International Code may be purchased from the International Code Council.

Sec. 12-302. - Modifications.

(1)

Definitions. Whenever the property maintenance code refers to the "chief appointing authority," or the "chief administrator" it shall be deemed to be a reference to the board of commissioners. When the "building official" is named it shall, for the purposes of the property maintenance code, mean such person as the board of commissioners has appointed or designated to administer and enforce the provisions of the property maintenance code.

(2)

Section 302.4 of the International Property Maintenance Code shall read: 302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve inches (12") in height. All noxious plant growth shall be prohibited. Weeds shall be all grasses, annual plants and vegetation other than trees or shrubs provided; however, this term shall not include cultivated flowers or gardens.

Upon failure of the owner or agent having charge of the property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent of the property.

(3)

Section 304.2 of the International Property Maintenance Code shall read: 304.2 Protective Treatment. All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling flaking and chipped paint shall be eliminated and surfaces repainted. All exterior surfaces shall be repainted in a low reflective, subtle, neutral, or earth tone colors. The use of high intensity or metallic paints colors shall be prohibited except for accents. All paint colors shall encompass the entire surface. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces shall be coated to inhibit such rust and corrosion and shall be stabilized and coated to inhibit future rust and corrosion. All metal surfaces shall be coated in a low reflective, subtle, neutral, or earth tone colors. The use of high intensity or metallic coating colors

shall be prohibited except for accents. All coatings shall encompass the entire surface. Oxidation stains shall be removed from exterior surfaces. All oxidized surfaces shall be repainted or coated in a low reflective, subtle, neutral, or earth tone colors. The use of high intensity or metallic paint or coating colors shall be prohibited except for accents. All paint or coating colors shall encompass the entire surface.

(4)

Section 302.10 shall be added to the International Property Maintenance Code, Exterior Property Areas, and shall read:

302.10 Graffiti.

302.10.1 General. The purpose of this section is to reduce the potential for blight and gang violence due to graffiti. It shall be unlawful for any person to deface property with graffiti or to permit graffiti to be placed upon property that they own.

302.10.2 Definitions. "Graffiti" shall mean marks, symbols, signs, letters, pictures, names, phrases or sentences, which are painted or inscribed, marked or otherwise placed on real property or other surfaces for the purpose of defacing said property, or making a personal statement that is inconsistent with the zoned character of the neighborhood or, contributes to continued defacement and blighting conditions in the neighborhood.

"Property" shall mean a building structure, garage, shed, fence, deck, signage, culvert, bridge, landing or other improvement to a parcel of land, or the public way.

"Reasonable time" shall mean five (5) calendar days from the posting of the property unless the codes director or their designee shall approve a greater period of time.

"Remove(al)" shall mean to obliterate and eliminate graffiti by such means as will restore the property to its condition existing prior to defacement by graffiti.

302.10.3 Graffiti Prohibited.

1.

It shall be unlawful for any person to paint, inscribe, mark, or otherwise apply graffiti on any public or private property located within the corporate limits of the city.

2.

It shall be unlawful for the owner of any property to permit graffiti to remain in a manner visible to persons using rights-of-way and public or private parking areas to the general public, provided the codes director or their designee has given the property owner proper notice to remove the graffiti within the specified period as prescribed in sections 107.2 and 107.3 of the International Property Maintenance Code, 2006 edition, and said period has elapsed.

302.10.4 Hardship. 1. In the event a private property owner has a financial hardship and the codes director or their designee determines that graffiti is located on private property in a manner visible to persons using right-of-way accessible to the general public, the city manager is authorized to provide for the removal of the graffiti or otherwise furnish the owner with materials necessary to accomplish

such removal. Said funds and materials shall come from the public works department operating budget.

3.

Financial hardship must be verified by appropriate documentation provided by the property owner to the City of Goodlettsville or their designee and verified at an income level at or below fifty percent (50%) of the median income as stated annually by the Department of Housing and Urban Development for Metropolitan Nashville, Davidson County.

4.

The city manager shall not authorize the undertaking that provides for the painting or repair of any more extensive area than the area where the graffiti is located.

5.

Prior to commencing removal of the graffiti, the city manager or their designee shall obtain the written consent from the affected property owner to access their property and that releases and holds harmless the city from any damage or workmanship that results for the work performed.

302.10.5 Violations and Penalties for Non-Removal. It shall be unlawful for any person, firm, corporation, agent, or government entity to violate or fail to comply with a notice of violation to remove graffiti from their property. Any violations of this section or property maintenance code as herein adopted and as herein adopted and modified shall be punishable by a fine of fifty dollars (\$50.00) for each day or portion thereof that a violation continues after due notice has been served and shall be considered separate offenses.

302.10.6 Violations and Penalties for Painting, Inscribing, Marking or Otherwise Applying Graffiti. Any violation of Section 302.10.3(1) is hereby determined to be an act of willful misconduct as defined by the Tennessee Code Annotated for which victims suffering damages have the right to reimbursement from the violator for said damages. Further, any parent or guardian, having custody and control of a minor who violates Section 302.10.3(1) shall be jointly and severally liable for such damages. The city at the discretion of the city manager, undertake to recover damages on behalf of any victim suffering damages as a result of any violation of this section.

302.10.7 Community Service. Alternative Remedy. In lieu of, or as a part of, prosecuting a civil action pursuant to the terms of Section 302.10.3(1), the city manager or their designee shall be authorized to offer a minor or his or her parent or guardian an option to perform such community service as the city manager or their designee deems appropriate.

302.10.8 Appeals. An appeal from any final decision of the codes director or their designee maybe made in accordance with application for appeals as outlined in Section 111 of the International Property Maintenance Code, 2006 edition.



AGENDA SUMMARY SHEET

Board of Commissioners City of Goodlettsville, Tennessee

SUBJECT TITLE: Resolution 23-1138

A resolution acknowledging an application for a Tennessee Agriculture Enhancement Program Grant (TAEP) and assuring matching funds.

The purpose of the application would be to fund certain tree planting projects within the city.

PRESENTD BY: Tim Ellis, City Manager
Sarah Jennings, Director of Parks

Agenda Item: Resolution 23-1138

Dept. of Origin: Parks & Recreation

For Agenda of: June 8, 2023

Originator: Sarah Jennings

Cost of Item: \$5,000 (50%-50%)

AGENDA ITEM ATTACHMENTS:

Resolution 23-1138

SUMMARY STATEMENT:

This resolution will would acknowledge an application for a Tennessee Agriculture Enhancement Program grant from the Tennessee Urban Forestry Council for the purpose of funding tree planting within the city.

FINANCIAL SUMMARY:

The total Cost of the project would \$10,000.00, the City's required match of the grant would be 50% of that amount (\$5,000). Matching funds would be derived from Fiscal Year 2024 Budget

RECOMMENDED ACTION:

Staff recommends that the Board to adopt Resolution 23-1138.

