



August 10, 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 July 13th regular meeting minutes of the Board of Commissioners by the Recorder for approval or correction.
4. Comments from citizens.
  - a. As approved by Resolution 23-1146, citizens may address the board in-person and limit comments to three minutes in length.
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. Unfinished Business.
  - a. Consider Ordinance 23-1071, an ordinance to amend the City of Goodlettsville Municipal Code Title 18, Chapter 3 by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3. **FIRST READING**

- b. Consider Ordinance 23-1072, an ordinance to amend Title 11, Chapter 2 of the Goodlettsville Municipal Code by deleting Chapter 2 in its entirety as it relates to fortune telling. **SECOND READING**

9. New Business.

- a. Consider Resolution 23-1147, 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.
- b. Consider Resolution 23-1148, a resolution declaring certain property surplus to the needs of the City of Goodlettsville and selling such property to the City of Gallatin, Tennessee.
- c. Consider Resolution 23-1149, a resolution acknowledging an application for a tourism marketing grant from the State of Tennessee Department of Tourism.
- d. Consider Resolution 23-1150, a resolution approving an application for a Tennessee Department of Tourism - Tourist Development Enhancement Grant.
- e. Consider Resolution 23-1151, a resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee establishing July 3rd of each calendar year as the date of Goodlettsville's Independence Day Celebration special event.
- f. Consider Resolution 23-1152, a resolution to establish guidelines for the video transmission and recording of City of Goodlettsville Boards and Commissions meetings.
- g. Consider Resolution 23-1153, a resolution to set the amount for the fee-for-service for residential solid waste.
- h. Consider Resolution 23-1154, a resolution amending certain fees associated with bulk item curbside pick-up.
- i. Consider Resolution 23-1155, a resolution approving certain amendments to the City of Goodlettsville Industrial Development Board's adopted By-Laws.
- j. Consider Resolution 23-1156, a resolution declaring certain property surplus to the needs of the City of Goodlettsville and donating such property to the Shackle Island Volunteer Fire Department.
- k. Consider Resolution 23-1157, a resolution acknowledging an application for a Tennessee Law Enforcement Hiring, Training and Recruitment grant from the State of Tennessee Department of Commerce and Insurance.

10. Adjournment.

For more information regarding this agenda, please contact the city recorder by email at:  
[abaker@goodlettsville.gov](mailto: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

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Board of Commissioners

July 13, 2023

6:30 PM

City Hall - Massie Chambers

Minutes:

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

Absent: Rusty Tinnin and Zach Young.

Also Present: Russell Freeman, Tim Ellis, Allison Baker, Addam McCormick, Gary Goodwin, Mary Laine Hucks, Ken Reeves, Audra Cherry, Tim Preston, Jason DeLoach, and Julie High.

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

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

Consider the minutes of the June 8, 2023 regular meeting of the Board of Commissioners by the Recorder for approval or correction. Commissioner Huffman made a motion to approve the minutes as written. Commissioner Anderson seconded the motion and motion passed 3-0.

City Manager Tim Ellis reminded the Board the City will conduct a Special Census beginning next month. For each person that we add to our population, that is another \$170. He recognized Tourism Director Kimberly Lynn who recently became a Certified Travel Marketing professional. He thanked all of the employees and departments that were involved with the Independence Day Celebration that went off smoothly. He also announced the upcoming Music on Main on July 20th at 6:30pm.

Clayton Williams of the Murfreesboro Police Department and the Tennessee Association of Chiefs of Police then recognized Police Chief Gary Goodwin and Commander Audra Cherry for their hard work in receiving accreditation through the Tennessee Law Enforcement Accreditation Program. He then presented them with the award for accreditation.

Consent agenda items.

Consider Unfinished Business.

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, second reading and public hearing. Commissioner Huffman made a motion to consider Ordinance 23-

1070. 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 3-0 vote to approve Ordinance 23-1070.

Consider New Business.

Consider Ordinance 23-1071, an ordinance to amend the City of Goodlettsville Municipal Code Title 18, Chapter 3 by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3, first reading. City Manager Ellis stated there were still two sections that needed to be amended and recommended deferral for one meeting. Commissioner Huffman made a motion to defer Ordinance 23-1071 for one meeting. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 3-0 vote to defer Ordinance 23-1071 for one meeting.

Consider Ordinance 23-1072, an ordinance to amend Title 11, Chapter 2 of the Goodlettsville Municipal Code by deleting Chapter 2 in its entirety as it relates to fortune telling, first reading. Commissioner Huffman made a motion to consider Ordinance 23-1072. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 3-0 vote to approve Ordinance 23-1072.

Consider Resolution 23-1145, a resolution declaring July as Parks and Recreation Month in the City of Goodlettsville, Tennessee. Commissioner Huffman made a motion to consider Resolution 23-1145. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 3-0 vote to approve Resolution 23-1145.

Consider Resolution 23-1146, a resolution amending the Guidelines for Citizens Comments at all public meetings of the Board of Commissioners and any other appointed board of the City of Goodlettsville as previously approved by Resolution 13-561. Commissioner Huffman made a motion to consider Resolution 23-1146. Commissioner Anderson seconded the motion. Vote was then taken which resulted in a 3-0 vote to approve Resolution 23-1146.

With no further business, Commissioner Anderson made a motion to adjourn. Commissioner Huffman seconded the motion. The meeting adjourned at approximately 6:44pm with a 3-0 vote.



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

|                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                           |
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| <p><b><u>SUBJECT TITLE:</u> Ordinance 23-1071</b><br/>An ordinance to amend the City of Goodlettsville Municipal Code Title 18, Chapter 3 by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3.</p> <p><b>FIRST READING</b></p> <p><b><u>PRESENTED BY:</u></b><br/>Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Ordinance 23-1071</p> <p><b>Dept. of Origin:</b> Public Works</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Tim Ellis</p> <p><b>Cost of Item:</b> N/A</p> |
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### **AGENDA ITEM ATTACHMENTS:**

Ordinance 23-1071

### **SUMMARY STATEMENT:**

An ordinance to amend the City of Goodlettsville Municipal Code Title 18, Chapter 3 by deleting Chapter 3 in its entirety and replacing it with a new Chapter 3.

### **FINANCIAL SUMMARY:**

N/A

### **RECOMMENDED ACTION:**

Staff recommends approval of Ordinance 23-1071.

## **Ordinance 23-1071**

### **AN ORDINANCE TO AMEND THE CITY OF GOODLETTSVILLE MUNICIPAL CODE TITLE 18, CHAPTER 3 BY DELETING CHAPTER 3 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 3.**

**WHEREAS**, there is a need to make certain updates to references throughout Chapter 3 of Title 18 of the City of Goodlettsville Municipal Code; and

**WHEREAS**, the Board of Commissioners desires to make such updates within the City of Goodlettsville Municipal Code.

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

**Section 1:** Title 18, Chapter 3 of the City of Goodlettsville Municipal Code is deleted in its entirety.

**Section 2:** There is hereby created a new Title 18, Chapter 3, entitled Sewer & Storm Use Regulations as follows:

#### **CHAPTER 3 STORMWATER MANAGEMENT**

##### **SECTION**

18-301. General provisions.

18-302. Definitions.

18-303. Waivers.

18-304. Land disturbance permit.

18-305. Stormwater system design: construction and permanent stormwater management; performance standards.

18-306. Water quality riparian ~~B~~buffer zone requirements.

18-307. Permanent stormwater management: operation, maintenance, and inspection.

18-308. Existing locations and ongoing developments.

18-309. Illicit discharges.

18-310. Enforcement.

18-311. Penalties.

18-312. Appeals.

18-313. Maintenance.

### **18-301. General provisions.**

- (1) Purpose. It is the purpose of this chapter to:
  - (a) Protect, maintain, and enhance the environment of the city and the public health, safety and the general welfare of the citizens of the city, by controlling discharges of pollutants to the city's stormwater system.
  - (b) Enable the city to comply with the National Pollution Discharge Elimination System permit (NPDES) general permit for discharges from small Municipal Separate Storm Sewer Systems (MS4) and applicable regulations, 40 CFR 122.26 for stormwater discharges;
  - (c) Allow the city to exercise the powers granted in Tennessee Code Annotated, § 68-221-1105, which provides that, among other powers cities have with respect to stormwater facilities, is the power by ordinance or resolution to:
    - (i) Exercise general regulation over the planning, location, construction, and operation and maintenance of stormwater facilities in the city, whether or not owned and operated by the city;
    - (ii) Adopt any rules and regulations deemed necessary to accomplish the purposes of this statute, including the adoption of a system of fees for services and permits;
    - (iii) Establish standards to regulate the quantity of stormwater discharged and to regulate stormwater contaminants as may be necessary to protect water quality;
    - (iv) Review and approve plans and plats for stormwater management in proposed subdivisions or commercial developments;
    - (v) Issue permits for stormwater discharges, or for the construction, alteration, extension, or repair of stormwater facilities;
    - (vi) Suspend or revoke permits when it is determined that the permittee has violated any applicable ordinance, resolution, or condition of the permit;
    - (vii) Regulate and prohibit discharges into stormwater facilities of sanitary, industrial, or commercial sewage or waters that have otherwise been contaminated; and
    - (viii) Expend funds to remediate or mitigate the detrimental effects of contaminated land or other sources of stormwater contamination, whether public or private.
- (2) Administrator. The city manager, or designee, shall administer the provisions of this chapter.

(3) Jurisdiction. This ordinance shall govern all properties within the corporate limits for the City of Goodlettsville, Tennessee.

(4) Right of entry. Designated city staff shall have right-of-entry, at reasonable times, on or upon the property of any person subject to this chapter and access to any permit/document issued hereunder. City staff shall be provided ready access to all parts of the premises for purposes of inspection, monitoring, sampling, inventory, records examination and copying, and performance of any other duties necessary to determine compliance with this chapter.

Designated city staff shall have the right to set up on the property of any person subject to this chapter such devices, as are necessary, to conduct sampling and/or flow measurement of the property's stormwater operations or discharges.

The city has the right to determine and impose inspection schedules necessary to enforce provisions of this chapter.

(5) Stormwater management ordinance. The intended purpose of this ordinance is to safeguard property and public welfare by regulating stormwater quality and drainage while requiring temporary and permanent provisions for its control.

**18-302. Definitions.** For the purpose of this chapter, the following definitions shall apply: Words used in the singular shall include the plural, and the plural shall include the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary.

The word "may" is permissive. Words not defined in this section shall be construed to have the meaning given by common and ordinary use as defined in the latest edition of Webster's Dictionary.

(1) "Administrative or civil penalties." Under the authority provided in Tennessee Code Annotated, § 68-221-1106, the city declares that any person violating the provisions of this chapter may be assessed a civil penalty by the city of not less than fifty dollars (\$50.00) and not more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

(2) "Agricultural land management activities" means the practice of cultivating the soil, producing crops, and raising livestock for the preparation and marketing of the resulting products.

(3) "As built plans" means drawings depicting conditions, elevation, location, and material of stormwater facilities as they were actually constructed.

(4) "Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants to waters of the state. BMPs also include treatment

requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. ~~BMPs could be incorporated by reference into this ordinance as if fully set out therein.~~ BMPs include source control practices (non-structural BMPs) and engineered structures designed to treat runoff. Structural BMPs are facilities that help prevent pollutants in stormwater runoff from leaving the site. Non-structural BMPs are techniques, activities and processes that reduce pollutants at the source.

(5) "Borrow pit" is an excavation from which erodible material (typically soil) is removed to be fill for another site. There is no processing or separation of erodible material conducted at the site. Given the nature of activity and pollutants present at such excavation, a borrow pit is considered a construction activity for the purpose of this permit.

(6) "Buffer zone" is a permanent strip of natural perennial vegetation, adjacent to a stream, river, wetland, pond, or lake that contains dense vegetation made up of grass, shrubs, and/or trees. The purpose of a water quality riparian buffer is to maintain existing water quality by minimizing risk of any potential sediments, nutrients or other pollutants reaching adjacent surface waters and to further prevent negative water quality impacts by providing canopy over adjacent waters. ~~means a setback from the top of water body's bank of undisturbed vegetation, including trees, shrubs and herbaceous vegetation; enhanced or restored vegetation; or the re-establishment of native vegetation bordering streams, ponds, wetlands, springs, reservoirs or lakes, which exists or is established to protect those water bodies.~~

(7) "Channel" means a natural or artificial watercourse of perceptible extent, with a definite bed and banks ~~to confine and that~~ conducts continuously or periodically flowing water ~~continuously or periodically~~.

(8) "Common plan of development or sale" is broadly defined as any announcement or documentation (including a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating construction activities may occur on a specific plot. A common plan of development or sale identifies a situation in which multiple areas of disturbance are occurring on contiguous areas. This applies because the activities may take place at different times, on different schedules, by different operators.

(9) "Construction" is the disturbance of soil and land by -erection, building, acquisition, alteration, reconstruction, improvement or extension of stormwater facilities; preliminary planning to determine the economic and engineering feasibility of stormwater facilities; the engineering, legal, fiscal and economic investigations and studies, surveys, designs, plans, working drawings, specifications, procedures, and other action necessary in the construction of stormwater facilities; and the inspection and supervision of the construction of stormwater facilities.

(10) "Contaminant" means any physical, chemical, biological, or radiological substance or matter in water that degrades the quality of the water.

(11) "Design storm event" means a hypothetical storm event, of a given frequency interval and duration, used in the analysis and design of a stormwater facility. The estimated design rainfall amounts, for any return period interval (i.e., 1-yr, 2-yr, 5-yr, 10-yr, 25-yr, etc.) in terms of either twenty-four (24) hour depths or intensities for any duration, can be found by accessing the NOAA National Weather Service Atlas 14 data for Tennessee. For temporary erosion and sediment control practices, the design storm is the 5-year, 24-hour event. Other data sources may be acceptable with prior written approval by TDEC Water Pollution Control.

(12) "Discharge" means dispose, deposit, spill, pour, inject, seep, dump, leak or place by any means, or that which is disposed, deposited, spilled, poured, injected, seeped, dumped, leaked, or placed by any means including any direct or indirect entry of any solid or liquid matter into the municipal separate storm sewer system.

(13) "Disturbed area" or "disturbance," means the total area presented as part of the development (and/or of a larger common plan of development) subject to being cleared, graded, or excavated during the life of the development. The area cannot be limited to only the portion of the total area that the site-wide owner/developer initially disturbs through the processes of various land clearing activities or in the construction of roadways, sewers and water utilities, stormwater drainage structures etc. to make the property marketable.

(14)—"Easement" means an acquired privilege or right of use or enjoyment that a person, party, firm, corporation, city or other legal entity has in the land of another.

(15) "Enforcement Response Plan (ERP)" is a set of procedures which present the permittee's potential responses to violations and address repeat violation through progressive enforcement as needed to achieve compliance. These enforcement responses should be commensurate with the nature of the violation and must include enforcement responses progressing up to the maximum civil and criminal penalties as described in T.C.A. 69-3-101, et seq. the enforcement response procedures or methods must address all violations of prohibitions and requirements applicable to this permit that are contained in the permittee's statutes, codes or other control mechanisms as well as other violations of the permit. The enforcement response procedures or methods documentation must be referenced by or included in the permittee's statutes, codes or other control mechanisms. The enforcement responses may include actions such as written notices, citations with administrative penalties, stop work orders, withholding of plans approvals or other authorizations, or any other administrative judicial action.

(16) "Erosion" means the removal of soil particles by the action of water, wind, ice or other geological agents, whether naturally occurring or acting in conjunction with or promoted by human activities or effects.

(17) "Erosion Prevention and Sediment Control Plan (EPSCP)" means a written plan (including drawings or other graphic representations) that is designed to minimize the erosion and sediment runoff at a site during construction activities.

~~(176) "HotspotPriority area" means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in~~

stormwater. The following land uses and activities are deemed stormwater hotspots priority areas, but that term is not limited to only these land uses:

- (a) ~~Vehicle salvage yards and recycling facilities;~~
- (b) ~~Vehicle service and maintenance facilities;~~
- (c) ~~Vehicle and equipment cleaning facilities;~~
- (d) ~~Fleet storage areas (bus, truck, etc.);~~
- (e) ~~Industrial sites (included on standard industrial classification code list);~~
- (f) ~~Marinas (service and maintenance);~~
- (g) ~~Public works storage areas;~~
- (h) ~~Facilities that generate or store hazardous waste materials;~~
- (i) ~~Commercial container nursery;~~
- (j) ~~Restaurants and food service facilities; or~~
- (k) ~~Other land uses and activities as designated by an appropriate review authority~~

(18) -“Exceptional Tennessee Waters.” Surface waters designated by the Division as having the characteristics set forth at Tennessee Rules, Chapter 0400-40-03-.06(4). Characteristics include waters within parks or refuges, scenic rivers, waters with threatened or endangered species, waters that provide specialized recreational opportunities, waters within areas designated as lands, waters with naturally reproducing trout, waters with exceptional biological diversity and other waters with outstanding ecological or recreational value.

(19) "Illicit connections" means illegal and/or unauthorized connections to the municipal separate stormwater system whether or not such connections result in discharges into that system.

(20) "Illicit discharge" means any discharge to the municipal separate storm sewer system that is not composed entirely of stormwater and not specifically exempted under §14-507(2).

(21) "Improved sinkhole" is a natural surface depression that has been altered in order to direct fluids into the hole opening. Improved sinkhole is a type of injection well regulated under TDEC's Underground Injection Control (UIC) program. Underground injection constitutes an intentional disposal of waste waters in natural depressions, open fractures, and crevices (such as those commonly associated with weathering of limestone).

(22) "Inspector." An inspector is a person that has successfully completed (has a valid certification from) the "Fundamentals of Erosion Prevention and Sediment Control Level 1" course or equivalent course, a licensed professional engineer or landscape architect, a Certified

Professional in Erosion and Sediment Control (CPESC), or a person who has successfully completed the “Level 2H – Design Principles for Erosion Prevention and Sediment Control for Construction Site” course. An inspector performs and documents the required inspections, paying particular attention to time-sensitive permit requirements such as stabilization and maintenance activities. An inspector may also have the following responsibilities:

(a) Oversee the requirements of other construction-related permits, such as Aquatic Resources Alteration Permit (ARAP) or Corps of Engineers permit for construction activities in or around waters of the state;

(b) Conduct pre-construction inspection to verify that undisturbed areas have been properly marked and initial measures have been installed; Update field Stormwater Pollution Prevention Plan(s) (SWPPP);

(c) Update field Stormwater Pollution Prevention Plan(s) (SWPPP);  
~~and Conduct pre-construction inspection to verify that undisturbed areas have been properly marked and initial measures have been installed; and~~

(d) Inform the permit holder of activities that may be necessary to gain or remain in compliance with the Construction General Permit (CGP) and other environmental permits.

(23) "Land disturbing activity" means any activity on property that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Land-disturbing activities include, but are not limited to, development, re-development, demolition, construction, reconstruction, clearing, grading, filling, and excavation.

(24) "Maintenance" means any activity that is necessary to keep a stormwater facility in good working order so as to function as designed. Maintenance shall include complete reconstruction of a stormwater facility if reconstruction is needed in order to restore the facility to its original operational design parameters. Maintenance shall also include the correction of any problem on the site property that may directly impair the functions of the stormwater facility. Maintenance programs have the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

(25) "Maintenance agreement" means a document recorded in the land records that acts as a property deed restriction, and which provides for long-term maintenance of stormwater ~~management practices~~ control measures (SCMs).

(26) "Municipal Separate Storm Sewer System (MS4)." Defined in 40 CFR § 122.26(b)(8) to mean a conveyance or system of conveyances (e.g., roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that are:

(a) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or

drainage district, or similar entity, or an Indian tribal organization or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States;

(b) Designed or used for collecting or conveying stormwater;

(c) Not a combined sewer; and

(d) Not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 122.2.

(27) "National Pollutant Discharge Elimination System permit" or a "NPDES permit" means a permit issued pursuant to 33 U.S.C. 1342.

(28) "Off-site facility" means a structural BMP located outside the subject property boundary described in the permit application for land development activity.

(29) "On-site facility" means a structural BMP located within the subject property boundary described in the permit application for land development activity.

(30) "Operator" in the context of stormwater associated with construction activity, means any person associated with a construction project that meets either of the following two criteria:

(a) This person has operational or design control over construction plans and specifications, including the ability to make modifications to those plans and specifications. This person is typically considered the owner or developer of the project or a portion of the project (e.g., subsequent builder) or the person who is the current owner of the construction site, and is considered the primary permittee; or

(b) This person has day-to-day operational control of those activities at a project which are necessary to ensure compliance with a SWPPP for the site or other permit conditions. This person is typically a contractor or a commercial builder who is hired by the primary permittee and is considered a secondary permittee.

It is anticipated at different phases of a construction project, different types of parties may satisfy the definition of "operator."

(31) "Peak flow" means the maximum instantaneous rate of flow of water at a particular point resulting from a storm event.