RESOLUTION NO. 23-1138

A RESOLUTION ACKNOWLEDGING AN APPLICATION FOR THE TENNESSEE AGRICULTURE ENHANCEMENT PROGRAM GRANT FROM TENNESSEE URBAN FORESTRY COUNCIL FOR THE PURPOSE OF FUNDING CERTAIN TREE PLANTINGS WITHIN THE CITY.

WHEREAS, the Tennessee Urban Forestry Council is accepting applications for the Tennessee Agriculture Enhancement Program (TAEP) Grant program, requiring a fifty percent (50%) match of the city; and,

WHEREAS, the City of Goodlettsville is eligible to participate in this grant program; and

WHEREAS, making such grant funds would provide great benefits to the citizens of the City of Goodlettsville.

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

Section 1. That the City of Goodlettsville's application for the Tennessee Agriculture Enhancement Program (TAEP) Grant, with a required match of up to \$5,000.00, for the purpose of making certain tree planting improvements within the city, is hereby approved.

Section 2. That the City of Goodlettsville assures the Tennessee Urban Forestry Council that the city will match all grant funding awarded not to exceed \$5,000.00.

Section 3. The City Manager is hereby authorized to execute any and all documents associated with this approval.

Section 4. That this resolution shall take effect from and after its adoption, the welfare of The City of Goodlettsville requiring it.

Date adopted: June 8, 2023

Mayor Rusty Tinnin

Attest

City Recorder

Approved as to form and legality



AGENDA SUMMARY SHEET

Board of Commissioners

City of Goodlettsville

<u>SUBJECT TITLE:</u> Resolution 23-1139 A resolution amending a contract between the City of Goodlettsville and the State of Tennessee Department of Transportation, by extending the expiration date of the contract as it relates to project number 120327.01 – CMAQ Phase II Traffic Synchronization. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 23-1139 Dept. of Origin: Administration / Public Works For Agenda of: June 8, 2023 Originator: Tim Ellis Cost of Item: N/A
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AGENDA ITEM ATTACHMENTS:

Resolution 23-1139

SUMMARY STATEMENT:

A resolution amending a contract between the City of Goodlettsville and the State of Tennessee Department of Transportation, by extending the expiration date of the contract as it relates to project number 120327.01 – CMAQ Phase II Traffic Synchronization.

This contract extension, along with a 120 day grace period, will allow time for project close-out.

FINANCIAL SUMMARY:

N/A

RECOMMENDED ACTION:

Staff recommends approval of Resolution 23-1139.

RESOLUTION NO. 23-1139

A RESOLUTION TO AMEND A CONTRACT BETWEEN THE CITY OF GOODLETTSVILLE, TENNESSEE AND THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AS IT RELATES TO PROJECT NUMBER 120327.01 - CMAQ PHASE II TRAFFIC SYNCHRONIZATION.

WHEREAS, There is a need to amend an existing contract between the city and the Tennessee Department of Transportation, and

WHEREAS, the aforementioned amendment relates to dates of the contract.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE AFOREMENTIONED CONTRACT EXTENSION IS HEREBY APPROVED.

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

Adopted: June 8, 2023

MAYOR RUSTY TINNIN

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION
LOCAL PROGRAMS DEVELOPMENT OFFICE
SUITE 600, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1402
(615) 741-5314

BUTCH ELEY
DEPUTY GOVERNOR &
COMMISSIONER OF TRANSPORTATION

BILL LEE
GOVERNOR

May 22, 2023

The Honorable Rusty Tinnin
Mayor, City of Goodlettsville
105 South Main Street
Goodlettsville, TN 37072

Re: SR-174 (Long Hollow Pike), From Main Street to Loretta Drive and Conference Drive, From
Long Hollow Pike to Mission Ridge Drive in Goodlettsville
City of Goodlettsville, Davidson County
PIN: 120327.01
Federal Project Number: CM-9321(2)
State Project Number: 19LPLM-F3-139
Agreement Number: 150167

Dear Mayor Tinnin:

I am attaching an amendment to the original contract to this letter. The amendment extends the expiration date of the contract. Please review the amendment and advise me if it requires further explanation. If you find the amendment satisfactory, please execute it in accordance with all rules, regulations, and laws. Adobe Sign will then forward the document for the signature of the attorney for your agency. Once the amendment is fully executed Adobe Sign will email you a link to the fully executed amendment.

If you have any questions or need any additional information, please contact Simchah Edwards at 615-741-0805 or Simchah.Edwards@tn.gov.

Sincerely,

Kimery Grant
Transportation Manager 2

Attachment

Amendment Number: 5

Agreement Number: 150167

Project Identification Number: 120327.01

Federal Project Number: CM-9321(2)

State Project Number: 19LPLM-F3-139

THIS AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20____ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the CITY OF GOODLETTSVILLE (hereinafter called the "Agency"), for the purpose of providing an understanding among the parties of their respective obligations related to the management of the project described as:

"SR-174 (Long Hollow Pike), From Main Street to Loretta Drive and Conference Drive, From Long Hollow Pike to Mission Ridge Drive in Goodlettsville"

1. The language of Agreement # 150167 dated October 27, 2022 Section B.2 a) is hereby deleted in its entirety.
2. The following is added as B.2 a) .

B.2 a) The Agency agrees to complete the herein assigned phases of the Project on or before **May 31, 2023**. If the Agency does not complete the herein described phases of the Project within this time period, this Agreement will expire on the last day of scheduled completion as provided in this paragraph unless an extension of the time period is requested by the Agency and granted in writing by the Department prior to the expiration of the Agreement. An extension of the term of this Agreement will be effected through an amendment to the Agreement. Expiration of this Agreement will be considered termination of the Project. The cost of any work performed after the expiration date of the Agreement will not be reimbursed by the Department.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF GOODLETTSVILLE

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

Signature:

Email:

Signature:

Email:

**APPROVED AS TO
FORM AND LEGALITY**

**APPROVED AS TO
FORM AND LEGALITY**

Signature:

Email:

Signature:

Email:

Signature:

Email:



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> RESOLUTION 23-1140 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 23-1140 Dept. of Origin: Administration For Agenda of: June 8, 2023 Originator: Tim Ellis Cost of Item: Positive Impact
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AGENDA ITEM ATTACHMENTS:

Resolution 23-1140

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 23-1140.

RESOLUTION NO. 23-1140

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: June 8, 2023

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

EXHIBIT 1 (RESOLUTION 23-1140)

2013 Ford Explorer 1FM5K8AR7DGA68641 (former Unit 220)

2013 Ford Explorer 1FM5K8AR2DGA68644 (former Unit 254)

Dell Latitude E5470 - Service Tag # 8XYVNH2

2007 Toyota Camry 4 door VIN- 4T1BE46KX7U650091 (seized vehicle)



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 23-1141 A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE APPLICATION FOR FUNDS TO CONSTRUCT AN ALL-INCLUSIVE PLAYGROUND THROUGH THE STATE OF TENNESSEE DEPARTMENT OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES (DIDD). <u>PRESENTED BY:</u> Tim Ellis, City Manager Sarah Jennings, Dir. Parks & Rec	Agenda Item: Resolution 23-1141 Dept. of Origin: Parks & Recreation For Agenda of: June 8, 2023 Originator: Sarah Jennings Cost of Item: \$500,000.00 100% Grant Funds
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AGENDA ITEM ATTACHMENTS:

Resolution 23-1141

SUMMARY STATEMENT:

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE APPLICATION FOR FUNDS TO CONSTRUCT AN ALL-INCLUSIVE PLAYGROUND THROUGH THE STATE OF TENNESSEE DEPARTMENT OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES (DIDD).