(32) "Permanent Stabilization" all soil disturbing activities at the site have been completed and one of the three following criteria is met:

(a) A perennial, preferable native, vegetative cover with uniform (i.e., evenly distributed, without large bare areas) density of at least 70 percent has been established on all unpaved areas and areas not covered by permanent structures, and all slopes and channels have been permanently stabilized against erosion.

(b) Equivalent permanent stabilization measures such as the use of riprap; permanent geotextiles; hardened surface materials including concrete, asphalt, gabion

baskets or Reno mattresses have been employed.

(c) For construction projects on lands used for agricultural or silvicultural purposes, permanent stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural or silvicultural use, see “stabilization”

(33) "Person" means any and all persons, natural or artificial, including any individual, firm or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

(34) “Point Source or Outfall” means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include introduction of pollutants from non-point source agricultural or silvicultural activities, including stormwater runoff from orchards, cultivated crops, pastures, range lands, forest lands or return flows from irrigated agriculture or agricultural stormwater runoff. In short, outfall is a point where runoff leaves the site as a concentrated flow in a discrete conveyance.

(35) "Priority area" means an area where land use or activities generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater. The following land uses and activities are deemed stormwater priority areas, but that term is not limited to only these land uses:

- (a) Vehicle salvage yards and recycling facilities;
- (b) Vehicle service and maintenance facilities;
- (c) Vehicle and equipment cleaning facilities;
- (d) Fleet storage areas (bus, truck, etc.);
- (e) Industrial sites (included on standard industrial classification code list);
- (f) Marinas (service and maintenance);
- (g) Public works storage areas;
- (h) Facilities that generate or store hazardous waste materials;
- (i) Commercial container nursery;
- (j) Restaurants and food service facilities; or
- (k) Other land uses and activities as designated by an appropriate review authority

(36) "Redevelopment" means building or constructing new infrastructure in an area that has previously been built or constructed on, and the old infrastructure is to be replaced with new that results in a disturbed area of at least 10,000 sq. ft.

(37) "Runoff," ~~means that portion of the precipitation on a drainage area that is discharged from the area into the municipal separate storm sewer system. Runoff factors can include impervious surface, slopes, and site drainage features, see "Sstormwater".~~

(38) "Sediment" means solid material, both inorganic (mineral) and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice ~~and has come to rest on the earth's surface either above or below sea level as a product of erosion.~~

(39) "Sedimentation" means the action or process of forming or depositing sediment. soil particles suspended in stormwater that can settle in stream beds.

(40) "Sinkhole" means a cavity in the ground providing a route for surface water to disappear underground. ~~Sinkholes are a vital component of the drainage network and are subject to clogging by sediment and debris.~~

(41) "Soils report" means a study of soils on a subject property with the primary purpose of characterizing and describing the soils. The soils report shall be prepared by a qualified soils engineer, who shall be directly involved in the soil characterization either by performing the investigation or by directly supervising employees conducting the investigation.

(42) "Stabilization" means providing adequate measures, vegetative and/or structural, that will prevent erosion from occurring, see "Ppermanent Stabilization" and "Ttemporary stabilization."

(43) "Stormwater" means stormwater-rainfall runoff, snow melt runoff, and surface runoff and drainage., ~~street wash waters related to street cleaning or maintenance, infiltration and drainage.~~

(44) "Stormwater control measure (SCM)" means permanent practices and measures designed to reduce the discharge of pollutants from new development projects or redevelopment projects.

(45) "Stormwater entity" means the entity designated by the city to administer the stormwater management ordinance, and other stormwater rules and regulations adopted by the city.

(46) "Stormwater management" means the programs to maintain quality and quantity of stormwater runoff to pre-development levels.

(47) "Stormwater management facilities" means the drainage structures, conduits, ponds, ditches, combined sewers, sewers, and all device appurtenances by means of which stormwater is collected, transported, pumped, treated or disposed of.

(48) "Stormwater management plan" ~~is a written compilation of the elements of the Stormwater Management Program. It is considered a single document, even though it actually consists of separate stand-alone components. means the set of drawings and other documents that comprise all the information and specifications for the programs, drainage systems, structures, BMPs, concepts and techniques intended to maintain or restore quality and quantity of stormwater runoff to pre-development levels.~~

(49) "Stormwater system" or "system" means all stormwater facilities, stormwater drainage systems and flood protection systems of the city and all improvements thereto which operate to, among other things, control discharges and flows necessitated by rainfall events; and incorporate methods to collect, convey, store, absorb, inhibit, treat, prevent or reduce flooding, over drainage, environmental degradation and water pollution or otherwise affect the quality and quantity of discharge from such system.

(50) "Stormwater Pollution Prevention Plan (SWPPP)" means a written ~~site-specific~~ plan that includes a narrative pollution prevention plan and graphical erosion and sediment control plan. In its basic form, the plan contains a site map(s), an identification a description of construction/contractor activities that could introduce cause pollutants in the to stormwater runoff, and a description of measures or practices to control these pollutants, and erosion and sediment control plans and specifications. It must be prepared and ~~submitted-approved~~ before construction begins. In order to effectively reduce erosion and sedimentation impacts, Best Management Practices (BMPs) must be designed, installed, and maintained during land disturbing activities. The SWPPP should be prepared in accordance with the current Tennessee Erosion and Sediment Control Handbook. ~~The handbook is intended for use during the design and construction of projects that require erosion and sediment controls to protect waters of the state. It also aids in the development of SWPPPs and other reports, plans, or specifications required when participating in Tennessee's water quality regulations. All SWPPPs shall be prepared and updated in accordance with section 3 of the general NPDES permit for discharges of stormwater associated with construction activities.~~

(51) "Stormwater runoff," ~~means flow on the surface of the ground, resulting from precipitation, see "runoffSstormwater".~~

(52) "Stream" means a surface water that is not a wet weather conveyance. [Rules and Regulations of the State of Tennessee, Chapter ~~1200-4-3-.04(20)0400-40-03~~]. Stream includes lakes, wetlands and other non-linear surface waters. See also "waters of the state."

(53) "Structural BMPs" means facilities that ~~are constructed to provide control of help prevent pollutants in~~ stormwater runoff from leaving the site.

(54) "Surety" is a letter of credit or other acceptable form of assurance for completion of improvements as needed acceptable by the city attorney, administrator, and/or other city personnel.

(55) "Surface water" includes waters upon the surface of the earth in bounds created naturally or artificially including, but not limited to, streams, other water courses, lakes and reservoirs.

(56) "Temporary stabilization" is achieved when vegetation or non-erodible surface has been established on the area of disturbance and construction activity has temporarily ceased. Under certain conditions, temporary stabilization is required when construction activities temporarily cease. However, if future construction activity is planned, permit coverage continues, see "stabilization."

(57) "Waste site" means an area where ~~waste~~ material from a construction site is ~~deposited~~disposed of. When the material is erodible, such as soil, the site must be treated as a construction site.

(58) "Water quality riparian buffer zone" see "Buffer zone."

(59) "Water quality treatment volume (WQTV)" means a portion of the runoff generated from impervious surfaces at a new development or redevelopment project by the design storm.

(60) "Watercourse" means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

(61) "Watershed" means all the land area that contributes runoff to a particular point along a waterway.

(62) "Waters" or "waters of the state" means any and all water, public or private, on or beneath the surface of the ground, which are contained within, flow through, or border upon Tennessee or any portion thereof except those bodies of water confined to and retained within the limits of private property in single ownership which do not combine or effect a junction with natural surface or underground waters.

(63) "Wetland(s)" means those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions do support, a prevalence of vegetation typically ~~adapted~~ to life in saturated soil conditions. Wetlands generally include, but are not limited to, swamps, marshes, bogs, and similar areas.

(64) "Wet weather conveyances" are man-made or natural watercourses, including natural watercourses that have been modified by channelization, that flow only in direct response to precipitation runoff in their immediate locality and whose channels are at all times above the groundwater table and are not suitable for drinking water supplies; and in which hydrological and biological analyses indicate that, ~~under normal weather conditions~~, due to naturally occurring ephemeral or low flow during normal weather conditions, there is not sufficient water to support fish or multiple populations of obligate lotic aquatic organisms whose life cycle includes an aquatic phase of at least two months. (Rules and Regulations of the State of Tennessee, Chapter ~~1200-4-3-.04(3)0400-40-03~~). (~~Ord. #04-651, Jan. 2005, as replaced by Ord. #15-830, Feb. 2015~~)

### **18-303. Waivers.**

(1) General. No waivers will be granted to any construction or site work project. All construction and site work shall provide for stormwater management as required by this ordinance. However, alternatives to the primary requirement(s) for on-site permanent stormwater management may be considered, if:

(a) Management measures cannot be designed, built and maintained to infiltrate, evapotranspire, harvest and/or use, at a minimum, the ~~first inch~~water quality treatment volume (WQTV) of every rainfall event preceded by seventy-two (72) hours of no measurable precipitation. ~~This first inch of rainfall must be one hundred percent (100%) managed with no discharge to surface waters~~Refer to the WQTV table within Section 18-305.4.ed for minimum requirements for treatment volumes and treatment types.

(b) It can be demonstrated that the proposed development will not discharge, during or after construction, stormwater runoff that contains contaminants or will otherwise not affect, impair or degrade adjacent or downstream properties, conveyances, or streams.

(c) Alternative minimum requirements for on-site management of stormwater discharges have been established in a stormwater management plan that has been approved by the city.

(2) Downstream damage, etc. prohibited. In order to receive consideration, the applicant must demonstrate to the satisfaction of the administrator that the proposed alternative will not lead to any of the following conditions downstream:

- (a) Deterioration of existing culverts, bridges, dams, structures or land;
- (b) Degradation of biological functions or habitat;
- (c) Accelerated streambank or streambed erosion or siltation;
- (d) Increased threat of flood damage to public health, life or property.

(3) Alternative request procedure. For consideration of an alternative stormwater management measure, a formal request shall be submitted to the administrator. The formal request shall be submitted with a stormwater management plan outlining why the primary stormwater management measure cannot be addressed and how the alternative measures will address the provisions outlined in this Ordinance. The plan shall demonstrate how the proposed development is not likely to impair attainment of the objectives of this chapter. The administrator shall notify the appellant customer of the date of the alternative request in writing; such written notice shall be given at the address provided following review of the request. The decision made by the administrator will be final and conclusive with no further administrative review.

(4) Land disturbance permit not to be issued where alternatives requested. No land disturbance permit shall be issued where an alternative has been requested until the alternative is approved, unless allowed by the administrator. If no alternative is approved, the plans must be resubmitted with a stormwater management plan that meets the primary requirement for on-site stormwater management. If no alternative is approved, the owner has thirty (30) days to resubmit the land disturbance permit without facing additional fees. If the land disturbance permit is submitted more than thirty (30) days following the alternative request decision by the administrator, applicable fees will be charged.

#### **18-304. Land disturbance permit.**

(1) General. The land disturbance permit is to be obtained by the owner(s) or owner(s) designee(s) for development or redevelopment of 10,000 sq. ft., or greater over an acre, or less than 10,000 sq. ft. one (1) acre if part of a larger plan of common development or sale. The land disturbance permit is designed to track all applicable land disturbance activities and ensure they are monitored for compliant erosion prevention and sediment controls, the absence of illicit discharges leaving the site, and compliance with the city's TDEC NPDES MS4 general permit along with any applicable TDEC construction general permits, TDEC Aquatic Resources Alteration Permits (ARAP), and any other relevant permits. Tracking of these activities allows inspection, and in cases of non-compliance, enforcement actions to be taken.

(2) Exemptions. The following land disturbance activities are exempt from the requirements of obtaining a land disturbance permit:

(a) Surface mining as is defined in Tennessee Code Annotated, § 59-8-202.

(b) Such minor land disturbing activities as home gardens and individual home landscaping, home repairs, home additional or modifications, home maintenance work, and other related activities that result in no soil erosion leaving the site. (Erosion Prevention and Sediment Control (ESPC) practices may be enforced through individual building permits.)

(c) Agriculture practices involving the establishment, cultivation or harvesting of products in the field or orchard, preparing and planting of pastureland, farm ponds, dairy operations, livestock and poultry management practices. Refer to Section 18-302 for additional approved agricultural land management activities.

(d) Any project carried out under the technical supervision of NCRS, TDOT, TDEC, or USACE that is covered under applicable state or federal construction permits.

(e) Installation, maintenance, and repair of any underground public utility lines when such activity occurs on an existing road, street, or sidewalk which is hard surfaced and such street, curb, gutter, or sidewalk construction has been approved.

(f) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.

These activities may be undertaken without a land disturbance permit; however, the person conducting these excluded activities shall remain responsible for conducting these activities within accordance with provisions of this ordinance and other applicable regulations including responsibility for controlling sediment, illicit discharges, and runoff.

(3) Supplemental permit. In cases where a secondary owner/operator will be working within an area already covered by an existing land disturbance permit that was issued under the name of a primary owner/operator, a supplemental land disturbance permit shall be obtained prior to commencement of the secondary owner/operator's work. The application fee may be waived for any supplemental permit. Where applicable, prior to issuance of the supplemental land disturbance permit, the secondary owner/operator must show that coverage under the site's NPDES construction general permit has been obtained. Once covered by a land disturbance permit, all primary and secondary owner/operators will be considered by the city as co-permittees. If co-permittee's involvement in the construction activities affects the same project site, they will be held jointly and severally responsible for complying with the terms of the permits issued for that site.

(4) Application. Application for the land disturbance permit shall be made to the administrator by the property owner(s) and co-permittee (if applicable). Applications are available from the assigned division. No land disturbing activities shall take place prior to approval of the land disturbance permit application. Application fees must be paid prior to issuance of the land disturbance permit.

(5) Permit requirements. The following are conditions of land disturbance permit coverage. Any violation of these conditions will make the permit holder(s) subject to all enforcement actions and penalties outlined in this ordinance.

(a) Submittal and approval by city staff and board(s) of the erosion prevention and sediment control plans.

(b) Compliance with the site's TDEC construction general permit, TDEC ARAP, TDEC underground injection well permit, FEMA flood-plain development permit, and other federal or state permits where applicable.

(c) Compliance with approved erosion prevention and sediment control plan and EPSC performance standards.

(d) Implementation and maintenance of appropriate erosion prevention and sediment control best management practices.

(e) Construction site operators must control wastes such as discarded building materials, concrete truck washouts, chemicals, litter, and sanitary waste at the construction site to avoid adverse impacts to water quality.

(6) Land disturbance surety. Prior to the issuance of a permit for any land disturbance activity, the applicant shall be required to provide a surety to the City of Goodlettsville to

guarantee completion of all land and grade stabilization measures and improvements as shown by the approved grading plan. For areas when potentially hazardous soil or drainage conditions exist due to types of soils, steep grades, floodplain development, streams, or drainage ditches, the applicant may be required to provide a surety to guarantee completion of all land and grade stabilization measures and improvements as shown by the approved plan. ~~A surety will not be required for land disturbance activity less than one acre or land disturbance activity as part of a larger common plan of development or sale that is less than one acre.~~

(7) Permit duration. Each land disturbance permit shall expire and become null and void when one of the following has occurred:

- (a) Six (6) months of no activity on the site has occurred.
- (b) Final stabilization of the site per the approved plans has occurred.
- (c) Issuance of a TDEC Notice of Termination (NOT). A copy must be provided to the city in order to close out the land disturbance permit.
- (d) Three (3) years from issuance of permit or if new federal or state regulations exist changing the scope of coverage where a new land disturbance permit is required.
- (e) In cases of expiration of the land disturbance permit, a permit may be re-issued with no additional fee if the plan and scope of the project submitted on the original land disturbance permit does not significantly change. When significant change applies, new permit fees must be paid. ~~(Ord. #04-651, Jan. 2005, as replaced by Ord. #15-830, Feb. 2015, and amended by Ord. #19-939, June 2019 Ch4\_1-23-20)~~

#### **18-305. Stormwater system design: construction and permanent stormwater management performance standards.**

(1) Applicability. This section shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, land disturbance applications and grading applications. The requirements in this section shall apply to any new development or redevelopment site that meets one or more of the following criteria:

- (a) 10,000 square feet or more;
  - (i) New development that involves land disturbance activities of 10,000 square feet or more;
  - (ii) Redevelopment that involves other land disturbance activity of 10,000 square feet or more;
- (b) Developments and redevelopments less than 10,000 square feet of total land disturbance may also be required to obtain authorization under this ordinance if:

(i) The administrator has determined that the stormwater discharge from a site is causing, contributing to, or is likely to contribute to a violation of a state water quality standard;

(ii) The administrator has determined that the stormwater discharge is, or is likely to be a significant contributor of pollutants to waters of the state; or

(iii) Any new development or redevelopment, regardless of size, that is defined by the administrator to be a ~~hotspot-priority area~~ land use.

(c) Other instances in which ~~an LDP-land disturbance permit~~ will be required include:

(i) Change in elevation of property at the discretion of the Administrator.

(ii) Any land disturbance that requires coverage under a TDEC construction general permit.

(iii) Any disturbance that requires coverage under a TDEC ARAP.

(d) Variance Procedures. The Stormwater Administrator shall hear requests for variances from the requirements of this regulation. Requests for variances must be filed on a form provided by the Stormwater Administrator and will be handled in accordance with these variance procedures and internal operating rules and regulations. If the conditions under which a variance was approved are not met, or if the Stormwater Administrator is informed of any misrepresentation of facts in the application or at the hearing, the Stormwater Administrator may issue a Stop Work Order or may withhold the Use and Occupancy Permit for a project until any problems identified are resolved to the satisfaction of the issuing department.

(2) General requirements. Stormwater at applicable developments and redevelopments shall be managed in accordance with the requirements contained within this section.

(a) Any discharge of stormwater or other fluid to an improved sinkhole or other injection well, as defined, must be authorized by permit or rule as a Class V underground injection well under the provisions of Tennessee Department of Environment and Conservation (TDEC) Rules, chapter ~~1200-4-60~~400-45-06.

(b) Stormwater design or BMP manuals.

(i) Adoption. The city adopts as its MS4 stormwater design, ~~and~~ Best Management Practices (BMP) and Stormwater Control Measures (SCM) manuals for stormwater management, construction and permanent, the following publications, which are incorporated by reference in this ordinance as if fully set out herein:

(A) TDEC Erosion Prevention and Sediment Control Handbook; most current edition.

(B) Tennessee Permanent Stormwater Management and Design Guidance Manual; most current edition.

(C) Tennessee Guide to the Selection and Design of Stormwater Best Management Practices (BMPs)

(D) Metro Nashville Stormwater Management Manual Volume 5, Low Impact Development

(E) And/or a collection of city approved BMPs and SCMs.

(ii) The publications listed above include a list of acceptable BMPs and SCMs including the specific design performance criteria and operation and maintenance requirements. These include city approved BMPs-SCMs for permanent stormwater management including green infrastructure SCMBMPs.

(iii) Stormwater facilities that are designed, constructed and maintained in accordance with these publications will be presumed to meet the minimum water quality performance standards. Refer to the WQTV table within Section 18-305.4 for minimum requirements for treatment volumes and treatment types.

(c) Submittal of a copy of the NOC, SWPPP and NOT to the local MS4:

(i) Permittees who discharge stormwater through an NPDES-permitted Municipal Separate Storm Sewer System (MS4) who are not exempted in section 1.4.5 (permit coverage through qualifying local program) of TDEC's Construction General Permit (CGP) must provide proof of coverage under the Construction General Permit (CGP); submit a copy of the Stormwater Pollution Prevention Plan (SWPPP); and at project completion, a copy of the signed Notice of Termination (NOT) to the administrator. Permitting status of all permittees covered (or previously covered) under this general permit as well as the most current list of all MS4 permits is available at the TDEC's data viewer web site.

(ii) Copies of additional applicable local, state or federal permits (i.e.: ARAP, etc.) must also be provided upon request.

(iii) If requested by the city, these permits must be provided before the issuance of any land disturbance permit or the equivalent.

(3) Stormwater pollution prevention plans for construction stormwater management.

(a) Requirement to prepare a SWPPP: The applicant must prepare a stormwater pollution prevention plan (SWPPP) for all construction activities that complies with subsection (6) below. The purpose of this plan is to identify owner/operator activities that could cause pollutants in the stormwater, and to describe measures or practices to control these pollutants during project construction.

(b) Stormwater pollution prevention plan general requirements: The erosion prevention and sediment control plan component of the SWPPP shall adhere to the following requirements.

(i) The potential for soil erosion and sedimentation problems resulting from land disturbing activity shall be accurately described;

(ii) The measures that are to be taken to control soil erosion and sedimentation problems shall be explained and illustrated;

(iii) The length and complexity of the plan must be commensurate with the size of the project, severity of the site condition, and potential for off-site damage.

(iv) If necessary, the measures to control soil erosion and sedimentation problems that are described in the plan shall be phased so that changes to the site that alter drainage patterns or characteristics during construction will be addressed by an appropriate phase of the plan.

(v) The plan shall be sealed by a registered professional engineer or landscape architect licensed in the State of Tennessee.

(vi) The plan shall conform to the requirements found in the general NPDES permit for stormwater discharges from construction activities (TNR100000), and shall include at least the following:

(A) Project description - Briefly describe the intended project and proposed land disturbing activity including number of units and structures to be constructed and infrastructure required.

(B) A topographic map with contour intervals of five feet (5') or less showing present conditions and proposed contours resulting from land disturbing activity.

(C) All existing drainage ways, including intermittent and wet-weather. Include any designated floodways or flood-plains.

(D) A general description of existing land cover. Individual trees and shrubs do not need to be identified.

(E) Stands of existing trees as they are to be preserved upon project completion, specifying their general location on the property. Differentiation shall be made between existing trees to be preserved, trees to be removed and proposed planted trees. Tree protection measures must be identified, and the diameter of the area involved must also be identified on the plan and shown to scale. Information shall be supplied concerning the proposed destruction of exceptional and historic trees in setbacks and buffer strips, where they exist. Complete landscape plans may be

submitted separately. The plan must include the sequence of implementation for tree protection measures.

(F) Approximate limits of proposed clearing, grading and filling.

(G) Approximate flows of existing stormwater leaving any portion of the site.

(H) A general description of existing soil types and characteristics and any anticipated soil erosion and sedimentation problems resulting from existing characteristics.

(I) Location, size and layout of proposed stormwater and sedimentation control improvements.

(J) Existing and proposed drainage network.

(K) Proposed drain tile or waterway sizes.

(L) Approximate flows leaving site after construction and incorporating water run-off mitigation measures. The evaluation must include projected effects on property adjoining the site and on existing drainage facilities and systems. The plan must address the adequacy of outfalls from the development: when water is concentrated, what is the capacity of waterways, if any, accepting stormwater off-site; and what measures, including infiltration, sheeting into buffers, etc., are going to be used to prevent the scouring of waterways and drainage areas off-site, etc.

(M) The projected sequence of work represented by the grading, drainage and sedimentation and erosion control plans as related to other major items of construction, beginning with the initiation of excavation and including the construction of any sediment basins, sediment traps, or retention/detention facilities or any other structural BMPs. Sediment should be removed from sediment controls as recommended in the Tennessee Erosion and Sediment Control Handbook and must be removed when design capacity has been reduced by 50fifty percent. For construction sites discharging into a water with unavailable parameters due to siltation/sedimentation or Exceptional Tennessee Waters, a sediment trap shall be provided for drainage areas of 3.5 to 4.9 acres that will provide treatment for a calculated volume of runoff from a 5-year, 24-hour design storm and runoff from each acre drainage or equivalent measures. For an on-site outfall which receives drainage from ten (10) or more acres, a sediment basin that will provide treatment for a calculated volume of runoff from a 52-year, 24-hour design storm and runoff from each acre drainage or equivalent control measures shall be provided until final stabilization of the site. For construction sites discharging into a

water with unavailable parameters due to siltation/sedimentation or Exceptional Tennessee Waters, a sediment basin shall be provided for drainage areas of five (5) acres or more acres that will provide treatment for a calculated volume of runoff from a 5-year, 24-hour design storm and runoff from each acre drainage or equivalent measures as specified in the Tennessee Erosion and Sediment Control Handbook. The design drainage area includes both disturbed and undisturbed portions of the site or areas adjacent to the site, all draining through a common outfall.

(N) Specific remediation measures to prevent erosion and sedimentation run-off. Plans shall include detailed drawings of all control measures used; stabilization measures including vegetation and non-vegetation measures, both temporary and permanent, will be detailed. Detailed construction notes and a maintenance schedule shall be included for all control measures in the plan.

(O) Specific details for: the construction of stabilized construction entrance/exits, concrete washouts, ~~and~~ sediment basins, and sediment traps for controlling erosion; road access points; eliminating or keeping soil, sediment, and debris on streets and public ways at a level acceptable to the city. Soil, sediment, and debris brought onto streets and public ways must be removed by the end of the work-day to the satisfaction of the city. Failure to remove the sediment, soil or debris shall be deemed a violation of this ordinance.

(P) Proposed structures: location and identification of any proposed additional buildings, structures or development on the site.

(Q) A description of on-site measures to be taken to recharge surface water into the ground water system through runoff reduction practices.

(R) Specific details for construction waste management. Construction site operators shall control waste such as discarded building materials, concrete truck washout, petroleum products and petroleum related products, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality. When the material is erodible, such as soil, the site must be treated as a construction site.

(4) Stormwater quality. To implement the objectives of this ordinance, the following general stormwater quality policy statements shall apply:

(a) There shall be no distinctly visible floating scum, oil, or other matter contained in the stormwater discharge.

(b) The stormwater discharge must not cause an objectionable color contrast in the receiving stream.

(c) The design storm for water quality treatment design shall be the 1-year, 24-hour design storm event.

(d) All roof runoff is presumed to be contaminated and, therefore, is to be included within the water quality treatment volume.

(e) The water quality treatment volume (WQTV) is the portion of the runoff generated from impervious surfaces at a new development or redevelopment project from the design storm. SCMs must be designed, at a minimum to achieve an overall treatment efficiency of eighty percent (80%) TSS removal from the WQTV. The quantity of the WQTV that must be provided from a new development or redevelopment depends on the type of treatment provided, as established in the following table:

| <u>Water Quality Treatment Volume and the Corresponding SCM Treatment Type for the 1-year, 24-hour design storm</u>  |                                                                                                                                                      |                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>SCM Treatment Type</u>                                                                                            | <u>WQTV</u>                                                                                                                                          | <u>Notes</u>                                                                                                                                                                                                                                                                                 |
| <u>infiltration, evaporation, transpiration, and/or reuse</u>                                                        | <u>Runoff generated from the first 1 inch of the design storm</u>                                                                                    | <u>Examples include, but are not limited to bioretention, stormwater wetlands, and infiltration systems</u>                                                                                                                                                                                  |
| <u>Biologically active filtration, with an underdrain</u>                                                            | <u>Runoff generated from the first 1.25 inches of the design storm</u>                                                                               | <u>To achieve biologically active filtration, SCMs must provide minimum of 12 inches of internal water storage.</u>                                                                                                                                                                          |
| <u>Sand or gravel filtration, settling ponds, extended detention ponds, and wet ponds</u>                            | <u>Runoff generated from the first 2.5 inches of the design storm or the first seventy-five percent (75%) of the design storm, whichever is less</u> | <u>Examples include, but are not limited to, sand filters, permeable pavers, and underground gravel detention systems. Ponds must provide forebays comprising a minimum of 10% of the total design volume. Existing regional detention ponds are not subject to the forebay requirement.</u> |
| <u>Hydrodynamic separation, baffle box settling, other treatment devices (MTDs), and treatment trains using MTDs</u> | <u>Maximum runoff generated from the entire design storm</u>                                                                                         | <u>Flow-through MTDs must provide an overall treatment efficiency of at least 80% TSS reduction</u>                                                                                                                                                                                          |

(f) Treatment trains using MTDs shall use the following calculation:

$$R = A + B - (A \times B) / 100$$

Where:

R = total TSS percent removal from application of both SCMs

A = the TSS percent removal rate applicable to the first SCM

B = the TSS percent removal rate applicable to the second SCM

TSS removal rates for MTD must be evaluated using industry-wide standards

TSS removal rates for other SCMs must be from published reference literature

(g) Treatment trains using infiltration, evaporation, transpiration, reuse, or biologically active filtration followed by sand or gravel filtration, settling ponds, extended detention ponds or wet ponds may subtract the treated WQTV of the upstream SCMS from the WQTV of the downstream SCMs. Additional requirements for infiltration-based SCM treatment devices are as follows:

(i) Infiltration testing shall be required for infiltration based SCMs;

(ii) The site Engineer shall select the appropriate infiltration testing methodology, such as those provided within Metro Nashville Stormwater Management Manual; and

(iii) At a minimum, testing shall identify a minimum 2-ft separation from bedrock.

(h) SCMs must be designed to provide full treatment capacity within 72 hours following the end of the preceding rain event for the life of the new development or redevelopment project.

(i) Calculations demonstrating compliance with this section must be submitted with the Concept Plan for subdivisions and planned developments. They must be submitted with the Site Plan for all other developments.

(j) Incentive standard: The following types of development or redevelopment shall receive a twenty percent (20%) reduction in the water quality treatment volume for any one of the following conditions:

(ii) Redevelopment projects (including, but not limited to, brownfield redevelopment); and

(iii) Vertical density (floor to area ratio of at least 2, or at least 18 units per acre)

~~Design performance standards and requirements for permanent stormwater management. The following performance standards shall be addressed for permanent stormwater management at all applicable development and redevelopment sites effective as of fifteen (15) days following the adoption date of this ordinance:~~

~~(a) — Runoff reduction performance standard. The first inch of rainfall on the development or redevelopment shall be one hundred percent (100%) managed with no discharge to surface waters or the public storm sewer system. This standard shall be met using measures, alone or in combination, designed, built and maintained to infiltrate, evapotranspire or harvest and use the rainfall, in accordance with the site design layout practices and stormwater control measures provided in the Tennessee Permanent Stormwater Management and Design Guidance~~

Manual or reference Metro Nashville's Low Impact Development Design Guidelines, most current edition.

(i) — The pre-development infiltrative capacity of soils at the development or redevelopment must be taken into account in selection of infiltration-based stormwater control measures.

(ii) — The Tennessee Runoff Reduction Assessment Tool (TN-RRAT) or Metro Nashville's Stormwater Management Manual Volume 5, Low Impact Development design guidelines shall be used by the site designer to determine compliance with the runoff reduction requirement.

(iii) — Incentive standard: The following types of development or redevelopment shall receive a ten percent (10%) reduction in the volume of rainfall to be managed for any of the following types of development. Such incentives are additive such that a maximum reduction of fifty percent (50%) of the runoff reduction performance standard is possible for a project that meets all five (5) development types:

(A) — Redevelopment;

(B) — Brownfield redevelopment;

(C) — High density developments having greater than seven (7) units per acre;

(D) — Vertical density developments having a Floor to Area Ratio (FAR) of two (2) or greater than eighteen (18) units per acre; and

(E) — Mixed use and transit-oriented development that is located within one-half (1/2) mile of a mass transit station.

(b) — Runoff reduction performance standard compliance. Developments and redevelopments that achieve one hundred percent (100%) of the runoff reduction performance standard (or incentive standard if applicable) using only site design layout practices and/or stormwater control measures that are designed, built and maintained to infiltrate, evapotranspire or harvest and use the rainfall shall be exempt from compliance with the eighty percent (80%) TSS removal performance standard.

(c) — Runoff reduction limitations. Limitations to the application of runoff reduction requirements may prevent a development or redevelopment from meeting one hundred percent (100%) of the runoff reduction requirement. Such limitations may include, but are not limited to:

(i) — Natural physical conditions exist at the development or redevelopment that preclude or highly limit the use of infiltration practices. Such conditions include, but are not limited to, the following circumstances:

(A) — The presence of sinkholes or other karst features;

(B) — A high prevalence of shallow bedrock;

(C) — A high prevalence of poorly drained soils (i.e., hydrologic soil group D), such that soil amendments to promote infiltration must be extensive;

(D) — A high prevalence of contractive/expansive soils and their proximity to on-site or off-site structures;

(E) — Slopes greater than the maximums identified for the appropriate application of stormwater control measures;

(ii) — The development lacks the available area to create the necessary hydraulic capacity to fully achieve the runoff reduction requirement through infiltration or evapotranspiration; and,

(iii) — The proposed use for the development is inconsistent with the capture and re-use of stormwater;

(iv) — Soil or topographic conditions at the development dictate that stormwater control measures which rely on infiltration to reduce stormwater volumes would be located in close proximity to on-site or off-site subsurface foundations, basements or crawlspaces where wet conditions or flooding is known or suspected to occur;

(v) — Conditions exist at the development that create a potential for introducing pollutants into the groundwater, unless pre-treatment is provided;

(vi) — Pre-existing soil contamination is present in areas that are or could be subject to contact with infiltrated stormwater;

(vii) — The placement of on-site or off-site utilities precludes the use of stormwater control measures that infiltration, evapotranspire or harvest and use rainfall;

(viii) — The site has a historic or archeological significance that cannot be disturbed as determined by the state historic preservation office.

(d) — Eighty percent (80%) TSS removal performance standard: Developments and redevelopments that cannot meet one hundred percent (100%) of the runoff reduction performance standard using the site design layout practices and stormwater control measures provided in the Tennessee Permanent Stormwater Management and Design Guidance Manual must treat the remainder of the stipulated amount of runoff prior to discharge from the development or redevelopment with a technology documented to remove eighty percent (80%) Total Suspended Solids (TSS), unless an alternative provided under this ordinance is approved. The treatment technology must be designed, installed and maintained to continue to meet this performance standard.

(e) — It can be demonstrated that multiple criteria (not based solely on the difficulty or cost of implementing measures) rule out an adequate combination of infiltration, evapotranspiration, and reuse such as lack of available area to create the necessary infiltrative capacity; a site use that is inconsistent with capture and reuse of stormwater; physical conditions that preclude use of these practices.

(~~fk~~) Stormwater discharges to critical areas with sensitive resources (i.e., cold water fisheries, shellfish beds, swimming beaches, recharge areas, water supply reservoirs, etc.) may be subject to additional performance criteria, or may need to utilize or restrict certain stormwater management practices.

~~(g) — Stormwater discharges from hotspots may require the application of additional structural BMPs and pollution prevention practices beyond runoff reduction and eighty percent (80%) TSS removal practices.~~

~~(h) — Prior to or during the site design process, applicants for land disturbance permits shall consult with the administrator to determine if they are subject to additional stormwater design requirements.~~

~~(i) — The calculations for determining peak flows shall be used for sizing all stormwater facilities.~~

~~(5) — Minimum peak discharge control requirements. The administrator may establish standards to regulate the quantity of stormwater discharged, therefore:~~

~~(a) — Stormwater designs shall meet the storm frequency storage requirements; and,~~

(~~b~~1) If hydrologic or topographic conditions warrant greater control than that provided by the minimum control requirements, the administrator may impose any and all additional requirements deemed necessary to control the volume, timing, and rate of runoff.

(~~56~~) Permanent stormwater management plan requirements.

(a) Requirement to prepare a permanent stormwater management plan: The permanent stormwater management plan shall be prepared and submitted to the administrator for all applicable developments and redevelopments.

(b) The permanent stormwater management plan shall include sufficient information to allow the administrator to evaluate the environmental characteristics of the project site, the potential impacts of all proposed development of the site, both present and future, on the water resources, the appropriateness of the measures proposed for managing stormwater generated at the project site, and design compliance with the performance standards and requirements for permanent stormwater management identified in this ordinance.

(c) The permanent stormwater management plan shall be sealed by a registered professional engineer or landscape architect licensed in the State of Tennessee.

(d) The plan shall include, at a minimum, the elements listed below:

(i) Topographic base map: Topographic base map of the site which extends a minimum of one hundred feet (100') beyond the limits of the proposed development and indicates:

(A) Existing surface water drainage including streams, ponds, culverts, ditches, sink-holes, wetlands; and the type, size, elevation, etc., of nearest upstream and downstream drainage structures;

(B) Current land use including all existing structures, locations of utilities, roads, and easements;

(C) All other existing significant natural and artificial features;

(D) Proposed land use with tabulation of the percentage of surface area to be adapted to various uses; drainage patterns; locations of utilities, roads and easements; the limits of clearing and grading.

(ii) A completed site assessment and inventory checklist (found in the Tennessee Permanent Stormwater Management and Design Guidance Manual).

(iii) Proposed structural and non-structural BMPs and SCMs and stormwater control measures;

(iv) A written description of the site plan and justification of proposed changes in natural conditions may also be required;

(v) Calculations: hydrologic and hydraulic design calculations for the predevelopment and post-development conditions for the design storms specified in the approved stormwater design, and BMP and SCM manuals. These calculations must show that the proposed stormwater management measures are capable of controlling runoff from the site in compliance with this chapter and the guidelines of the approved stormwater design and, BMP and SCM manuals. Such calculations shall include:

(A) A description of the design storm frequency, duration, and intensity where applicable;

(B) Time of concentration;

(C) Soil curve numbers or runoff coefficients including assumed soil moisture conditions;

(D) EPSC design must control stormwater runoff, at a minimum, for the 5-year, 24-hour design storm.

(E) Post-development peak runoff discharge for each watershed for the 1-, 2-, 5-, 10-, 25-, 50-, and 100-year, 24-hour design storms showing discharge controlled to release at rates less than that of pre-development, with an emergency overflow capable of handling the 100-year, 24-hour discharge.

(F) Pre- and post-construction watershed maps;

(G) Infiltration rates, where applicable;

(H) The location, size and capacity of proposed stormwater management structures as well as the two existing stormwater management structures immediately downstream of the proposed development in every direction that will receive runoff. Must include the size, type, slope and invert elevation of the structures.

(I) Culvert, stormwater sewer, ditch and/or other stormwater conveyance capacities;

(J) Flow velocities;

(K) Data on the increase in rate and volume of runoff for the design storms referenced in the approved stormwater design and BMP manuals; ~~and~~

(L) Documentation of sources for all computation methods and field test results;:-

~~(M) —Results from the Tennessee Runoff Reduction Assessment Tool (TNRAT) or Metro Nashville's Stormwater Management Manual Volume 5, Low Impact Development Design.~~

~~(M) Calculations showing compliance with the WQTV table as provided within Section 18-305.4.ed for minimum requirements for treatment volumes and treatment types.~~

(vi) Soils information. If a stormwater management control measure depends on the hydrologic properties of soils (e.g., infiltration basins), then a soils report/infiltration testing shall be submitted. The soils report shall be based on on-site boring logs or soil pit profiles and soil survey reports. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soil types present at the location of the control measure and the bedrock elevation.

~~(vii) —Eighty percent (80%) TSS removal information. If eighty percent (80%) TSS removal BMPs are included in the plan, then it must also include:~~

~~(A) —A narrative description of all runoff reduction limitations that exist at the development or redevelopment;~~

~~(B) —A map drawn to scale showing the location and boundaries of such limitations;~~

~~(C) —Calculations showing the volume of runoff managed by runoff reduction stormwater control practices and the volume of runoff managed by eighty percent (80%) TSS removal BMPs; and,~~

~~(D) —Calculations showing compliance with the eighty percent (80%) TSS removal performance standard.~~

(vii) Maintenance and repair plan required. The design and planning of all permanent stormwater management facilities shall include detailed maintenance and repair procedures to ensure their continued performance. These plans will identify the parts or components of a stormwater management facility that need to be maintained and the equipment and skills or training necessary. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.