FINANCIAL SUMMARY:

\$500,000.00

100% Grant Funds

RECOMMENDED ACTION:

Staff recommends approval of Resolution 23-1141.

RESOLUTION 23-1141

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE APPLICATION FOR FUNDS TO CONSTRUCT AN ALL-INCLUSIVE PLAYGROUND THROUGH THE STATE OF TENNESSEE DEPARTMENT OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES (DIDD).

WHEREAS, providing top quality recreational and play facilities to all residents of the City of Goodlettsville is of the utmost importance; and

WHEREAS, children of all ages and developmental levels should be provided with such opportunities; and

WHEREAS, the State of Tennessee Department of Intellectual and Developmental Disabilities (DIDD) is currently taking applications for grants that would fund the construction of such play areas; and

WHEREAS, the City of Goodlettsville now seeks to make application for the purpose of constructing an all-inclusive playground at Moss-Wright Park.

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

SECTION 1. That the City of Goodlettsville is hereby authorized to submit application for an All-Inclusive Playground Grant from. State of Tennessee Department of Intellectual and Developmental Disabilities (DIDD).

SECTION 2. The City Manager is hereby authorized to execute all documents associated with the grant application and grant funds.

THIS ACTION IS EFFECTIVE UPON PASSAGE BY THE BOARD OF COMMISSIONERS.

Mayor Rusty Tinnin

City Recorder

Approved as to form and legality

City Attorney

Passed: June 8, 2023



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE:</u> Resolution 23-1142 A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE PROCUREMENT OF DRAINAGE AND CONSTRUCTION EASEMENTS ASSOCIATED WITH MAIN STREET PROJECT. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 23-1142 Dept. of Origin: Administration For Agenda of: June 8, 2023 Originator: Sarah Jennings Cost of Item: \$165,400.00 80% Grant Funds
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AGENDA ITEM ATTACHMENTS:

Resolution 23-1142
Administrative Settlement Document

SUMMARY STATEMENT:

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE PROCUREMENT OF DRAINAGE AND CONSTRUCTION EASEMENTS ASSOCIATED WITH MAIN STREET PROJECT.

FINANCIAL SUMMARY:

\$165,400.00
80% Grant Funds

RECOMMENDED ACTION:

Staff recommends approval of Resolution 23-1142

RESOLUTION 23-1142

A RESOLUTION OF THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AUTHORIZING THE PROCUREMENT OF DRAINAGE AND CONSTRUCTION EASEMENTS ASSOCIATED WITH MAIN STREET PROJECT.

WHEREAS, as the city nears the construction of its Main Street Redevelopment plan the acquisition of certain drainage and constructions easements are required; and

WHEREAS, tract 36 located on South Main Street, Goodlettsville is one such tract; and

WHEREAS, in order for the Main Street Redevelopment Project to progress the acquisition of such easements are warranted.

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

SECTION 1. The City Manager is hereby authorized to procure all necessary easements from Joseph B. and Lynn P. Hanks owners of Tract 36 or 212 South Main Street, Goodlettsville, Tennessee in the amount of \$165,400.00.

SECTION 2. The City Manager is hereby authorized to execute all documents associated with the procurement of referenced easements.

THIS ACTION IS EFFECTIVE UPON PASSAGE BY THE BOARD OF COMMISSIONERS.

Mayor Rusty Tinnin

City Recorder

Approved as to form and legality

City Attorney

Passed: June 8, 2023

ADMINISTRATIVE SETTLEMENT

TO: City of Goodlettsville

FROM: Ralph Rhemann, R & D Enterprises, Inc.

DATE: May 25, 2023

SUBJECT: STATE PROJ. # 19LPLM-F2-106 PIN: 120326.00
FED. Proj. # STP-M-NH-11(74)
TRACT# 36
COUNTY: DAVIDSON
OWNER(S): Joseph B. and Lynn P. Hanks

Name of Appraiser: Ted A. Boozer **Review Appraiser:** Randy Button
Amount: \$159,900

Before Acreage: 0.650 acres	Taking: 0.0 acres	After: 0.650 acres
Approved Offer:	\$159,900.00	Counter Offer: \$165,400.00
Amount of Increase:	\$5,500.00	Percent of Increase: 3%

JUSTIFICATIONS FOR SETTLEMENT

Property owners believe the loss of parking spaces will greatly diminish their ability to stay in business. Owners are asking for amount it takes to provide additional parking behind the building in order to accommodate both current businesses at the site. A local paving company provided the attached estimate to make owners “whole” in their opinion. The increase of \$5,500.00 is less than the administrative costs required to acquire the property through condemnation procedures. It is in the City’s best interest to accept the owner’s counter proposal rather than take the risk of proceeding to condemnation, which could result in a jury’s award consideration of a much greater amount.

APPROVED AS FOLLOWS:

LAND:	\$ 0.00
PERMANENT EASEMENT:	\$ 2,004.00
CUT FILL SLOPES:	\$ 8,515.00
CONSTRUCTION EASEMENT:	\$ 4,886.00
IMPROVEMENTS:	\$ 0.00
DAMAGES TO REMAINDER:	\$149,995.00
UTILITY ADJUSTMENT:	\$ 0.00
 GRAND TOTAL:	 \$ 165,400.00



AGENDA SUMMARY SHEET

**Board of Commissioners
City of Goodlettsville**

<u>SUBJECT TITLE: RESOLUTION 23-1143</u> A resolution to approve a contract between the City of Goodlettsville, Tennessee and the State of Tennessee Department of Transportation for the maintenance of certain State of Tennessee Right-of-Way. <u>PRESENTED BY:</u> Tim Ellis, City Manager	Agenda Item: Resolution 23-1143 Dept. of Origin: Public Works For Agenda of: June 8, 2023 Originator: Tim Ellis Cost of Item: Off Setting
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AGENDA ITEM ATTACHMENTS:

Resolution 23-1143
Contract

SUMMARY STATEMENT:

A resolution to approve a contract between the City of Goodlettsville, Tennessee and the State of Tennessee Department of Transportation for the maintenance of certain State of Tennessee Right-of-Way.

FINANCIAL SUMMARY:

Off Setting

RECOMMENDED ACTION:

Staff recommends approval of Resolution 23-1143.

RESOLUTION NO. 23-1143

A RESOLUTION TO APPROVE A CONTRACT BETWEEN THE CITY OF GOODLETTSVILLE, TENNESSEE AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF CERTAIN STATE OF TENNESSEE RIGHT-OF-WAY.