#### **18-306. Water quality riparian bBuffer zones.**

(1) Applicability. The goal of the water quality riparian buffer is to preserve undisturbed vegetation that is native to the streamside habitat in the area of the project. The water quality riparian buffer zone is required to protect waters of the state located within or immediately adjacent to the boundaries of the project, as identified using methodology from standard operating procedures for hydrologic determinations (see rules to implement a certification program for qualified hydrologic professionals, Tennessee Rules chapter 0400-40-17). Buffer zones are not primary sediment control measures and should not be relied on as such. Rehabilitation and enhancement of a natural buffer zone is allowed, if necessary, for improvement of its effectiveness of protection of the waters of the state. Vegetated, preferably native, water quality buffers protect water bodies by providing structural integrity and canopy cover, as well as stormwater infiltration, filtration and evapotranspiration. ~~Buffer width depends on the size of a drainage area. Streams or other waters with drainage areas less than onesquare mile will require buffer widths of thirty feet (30') minimum. Streams or other waters with drainage areas greater than one (1) square mile will require buffer widths of sixty feet (60') minimum. The sixty feet (60') criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than thirty feet (30') at any measured location. The MS4 must develop and apply criteria for determining the circumstances under which these averages will be available. A determination that standards cannot be met may not be based solely on the difficulty or cost associated with implementation. Every attempt should be made for development and redevelopment activities not to take place within the buffer zone. If water quality buffer widths as defined above cannot be fully accomplished on-site, the MS4 must develop and apply criteria for determining the circumstances under which alternative buffer widths will be available. A determination that water quality buffer widths cannot be met on site may not be based solely on the difficulty or cost of implementing measures, but must include multiple criteria, such as: type of project, existing land use and physical conditions that preclude use of these practices.~~

Buffer zone requirements:

(1a) "Construction" or "temporary" applies to all streams adjacent to construction sites that require a land disturbance permit, with an exception for discharges to Waterbodies with Unavailable Parameters or Exceptional Tennessee waters, as designated by the Tennessee

Department of Environment and Conservation. A thirty foot (30') foot natural riparian buffer zone adjacent to all streams at the construction site shall be preserved, to the maximum extent practicable, during construction activities at the site. If the streams have unavailable parameters, a sixty foot (60') natural riparian buffer zone must be preserved. The water quality buffer zone is required to protect waters of the state located within or— immediately adjacent to the boundaries of the project, as identified using methodology from standard operating procedures for hydrologic determinations (see rules to implement a certification program for qualified hydrologic professionals, Tennessee Rules chapter 0400-40-17). Buffer zones are not primary sediment control measures and should not be relied on as such. Rehabilitation and enhancement of a natural buffer zone is allowed, if necessary, for improvement of its effectiveness of protection of the waters of the state. ~~The buffer zone requirement only applies to new construction sites.~~ The riparian buffer zone should be preserved between the top of stream bank and the disturbed construction area. Buffers shall be clearly marked on site development plans, grading permit applications, and/or concept plans. Refer to the table below for construction buffer zone requirements. The thirty (30)-foot criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than fifteen feet (15') at any measured location. Buffer zone requirements for discharges to Waterbodies with Unavailable Parameters or Exceptional Tennessee Waters: A sixty foot (60') natural riparian buffer zone adjacent to the receiving stream designated as impaired or high quality waters shall be preserved, to the maximum extent practicable, during construction activities at the site. The water quality buffer zone is required to protect waters of the state (e.g., perennial and intermittent streams, rivers, lakes, wetlands) located within or immediately adjacent to the boundaries of the project, as identified on a 7.5-minute USGS quadrangle map, or as determined by the director. Buffer zones are not sediment control measures and should not be relied upon as primary sediment control measures. Rehabilitation and enhancement of a natural buffer zone is allowed, if necessary, for improvement of its effectiveness of protection of the waters of the state. The buffer zone requirement only applies to new construction sites. The riparian buffer zone should be established between the top of stream bank and the disturbed construction area. The sixty feet (60') criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than twenty-five (25') at any measured location.

| <u>Construction Water Quality Buffer Requirements for Sites That Do Not Require a CGP</u> |                          |                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Receiving Feature</u>                                                                  | <u>Buffer width (ft)</u> | <u>Notes*</u>                                                                                                                                                                               |
| <u>Waters of the State</u>                                                                | <u>15</u>                | <u>Only applicable for sites requiring a land disturbance permit that do not require a CGP.</u><br><u>City approved buffer enhancement plan required for temporary buffer encroachment.</u> |

| <u>Construction Water Quality Buffer Requirements for Sites That Require CGP Coverage</u>                             |                                    |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Receiving Feature</u>                                                                                              | <u>Average buffer width (feet)</u> | <u>Minimum buffer width (feet)</u> | <u>Notes*</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>Waters with available parameters for siltation or unassessed waters</u>                                            | <u>30</u>                          | <u>15</u>                          | <u>The criteria for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of buffer zone is more than the required minimum width at any measured location. If the new development or redevelopment site encompasses both sides of a stream, buffer averaging can be applied to both sides, but must be applied independently.</u><br><br><u>City approved buffer enhancement plan required for temporary buffer encroachment.</u> |
| <u>Exceptional Tennessee Waters or waters with unavailable parameters for siltation</u>                               | <u>60</u>                          | <u>30</u>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <u>*The Administrator may approve variances from the water quality buffer requirements set forth in this chapter.</u> |                                    |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

(2b) "Permanent" new development and significant redevelopment sites are required to preserve water quality buffers along waters within the MS4. Buffers shall be clearly marked on site development plans, grading permit applications, and/or concept plans. Refer to the table below for permanent buffer zone requirements. ~~Buffer width depends on the size of a drainage area. Streams or other waters with drainage areas less than one (1) square mile will require buffer widths of thirty feet (30') minimum. Streams or other waters with drainage areas greater than 1 square mile will require buffer widths of sixty feet (60') minimum. The sixty feet (60') criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than thirty feet (30') at any measured location.~~ (Ord. #04-651, Jan. 2005, as replaced by Ord. #15-830, Feb. 2015)

| <b><u>Permanent Water Quality Buffer Requirements for Sites That Do Not Require a CGP</u></b> |                                 |                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>Receiving Feature</u></b>                                                               | <b><u>Buffer width (ft)</u></b> | <b><u>Notes*</u></b>                                                                                                                                                                        |
| <u>Waters of the State</u>                                                                    | <u>15</u>                       | <u>Only applicable for sites requiring a land disturbance permit that do not require a CGP.</u><br><u>City approved buffer enhancement plan required for temporary buffer encroachment.</u> |

| <u>Permanent Water Quality Buffer Requirements for Sites That Require CGP Coverage</u>                                |                                    |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Receiving Feature</u>                                                                                              | <u>Average buffer width (feet)</u> | <u>Minimum buffer width (feet)</u> | <u>Notes*</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>Waters with available parameters for siltation or habitat alteration or unassessed waters</u>                      | <u>30</u>                          | <u>15</u>                          | <u>The criteria for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of buffer zone is more than the required minimum width at any measured location. If the new development or redevelopment site encompasses both sides of a stream, buffer averaging can be applied to both sides, but must be applied independently.</u><br><br><u>City approved buffer enhancement plan required for temporary buffer encroachment.</u> |
| <u>Exceptional Tennessee Waters or waters with unavailable parameters for siltation or habitat alteration</u>         | <u>60</u>                          | <u>30</u>                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <u>*The Administrator may approve variances from the water quality buffer requirements set forth in this chapter.</u> |                                    |                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

(2) Permissible land uses. The water quality riparian buffer is to remain undisturbed for the minimum required buffer. The following land uses are permissible within the remaining buffer subject to approval by the Administrator:

(a) Greenways, biking trails, and walking trails;

(b) Infiltration-based SCMs such as infiltration trenches and biofiltration basins may be allowed on a case-by-case basis if approved in writing by the City Engineer. This can only be approved if such SCMs improve the biodiversity or aesthetic appearance of the buffer areas. Economics or constructability of a development cannot be used as criteria for allowing an SCM to be placed in the buffer;

(c) Road and utilities crossings. Private drives and private utility crossings may also be approved by the Administrator upon review of a complete submittal demonstrating that there is no feasible alternate route; and

(d) Selective landscaping and/or habitat improvement.

(3) Variances. An application for a variance shall be made in writing and must be filed with the Administrator within (90) days of the written decision of the Administrator. The application for a variance shall be filed by the first business day of the month to be considered by the Administrator at that month's meeting. Variances to the riparian buffer zone requirements set forth in this section may be issued for the following considerations:

(a) Application for a variance. Any property owner, or authorized agent thereof, may make application for a variance from the following decisions of the Administrator:

(i) Rejection of a grading, drainage, and/or erosion control plan;

(ii) Rejection of a land disturbance permit;

(iii) Revocation of a land disturbing exemption according to section 18-304(2).

(b) Deferral or withdrawal of an application for a variance. Any property owner, or authorized agent thereof, may petition to defer or withdraw an application for a variance. The petition to defer or withdrawal must be made in writing to the Administrator at least seventy-two (72) hours prior to the scheduled meeting of the Administrator.

(c) Decisions. A decision of the Administrator varying the application of any provision of this section or modifying a decision of the Administrator shall be by resolution of the Board, which shall specify in what manner such variations or modifications shall be made, the conditions upon which they are to be made and the reasons therefor. The Board shall, in every case, render a decision without unreasonable or unnecessary delay. Every decision of the Board shall be final, subject however, to such remedy as any aggrieved party or the city may have at law or in equity.

(i) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.

(d) Standards for granting variances. In granting a variance, the Board shall ascertain that all the following conditions are met:

(i) That good and sufficient cause has been provided;

(ii) That granting the variance will not increase a threat to public health, safety, or general welfare;

(iii) That granting the variance will not be contrary to the public interest;

(iv) That granting the variance will not result in public expense;

(v) That granting the variance will not knowingly conflict with other existing laws or ordinances;

(vi) That failure to grant the variance would result in unnecessary hardship; and

(vii) That by granting the variance, the spirit of this chapter will be observed.

(e) Records. All decisions of the Board shall be in writing and shall indicate the vote of each member of the Board upon the decision. Every decision shall be promptly entered into the minutes of the meeting of the Board and filed with the Administrator. The records of the Board shall be open to public inspection and a certified copy of each decision shall be sent by mail or otherwise to the appellant.

In granting a variance, the board shall determine, and only grant, the minimum variance necessary to afford relief.

### **18-307. Permanent stormwater management: operation, maintenance, and inspection.**

(1) Requirements. Prior to project completion and surety release, the following must be submitted and accepted by the city:

(a) As built plans. All permittees are required to submit ~~actual~~-as built plans for any structures located on-site as well as the recorded inspection and maintenance agreement and associated plans filed (original returned to the assigned division) [within 90](#)

days after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and must be sealed by a registered professional engineer licensed to practice in Tennessee. An engineer's certification letter must be provided with the as-built drawings certifying that the as-built conditions conform to the approved design plans and specifications. Any variations from the approved design plans and specifications must be explained in the letter. Inspections shall be performed during installation of all ~~permanent BMPs~~ SCMs by the city inspector. A final inspection by the city is required before any portion of a performance, surety, security or bond will be released. Permittees shall provide at least seven (7) days notice to the City when requesting a final inspection. The city shall have the discretion to adopt provisions for a partial pro-rata release of the performance security or performance bond on the completion of various stages of development. In addition, occupation permits shall not be granted until corrections to all ~~BMPs~~ SCMs have been made and accepted by the city. At a minimum, as-built plans must include the invert elevation, top of casting elevation, slope, location, and material of all pipes, drainage inlets/outlets, junctions, etc. Size and material of all outlet dissipation pads, ditch size, slope, and materials. Top of berm elevations on all drainage facilities, volume of all detention/retention facilities and location and description of all ~~permanent stormwater BMP~~ SCMs.

(2) Landscaping and stabilization requirements. (a) Any area of land from which the natural vegetative cover has been either partially or wholly cleared by development activities shall stabilize. Stabilization measures shall be initiated as soon as possible in portions of the site where construction activities have temporarily or permanently ceased. Temporary or permanent soil stabilization at the construction site (or a phase of the project) must be completed no later than ~~fifteen~~ fourteen (154) days after the construction activity in that portion of the site has temporarily or permanently ceased. In the following situations, temporary stabilization measures are not required:

(a) Where the initiation of stabilization measures is precluded by snow cover or frozen ground conditions or adverse soggy ground conditions, stabilization measures shall be initiated as soon as practicable; or

(b) Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within ~~fifteen~~ fourteen (154) days.

(c) Permanent stabilization with perennial vegetation (using native herbaceous and woody plants where practicable) or other permanently stable, non-eroding surface shall replace any temporary measures as soon as practicable. Unpacked gravel containing fines (silt and clay sized particles) or crusher runs will not be considered a non-eroding surface.

(d) The following criteria shall apply to re-vegetation efforts:

(i) Reseeding must be done with an annual or perennial cover crop accompanied by placement of straw mulch or its equivalent of sufficient coverage

to control erosion until such time as the cover crop is established over ninety percent (90%) of the seeded area.

(ii) Replanting with native woody and herbaceous vegetation must be accompanied by placement of straw mulch or its equivalent of sufficient coverage to control erosion until the plantings are established and are capable of controlling erosion.

(iii) Any area of revegetation must exhibit survival of a minimum of ~~seventy-five~~90 percent (~~75%~~) of the cover crop throughout the year immediately following revegetation. Revegetation must be repeated in successive years until the minimum ~~seventy-five~~90 percent (~~75%~~) survival for one (1) year is achieved.

(iv) In addition to the above requirements, a landscaping plan must be submitted with the final design describing the vegetative stabilization and management techniques to be used at a site after construction is completed. This plan will explain not only how the site will be permanently stabilized after construction, but who will be responsible for the maintenance of vegetation at the site and what practices will be employed to ensure that adequate vegetative cover is preserved.

(3) Inspection of stormwater management facilities. Periodic inspections of facilities shall be performed, documented, and reported in accordance with this chapter, as detailed in §16-506.

(4) Records of installation and maintenance activities. Parties responsible for the operation and maintenance of a stormwater management facility shall make records of the installation of the stormwater facility, and of all maintenance and repairs to the facility, and shall retain the records for at least three (3) years. These records shall be made available to the city during inspection of the facility and at other reasonable times upon request.

(5) Failure to meet or maintain design or maintenance standards. If a responsible party fails or refuses to meet the design or maintenance standards required for stormwater facilities under this chapter, the city, after reasonable notice, may correct a violation of the design standards or maintenance needs by performing all necessary work to place the facility in proper working condition. In the event that the stormwater management facility becomes a danger to public safety or public health, the city shall notify in writing the party responsible for maintenance of the stormwater management facility. Upon receipt of that notice, the responsible person shall have thirty (30) days to effect maintenance and repair of the facility in an approved manner. In the event that corrective action is not undertaken within that time, the city may take necessary corrective action. The cost of any action by the city under this section shall be charged to the responsible party and/or a lien placed on the property by the city. (~~Ord. #04-651, Jan. 2005, as replaced by Ord. #15-830, Feb. 2015, and Ord. #16-877, Oct. 2016~~)

### **18-308. Existing locations and ongoing developments.**

(1) On-site stormwater management facilities maintenance agreement.

(a) \_\_\_\_ Where the stormwater facility is located on property that is subject to a development agreement, and the development agreement provides for a permanent stormwater maintenance agreement that runs with the land, the owners of property must execute an inspection and maintenance agreement that shall operate as a deed restriction binding on the current property owners and all subsequent property owners and their lessees and assigns, including but not limited to, homeowner associations or other groups or entities.

(b) The maintenance agreement shall:

(i) Assign responsibility for the maintenance and repair of the stormwater facility to the owners of the property upon which the facility is located and be recorded as such on the plat for the property by appropriate notation. The OWNER(S) covenant and agree with the CITY that they shall provide for adequate long-term maintenance and continuation of stormwater control measures to ensure that all of the storm-water facilities are and remain in proper working condition in accordance with approved design standards, rules and regulations, and applicable laws. The OWNER(S) shall perform preventive maintenance activities at intervals described in the post construction long-term water quality plan.

The OWNER(S) shall submit to the CITY an annual report by July 1st of each year. The report shall include the long-term maintenance plan that documents inspection schedules, time of inspections, remedial actions taken to repair, modify or re-construct the system and the state of control measures.

(ii) Provide for a periodic inspection by the property owners in accordance with the requirements of subsection (v) below for the purpose of documenting maintenance and repair needs and to ensure compliance with the requirements of this chapter. The property owners will arrange for this inspection to be conducted by a registered professional engineer licensed to practice in the State of Tennessee, who will submit a signed written report of the inspection to the administrator. This report shall be completed, at a minimum, once within a five (5) year period, or as required by the city, or the Tennessee Department of Environment and Conservation, and submitted to the city's stormwater manager. It shall also grant permission to the city to enter the property at reasonable times and to inspect the stormwater facility to ensure that it is being properly maintained.

(iii) Provide that the minimum maintenance and repair needs include, but are not limited to: the removal of silt, litter and other debris, the cutting of grass, cutting and vegetation removal, and the replacement of landscape vegetation, in detention and retention basins, and inlets and drainage pipes and any other stormwater facilities. It shall also provide that the property owners shall

be responsible for additional maintenance and repair needs consistent with the needs and standards outlined in the MS4 BMP-SCM manual.

(iv) Provide that maintenance needs must be addressed in a timely manner, on a schedule to be determined by the administrator.

(v) Provide that if the property is not maintained or repaired within the prescribed schedule, the administrator shall perform the maintenance and repair at its expense, and bill the same to the property owner. The maintenance agreement shall also provide that the administrator's cost of performing the maintenance shall be a lien against the property.

(2) Existing problem locations - no maintenance agreement. (a) The administrator shall in writing notify the owners of existing locations and developments of specific drainage, erosion or sediment problems affecting or caused by such locations and developments, and the specific actions required to correct those problems. The notice shall also specify a reasonable time for compliance. Discharges from existing BMPs-SCMs that have not been maintained and/or inspected in accordance with this ordinance shall be regarded as illicit.

(b) Inspection of existing facilities. The city may, to the extent authorized by state and federal law, enter and inspect private property for the purpose of determining if there are illicit non-stormwater discharges, and to establish inspection programs to verify that all stormwater management facilities are functioning within design limits. These inspection programs may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants; inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of the city's NPDES stormwater permit; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in drainage control facilities; and evaluating the condition of drainage control facilities and other BMPsSCMs.

(3) Owner/operator inspections. The owners and/or the operators of stormwater management practices shall:

(a) Perform routine inspections to ensure the SCMBMPs are properly functioning. These inspections shall be conducted on an annual basis, at a minimum. These inspections shall be conducted by a person familiar with control measures implemented at a site. Owners or operators shall maintain documentation of these inspections. The administrator may require submittal of this documentation.

(b) Perform comprehensive inspection of all stormwater management facilities and practices. These inspections shall be conducted once every five (5) years, at a minimum. Such inspections must be conducted by either a professional engineer or landscape architect, licensed in the State of Tennessee. Complete inspection reports for these five (5) year inspections shall include:

- (i) Facility type,
- (ii) Inspection date,
- (iii) Latitude and longitude and nearest street address,
- (iv) BMP-SCM owner information (e.g. name, address, phone number, fax, and email),
- (v) A description of current BMP-SCM conditions including, but not limited to: green infrastructure practices, grassy areas, forested areas, buffer areas, growing vegetation and soil properties; inlet and outlet channels and structures; embankments, slopes, and safety benches; spillways, weirs, and other control structures; and any sediment and debris accumulation,
- (vi) Photographic documentation of BMPsSCMs, and
- (vii) Specific maintenance items or violations that need to be corrected by the BMP-SCM owner along with deadlines and reinspection dates.

(c) Owners or operators shall maintain documentation of these inspections. The administrator may require submittal of this documentation.

(4) Requirements for all existing locations and ongoing developments. The following requirements shall apply to all locations and development at which land disturbing activities have occurred previous to the enactment of this ordinance:

(a) Denuded areas must be vegetated or covered under the standards and guidelines specified in § 18-307(2) and on a schedule acceptable to the administrator.

(b) Cuts and slopes must be properly covered with appropriate vegetation and/or retaining walls constructed.

(c) Drainage ways shall be properly covered in vegetation or secured with rip-rap, channel lining, etc., to prevent erosion. ~~ways.~~

(d) Trash, junk, rubbish, etc. shall be cleared from drainage

(e) Stormwater runoff shall, at the discretion of the administrator be controlled to the maximum extent practicable to prevent its pollution. Such control measures may include, but are not limited to, the following:

- (i) Ponds

- (A) Detention pond
  - (B) Extended detention pond
  - (C) Wet pond
  - (D) Alternative storage measures
  - (E) Bioretention pond
- (ii) Constructed wetlands
  - (iii) Infiltration systems
    - (A) Infiltration/percolation trench
    - (B) Infiltration basin
    - (C) Drainage (recharge) well
    - (D) Porous pavement
  - (iv) Filtering systems
    - (A) Catch basin inserts/media filter
    - (B) Sand filter
    - (C) Filter/absorption bed
    - (D) Filter and buffer strips
  - (v) Open channel
    - (A) Swale

(5) Corrections of problems subject to appeal. Corrective measures imposed by the administrator under this section are subject to appeal under § 18-312 of this chapter.

### **18-309. Illicit discharges.**

(1) Scope. This section shall apply to all water generated on developed or undeveloped land entering the city's separate storm sewer system.

(2) Prohibition of illicit discharges. No person shall introduce or cause to be introduced into the municipal separate storm sewer system any discharge that is not composed entirely of stormwater or any discharge that flows from stormwater facility that is not inspected in accordance with § 16-506 shall be an illicit discharge. Non-stormwater discharges shall include, but shall not be limited to, sanitary wastewater, commercial car wash wastewater, lawn mowing debris, lawn care chemicals, grease, soap, cleaning chemicals, radiator flushing disposal, spills from vehicle accidents, carpet cleaning wastewater, effluent from septic tanks,

improper oil disposal, laundry wastewater/gray water, improper disposal of auto and household toxics. The commencement, conduct or continuance of any non-stormwater discharge to the municipal separate storm sewer system is prohibited except as described as follows:

(a) Uncontaminated discharges – performed in a non-erosive manner – from the following sources:

- (i) Water line flushing or other potable water sources;
- (ii) Landscape irrigation or lawn watering with potable water;
- (iii) Diverted stream flows;
- (iv) Rising ground water;

(v) Uncontaminated ~~G~~groundwater infiltration ~~to storm drains~~(infiltration is defined as water other than wastewater that enters a sewer system, including sewer service connections and foundation drains, from the ground through such means as defective pipes, pipe joints, connections, or manholes. Infiltration does not include, and is not distinguished from, inflow);

(vi) Uncontaminated ~~P~~pumped groundwater;

(vii) Foundation or footing drains;

(viii) Crawl space pumps;

(ix) Air conditioning ~~e~~condensationcondensate;

(x) Springs;

(xi) ~~Non-commercial~~Individual residential car washing ~~of vehicles~~;

(xii) Natural riparian habitat or wetland flows;

(xiii) ~~Saltwater and chlorinated~~ swimming pools (if de-salinated and dechlorinated - typically less than one (1) PPM chlorine~~;~~);

(xiv) Firefighting activities;

(xv) Street wash water;

(xvi) Any other uncontaminated water source.

(b) Discharges specified in writing by the city as being necessary to protect public health and safety.

(c) Dye testing is an allowable discharge if the city has so specified in writing.

(d) Discharges authorized by ~~the section 1.2.3. of the~~ Construction General Permit (CGP), which comply with section ~~3.5.94.1.3.~~ 1.3. of the same:

(i) Dewatering of work areas of collected stormwater and ground water (filtering or chemical treatment may be necessary prior to discharge);

(ii) Waters used to wash dust and soils from vehicles ~~(of dust and soil, not process materials such as oils, asphalt or concrete)~~ where detergents are not used and detention and/or filtering is provided before the water leaves site. Wash removal of process materials such as oil, asphalt or concrete is not authorized;

(iii) Water used to control dust in accordance with CGP section 3.5.55.5.3.7.;

(iv) Potable water sources, including waterline flushings, from which chlorine has been removed to the maximum extent practicable;

(v) Routine external building washdown that does not use detergents or other chemicals;

(vi) Uncontaminated, non-turbid groundwater or spring water; ~~and~~

(vii) Foundation or footing drains where flows are not contaminated with pollutants (e.g. lubricants and fluids from mechanized equipment, process materials such as solvents, heavy metals, etc.).

(viii) Discharges from emergency fire-fighting activities;

(ix) Fire hydrant flushings;

(x) Landscape irrigation;

(xi) Pavement wash waters, provided spills or leaks of toxic or hazardous substances have not occurred (unless all spill material has been removed) and where soaps, solvents, and detergents are not used; and

(xii) Uncontaminated air conditioning or compressor condensate.

(3) Prohibition of illicit connections. The construction, use, maintenance or continued existence of illicit connections to the municipal separate storm sewer system is prohibited. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(4) Reduction of stormwater pollutants by the use of best management practices. Any person responsible for a property or premises, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, the BMPs or SCMs necessary to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section. Discharges from existing BMPs-SCMs that have

not been maintained and/or inspected in accordance with this ordinance shall be regarded as illicit.

(5) Notification of spills. Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting in, or may result in, illicit discharges or pollutants discharging into, the municipal separate storm sewer system, the person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the city in person or by telephone, fax, or email, no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the city within three (3) business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

(6) No illegal dumping allowed. No person shall dump or otherwise deposit outside an authorized landfill, convenience center or other authorized garbage or trash collection point, any trash or garbage of any kind or description on any private or public property, occupied or unoccupied, inside the city.

(7) ~~Hot spots~~Priority areas. The administrator is authorized to regulate ~~hot spots~~priority areas. Upon written notification by the administrator, the property owner or designated facility manager of a ~~hot spot~~priority area shall, at their expense, implement necessary controls and/or best management practices to prevent discharge of contaminated stormwater to the municipal separate storm sewer system. The administrator may require the facility to maintain inspection logs or other records to document compliance with this paragraph.

### **18-310. Enforcement.**

(1) Enforcement authority. The administrator shall have the authority to issue notices of violation and citations, and to impose the civil penalties provided in this section guided by the Enforcement Response Plan (ERP). Measures authorized include:

(a) Verbal warnings. At a minimum, verbal warnings must specify the nature of the violation and required corrective action.

(b) Written notices. Written notices must stipulate the nature of the violation and the required corrective action, with deadlines for taking such action.

(c) Citations with administrative penalties. The MS4 has the authority to assess monetary penalties, which may include civil and administrative penalties.

(d) Stop work orders. Stop work orders that require construction activities to be halted, except for those activities directed at cleaning up, abating discharge, and installing appropriate control measures.

(e) Withholding of plan approvals or other authorizations. Where a facility is in noncompliance, the MS4's own approval process affecting the facility's ability to discharge to the MS4 can be used to abate the violation.

(f) Additional measures. The MS4 may also use other escalated measures provided under local legal authorities. The MS4 may perform work necessary to improve erosion control measures and collect the funds from the responsible party in an appropriate manner, such as collecting against the project's bond or directly billing the responsible party to pay for work and materials.

(2)      Notification of violation. (a) Verbal warning. Verbal warning may be given at the discretion of the inspector when it appears the condition can be corrected by the violator within a reasonable time, which time shall be approved by the inspector.

(b) Written notice. Whenever the administrator finds that any permittee or any other person discharging stormwater has violated or is violating this ordinance or a permit or order issued hereunder, the administrator may serve upon such person written notice of the violation. Within ten (10) days of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted to the administrator. Submission of this plan in no way relieves the discharger of liability for any violations occurring before or after receipt of the notice of violation.

(c) Consent orders. The administrator is empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the person to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to paragraphs (d) and (e) below.

(d) Show cause hearing. The administrator may order any person who violates this chapter or permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served on the person specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing.

(e) Compliance order. When the administrator finds that any person has violated or continues to violate this chapter or a permit or order issued thereunder, he may issue an order to the violator directing that, following a specific time period,

adequate structures or devices be installed and/or procedures implemented and properly operated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devices, self-monitoring, and management practices.

(f) Cease and desist and stop work orders. When the administrator finds that any person has violated or continues to violate this chapter or any permit or order issued hereunder, the administrator may issue a stop work order or an order to cease and desist all such violations and direct those persons in noncompliance to:

(i) Comply forthwith; or

(ii) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation; including halting operations except for terminating the discharge and installing appropriate control measures.

(g) Suspension, revocation or modification of permit. The administrator may suspend, revoke or modify the permit authorizing the land development project or any other project of the applicant or other responsible person within the city. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated upon such conditions as the administrator may deem necessary to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

(h) Conflicting standards. Whenever there is a conflict between any standard contained in this chapter and in the BMP manual(s) adopted by the city under this ordinance, the strictest standard shall prevail. ~~(Ord. #04-651, Jan. 2005, as replaced by Ord. #15-830, Feb. 2015)~~

### **18-311. Penalties.**

(1) Violations. Any person who shall commit any act declared unlawful under this chapter, who violates any provision of this chapter, who violates the provisions of any permit issued pursuant to this chapter, or who fails or refuses to comply with any lawful communication or notice to abate or take corrective action by the administrator, shall be guilty of a civil offense.

(2) Penalties. Under the authority provided in Tennessee Code Annotated, § 68-221-1106, the city declares that any person violating the provisions of this chapter may be assessed a civil penalty by the administrator of not less than fifty dollars (\$50.00) and not more than five thousand dollars (\$5,000.00) per day for each day of violation. Each day of violation shall constitute a separate violation.

(3) Measuring civil penalties. In assessing a civil penalty, the administrator may consider:

- (a) The harm done to the public health or the environment;
  - (b) Whether the civil penalty imposed will be a substantial economic deterrent to the illegal activity;
  - (c) The economic benefit gained by the violator;
  - (d) The amount of effort put forth by the violator to remedy this violation;
  - (e) Any unusual or extraordinary enforcement costs incurred by the city;
  - (f) The amount of penalty established by ordinance or resolution for specific categories of violations; and
  - (g) Any equities of the situation which outweigh the benefit of imposing any penalty or damage assessment.
- (4) Recovery of damages and costs. In addition to the civil penalty in subsection (2) above, the city may recover:
- (a) All damages proximately caused by the violator to the city, which may include any reasonable expenses incurred in investigating violations of, and enforcing compliance with, this chapter, or any other actual damages caused by the violation.
  - (b) The costs of the city's maintenance of stormwater facilities when the user of such facilities fails to maintain them as required by this chapter.
- (5) Referral to TDEC. Where the city has used progressive enforcement to achieve compliance with this ordinance, and in the judgment of the city has not been successful, the city may refer the violation to TDEC. For the purposes of this provision, "progressive enforcement" shall mean two (2) follow-up inspections and/or two (2) warning notifications. In addition, enforcement referrals to TDEC must include, at a minimum, the following information:
- (a) Construction project or industrial facility location;
  - (b) Name of owner or operator;
  - (c) Estimated construction project or size or type of industrial activity (including SIC code, if known);
  - (d) Records of communications with the owner or operator regarding the violation, including at least two follow-up inspections, two (2) warning letters or notices of violation, and any response from the owner or operator.
- (6) Other remedies. The city may bring legal action to enjoin the continuing violation of this chapter, and the existence of any other remedy, at law or equity, shall be no defense to any such actions.
- (7) Remedies cumulative. The remedies set forth in this section shall be cumulative, not exclusive, and it shall not be a defense to any action, civil or criminal, that one (1) or more of

the remedies set forth herein has been sought or granted. (~~Ord. #04-651, Jan. 2005, as amended by Ord. #10-738, April 2010, and replaced by Ord. #15-830, Feb. 2015~~)

**18-312. Appeals. Pursuant to Tennessee Code Annotated, § 68-221-1106(d):**

(1) Appeals to be in writing. Any person aggrieved by the imposition of a civil penalty or damage assessment as provided by this article may appeal said penalty or damage assessment. Upon issuance of a citation or notice of violation of this article it shall be conclusive and final unless the accused violator submits a written notice of appeal to the Administrator within ten (10) days of the violation notice being served. If the Administrator does not issue a decision within ten (10) days of the written notice of appeal, then the violation is considered upheld. If the Administrator does not reverse the decision, the aggrieved party may appeal to the City of Goodlettsville hearing authority or successor, by filing a written request for hearing within ten (10) days of the Administrator decision on the appeal. The request for hearing shall state the specific reasons why the decision of the Administrator is alleged to be in error.

(2) Public hearing. Upon receipt of an appeal, the city's governing body, or other appeals board established by the city's governing body shall hold a public hearing within forty-five (45) days. A minimum of ten (10) days prior notice of the time, date, and location of said hearing shall be published in a daily newspaper of general circulation and/or on the city's website. The notice shall also be provided to the aggrieved party by registered mail and sent to the address provided by the aggrieved party at the time of appeal. The decision of the governing body of the city shall be final.

(3) Appealing decisions of the city's governing body. Any alleged violator may appeal a decision of the city's governing body pursuant to the provisions of Tennessee Code Annotated, title 27, chapter 8. (~~Ord. #04-651, Jan. 2005, as replaced by Ord. #15-830, Feb. 2015~~)

**18-313. Maintenance.**

(1) Maintenance responsibility:

(a) Any stormwater management facility or BMP-SCM which services individual property owners or subdivisions shall be privately owned with general routine maintenance (controlling vegetative growth and removing debris) provided for by the owner(s). The city has the right, but not the duty, to enter premises for emergency activity that is immediately necessary for the protection of life, property, or natural resources.

(b) Any stormwater management facility or ~~BMP-SCM~~ which services an individual subdivision in which the facility or ~~BMP-SCM~~ is within designated open areas or an amenity with an established homeowners association, or inspection and maintenance agreement, shall be privately owned and maintained consistent with provisions of this ordinance. The city has the right, but not the duty, to enter premises for

emergency activity that is immediately necessary for the protection of life, property, or natural resources.

(c) Any stormwater management facility or BMP-SCM which services commercial and industrial development shall be privately owned and maintained consistent with the provisions of this title. The city has the right, but not the duty, to enter premises for emergency activity that is immediately necessary for the protection of life, property, or natural resources.

(d) All regional stormwater management facilities proposed by the owners, if accepted by the city and approved by the board of commissioners for dedication as a public regional facility shall be publicly owned and maintained.

(e) All other stormwater management control facilities and BMP's-SCMs shall be publicly owned and/or maintained only if accepted for maintenance by the city through a formal agreement recorded at the Davidson/Sumner County, Tennessee Register of Deeds. Existing or proposed drainage easements shall not constitute a formal agreement.

(f) The city may require dedication of privately owned stormwater facilities, which discharge to the city's stormwater system.

(g) It shall be unlawful for any person to permit or cause the obstruction of any drainage ditch in any public right-of-way or prescribed drainage way.

**Section 3.** This ordinance shall take effect fifteen (15) days from and after its final passage, the public welfare requiring it.

\_\_\_\_\_  
MAYOR RUSTY TINNIN

Passed:\_\_\_\_\_

Passed:\_\_\_\_\_

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

\_\_\_\_\_  
CITY ATTORNEY



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

|                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>SUBJECT TITLE:</u> Ordinance 23-1072</b><br/>An ordinance to amend Title 11, Chapter 2 of the Goodlettsville Municipal Code by deleting Chapter 2 in its entirety as it relates to fortune telling.</p> <p><b>SECOND READING</b></p> <p><b><u>PRESENTED BY:</u></b><br/>Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Ordinance 23-1072</p> <p><b>Dept. of Origin:</b> Administration</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Tim Ellis</p> <p><b>Cost of Item:</b> N/A</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Ordinance 23-1072

### **SUMMARY STATEMENT:**

An ordinance to amend Title 11, Chapter 2 of the Goodlettsville Municipal Code by deleting Chapter 2 in its entirety as it relates to fortune telling.

### **FINANCIAL SUMMARY:**

N/A

### **RECOMMENDED ACTION:**

Staff recommends approval of Ordinance 23-1072.

**ORDINANCE 23-1072**

**AN ORDINANCE TO AMEND TITLE 11, CHAPTER 2 OF THE GOODLETTSVILLE MUNICIPAL CODE BY DELETING CHAPTER 2 IN ITS ENTIRETY AS IT RELATES TO FORTUNE TELLING.**

**WHEREAS**, legal staff has recommended that a chapter of the City of Goodlettsville Municipal Code be deleted as it relates to fortune telling, and

**WHEREAS**, the Board of Commissioners of the City of Goodlettsville has determined it will be in the best interest of the City to delete such chapter.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, THAT TITLE 11, CHAPTER 2 OF THE MUNICIPAL CODE OF ORDINANCES IS AMENDED BY DELETING CHAPTER 2 IN ITS ENTIRETY.**

**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: July 13, 2023

Passed Second Reading: \_\_\_\_\_

\_\_\_\_\_  
CITY RECORDER

Approved as to Legality and Form:

\_\_\_\_\_  
CITY ATTORNEY



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

|                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                   |
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| <b><u>SUBJECT TITLE:</u> RESOLUTION 23-1147</b><br>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.<br><br><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager | <b>Agenda Item:</b> Resolution 23-1147<br><br><b>Dept. of Origin:</b> Administration<br><br><b>For Agenda of:</b> August 10, 2023<br><br><b>Originator:</b> Tim Ellis<br><br><b>Cost of Item:</b> Positive Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1147

### **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 23-1147.

**RESOLUTION NO. 23-1147**

**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: August 10, 2023

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
CITY ATTORNEY

**EXHIBIT 1 (RESOLUTION 23-1147)**

10 x 5 single axle utility trailer – Police

6 Pole Mounts TS1 Traffic Signal Cabinets – Public Works

DVD Wall Mount

(2) Time clocks

ViewSonic Computer monitor

HP LaserJet P1102w printer

4 out of date AEDS

1994 GMC 1500 Pickup 2WD VIN 1GTEC14Z9RZ564699

**GOODLETTSVILLE POLICE DEPARTMENT  
FOUND/UNCLAIMED PROPERTY  
SURPLUS LIST - AUGUST 2023**

| <b>GPD #</b> | <b>ITEM DESCRIPTION</b>                                   |
|--------------|-----------------------------------------------------------|
| 2022-27786   | Wallet w/contents                                         |
| 2022-28198   | Ammo round                                                |
| 2022-28568   | Blk leather case w/contents                               |
| 2022-29237   | Cell phone                                                |
| 2022-30032   | Various keys                                              |
| 2022-30306   | Black backpack w/contents                                 |
| 2022-30631   | Shotgun                                                   |
| 2022-30776   | TN DL's, debit/credit cards                               |
| 2022-30806   | Handgun                                                   |
| 2022-31001   | Currency, pink clip                                       |
| 2022-31718   | TN DL's                                                   |
| 2022-32114   | TN DL                                                     |
| 2022-32815   | 2 bags of personal property                               |
| 2022-33253   | Bag & backpack with misc clothing                         |
| 2022-33425   | IN DL, Passport                                           |
| 2022-33767A  | SS cards, DL, etc                                         |
| 2022-34059   | Wallet w/contents                                         |
| 2022-34794   | Makeup items, cell phones, debit/credit cards, ID's, keys |
| 2022-35736   | Backpack w/ personal hygiene products                     |
| 2022-36826   | TN DL                                                     |
| 2022-37250   | Duffle bagw/contents, boom box, knife, BB gun             |
| 2022-37467   | Cell phone                                                |
| 2022-37780   | Currency                                                  |
| 2022-39387   | Knife                                                     |
| 2022-39510   | Tan backpack w.contents                                   |
| 2023-01942   | Debit/credit cards, DL's, TN license plate                |
| 2023-02635   | Credit card                                               |
| 2023-03377   | Handgun                                                   |
| 2023-03782   | TN DL                                                     |
| 2023-04031   | Handgun, holster                                          |
| 2023-05184   | Wallet w/contents                                         |
| 2023-06662   | Handgun                                                   |

**GOODLETTSVILLE POLICE DEPARTMENT  
FOUND/UNCLAIMED PROPERTY  
SURPLUS LIST - AUGUST 2023**

| <b>GPD #</b> | <b>ITEM DESCRIPTION</b>                       |
|--------------|-----------------------------------------------|
| 2023-06849   | Gym bag w/misc clothing                       |
| 2023-06934   | Lottery Tickets,currency                      |
| 2023-08836   | Cell phone                                    |
| 2023-09282   | Hammer, knives                                |
| 2023-09703   | Misc items in white plastic bags              |
| 2023-09974   | TN DL                                         |
| 2023-11894   | Handgun                                       |
| 2023-12912   | Handgun, bag                                  |
| 2023-13577   | Black backpack w/contents                     |
|              | 10 foot x 5 foot single axle utility trailer. |



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

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|                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>SUBJECT TITLE:</u> RESOLUTION 23-1148</b><br/>A resolution declaring certain property surplus to the needs of the City of Goodlettsville and selling such property to the City of Gallatin, Tennessee</p> <p><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Resolution 23-1148</p> <p><b>Dept. of Origin:</b> Public Works</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Jeff McCormick</p> <p><b>Cost of Item:</b> No Cost</p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1148  
Exhibit I – Surplus List

### **SUMMARY STATEMENT:**

This resolution declares certain property surplus to the needs of the City of Goodlettsville and sells such property to the City of Gallatin, Tennessee

This resolution would sell the City of Gallatin four (4) pad mount TS1 Traffic Signal Cabinets at \$3,500.00 each.

### **FINANCIAL SUMMARY:**

To be sold for \$14,000.00 to the City of Gallatin, Tennessee.

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1148

**RESOLUTION NO. 23-1148**

**A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS TO THE NEEDS OF THE CITY OF GOODLETTSVILLE AND CALLING FOR ITS DISPOSAL AND SELLING SUCH TO THE CITY OF GALLATIN, TENNESSEE.**

**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; and,

**WHEREAS**, The City of Gallatin has an immediate need for said property.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT SAID PROPERTY LISTED IN EXHIBIT 1. IS DECLARED SURPLUS TO THE NEEDS OF THE CITY OF GOODLETTSVILLE AND IS TO BE SOLD TO THE CITY OF GALLATIN, TENNESSEE.**

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

Adopted: August 10, 2023

\_\_\_\_\_  
MAYOR RUSTY TINNIN

\_\_\_\_\_  
CITY RECORDER  
APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
CITY ATTORNEY

**EXHIBIT 1**

**SURPLUS PROPERTY (RESOLUTION 23-1148)**

**(4) Four Pad Mount TS1 Traffic Signal Cabinets**



## **AGENDA SUMMARY SHEET**

Board of Commissioners  
City of Goodlettsville

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|                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>SUBJECT TITLE: RESOLUTION 23-1149</u></b><br>A resolution acknowledging an application for a tourism marketing grant from the State of Tennessee Department of Tourism.<br><br><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager<br>Kimberly Lynn, Tourism Director | <b>Agenda Item:</b> Resolution 23-1149<br><br><b>Dept. of Origin:</b> Tourism<br><br><b>For Agenda of:</b> August 10, 2023<br><br><b>Originator:</b> Tim Ellis<br><br><b>Cost of Item:</b> \$61,650 - 50% / 50% match<br>\$123,300 – TOTAL PROJECT |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1149

### **SUMMARY STATEMENT:**

A resolution acknowledging an application for a marketing grant from the State of Tennessee Department of Tourism.