WHEREAS, The City of Goodlettsville constantly thrives to maintain all street and roadway right-of-way within the city in great condition; and

WHEREAS, The City of Goodlettsville Board of Commissioners has deemed it in the best interest of the city to execute a contract with the State of Tennessee Department of Transportation; and,

WHEREAS, The execution of the aforementioned contract will enable the city to be compensated for maintaining certain portions of right-of-way belonging to the Tennessee Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE AFOREMENTIONED CONTRACT IS HEREBY APPROVED AND IS INCLUDED AS EXHIBIT 1.

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

MAYOR RUSTY TINNIN

Adopted: June 8, 2023

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY

**CONTRACT
BETWEEN THE STATE OF TENNESSEE,
DEPARTMENT OF TRANSPORTATION
AND
The City of Goodlettsville**

This Contract, by and between the State of Tennessee, Department of Transportation, hereinafter referred to as the "State" and The City of Goodlettsville, hereinafter referred to as the "Contractor," is for the provision of a special agreement for (mowing, litter, sweeping), as further defined in the "SCOPE OF SERVICES."

Contractor Edison Registration ID # 0000002859
Contract #: CMA 2454

A. SCOPE OF SERVICES:

- A.1. The Contractor shall provide all service and deliverables as required, described, and detailed herein and shall meet all service and delivery timelines as specified by this Contract.
- A.2. Tenn. Code Ann. § 54-5-201 provides that the State is authorized to enter into contracts with municipalities regarding the improvement and maintenance of streets over which traffic on state highways is routed.
- A.3. Tenn. Code Ann. § 54-5-202 provides that streets constructed, reconstructed, improved and maintained by the State shall be of a width and type that the State deems proper, but the width so constructed, reconstructed, improved and maintained shall not be less than eighteen feet (18'); and, in the case of resurfacing and maintenance, from curb to curb where curbs exist, or the full width of the roadway where no curbs exist.
- A.4. Tenn. Code Ann. § 54-5-203 provides that the State is authorized to enter into contracts with municipalities that are organized to care for streets to reimburse, subject to the approval of the State, for improvements and maintenance.
- A.5. Tenn. Code Ann. § 54-16-106 provides that the highway authorities of the state, counties, cities, and town are authorized to enter into agreements with each other respecting the improvement and maintenance of controlled-access facilities, defined by Tenn. Code Ann. § 54-16-101 as a highway or street specially designed for through traffic, and over, from or to which owners or occupants of abutting land or other persons have no right or easement of access from abutting properties.
- A.6. Tenn. Code Ann. § 54-5-139 provides that the State may enter into a contract with a qualified county to perform maintenance activities upon the rights-of-way of state highways located outside of municipalities and metropolitan governments; and, that the reimbursement shall be on an actual cost basis.
- A.7. The State is hereby contracting with the Contractor for the improvements and maintenance specified in Attachment Either "Exhibit A" titled "Guidelines Covering Maintenance of State Highways through Municipalities," attached and incorporated hereto as part of this Contract.

B. TERM OF CONTRACT:

This Contract shall be effective on July 1, 2023 ("Effective Date") and extend for a period of twelve (12) months after the Effective Date ("Term"). The State shall have no obligation for goods or services provided by the Contractor prior to the Effective Date.

C. PAYMENT TERMS AND CONDITIONS:

- C.1. Maximum Liability. In no event shall the maximum liability of the State under this Contract exceed Sixteen Thousand Five Hundred and Fifty Three Dollars and Thirty-Six Cents (\$16,553.36). The payment rates in section C.3 shall constitute the entire compensation due the Contractor for all service and Contractor obligations hereunder regardless of the difficulty, materials or equipment required. The payment rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.

The Contractor is not entitled to be paid the maximum liability for any period under the Contract or any extensions of the Contract for work not requested by the State. The maximum liability represents available funds for payment to the Contractor and does not guarantee payment of any such funds to the Contractor under this Contract unless the State requests work and the Contractor performs said work. In which case, the Contractor shall be paid in accordance with the payment rates detailed in section C.3. The State is under no obligation to request work from the Contractor in any specific dollar amounts or to request any work at all from the Contractor during any period of this Contract.

- C.2. Compensation Firm. The payment rates and the maximum liability of the State under this Contract are firm for the duration of the Contract and are not subject to escalation for any reason unless amended.
- C.3. Payment Methodology. The Contractor shall be compensated based on the payment rates herein for units of service authorized by the State in a total amount not to exceed the Contract Maximum Liability established in section C.1.
- a. The Contractor's compensation shall be contingent upon the satisfactory completion of units, milestones, or increments of service defined in section A.
 - b. The Contractor shall be compensated for said units, milestones, or increments of service based upon the following payment rates:

Service Description	Amount (per compensable increment)
Either "Exhibit A" titled "Guidelines Covering Maintenance of State Highways through Municipalities"	See Exhibit A

- C.4. Travel Compensation. The Contractor shall not be compensated or reimbursed for travel, meals, or lodging.
- C.5. Invoice Requirements. The Contractor shall invoice the State only for completed increments of service and for the amount stipulated in section C.3, above, and present said invoices no more often than monthly, with all necessary supporting documentation, to:

State of Tennessee Department of Transportation
6615 Centennial Blvd, Building I
Nashville, TN 37243-0360

- a. Each invoice shall clearly and accurately detail all of the following required information (calculations must be extended and totaled correctly).
 - (1) Invoice Number (assigned by the Contractor)
 - (2) Invoice Date
 - (3) Contract Number (assigned by the State)
 - (4) Customer Account Name: Tennessee Department of Transportation

- (5) Customer Account Number (assigned by the Contractor to the above-referenced Customer)
- (6) Contractor Name
- (7) Contractor Tennessee Edison Registration ID Number Referenced in Preamble of this Contract
- (8) Contractor Contact for Invoice Questions (name, phone, and/or fax)
- (9) Contractor Remittance Address
- (10) Description of Delivered Service
- (11) Complete Itemization of Charges, which shall detail the following:
 - i. Service or Milestone Description (including name & title as applicable) of each service invoiced
 - ii. Number of Completed Units, Increments, Hours, or Days as applicable, of each service invoiced
 - iii. Applicable Payment Rate (as stipulated in Section C.3.) of each service invoiced
 - iv. Amount Due by Service
 - v. Total Amount Due for the invoice period

b. The Contractor understands and agrees that an invoice under this Contract shall:

- (1) include only charges for service described in Contract Section A and in accordance with payment terms and conditions set forth in Contract Section C.
- (2) only be submitted for completed service and shall not include any charge for future work.
- (3) not include sales tax or shipping charges; and
- (4) initiate the timeframe for payment (and any discounts) only when the State is in receipt of the invoice, and the invoice meets the minimum requirements of this section C.5.

C.6. Payment of Invoice. A payment by the State shall not prejudice the State's right to object to or question any payment, invoice, or matter in relation thereto. A payment by the State shall not be construed as acceptance of any part of the work or service provided or as approval of any amount invoiced.

C.7. Invoice Reductions. The Contractor's invoice shall be subject to reduction for amounts included in any invoice or payment theretofore made which are determined by the State, on the basis of audits conducted in accordance with the terms of this Contract, not to constitute proper remuneration for compensable services.

C.8. Deductions. The State reserves the right to deduct from amounts, which are or shall become due and payable to the Contractor under this or any contract between the Contractor and the State of Tennessee any amounts, which are or shall become due and payable to the State of Tennessee by the Contractor.

C.9. Prerequisite Documentation. The Contractor shall not invoice the State under this Contract until the State has received the following documentation properly completed.

- a. The Contractor shall complete, sign, and present to the State the "Authorization Agreement for Automatic Deposit Form" provided by the State. By doing so, the Contractor acknowledges and agrees that, once this form is received by the State, payments to the Contractor, under this or any other contract the Contractor has with the State of Tennessee, may be made by ACH; and
- b. The Contractor shall complete, sign, and return to the State the State-provided W-9 form. The taxpayer identification number on the W-9 form must be the same as the Contractor's Federal Employer Identification Number or Social Security Number referenced in the Contractor's Edison registration information.

D. STANDARD TERMS AND CONDITIONS:

- D.1. Required Approvals. The State is not bound by this Contract until it is signed by the contract parties and approved by appropriate officials in accordance with applicable Tennessee laws and regulations (depending upon the specifics of this contract, said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).
- D.2. Modification and Amendment. This Contract may be modified only by a written amendment signed by all parties hereto and approved by both the officials who approved the base contract and, depending upon the specifics of the contract as amended, any additional officials required by Tennessee laws and regulations (said officials may include, but are not limited to, the Commissioner of Finance and Administration, the Commissioner of Human Resources, and the Comptroller of the Treasury).
- D.3. Termination for Convenience. The State may terminate this Contract without cause for any reason. Said termination shall not be deemed a breach of contract by the State. The State shall give the Contractor at least thirty (30) days written notice before the effective termination date. The Contractor shall be entitled to compensation for satisfactory, authorized service completed as of the termination date, but in no event shall the State be liable to the Contractor for compensation for any service which has not been rendered. Upon such termination, the Contractor shall have no right to any actual general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- D.4. Termination for Cause. If the Contractor fails to properly perform its obligations under this Contract in a timely or proper manner, or if the Contractor violates any terms of this Contract, the State shall have the right to immediately terminate the Contract and withhold payments in excess of fair compensation for completed services. Notwithstanding the above, the Contractor shall not be relieved of liability to the State for damages sustained by virtue of any breach of this Contract by the Contractor.
- D.5. Subcontracting. The Contractor shall not assign this Contract or enter into a subcontract for any of the services performed under this Contract without obtaining the prior written approval of the State. If such subcontracts are approved by the State, each shall contain, at a minimum, sections of this Contract below pertaining to "Conflicts of Interest," "Nondiscrimination," and "Records" (as identified by the section headings). Notwithstanding any use of approved subcontractors, the Contractor shall be the prime contractor and shall be responsible for all work performed.
- D.6. Conflicts of Interest. The Contractor warrants that no part of the total Contract Amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Contractor in connection with any work contemplated or performed relative to this Contract.
- D.7. Nondiscrimination. The Contractor hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Contract or in the employment practices of the Contractor on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
- D.8. Records. The Contractor shall maintain documentation for all charges under this Contract. The books, records, and documents of the Contractor, insofar as they relate to work performed or money received under this Contract, shall be maintained for a period of three (3) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by the State, the Comptroller of the Treasury, or their duly appointed representatives. The financial statements shall be prepared in accordance with generally accepted accounting principles.

- D.9. Prevailing Wage Rates. All contracts for construction, erection, or demolition or to install goods or materials that involve the expenditure of any funds derived from the State require compliance with the prevailing wage laws as provided in *Tennessee Code Annotated*, Section 12-4-401 *et seq.*
- D.10. Monitoring. The Contractor's activities conducted, and records maintained pursuant to this Contract shall be subject to monitoring and evaluation by the State, the Comptroller of the Treasury, or their duly appointed representatives.
- D.11. Progress Reports. The Contractor shall submit brief, periodic, progress reports to the State as requested.
- D.12. Strict Performance. Failure by any party to this Contract to insist in any one or more cases upon the strict performance of any of the terms, covenants, conditions, or provisions of this Contract shall not be construed as a waiver or relinquishment of any such term, covenant, condition, or provision. No term or condition of this Contract shall be held to be waived, modified, or deleted except by a written amendment signed by the parties hereto.
- D.13. Independent Contractor. The parties hereto, in the performance of this Contract, shall not act as employees, partners, joint venturers, or associates of one another. It is expressly acknowledged by the parties hereto that such parties are independent contracting entities and that nothing in this Contract shall be construed to create an employer/employee relationship or to allow either to exercise control or direction over the manner or method by which the other transacts its business affairs or provides its usual services. The employees or agents of one party shall not be deemed or construed to be the employees or agents of the other party for any purpose whatsoever.

The Contractor, being a Tennessee governmental entity, is governed by the provisions of the Tennessee Government Tort Liability Act, *Tennessee Code Annotated*, Sections 29-20-101 *et seq.*, for causes of action sounding in tort. Further, no contract provision requiring a Tennessee political entity to indemnify or hold harmless the State beyond the liability imposed by law is enforceable because it appropriates public money and nullifies governmental immunity without the authorization of the General Assembly.

- D.14. State Liability. The State shall have no liability except as specifically provided in this Contract.
- D.15. Force Majeure. The obligations of the parties to this Contract are subject to prevention by causes beyond the parties' control that could not be avoided by the exercise of due care including, but not limited to, natural disasters, riots, wars, epidemics, or any other similar cause.
- D.16. State and Federal Compliance. The Contractor shall comply with all applicable State and Federal laws and regulations in the performance of this Contract.
- D.17. Governing Law. This Contract shall be governed by and construed in accordance with the laws of the State of Tennessee. The Contractor agrees that it will be subject to the exclusive jurisdiction of the courts of the State of Tennessee in actions that may arise under this Contract. The Contractor acknowledges and agrees that any rights or claims against the State of Tennessee or its employees hereunder, and any remedies arising therefrom, shall be subject to and limited to those rights and remedies, if any, available under *Tennessee Code Annotated*, Sections 9-8-101 through 9-8-407.
- D.18. Completeness. This Contract is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions of the parties' agreement. This Contract supersedes any and all prior understandings, representations, negotiations, and agreements between the parties relating hereto, whether written or oral.
- D.19. Severability. If any terms and conditions of this Contract are held to be invalid or unenforceable as a matter of law, the other terms and conditions hereof shall not be affected thereby and shall

remain in full force and effect. To this end, the terms and conditions of this Contract are declared severable.

- D.20. Headings. Section headings of this Contract are for reference purposes only and shall not be construed as part of this Contract.