### **FINANCIAL SUMMARY:**

\$61,650 - 50% / 50% match  
\$123,300 – TOTAL PROJECT

Fiscal Year 2023-2024 Budget includes \$61,650.00 for Tourism / Parks / ED Marketing. If this grant is awarded it would not require any additional funds. It only leverages what is currently budgeted within FY24 Budget as the match

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1149

**RESOLUTION NO. 23-1149**

**A RESOLUTION ACKNOWLEDGING AN APPLICATION FOR A TOURISM MARKETING GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF TOURISM.**

**WHEREAS**, the City of Goodlettsville thrives to promote tourism and visitation to our community; and,

**WHEREAS**, effective marketing of the City of Goodlettsville is the most effective manner in which to promote visitation; and,

**WHEREAS**, it would be in the best interest of the City of Goodlettsville to make an application for a marketing grant from the State of Tennessee Department of Tourism.

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

Section 1. That the City of Goodlettsville is authorized to make an application for a Tourism Marketing Grant from the State of Tennessee Department of Transportation.

Section 2. That the City of Goodlettsville financial commitment to matching the aforementioned grant is not to exceed \$61,650.00 if awarded.

Section 3. That the City Manager is authorized to execute all necessary documents associated with

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

Date adopted: August 10, 2023

\_\_\_\_\_  
MAYOR  
RUSTY  
TINNIN

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

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|                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>SUBJECT TITLE: RESOLUTION 23-1150</u></b><br>A resolution approving an application for a Tennessee Department of Tourism - Tourist Development Enhancement Grant<br><br><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager<br>Kimberly Lynn, Tourism Director | <b>Agenda Item:</b> Resolution 23-1150<br><br><b>Dept. of Origin:</b> Tourism<br><br><b>For Agenda of:</b> August 10, 2023<br><br><b>Originator:</b> Tim Ellis<br><br><b>Cost of Item:</b> \$100,000 - 50% / 50% match<br>\$250,000 – TOTAL PROJECT |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1150

### **SUMMARY STATEMENT:**

A resolution approving an application for a Tennessee Department of Tourism - Tourist Development Enhancement Grant.

### **FINANCIAL SUMMARY:**

\$100,000 - 50% / 50% match  
\$250,000 – TOTAL PROJECT

***\$150,000 FY 24 Funds***

***\$100,000 Grant Funds***

***\$250,000 TOTAL***

Fiscal Year 2023-2024 Budget includes \$150,000.00 for Event Flooring Bowen House. If this grant is awarded the funds would be utilized to construct a facility to house events such as weddings at the Bowen House. It only leverages what is currently budgeted within FY24 Budget as the match.

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1150

**RESOLUTION NO. 23-1150**

**A RESOLUTION APPROVING AN APPLICATION FOR A TENNESSEE DEPARTMENT OF TOURISM TOURIST DEVELOPMENT ENHANCEMENT GRANT.**

**WHEREAS**, the City of Goodlettsville thrives to promote tourism and visitation to our community; and,

**WHEREAS**, appropriate facilities for use by visitors is pertinent to the effectiveness of any successful tourism programs and,

**WHEREAS**, it would be in the best interest of the City of Goodlettsville to make an application for a Tourist Development Enhancement Grant from the State of Tennessee Department of Tourism.

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

Section 1. That the City of Goodlettsville is authorized to make an application for a Tourist Development Enhancement from the State of Tennessee Department of Transportation.

Section 2. That the City of Goodlettsville financial commitment to matching the aforementioned grant is not to exceed \$100,000.00 if awarded.

Section 3. That the City Manager is authorized to execute all necessary documents associated with

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

Date adopted: August 10, 2023

\_\_\_\_\_  
MAYOR  
RUSTY  
TINNIN

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>SUBJECT TITLE:</u></b> Resolution 23-1151<br/>A resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee establishing July 3<sup>rd</sup> of each calendar year as the date of the City of Goodlettsville's Independence Day Celebration special event.</p> <p><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Resolution 23-1151</p> <p><b>Dept. of Origin:</b> Administration / Parks</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Tim Ellis</p> <p><b>Cost of Item:</b> N/A</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1151

### **SUMMARY STATEMENT:**

A resolution of the Board of Commissioners of the City of Goodlettsville, Tennessee establishing July 3<sup>rd</sup> of each calendar year as the date of the City of Goodlettsville's Independence Day Celebration special event.

### **FINANCIAL SUMMARY:**

N/A

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1151.

RESOLUTION 23-1151

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE ESTABLISHING JULY 3<sup>RD</sup> OF EACH CALENDAR YEAR AS THE DATE OF THE CITY OF GOODLETTSVILLE'S INDEPENDENCE DAY CELEBRATION SPECIAL EVENT.**

**WHEREAS**, the City of Goodlettsville prides itself in providing its citizenry with the highest quality of special events; and

**WHEREAS**, City of Goodlettsville staff has constantly strived to determine manners in which to improve such events; and

**WHEREAS**, the annual Independence Day Celebration is one such event that brings the Goodlettsville community together; and

**WHEREAS**, the City of Goodlettsville Independence Day Celebration was held on July 3, 2023 with great success.

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF GOODLETTSVILLE BOARD OF COMMISSIONERS AS FOLLOWS:**

SECTION I. That the Board Commissioners establishes July 3<sup>rd</sup> of each year as the date of the City of Goodlettsville Independence Day Celebration.

SECTION II. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

Date adopted: August 10, 2023

\_\_\_\_\_  
Mayor Rusty Tinnin

Attest

\_\_\_\_\_  
City Recorder

Approved as to form and legality

\_\_\_\_\_  
City Attorney



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>SUBJECT TITLE:</u></b> Resolution 23-1152<br/>A resolution to establish guidelines for the video transmission and recording of City of Goodlettsville Boards and Commissions meeting.</p> <p><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Resolution 23-1152</p> <p><b>Dept. of Origin:</b> Administration</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Tim Ellis</p> <p><b>Cost of Item:</b> N/A</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1152

### **SUMMARY STATEMENT:**

A resolution to establish guidelines for the video transmission and recording of City of Goodlettsville Boards and Commissions meeting.

### **FINANCIAL SUMMARY:**

N/A

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1152.

## **RESOLUTION 23-1152**

### **A RESOLUTION TO ESTABLISH GUIDELINES FOR THE VIDEO TRANSMISSION AND RECORDING OF CITY OF GOODLETTSVILLE BOARDS AND COMMISSIONS MEETINGS.**

**WHEREAS**, the City of Goodlettsville has created the capabilities to transmit public meetings by streaming services, as well, as archive video recordings of such meetings; and

**WHEREAS**, it has been determined that certain guidelines need to be created to assure such programs meet the desire of the Board of Commissioners, employees, and residents of the City of Goodlettsville; and

**WHEREAS**, said guidelines have been created for consideration.

### **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, THAT THE FOLLOWING SHALL SERVE AS THE OFFICIAL GUIDELINES FOR THE VIDEO TRANSMISSION AND RECORDINGS OF CITY OF GOODLETTSVILLE BOARDS AND COMMISSIONS.**

Section 1. All public meetings of a board or commission created by virtue of the City of Goodlettsville Municipal Code shall be video transmitted live by online streaming or any other means.

Section 2. All public meetings of a board or commission created by virtue of the City of Goodlettsville Municipal Code shall be video recorded and indexed on the official City of Goodlettsville Website.

Section 3. All public meetings of a board or commission created by virtue of the City of Goodlettsville Municipal Code that is video recorded and indexed on the official City of Goodlettsville Website shall be archived for five years from the date of said meeting.

### **THIS RESOLUTION IS EFFECTIVE UPON PASSAGE, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE, TENNESSEE REQUIRING IT.**

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MAYOR RUSTY TINNIN

Passed First Reading: August 10, 2023

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CITY RECORDER

Approved as to Legality and Form:

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CITY ATTORNEY



## **AGENDA SUMMARY SHEET**

### **Board of Commissioners City of Goodlettsville, Tennessee**

|                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>SUBJECT TITLE:</u> Resolution 23-1153</b><br>A resolution to set the amount for the fee-for-service for residential solid waste.<br><br><b><u>PRESENTD BY:</u></b> Tim Ellis City Manager<br><br>Julie High, ACM<br><br>Jeff McCormick, Director of Public Services | <b>Agenda Item:</b> <u>Resolution 23-1153</u><br><br><b>Dept. of Origin:</b> Public Works<br><br><b>For Agenda of:</b> <u>August 10, 2023</u><br><br><b>Originator:</b> <u>Tim Ellis</u><br><br><b>Cost of Item:</b> <u>+200,000 Sanitation</u> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

#### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1153

Current Fees

Summary of Incremental Increases

Comptroller Budget Letter

#### **SUMMARY STATEMENT:**

Increases Sanitation Fees as follows:

RESIDENTIAL WASTE (GARBAGE) COLLECTION, CONVEYANCE AND DISPOSAL

\$21.00 PER MONTH FOR SERVICE OF ONE CITY APPROVED CONTAINER

\$25.00 PER MONTH FOR SERVICE OF TWO CITY APPROVED CONTAINERS

\$10.00 PER MONTH FOR SERVICE OF ONE CONTAINER FOR PROPERTY OWNERS

WHO ARE REGISTERED TO PARTICIPATE IN THE CITY'S SENIOR PROPERTY

TAX FREEZE PROGRAM AND SOCIAL SECURITY DISABILITY.

#### **FINANCIAL SUMMARY:**

+200,000 Sanitation

#### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1153

**RESOLUTION NO. 23-1153**

**A RESOLUTION TO SET THE AMOUNT OF A CITY FEE-FOR-SERVICE FOR RESIDENTIAL WASTE.**

**WHEREAS**, by adoption of Ordinance No. 08-715 by the Board of Commissioners of the City, the City is authorized to assess certain fees for providing collection, conveyance and disposal services of residential waste, yard waste, and bulk rubbish;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT CERTAIN SANITATION FEES ARE SET AS:**

RESIDENTIAL WASTE (GARBAGE) COLLECTION, CONVEYANCE AND DISPOSAL  
\$21.00 PER MONTH FOR SERVICE OF ONE CITY APPROVED CONTAINER  
\$25.00 PER MONTH FOR SERVICE OF TWO CITY APPROVED CONTAINERS  
\$10.00 PER MONTH FOR SERVICE OF ONE CONTAINER FOR PROPERTY OWNERS  
WHO ARE REGISTERED TO PARTICIPATE IN THE CITY'S SENIOR PROPERTY  
TAX FREEZE PROGRAM AND SOCIAL SECURITY DISABILITY.

**BE IT FURTHER RESOLVED THAT IN THE CASE A CONFLICT BETWEEN THIS RESOLUTION OR ANY PART EXISTS WITH ANY PREVIOUSLY ADOPTED RESOLUTION, THIS RESOLUTION SHALL APPLY.**

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

\_\_\_\_\_  
MAYOR RUSTY TINNIN

Adopted: \_\_\_\_\_

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
CITY ATTORNEY

## CURRENT FEE STRUCTURE

RESIDENTIAL WASTE (GARBAGE) COLLECTION, CONVEYANCE AND DISPOSAL

\$18.00 PER MONTH FOR SERVICE OF ONE CITY APPROVED CONTAINER

\$22.00 PER MONTH FOR SERVICE OF TWO CITY APPROVED CONTAINERS

\$ 9.00 PER MONTH FOR SERVICE OF ONE CONTAINER FOR PROPERTY OWNERS

WHO ARE REGISTERED TO PARTICIPATE IN THE CITY'S SENIOR PROPERTY  
TAX FREEZE PROGRAM AND SOCIAL SECURITY DISABILITY.

## FEE STRUCTURE MODEL

| FY 2024<br>\$18/\$9 | FY 2025<br>\$18/\$9    | FY 2026<br>\$18/\$9    |              |              |              |              |
|---------------------|------------------------|------------------------|--------------|--------------|--------------|--------------|
| BUDGET<br>2023-2024 | PROJECTED<br>2024-2025 | PROJECTED<br>2025-2026 | \$18<br>\$18 | \$20<br>\$10 | \$21<br>\$10 | \$22<br>\$11 |
| 409,007             | 224,732                | 67,961                 | 224,732      | 224,732      | 224,732      | 224,732      |
|                     |                        |                        |              | -            | -            | -            |
| 25,000              | 25,000                 | 25,001                 | 25,000       | 25,000       | 25,000       | 25,000       |
| 1,088,316           | 1,088,316              | 1,088,316              | 1,116,936    | 1,209,240    | 1,268,112    | 1,330,164    |
|                     |                        |                        |              | -            | -            | -            |
| 14,000              | 14,000                 | 14,000                 | 14,000       | 14,000       | 14,000       | 14,000       |
| 12,000              | 12,000                 | 12,000                 | 12,000       | 12,000       | 12,000       | 12,000       |
| 14,000              | 14,000                 | 14,000                 | 14,000       | 14,000       | 14,000       | 14,000       |
|                     |                        |                        | -            | -            | -            | -            |
| 1,153,316           | 1,153,316              | 1,153,317              | 1,181,936    | 1,274,240    | 1,333,112    | 1,395,164    |
|                     |                        |                        |              |              |              |              |
| 179,913             | 185,310                | 190,869                | 179,913      | 179,913      | 179,913      | 179,913      |
| 5,000               | 5,150                  | 5,305                  | 5,000        | 5,000        | 5,000        | 5,000        |
| 21,000              | 21,000                 | 21,001                 | 21,000       | 21,000       | 21,000       | 21,000       |
| 13,763              | 16,177                 | 16,614                 | 13,763       | 13,763       | 13,763       | 13,763       |
| 41,004              | 42,234                 | 43,501                 | 41,004       | 41,004       | 41,004       | 41,004       |
| 23,335              | 24,035                 | 24,756                 | 23,335       | 23,335       | 23,335       | 23,335       |
| 457                 | 500                    | 500                    | 457          | 457          | 457          | 457          |
|                     | 1000                   | 1000                   | -            | -            | -            | -            |
|                     |                        |                        | -            | -            | -            | -            |
|                     |                        |                        | -            | -            | -            | -            |
| 691,880             | 712,636                | 734,015                | 691,880      | 691,880      | 691,880      | 691,880      |
| 185,740             | 189,454                | 193,243                | 185,740      | 185,740      | 185,740      | 185,740      |
| 21,000              | 21,630                 | 22,279                 | 21,000       | 21,000       | 21,000       | 21,000       |
| 7,500               | 7,725                  | 7,957                  | 7,500        | 7,500        | 7,500        | 7,500        |
| 3,000               | 3,090                  | 3,183                  | 3,000        | 3,000        | 3,000        | 3,000        |
| 3,000               | 3,090                  | 3,183                  | 3,000        | 3,000        | 3,000        | 3,000        |
| 5,000               | 5,150                  | 5,305                  | 5,000        | 5,000        | 5,000        | 5,000        |
| 2,000               | 2,060                  | 2,122                  | 2,000        | 2,000        | 2,000        | 2,000        |
| 4,000               | 4,120                  | 4,244                  | 4,000        | 4,000        | 4,000        | 4,000        |
|                     | 50                     | 50                     | -            | -            | -            | -            |
|                     | 20,000                 | 20,000                 | -            | -            | -            | -            |
| 130,000             | 45,675                 | 136,500                | 130,000      | 130,000      | 130,000      | 130,000      |
| 1,337,591           | 1,310,086              | 1,435,625              | 1,337,591    | 1,337,591    | 1,337,591    | 1,337,591    |
|                     |                        |                        |              |              |              |              |
| (184,275)           | (156,770)              | (282,308)              | (155,655)    | (63,351)     | (4,479)      | 57,573       |

## COMPTROLLER ACKNOWLEDGEMENT OF FY24 BUDGET



JASON E. MUMPOWER  
*Comptroller*

June 9, 2023

Honorable Mr. Rusty Tinnin, Mayor  
and Honorable Board of Commissioners  
City of Goodlettsville  
105 South Main Street  
Goodlettsville, TN 37072

Dear Mayor Tinnin and Board of Commissioners:

This letter acknowledges receipt of a certified copy of the fiscal year 2024 budget.

We have reviewed the budget and have determined that projected revenues and other available funds are sufficient to meet anticipated expenditures. Our review of the budget is based solely on the information we have received. With regard to programs included in the budget such as education, roads, and corrections, we have not attempted to determine that the local government has complied with specific program statutes or guidelines, or with any financing requirements prescribed by any state or federal agency. Please note local officials are required to ensure the budget remains balanced throughout the fiscal year and that all maintenance of effort requirements are met – our office has not reviewed or approved any maintenance of effort programs in this budget. Budget amendments must be sent to our office for formal acknowledgement after they are approved by the local governing body (submit to: [LGF@cot.tn.gov](mailto:LGF@cot.tn.gov)).

### **Budget Approval**

This letter constitutes approval, by this office, for the City's fiscal year 2024 budget as adopted by the City's governing body.

### **Considerations Concerning the Budget**

#### *Structurally Balanced Budget*

During our review of the budget we noticed the City's Sanitation Fund budget was not structurally balanced. A budget is structurally balanced when recurring revenues that can be relied on every year are sufficient to pay recurring expenditures required for normal governmental operations. As a best practice, we recommend officials adopt a structurally balanced budget that ensures there are sufficient recurring revenues to pay for recurring expenditures.



## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

|                                                                                                                                                                                                      |                                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>SUBJECT TITLE:</u></b> Resolution 23-1154<br/>A resolution amending certain fees associated with bulk item curbside pick-up.</p> <p><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Resolution 23-1154</p> <p><b>Dept. of Origin:</b> Administration / PW</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Tim Ellis</p> <p><b>Cost of Item:</b> Positive Financial Impact</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1154

### **SUMMARY STATEMENT:**

A resolution amending certain fees associated with bulk item curbside pick-up as adopted by Resolution 19-874 and Ordinance 19-952.

### **FINANCIAL SUMMARY:**

Positive Financial Impact

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1154.

## **RESOLUTION 23-1154**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING CERTAIN FEES FOR BULK ITEM CURBSIDE PICK-UP.**

**Whereas**, the City currently offers curbside bulk item pick-up; and

**Whereas**, certain fees have previously been established for such services in accordance to by the passage of Resolution 19-874 and Ordinance 19-952; and

**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT FEES FOR CURBSIDE BULK ITEM PICK-UP BE AMENDED AND LISTED IN EXHIBIT 1 OF THIS RESOLUTION BE ADOPTED EFFECTIVE SEPTEMBER 1, 2023.**

\_\_\_\_\_  
Mayor Rusty Tinnin

\_\_\_\_\_  
City Recorder

Approved as to form and legality

\_\_\_\_\_  
City Attorney

Passed: August 10, 2023

## **EXHIBIT I**

### **City of Goodlettsville Curbside Bulk Item Pick-up**

#### **FEE SCHEDULE**

**\$25.00 per item picked up at curbside. – In accordance to the following guidelines (I)**

**(I) Collection of bulk items, including white goods and brown goods (as defined in this section), shall be picked up after payment of a fee-for-service by the requesting residential property owner or occupant.**

#### **DEFINITIONS**

- *Brown Goods is defined as furniture, bulky single items, and single items that does not fit within the ninety-six (96) gallon roll trash cart.*
- *White Goods is defined as large household appliances.*

**\* Single items that have been disassembled into more than one piece shall be considered one item.**

## **CURRENT FEE STRUCTURE**

### **City of Goodlettsville Curbside Bulk Item Pick-up**

#### **FEE SCHEDULE**

**No Charge for 1-2 Items Per Calendar Month – In accordance to the following guidelines  
(1)**

**\$25.00 per item in excess of 3 or more per calendar month – In accordance to the following  
guidelines (1)**

**(2) Collection of bulk items, including white goods and brown goods (as defined in this  
section), shall be free for no more than two (2) items per calendar month and any  
items greater than two (2) shall be picked up after payment of a fee-for-service by  
the requesting residential property owner or occupant.**

#### **DEFINITIONS**

- *Brown Goods is defined as furniture, bulky single items, and single items that does not fit within the ninety-six (96) gallon roll trash cart.*
- *White Goods is defined as large household appliances.*

**\* Single items that have been disassembled into more than one piece shall be considered one item.**



## **AGENDA SUMMARY SHEET**

### **Board of Commissioners City of Goodlettsville**

|                                                                                                                                                                                                                                       |                                                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b><u>SUBJECT TITLE: RESOLUTION 23-1155</u></b><br>A resolution approving certain amendments to the City of Goodlettsville Industrial Development Board's adopted By-laws.<br><br><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager | <b>Agenda Item:</b> Resolution 23-1155<br><br><b>Dept. of Origin:</b> Administration<br><br><b>For Agenda of:</b> August 10, 2023<br><br><b>Originator:</b> Tim Ellis |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1155

### **SUMMARY STATEMENT:**

A resolution approving certain amendments to the City of Goodlettsville Industrial Development Board's adopted By-laws.

#### **i. ARTICLE II – Board of Directors**

The Board of Directors shall consist of seven (7) members in which all powers of the Industrial Development Board are vested. All directors shall be duly qualified electors of and taxpayers in the City of Goodlettsville. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties. No director shall be an officer or employee of the City of Goodlettsville.