E. SPECIAL TERMS AND CONDITIONS:

- E.1. Conflicting Terms and Conditions. Should any of these special terms and conditions conflict with any other terms and conditions of this Contract, these special terms and conditions shall control.
- E.2. Communications and Contacts. All instructions, notices, consents, demands, or other communications required or contemplated by this Contract shall be in writing and shall be made by certified, first-class mail, return receipt requested and postage prepaid, by overnight courier service with an asset tracking system, or by EMAIL or facsimile transmission with recipient confirmation. Any such communications, regardless of method of transmission, shall be addressed to the respective party at the appropriate mailing address, facsimile number, or EMAIL address as set forth below or to that of such other party or address, as may be hereafter specified by written notice.

The State:

Luis Pizarra, District Operations Specialist
State of Tennessee Department of Transportation
6615 Centennial Blvd, Building I
Nashville, TN 37423-0360
Email: Luis.pizarra@tn.gov
Telephone # 615-350-4404
FAX # 615-350-4142

The Contractor:

Jeff McCormick
City of Goodlettsville
j.mccormick@goodlettsville.gov
Telephone # 615-859-2740
FAX # 615-851-4052

All instructions, notices, consents, demands, or other communications shall be considered effectively given upon receipt or recipient confirmation as may be required.

- E.3. Subject to Funds Availability. The Contract is subject to the appropriation and availability of State and/or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate the Contract upon written notice to the Contractor. Said termination shall not be deemed a breach of Contract by the State. Upon receipt of the written notice, the Contractor shall cease all work associated with the Contract. Should such an event occur, the Contractor shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Contractor shall have no right to recover from the State any actual, general, special, incidental, consequential, or any other damages whatsoever of any description or amount.
- E.4. MUTCD. In accordance with Tenn. Code Ann. 54-5-108, the Contractor shall conform to and act in accordance with the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by rules of the State. Particularly, the Contractor shall sign work-zones associated with this Contract in accordance with the aforesaid MUTCD.
- E. 5. Maintenance. Nothing contained in this Contract shall change the maintenance obligations governed by the laws of the State of Tennessee, it being the intent of this Contract not to enlarge the present maintenance obligations of the State.

IN WITNESS WHEREOF,

CITY OF GOODLETTSVILLE:

CONTRACTOR SIGNATURE

DATE

PRINTED NAME AND TITLE OF CONTRACTOR SIGNATORY (above)

APPROVED AS TO FORM AND LEGALITY

CONTRACTOR ATTORNEY SIGNATURE

DATE

PRINTED NAME AND TITLE OF CONTRACTOR ATTORNEY SIGNATORY (above)

STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION:

HOWARD H. ELEY, COMMISSIONER

DATE

APPROVED AS TO FORM AND LEGALITY

JOHN REINBOLD, GENERAL COUNSEL

DATE

“EXHIBIT A”
GUIDELINES COVERING MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following items where applicable are eligible for reimbursement by the State to the Contractor under the Special Maintenance Agreement:

Activity	Maintenance Work Type	Unit of Measure
435	Machine Mowing**	Acres
441	Litter Removal**	Roadway Miles
446	Mechanical Sweeping and Street Flushing	Miles

** Work must be inside the area eligible for reimbursements as detailed in "CITY MAINTENANCE ROADWAY TYPICAL SECTIONS".

Machine Mowing work shall consist of cutting or trimming vegetation primarily consisting of, but not limited to, grasses and invasive weeds on State rights-of-way as detailed below to provide a consistent and aesthetically pleasing standing vegetation height as directed by the State.

Litter Removal Work shall consist of removal of litter from the entire highway rights-of-way where accessible (fence to fence where applicable), including shoulders and excluding the travel lanes on interstate and state routes as detailed below.

Mechanical Sweeping and Street Flushing work shall consist of the removal by mechanical sweeping, or other approved means, of dirt and debris accumulated on the roadway along curbs, gutters, median barriers, bridge curbs and gore areas and ramps at interchanges as detailed below.

INVENTORY OF ELIGIBLE MACHINE MOWING FOR THE MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following Table itemizes the eligible mowing area in acres which will be maintained by the Contractor under the terms of this contract. The State agrees to reimburse said Contractor in the amount actually expended for machine mowing, not to exceed the number of cycles and the price per acre as detailed below.

Approved Mowing Reimbursement Per Acre:

\$ 50.00

Calculated Maximum Reimbursement (Mowing):

\$ 9,500.00

Mowing Inventory Worksheet

Route Number	Roadway Type	Begin Termini (LM)	End Termini (LM)	Median Area (acres)	Controlled Access Area (acres)	Segment Total Area (acres)	Number of Mowing Cycles	Contract Segment Total Area (acres)
I-65	2B	Davidson Co. 20.08	Davidson Co. 20.42	0	6.615	6.615	6	39.69
I-65	2A	Davidson Co. 21.09	Davidson Co. 21.6	0	10.04	10.04	6	60.24
I-65	2A	Sumner Co. .829	Sumner Co. 1.41	0	6.62	6.62	6	39.72
SR-11	2B	Sumner Co. .105	Sumner Co. .410	0	8.39	8.39	6	50.34
Total Contract Area (acres):								190

INVENTORY OF ELIGIBLE LITTER
REMOVAL FOR THE MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following Table itemizes the eligible length of litter removal in linear miles which will be maintained by the Contractor under the terms of this contract. The State agrees to reimburse said Contractor in the amount expended for litter removal, not to exceed the number of cycles and the price per linear mile as detailed below.

Approved Litter Reimbursement Per Mile:	\$ 60.00
Calculated Maximum Reimbursement (Litter):	\$ 4,739.76

Litter Inventory Worksheet										
Route Number	Roadway Type	Beginning Termini (LM)	Ending Termini (LM)	Segment Length (mi.)	Litter Pass Miles Per Segment	Segment Total Litter (mi.)	Price per Litter Mile	Number of Litter Cycles	Contract Segment Total Litter (mi.)	Contract Segment Total Litter (\$)
I-65	2B	Davidson Co. 20.08	Davidson Co. 0.34	1.35	2	2.7	\$ 80.00	12	32.4	2592
I-65	2A	Davidson Co. 21.09	Davidson Co. 21.6	0.51	3	1.53	\$ 80.00	12	18.36	1468.8
I-65	2A	Sumner Co. .829	Sumner Co. 1.41	0.581	3	1.743	\$ 80.00	12	21	1673.28
SR-11	2B	Sumner Co. .105	Sumner Co. .410	0.305	2	0.61	\$ 80.00	12	7.32	585.6
									Total Contract Litter (mi.):	
									78.996	\$ 4,739.76

INVENTORY OF ELIGIBLE LITTER REMOVAL FOR THE MAINTENANCE
OF STATE HIGHWAYS THROUGH MUNICIPALITIES

The following Table itemizes the eligible length of mechanical sweeping and street flushing in linear miles which will be maintained by the Contractor under the terms of this contract. The State agrees to reimburse said Contractor in the amount actually expended for mechanical sweeping or street flushing, not to exceed the number of cycles and the price per mile as detailed below.

Eligible Number of Sweeping Cycles:

12

Reimbursement Per Mile (Sweeping):

\$80.00

Calculated Maximum Reimbursement (Sweeping):

\$ 2,313.60

Sweeping Inventory Worksheet								
Route Number	Roadway Type	Beginning Termini (LM)	Ending Termini (LM)	Segment Length	Sweeping Miles Per Segment	Segment Total Sweeping (mi.)	Number of Sweeping Cycles	Contract Segment Total Sweeping (mi.)
SR-174	1D	Davidson Co. 0	Davidson Co. 0.92	0.92	1	0.92	12	11.04
SR-174	1D	Sumner Co. 0	Sumner Co. 1.49	1.49	1	1.49	12	17.88
Total Contract Sweeping (mi.):								28.92

CITY MAINTENANCE ROADWAY TYPICAL SECTIONS

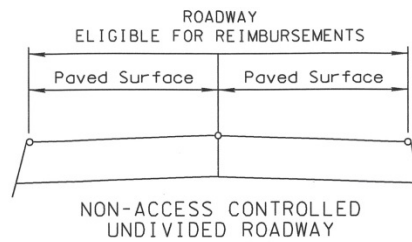


FIGURE 1A

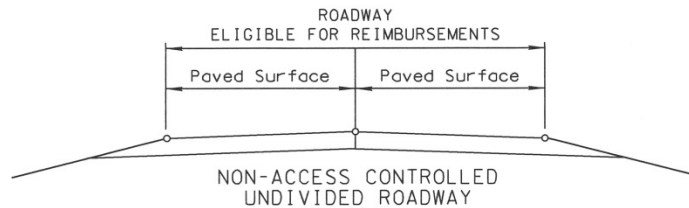


FIGURE 1B

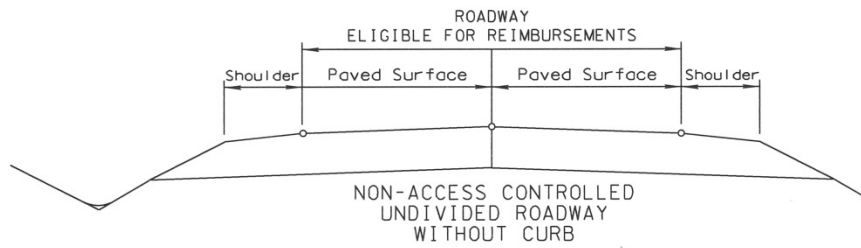


FIGURE 1C

NOTE: IN FIGURES 1A, 1B, AND 1C FOR NON-CONTROLLED ROUTES THE PAVED SURFACE WILL INCLUDE PAVED SHOULDERS.

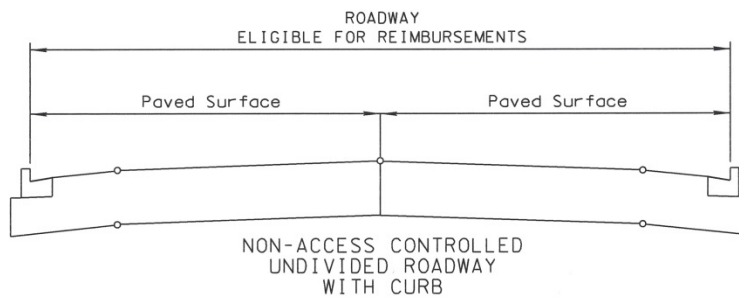


FIGURE 1D

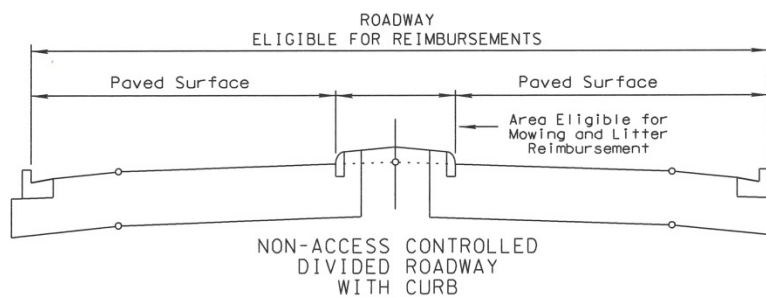
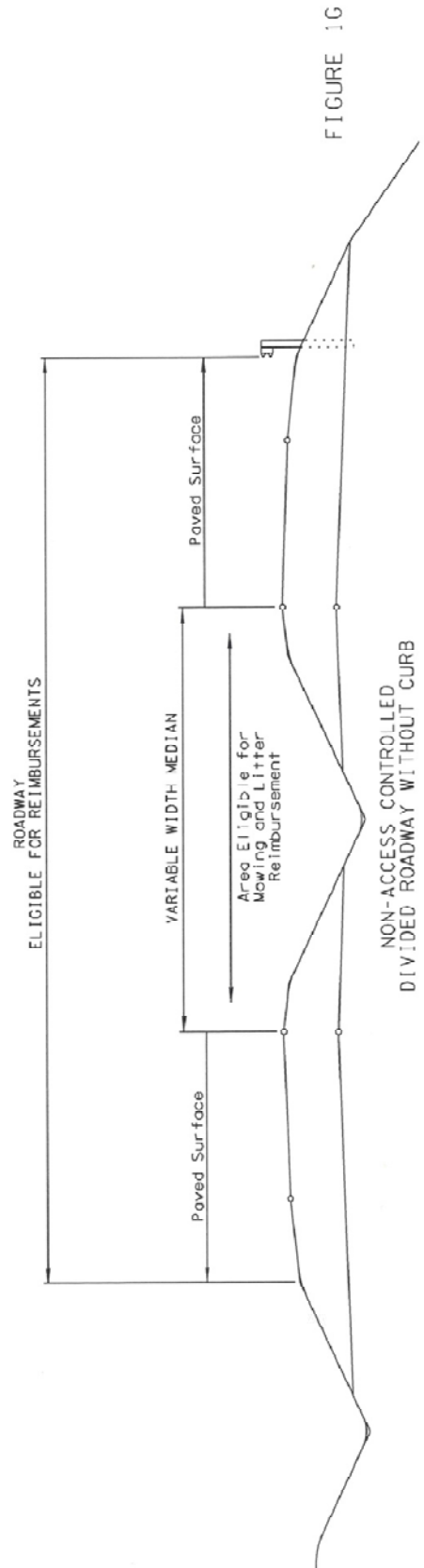
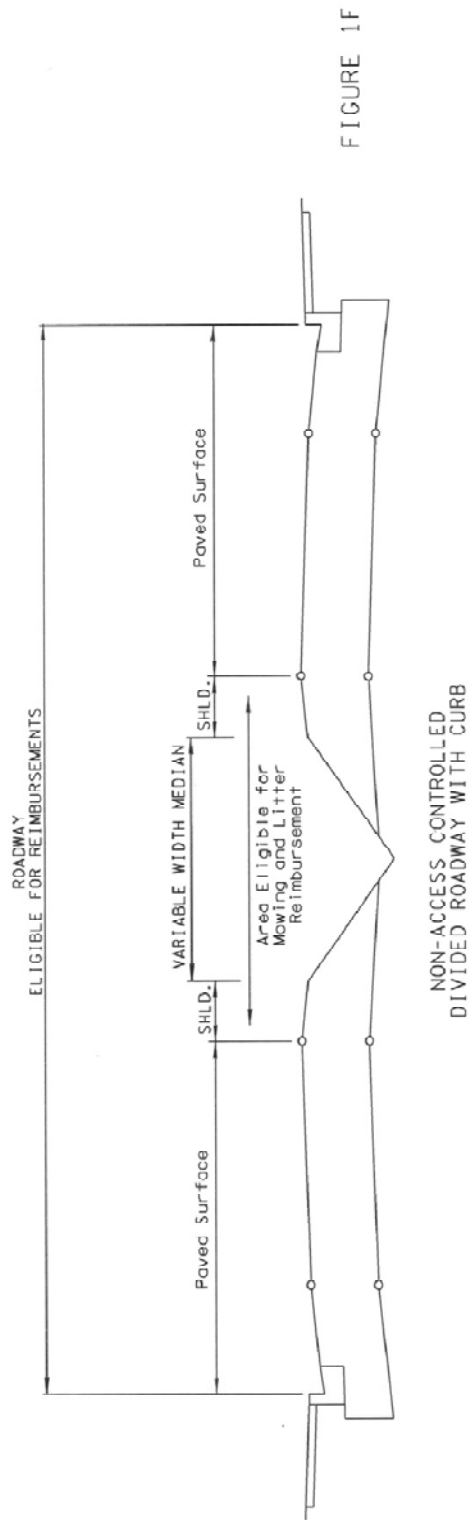