#### **ii. ARTICLE IV – Meetings**

Meetings of the Industrial Development Board Of Directors shall be held as necessary, with a 10 day notice as advertised in general circulation and on the city website. Said meetings shall occur at 6:00 p.m. on the second Tuesday of the month, unless the same falls on a legal holiday, in which event said meeting shall be held on the next succeeding secular day; however, the place, date and time of holding regular meetings may be changed from time to time, by Resolution, without the formality of amending this section.

#### **iii. ARTICLE VI – Adoption and Amendment**

The Bylaws may be amended only with the approval of at least three-fourths of the members of the Board of Directors. For a special called meeting, at least seven (7) days notice in writing shall have been given to all of the Directors of the proposed amendment.

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1155

**RESOLUTION NO. 23-1155**

**A RESOLUTION APPROVING CERTAIN AMENDMENTS TO THE CITY OF GOODLETTSVILLE INDUSTRIAL DEVELOPMENT BOARD'S BY-LAWS.**

**WHEREAS**, it has been determined that it is in the best interest of the Goodlettsville Industrial Development Board that certain sections of their By-Laws be amended; and,

**WHEREAS**, it requires the approval of both the City of Goodlettsville Board of Commissioners and the City of Goodlettsville Industrial Development Board.

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

Section 1. The City of Goodlettsville Industrial Development Board By-Laws are amended to reflect the following:

**iv. ARTICLE II – Board of Directors**

The Board of Directors shall consist of seven (7) members in which all powers of the Industrial Development Board are vested. All directors shall be duly qualified electors of and taxpayers in the City of Goodlettsville. The directors shall serve as such without compensation except that they shall be reimbursed for their actual expenses incurred in and about the performance of their duties. No director shall be an officer or employee of the City of Goodlettsville.

**v. ARTICLE IV – Meetings**

Meetings of the Industrial Development Board Of Directors shall be held as necessary, with a 10 day notice as advertised in general circulation and on the city website. Said meetings shall occur at 6:00 p.m. on the second Tuesday of the month, unless the same falls on a legal holiday, in which event said meeting shall be held on the next succeeding secular day; however, the place, date and time of holding regular meetings may be changed from time to time, by Resolution, without the formality of amending this section.

**vi. ARTICLE VI – Adoption and Amendment**

The Bylaws may be amended only with the approval of at least three-fourths of the members of the Board of Directors. For a special called meeting, at least seven (7) days notice in writing shall have been given to all of the Directors of the proposed amendment.

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

Section 3. The amended City of Goodlettsville Industrial Development Board By-Laws shall take effect immediately upon passage of the Industrial Development Board.

Date adopted: August 10, 2023

\_\_\_\_\_  
MAYOR  
RUSTY  
TINNIN

ATTEST:

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CITY RECORDER

APPROVED AS TO FORM AND LEGALITY:

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CITY ATTORNEY





## **AGENDA SUMMARY SHEET**

**Board of Commissioners  
City of Goodlettsville**

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|                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b><u>SUBJECT TITLE:</u> RESOLUTION 23-1156</b><br/>A resolution declaring certain property surplus to the needs of the City of Goodlettsville and donating such property to the Shackle Island Volunteer Fire Department.</p> <p><b><u>PRESENTED BY:</u></b> Tim Ellis, City Manager</p> | <p><b>Agenda Item:</b> Resolution 23-1156</p> <p><b>Dept. of Origin:</b> Admin</p> <p><b>For Agenda of:</b> August 10, 2023</p> <p><b>Originator:</b> Ken Reeves, Fire Department</p> <p><b>Cost of Item:</b> N/A</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1156

### **SUMMARY STATEMENT:**

This resolution declares certain property surplus to the needs of the City of Goodlettsville and donating such property to the Shackle Island Fire Department.

### **FINANCIAL SUMMARY:**

N/A

This turnout gear is past their NFPA life span.

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1156

**RESOLUTION NO. 23-1156**

**A RESOLUTION DECLARING CERTAIN PROPERTY SURPLUS TO THE NEEDS OF THE CITY OF GOODLETTSVILLE AND CALLING FOR ITS DISPOSAL AND DONATING SUCH PROPERTY TO THE SHACKLE ISLAND VOLUNTEER FIRE DEPARTMENT.**

**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; and,

**WHEREAS**, The Shackle Island Volunteer Fire Department has an immediate need for said property.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT SAID PROPERTY LISTED IN EXHIBIT 1 IS DECLARED SURPLUS TO THE NEEDS OF THE CITY OF GOODLETTSVILLE AND IS TO BE DONATED TO THE SHACKLE ISLAND VOLUNTEER FIRE DEPARTMENT.**

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

Adopted: August 10, 2023

\_\_\_\_\_  
MAYOR RUSTY TINNIN

\_\_\_\_\_  
CITY RECORDER  
APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
CITY ATTORNEY

**EXHIBIT 1**

**SURPLUS PROPERTY (RESOLUTION 23-1156)**

**15 turn out coats**

**15 turn out pants**



## **AGENDA SUMMARY SHEET**

Board of Commissioners  
City of Goodlettsville

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**SUBJECT TITLE: RESOLUTION 23-1157**

**Agenda Item:** Resolution 23-1157

A resolution acknowledging an application for a Tennessee Law Enforcement Hiring, Training and Recruitment grant from the State of Tennessee Department of Commerce and Insurance.

**PRESENTED BY:** Tim Ellis, City Manager  
Gary Goodwin, Chief of Police

**Dept. of Origin:** Police

**For Agenda of:** August 10, 2023

**Originator:** Tim Ellis

**Cost of Item:** \$40,000 for 5 consecutive years  
\$200,000 – TOTAL PROJECT  
**DOES NOT REQUIRE A MATCHING FUNDS**

### **AGENDA ITEM ATTACHMENTS:**

Resolution 23-1157

### **SUMMARY STATEMENT:**

Tennessee Law Enforcement Hiring, Training and Recruitment grant from the State of Tennessee Department of Commerce and Insurance.

### **FINANCIAL SUMMARY:**

\$40,000 for 5 consecutive years

\$200,000 – TOTAL PROJECT

**DOES NOT REQUIRE A MATCHING FUNDS**

### **RECOMMENDED ACTION:**

Staff recommends approval of Resolution 23-1157

**RESOLUTION NO. 23-1157**

**A RESOLUTION ACKNOWLEDGING AN APPLICATION FOR A TENNESSEE LAW ENFORCEMENT HIRING, TRAINING AND RECRUITMENT GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE.**

**WHEREAS**, the City of Goodlettsville desires to provide the highest quality of life to its residents; and,

**WHEREAS**, public safety is a cornerstone to that high level of quality of life; and,

**WHEREAS**, the State of Tennessee is providing grants for the hiring, training and recruitment grant for police officers.

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

Section 1. That the City of Goodlettsville is acknowledges an application for a Hiring, Training and Recruitment Grant from the State of Tennessee Department of Commerce and Insurance.

Section 2. The total funds derived from the State of Tennessee shall be \$200,000.00 distributed equally over a five year period of time.

Section 3. That the City Manager is authorized to execute all necessary documents associated with

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

Date adopted: August 10, 2023

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY RECORDER

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY





# GOVERNMENTAL GRANT CONTRACT

(cost reimbursement grant contract with a federal or Tennessee local governmental entity or their agents and instrumentalities)

|                                                                                                                                                                                               |                     |                                                                                                                                                                                   |                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <b>Begin Date</b>                                                                                                                                                                             | <b>End Date</b>     | <b>Agency Tracking #</b>                                                                                                                                                          | <b>Edison ID</b>                |
| September 1, 2023                                                                                                                                                                             | March 7, 2028       | 33501-242591                                                                                                                                                                      | Non-Edison Contract<br>77833-44 |
| <b>Grantee Legal Entity Name</b>                                                                                                                                                              |                     |                                                                                                                                                                                   | <b>Edison Vendor ID</b>         |
| City of Goodlettsville                                                                                                                                                                        |                     |                                                                                                                                                                                   | 0000002859                      |
| <b>Subrecipient or Recipient</b>                                                                                                                                                              |                     | <b>Assistance Listing Number</b>                                                                                                                                                  |                                 |
| <input type="checkbox"/> Subrecipient<br><input checked="" type="checkbox"/> Recipient                                                                                                        |                     |                                                                                                                                                                                   |                                 |
|                                                                                                                                                                                               |                     | <b>Grantee's fiscal year end</b>                                                                                                                                                  |                                 |
| <b>Service Caption (one line only)</b>                                                                                                                                                        |                     |                                                                                                                                                                                   |                                 |
| Grant funds for Tennessee Law Enforcement Hiring, Training and Recruitment Program                                                                                                            |                     |                                                                                                                                                                                   |                                 |
| <b>Funding —</b>                                                                                                                                                                              |                     |                                                                                                                                                                                   |                                 |
| <b>FY</b>                                                                                                                                                                                     | <b>State</b>        | <b>Federal</b>                                                                                                                                                                    | <b>Interdepartmental</b>        |
| 2024                                                                                                                                                                                          | \$40,000.00         |                                                                                                                                                                                   |                                 |
| 2025                                                                                                                                                                                          | \$40,000.00         |                                                                                                                                                                                   |                                 |
| 2026                                                                                                                                                                                          | \$40,000.00         |                                                                                                                                                                                   |                                 |
| 2027                                                                                                                                                                                          | \$40,000.00         |                                                                                                                                                                                   |                                 |
| 2028                                                                                                                                                                                          | \$40,000.00         |                                                                                                                                                                                   |                                 |
| <b>TOTAL:</b>                                                                                                                                                                                 | <b>\$200,000.00</b> |                                                                                                                                                                                   |                                 |
| <b>Other</b>                                                                                                                                                                                  |                     |                                                                                                                                                                                   |                                 |
| <b>TOTAL Grant Contract Amount</b>                                                                                                                                                            |                     |                                                                                                                                                                                   |                                 |
| \$40,000.00                                                                                                                                                                                   |                     |                                                                                                                                                                                   |                                 |
| \$40,000.00                                                                                                                                                                                   |                     |                                                                                                                                                                                   |                                 |
| \$40,000.00                                                                                                                                                                                   |                     |                                                                                                                                                                                   |                                 |
| \$40,000.00                                                                                                                                                                                   |                     |                                                                                                                                                                                   |                                 |
| \$40,000.00                                                                                                                                                                                   |                     |                                                                                                                                                                                   |                                 |
| <b>\$200,000.00</b>                                                                                                                                                                           |                     |                                                                                                                                                                                   |                                 |
| <b>Grantee Selection Process Summary</b>                                                                                                                                                      |                     |                                                                                                                                                                                   |                                 |
| <input checked="" type="checkbox"/> Competitive Selection                                                                                                                                     |                     | This contract resulted from a competitive procurement pursuant to authority delegated by the Central Procurement Office in accordance with Tenn. Comp. R. & Regs. 0690-03-01-.04. |                                 |
| <input type="checkbox"/> Non-competitive Selection                                                                                                                                            |                     |                                                                                                                                                                                   |                                 |
| <b>Budget Officer Confirmation:</b> There is a balance in the appropriation from which obligations hereunder are required to be paid that is not already encumbered to pay other obligations. |                     | <b>CPO USE - GG</b>                                                                                                                                                               |                                 |
| <b>Speed Chart (optional)</b>                                                                                                                                                                 |                     | <b>Account Code (optional)</b>                                                                                                                                                    |                                 |

**GRANT CONTRACT  
BETWEEN THE STATE OF TENNESSEE,  
DEPARTMENT OF COMMERCE AND INSURANCE  
AND  
CITY OF GOODLETTSVILLE**

This grant contract ("Grant Contract"), by and between the State of Tennessee, Department of Commerce and Insurance, hereinafter referred to as the "State" or the "Grantor State Agency" and City of Goodlettsville, hereinafter referred to as the "Grantee," is for the provision of grant funds for Tennessee Law Enforcement Hiring, Training and Recruitment Program to Tennessee law enforcement agencies to award hiring and retention bonuses, as further defined in the "SCOPE OF SERVICES AND DELIVERABLES."

Grantee Edison Vendor ID # 0000002859

**A. SCOPE OF SERVICES AND DELIVERABLES:**

- A.1. The Grantee shall provide the scope of services and deliverables ("Scope") as required, described, and detailed in this Grant Contract.
- A.2. The Grantee shall remain in compliance with Peace Officer Standards and Training (POST) Commission rules for local law enforcement agencies throughout the duration of this contract found at <https://publications.tnsosfiles.com/rules/1110/1110.htm>.
- A.3. Definitions. For purposes of this Grant Contract, definitions shall be as follows and as set forth in the Contract:
- a. "Eligible Officer" means an Experienced Officer or a No Previous Certified Experience Officer hired by a local law enforcement agency in Tennessee after May 1, 2023. An Eligible Officer cannot have previously surrendered a certification in any state, have been decertified by the POST Commission or equivalent in any state in the United States, or have been decertified as a result of a court order by any state or federal court.
  - b. "Experienced Officer" means:
    - i. a law enforcement officer who has held the equivalent of a POST certification from any state in the United States other than Tennessee with a break in service of less than seven (7) years; or
    - ii. a law enforcement officer who has not been POST certified in Tennessee in the previous seven (7) years and who has held the equivalent of a POST certification from any state in the United States other than Tennessee with a break in service of less than seven (7) years.
  - c. "Longevity Milestone" means, for an Experienced Officer, the time periods of six (6) months, twelve (12) months, twenty-four (24) months, or thirty-six (36) months the Eligible Officer serves on the Grantee's active roster. "Longevity Milestone" shall have the same definition for a No Previous Experience Officer except that it does not include six (6) months.
  - d. "No Previous Certified Experience Officer" means a law enforcement officer who has never been certified in Tennessee, or the equivalent in any state in the United States, or a previously certified officer with a break in law enforcement service of seven (7) years or more.
- A.4. The Grantee shall submit appropriate documentation to claim funds, subject to availability, pursuant to paragraph C.5. to the State to request the bonus payment amount corresponding to an Eligible Officer's status as either an Experienced Officer or a No Experience Officer and the applicable Longevity Period as set out in paragraph C.3. for any Eligible Officer hired by Grantee on or after

May 1, 2023. The Grantee must send the request for payment within sixty (60) days, or a longer time as approved in writing by the State, of the Eligible Officer reaching a Longevity Milestone. Longevity Milestones will be calculated from the date on which the Eligible Officer was added to the Grantee's active roster after becoming an Eligible Officer and, as such, will vary by Eligible Officer. The Grantee may request funds under this Grant Contract to make one (1) payment to each Eligible Officer for each of the Longevity Milestones that the Eligible Officer reaches.

A.4.a. The Grantee shall distribute the funds remitted by the State pursuant to paragraph A.4, without reduction, as a bonus payment to the Eligible Officer for whom the funds were requested within thirty (30) days of the Grantee's receipt of the funds.

A.4.b. The Grantee shall verify at the time of submitting a claim and certify to the State that the Eligible Officer has, as required by POST rules, completed basic training, transition school or its approved equivalent, in-service training, or a combination.

A.4.c. The Grantee shall submit a claim form for a bonus payment only for an Eligible Officer who is an Experienced Officer or a No Previous Certified Experience Officer at the time of hire by the Grantee on or after May 1, 2023.

**B. TERM OF CONTRACT:**

This Grant Contract shall be effective for the period beginning on September 1, 2023 ("Effective Date") and ending on March 7, 2028, ("Term"). The State shall have no obligation to the Grantee for fulfillment of the Scope outside the Term.

**C. PAYMENT TERMS AND CONDITIONS:**

- C.1. Maximum Liability. In no event shall the maximum liability of the State under this Grant Contract exceed Two Hundred Thousand dollars (\$200,000) ("Maximum Liability"). The Grant Budget, attached and incorporated as Attachment A is the maximum amount due the Grantee under this Grant Contract. The Grant Budget line-items include, but are not limited to, all applicable taxes, fees, overhead, and all other direct and indirect costs incurred or to be incurred by the Grantee.
- C.2. Compensation Firm. The Maximum Liability of the State is not subject to escalation for any reason unless amended. The Grant Budget amounts are firm for the duration of the Grant Contract and are not subject to escalation for any reason unless amended, except as provided in Section C.6.
- C.3. Periodic Advance Payment. The Grantee shall be reimbursed for actual, reasonable, and necessary costs based upon the Grant Budget, not to exceed the maximum liability established in Section C.1. The amount set out in the Recruitment/Retention Payout Schedule, below, for each Eligible Officer who has reached a Longevity Milestone shall be paid to the Grantee in advance upon approval by the State of a request received pursuant to paragraph A.3. The total of said payments shall not exceed the maximum liability of this Grant Contract.

| Recruitment/Retention Payout Schedule |                                                               |           |           |           |             |
|---------------------------------------|---------------------------------------------------------------|-----------|-----------|-----------|-------------|
| Recruitment/Retention Category        | Payment Upon Completion of Longevity Period/Anniversary Below |           |           |           |             |
|                                       | 6 Months                                                      | 12 Months | 24 Months | 36 Months | Total Bonus |
| Category 1 Officers – Experienced     | \$1,000                                                       | \$3,000   | \$3,000   | \$3,000   | \$10,000    |

|                                                                       |  |                |                |                |                |
|-----------------------------------------------------------------------|--|----------------|----------------|----------------|----------------|
| <b>Category 2 Officers –<br/>No Previous Certified<br/>Experience</b> |  | <b>\$3,000</b> | <b>\$2,500</b> | <b>\$2,500</b> | <b>\$8,000</b> |
|-----------------------------------------------------------------------|--|----------------|----------------|----------------|----------------|

C.4. Travel Compensation. The Grantee shall not be compensated or reimbursed for travel time, travel expenses, meals, or lodging.

C.5. Invoice Requirements. The Grantee shall submit a Cost Sharing- Recruitment Grant Invoice, attached and incorporated as Attachment B, to the State no more often than monthly but at least once a quarter, with all necessary supporting documentation, and present such to:

William "Chip" Kain, Executive Secretary  
POST Commission  
3025 Lebanon Pike  
TN Law Enforcement Training Academy  
Nashville, TN 37214  
[William.kain@tn.gov](mailto:William.kain@tn.gov)

a. Each Cost Sharing- Recruitment Grant Invoice shall clearly and accurately detail all of the following required information (calculations must be extended and totaled correctly).

- (1) Grantee Name.
- (2) Name and Signature of the Grantee's Chief.
- (3) The Invoice Date.
- (4) The following for each Eligible Officer for whom a claim is being made under this Grant Contract:
  - i. Officer Name;
  - ii. Officer PSID;
  - iii. If the officer is an Experienced Officer or No Previous Experience Officer;
  - iv. The officer's start date with Grantee on Grantee's active roster;
  - v. The date on which the officer met a Longevity Milestone; and
  - vi. The Longevity Milestone that the officer has met.

b. The Grantee understands and agrees to all of the following:

- (1) Any claim under this Grant Contract shall include only reimbursement requests for actual, reasonable, and necessary expenditures required in the delivery of service described by this Grant Contract and shall be subject to the Grant Budget and any other provision of this Grant Contract relating to allowable reimbursements.
- (2) An invoice under this Grant Contract shall initiate the timeframe for reimbursement only when the State is in receipt of the invoice, and the invoice meets the minimum requirements of this section C.5.

c. Upon receipt of the completed Cost Sharing- Recruitment Grant Invoice from the Grantee, the State will complete the following information on the invoice:

- (1) Grantee's Edison ID;
- (2) Contract Number (assigned by the State);
- (3) Invoice Number (assigned by the State);
- (4) The number of Eligible Officers approved as meeting each Longevity Milestone by category (Experienced Officer or No Experience Officer); and
- (5) Grantee's mailing address as set out in paragraph D.8. or as otherwise agreed in writing by the parties.