FIGURE 1E

CITY MAINTENANCE
ROADWAY TYPICAL SECTIONS



NOTE:
IF FIGURES 1F AND 1G FOR NON-ACCESS CONTROLLED ROUTES
THE PAVED SURFACE WILL INCLUDE PAVED SHOULDERS.

CITY MAINTENANCE
ROADWAY TYPICAL SECTIONS

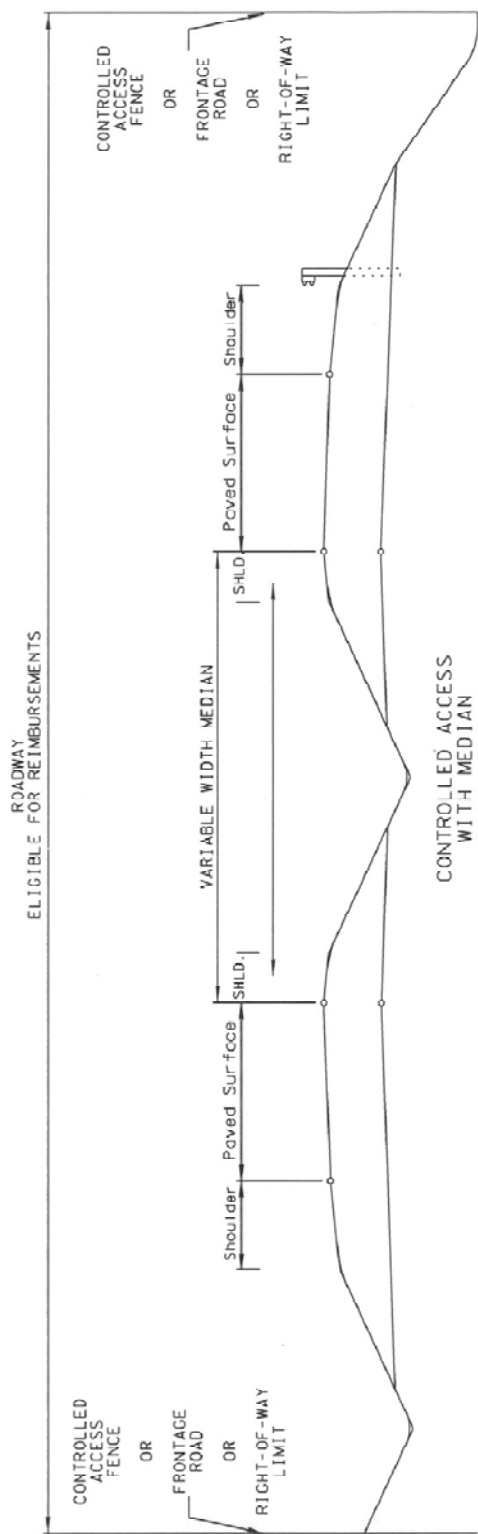


FIGURE 2A

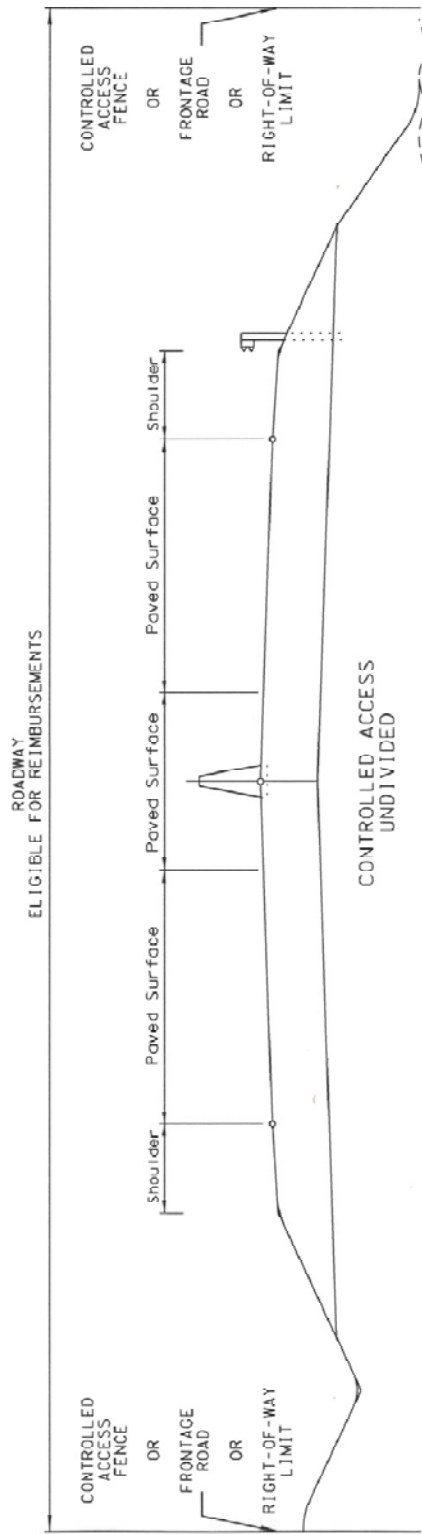


FIGURE 2B