- C.6. Disbursement Reconciliation and Close Out. The Grantee shall submit any final invoice and a grant disbursement reconciliation report within sixty (60) days of the Grant Contract end date, in form and substance acceptable to the State.
- a. If total disbursements by the State pursuant to this Grant Contract exceed the amounts permitted by the section C, payment terms and conditions of this Grant Contract, the Grantee shall refund the difference to the State. The Grantee shall submit the refund with the final grant disbursement reconciliation report.
  - b. The State shall not be responsible for the payment of any invoice submitted to the State after the grant disbursement reconciliation report. The State will not deem any Grantee costs submitted for reimbursement after the grant disbursement reconciliation report to be allowable and reimbursable by the State, and such invoices will NOT be paid.
  - c. The Grantee's failure to provide a final grant disbursement reconciliation report to the State as required by this Grant Contract shall result in the Grantee being deemed ineligible for reimbursement under this Grant Contract, and the Grantee shall be required to refund any and all payments by the State pursuant to this Grant Contract.
  - d. The Grantee must close out its accounting records at the end of the Term in such a way that reimbursable expenditures and revenue collections are NOT carried forward.
- C.7. Indirect Cost. Should the Grantee request reimbursement for indirect costs, the Grantee must submit to the State a copy of the indirect cost rate approved by the cognizant federal agency or the cognizant state agency, as applicable. The Grantee will be reimbursed for indirect costs in accordance with the approved indirect cost rate and amounts and limitations specified in the attached Grant Budget. Once the Grantee makes an election and treats a given cost as direct or indirect, it must apply that treatment consistently and may not change during the Term. Any changes in the approved indirect cost rate must have prior approval of the cognizant federal agency or the cognizant state agency, as applicable. If the indirect cost rate is provisional during the Term, once the rate becomes final, the Grantee agrees to remit any overpayment of funds to the State, and subject to the availability of funds the State agrees to remit any underpayment to the Grantee.
- C.8. Cost Allocation. If any part of the costs to be reimbursed under this Grant Contract are joint costs involving allocation to more than one program or activity, such costs shall be allocated and reported in accordance with the provisions of Department of Finance and Administration Policy Statement 03 or any amendments or revisions made to this policy statement during the Term.
- C.9. Payment of Invoice. A payment by the State shall not prejudice the State's right to object to or question any reimbursement, invoice, or related matter. 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 as an allowable cost.
- C.10. Non-allowable Costs. Any amounts payable to the Grantee shall be subject to reduction for amounts included in any invoice or payment that are determined by the State, on the basis of audits or monitoring conducted in accordance with the terms of this Grant Contract, to constitute unallowable costs.
- C.11. State's Right to Set Off. The State reserves the right to set off or deduct from amounts that are or shall become due and payable to the Grantee under this Grant Contract or under any other agreement between the Grantee and the State of Tennessee under which the Grantee has a right to receive payment from the State.
- C.12. Prerequisite Documentation. The Grantee shall not invoice the State under this Grant Contract until the State has received the following, properly completed documentation.

- a. The Grantee shall complete, sign, and return to the State an "Authorization Agreement for Automatic Deposit (ACH Credits) Form" provided by the State. By doing so, the Grantee acknowledges and agrees that, once this form is received by the State, all payments to the Grantee under this or any other grant contract will be made by automated clearing house ("ACH").
- b. The Grantee shall be responsible for maintaining and submitting the State-provided W-9 form. The taxpayer identification number on the W-9 form must be the same as the Grantee's Federal Employer Identification Number or Social Security Number referenced in the Grantee's Edison registration information.

**D. STANDARD TERMS AND CONDITIONS:**

- D.1. Required Approvals. The State is not bound by this Grant Contract until it is signed by the parties and approved by appropriate officials in accordance with applicable Tennessee laws and regulations (depending upon the specifics of this Grant Contract, the 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 Grant Contract may be modified only by a written amendment signed by all parties and approved by the officials who approved the Grant Contract and, depending upon the specifics of the Grant Contract as amended, any additional officials required by Tennessee laws and regulations (the 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 Grant Contract without cause for any reason. A termination for convenience shall not be a breach of this Grant Contract by the State. The State shall give the Grantee at least thirty (30) days written notice before the effective termination date. The Grantee shall be entitled to compensation for authorized expenditures and satisfactory services completed as of the termination date, but in no event shall the State be liable to the Grantee for compensation for any service that has not been rendered. The final decision as to the amount for which the State is liable shall be determined by the State. The Grantee shall not have any right to any actual general, special, incidental, consequential, or any other damages whatsoever of any description or amount for the State's exercise of its right to terminate for convenience.
- D.4. Termination for Cause. If the Grantee fails to properly perform its obligations under this Grant Contract, or if the Grantee violates any terms of this Grant Contract, the State shall have the right to immediately terminate this Grant Contract and withhold payments in excess of fair compensation for completed services. Notwithstanding the exercise of the State's right to terminate this Grant Contract for cause, the Grantee shall not be relieved of liability to the State for damages sustained by virtue of any breach of this Grant Contract by the Grantee.
- D.5. Subcontracting. The Grantee shall not assign this Grant Contract or enter into a subcontract for any of the services performed under this Grant 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 Grant Contract pertaining to "Conflicts of Interest," "Lobbying," "Nondiscrimination," "Public Accountability," "Public Notice," and "Records" (as identified by the section headings). Notwithstanding any use of approved subcontractors, the Grantee shall remain responsible for all work performed.
- D.6. Conflicts of Interest. The Grantee warrants that no part of the total Grant 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 Grantee in connection with any work contemplated or performed relative to this Grant Contract.

D.7. Lobbying. The Grantee certifies, to the best of its knowledge and belief, that:

- a. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- b. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, grant, loan, or cooperative agreement, the Grantee shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- c. The Grantee shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into and is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352.

D.8. Communications and Contacts. All instructions, notices, consents, demands, or other communications required or contemplated by this Grant 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. All communications, regardless of method of transmission, shall be addressed to the respective party as set out below:

The State:

William "Chip" Kain, Executive Secretary  
 POST Commission  
 3025 Lebanon Pike  
 TN Law Enforcement Training Academy  
 Nashville, TN 37214  
[William.kain@tn.gov](mailto:William.kain@tn.gov)

The Grantee:

Jason DeLoach, Commander  
 City of Goodlettsville/Goodlettsville Police Department  
 105 South Main Street  
 Goodlettsville, TN 37072  
[jdeloach@goodlettsville.gov](mailto:jdeloach@goodlettsville.gov)  
 Telephone # (615) 851-2252

A change to the above contact information requires written notice to the person designated by the other party to receive notice.

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

- D.9. Subject to Funds Availability. This Grant Contract is subject to the appropriation and availability of State or Federal funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate this Grant Contract upon written notice to the Grantee. The State's right to terminate this Grant Contract due to lack of funds is not a breach of this Grant Contract by the State. Upon receipt of the written notice, the Grantee shall cease all work associated with the Grant Contract. Should such an event occur, the Grantee shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Grantee 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.
- D.10. Nondiscrimination. The Grantee 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 Grant Contract or in the employment practices of the Grantee 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 Grantee shall, upon request, show proof of nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
- D.11. HIPAA Compliance. The State and the Grantee shall comply with obligations under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Health Information Technology for Economic and Clinical Health Act (HITECH) and any other relevant laws and regulations regarding privacy (collectively the "Privacy Rules"). The obligations set forth in this Section shall survive the termination of this Grant Contract.
- a. The Grantee warrants to the State that it is familiar with the requirements of the Privacy Rules and will comply with all applicable HIPAA requirements in the course of this Grant Contract.
  - b. The Grantee warrants that it will cooperate with the State, including cooperation and coordination with State privacy officials and other compliance officers required by the Privacy Rules, in the course of performance of this Grant Contract so that both parties will be in compliance with the Privacy Rules.
  - c. The State and the Grantee will sign documents, including but not limited to business associate agreements, as required by the Privacy Rules and that are reasonably necessary to keep the State and the Grantee in compliance with the Privacy Rules. This provision shall not apply if information received by the State under this Grant Contract is NOT "protected health information" as defined by the Privacy Rules, or if the Privacy Rules permit the State to receive such information without entering into a business associate agreement or signing another such document.
- D.12. Public Accountability. If the Grantee is subject to Tenn. Code Ann. § 8-4-401 *et seq.*, or if this Grant Contract involves the provision of services to citizens by the Grantee on behalf of the State, the Grantee agrees to establish a system through which recipients of services may present grievances about the operation of the service program. The Grantee shall also display in a prominent place, located near the passageway through which the public enters in order to receive Grant supported services, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

NOTICE: THIS AGENCY IS A RECIPIENT OF TAXPAYER FUNDING. IF YOU OBSERVE AN AGENCY DIRECTOR OR EMPLOYEE ENGAGING IN ANY ACTIVITY WHICH YOU CONSIDER TO BE ILLEGAL, IMPROPER, OR WASTEFUL, PLEASE CALL THE STATE COMPTROLLER'S TOLL-FREE HOTLINE: 1-800-232-5454.

The sign shall be on the form prescribed by the Comptroller of the Treasury. The Grantor State Agency shall obtain copies of the sign from the Comptroller of the Treasury, and upon request from the Grantee, provide Grantee with any necessary signs.

- D.13. Public Notice. All notices, informational pamphlets, press releases, research reports, signs, and similar public notices prepared and released by the Grantee in relation to this Grant Contract shall include the statement, "This project is funded under a grant contract with the State of Tennessee." All notices by the Grantee in relation to this Grant Contract shall be approved by the State.
- D.14. Licensure. The Grantee, its employees, and any approved subcontractor shall be licensed pursuant to all applicable federal, state, and local laws, ordinances, rules, and regulations and shall upon request provide proof of all licenses.
- D.15. Records. The Grantee and any approved subcontractor shall maintain documentation for all charges under this Grant Contract. The books, records, and documents of the Grantee and any approved subcontractor, insofar as they relate to work performed or money received under this Grant Contract, shall be maintained in accordance with applicable Tennessee law. In no case shall the records be maintained for a period of less than five (5) full years from the date of the final payment. The Grantee's records shall be subject to audit at any reasonable time and upon reasonable notice by the Grantor State Agency, the Comptroller of the Treasury, or their duly appointed representatives.

The records shall be maintained in accordance with Governmental Accounting Standards Board (GASB) Accounting Standards or the Financial Accounting Standards Board (FASB) Accounting Standards Codification, as applicable, and any related AICPA Industry Audit and Accounting guides.

In addition, documentation of grant applications, budgets, reports, awards, and expenditures will be maintained in accordance with U.S. Office of Management and Budget's *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*.

Grant expenditures shall be made in accordance with local government purchasing policies and procedures and purchasing procedures for local governments authorized under state law.

The Grantee shall also comply with any recordkeeping and reporting requirements prescribed by the Tennessee Comptroller of the Treasury.

The Grantee shall establish a system of internal controls that utilize the COSO Internal Control - Integrated Framework model as the basic foundation for the internal control system. The Grantee shall incorporate any additional Comptroller of the Treasury directives into its internal control system.

Any other required records or reports which are not contemplated in the above standards shall follow the format designated by the head of the Grantor State Agency, the Central Procurement Office, or the Commissioner of Finance and Administration of the State of Tennessee.

- D.16. Monitoring. The Grantee's activities conducted and records maintained pursuant to this Grant Contract shall be subject to monitoring and evaluation by the State, the Comptroller of the Treasury, or their duly appointed representatives.
- D.17. Progress Reports. The Grantee shall submit brief, periodic, progress reports to the State as requested.
- D.18. Annual and Final Reports. The Grantee shall submit, within three (3) months of the conclusion of each year of the Term, an annual report. For grant contracts with a term of less than one (1) year,

the Grantee shall submit a final report within three (3) months of the conclusion of the Term. For grant contracts with multiyear terms, the final report will take the place of the annual report for the final year of the Term. The Grantee shall submit annual and final reports to the Grantor State Agency. At minimum, annual and final reports shall include: (a) the Grantee's name; (b) the Grant Contract's Edison identification number, Term, and total amount; (c) a narrative section that describes the program's goals, outcomes, successes and setbacks, whether the Grantee used benchmarks or indicators to determine progress, and whether any proposed activities were not completed; and (d) other relevant details requested by the Grantor State Agency. Annual and final report documents to be completed by the Grantee shall appear on the Grantor State Agency's website or as an attachment to the Grant Contract.

- D.19. Audit Report. The Grantee shall be audited in accordance with applicable Tennessee law. If the Grantee is subject to an audit under this provision, then the Grantee shall complete Attachment C Notice of Audit.

When a federal single audit is required, the audit shall be performed in accordance with U.S. Office of Management and Budget's *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*.

A copy of the audit report shall be provided to the Comptroller by the licensed, independent public accountant. Audit reports shall be made available to the public.

- D.20. Procurement. If other terms of this Grant Contract allow reimbursement for the cost of goods, materials, supplies, equipment, or contracted services, such procurement shall be made on a competitive basis, including the use of competitive bidding procedures, where practical. The Grantee shall maintain documentation for the basis of each procurement for which reimbursement is paid pursuant to this Grant Contract. In each instance where it is determined that use of a competitive procurement method is not practical, supporting documentation shall include a written justification for the decision and for use of a non-competitive procurement. If the Grantee is a subrecipient, the Grantee shall comply with 2 C.F.R. §§ 200.317—200.326 when procuring property and services under a federal award.

The Grantee shall obtain prior approval from the State before purchasing any equipment under this Grant Contract.

For purposes of this Grant Contract, the term "equipment" shall include any article of nonexpendable, tangible, personal property having a useful life of more than one year and an acquisition cost which equals or exceeds five thousand dollars (\$5,000.00).

- D.21. Strict Performance. Failure by any party to this Grant Contract to insist in any one or more cases upon the strict performance of any of the terms, covenants, conditions, or provisions of this Grant Contract is not a waiver or relinquishment of any term, covenant, condition, or provision. No term or condition of this Grant Contract shall be held to be waived, modified, or deleted except by a written amendment signed by the parties.
- D.22. Independent Contractor. The parties shall not act as employees, partners, joint venturers, or associates of one another in the performance of this Grant Contract. The parties acknowledge that they are independent contracting entities and that nothing in this Grant Contract shall be construed to create a principal/agent 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.
- D.23. Limitation of State's Liability. The State shall have no liability except as specifically provided in this Grant Contract. In no event will the State be liable to the Grantee or any other party for any lost revenues, lost profits, loss of business, loss of grant funding, decrease in the value of any securities or cash position, time, money, goodwill, or any indirect, special, incidental, punitive, exemplary or consequential damages of any nature, whether based on warranty, contract, statute, regulation,

tort (including but not limited to negligence), or any other legal theory that may arise under this Grant Contract or otherwise. The State's total liability under this Grant Contract (including any exhibits, schedules, amendments or other attachments to the Contract) or otherwise shall under no circumstances exceed the Maximum Liability originally established in Section C.1 of this Grant Contract. This limitation of liability is cumulative and not per incident.

- D.24. Force Majeure. "Force Majeure Event" means fire, flood, earthquake, elements of nature or acts of God, wars, riots, civil disorders, rebellions or revolutions, acts of terrorism or any other similar cause beyond the reasonable control of the party except to the extent that the non-performing party is at fault in failing to prevent or causing the default or delay, and provided that the default or delay cannot reasonably be circumvented by the non-performing party through the use of alternate sources, workaround plans or other means. A strike, lockout or labor dispute shall not excuse either party from its obligations under this Grant Contract. Except as set forth in this Section, any failure or delay by a party in the performance of its obligations under this Grant Contract arising from a Force Majeure Event is not a default under this Grant Contract or grounds for termination. The non-performing party will be excused from performing those obligations directly affected by the Force Majeure Event, and only for as long as the Force Majeure Event continues, provided that the party continues to use diligent, good faith efforts to resume performance without delay. The occurrence of a Force Majeure Event affecting Grantee's representatives, suppliers, subcontractors, customers or business apart from this Grant Contract is not a Force Majeure Event under this Grant Contract. Grantee will promptly notify the State of any delay caused by a Force Majeure Event (to be confirmed in a written notice to the State within one (1) day of the inception of the delay) that a Force Majeure Event has occurred and will describe in reasonable detail the nature of the Force Majeure Event. If any Force Majeure Event results in a delay in Grantee's performance longer than forty-eight (48) hours, the State may, upon notice to Grantee: (a) cease payment of the fees until Grantee resumes performance of the affected obligations; or (b) immediately terminate this Grant Contract or any purchase order, in whole or in part, without further payment except for fees then due and payable. Grantee will not increase its charges under this Grant Contract or charge the State any fees other than those provided for in this Grant Contract as the result of a Force Majeure Event.
- D.25. Tennessee Department of Revenue Registration. The Grantee shall comply with all applicable registration requirements contained in Tenn. Code Ann. §§ 67-6-601 – 608. Compliance with applicable registration requirements is a material requirement of this Grant Contract.
- D.26. Charges to Service Recipients Prohibited. The Grantee shall not collect any amount in the form of fees or reimbursements from the recipients of any service provided pursuant to this Grant Contract.
- D.27. No Acquisition of Equipment or Motor Vehicles. This Grant Contract does not involve the acquisition and disposition of equipment or motor vehicles acquired with funds provided under this Grant Contract.
- D.28. State and Federal Compliance. The Grantee shall comply with all applicable state and federal laws and regulations in the performance of this Grant Contract. The U.S. Office of Management and Budget's Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards is available here: [http://www.ecfr.gov/cgi-bin/text-idx?SID=c6b2f053952359ba94470ad3a7c1a975&tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?SID=c6b2f053952359ba94470ad3a7c1a975&tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)
- D.29. Governing Law. This Grant Contract shall be governed by and construed in accordance with the laws of the State of Tennessee, without regard to its conflict or choice of law rules. The Grantee 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 Grant Contract. The Grantee acknowledges and agrees that any rights or claims against the State of Tennessee or its employees hereunder, and any remedies arising there from, shall be subject to and limited to those rights and remedies, if any, available under Tenn. Code Ann. §§ 9-8-101 through 9-8-408.

- D.30. Completeness. This Grant Contract is complete and contains the entire understanding between the parties relating to the subject matter contained herein, including all the terms and conditions agreed to by the parties. This Grant Contract supersedes any and all prior understandings, representations, negotiations, or agreements between the parties, whether written or oral.
- D.31. Severability. If any terms and conditions of this Grant Contract are held to be invalid or unenforceable as a matter of law, the other terms and conditions shall not be affected and shall remain in full force and effect. To this end, the terms and conditions of this Grant Contract are declared severable.
- D.32. Headings. Section headings are for reference purposes only and shall not be construed as part of this Grant Contract.
- D.33. Iran Divestment Act. The requirements of Tenn. Code Ann. § 12-12-101, *et seq.*, addressing contracting with persons as defined at Tenn. Code Ann. §12-12-103(5) that engage in investment activities in Iran, shall be a material provision of this Grant Contract. The Grantee certifies, under penalty of perjury, that to the best of its knowledge and belief that it is not on the list created pursuant to Tenn. Code Ann. § 12-12-106.
- D.34. Debarment and Suspension. The Grantee certifies, to the best of its knowledge and belief, that it, its current and future principals, its current and future subcontractors and their principals:
- a. are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal or state department or agency;
  - b. have not within a three (3) year period preceding this Grant Contract been convicted of, or had a civil judgment rendered against them from commission of fraud, or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or grant under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
  - c. are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses detailed in section b. of this certification; and
  - d. have not within a three (3) year period preceding this Grant Contract had one or more public transactions (federal, state, or local) terminated for cause or default.

The Grantee shall provide immediate written notice to the State if at any time it learns that there was an earlier failure to disclose information or that due to changed circumstances, its principals or the principals of its subcontractors are excluded or disqualified, or presently fall under any of the prohibitions of sections a-d.

- D.35. Confidentiality of Records. Strict standards of confidentiality of records and information shall be maintained in accordance with applicable state and federal law. All material and information, regardless of form, medium or method of communication, provided to the Grantee by the State or acquired by the Grantee on behalf of the State that is regarded as confidential under state or federal law shall be regarded as "Confidential Information." Nothing in this Section shall permit Grantee to disclose any Confidential Information, regardless of whether it has been disclosed or made available to the Grantee due to intentional or negligent actions or inactions of agents of the State or third parties. Confidential Information shall not be disclosed except as required or permitted under state or federal law. Grantee shall take all necessary steps to safeguard the confidentiality of such material or information in conformance with applicable state and federal law.

The obligations set forth in this Section shall survive the termination of this Grant 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 Grant Contract, the special terms and conditions shall be subordinate to the Grant Contract's other terms and conditions.

**IN WITNESS WHEREOF,  
CITY OF GOODLETTSVILLE:**

---

**GRANTEE SIGNATURE**

**DATE**

---

**PRINTED NAME AND TITLE OF GRANTEE SIGNATORY (above)**

**DEPARTMENT OF COMMERCE AND INSURANCE:**

---

**CARTER LAWRENCE, COMMISSIONER**

**DATE**

**ATTACHMENT A**

| <b>GRANT BUDGET</b>                                                                                                                                                                                      |                                                       |                           |                                  |                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------------------------|----------------------------------|----------------------|
| <b>The Grant Budget line-item amounts below shall be applicable only to expense incurred during the following</b><br><b>Applicable Period:</b> <b>BEGIN: September 1, 2023</b> <b>END: March 7, 2028</b> |                                                       |                           |                                  |                      |
| <b>POLICY<br/>03 Object<br/>Line-Item<br/>Reference</b>                                                                                                                                                  | <b>EXPENSE OBJECT LINE-ITEM CATEGORY <sup>1</sup></b> | <b>GRANT<br/>CONTRACT</b> | <b>GRANTEE<br/>PARTICIPATION</b> | <b>TOTAL PROJECT</b> |
| 4, 15                                                                                                                                                                                                    | Professional Fee, Grant & Award <sup>2</sup>          | \$200,000.00              | \$200,000.00                     | \$200,000.00         |
| 25                                                                                                                                                                                                       | <b>GRAND TOTAL</b>                                    | <b>\$200,000.00</b>       | <b>\$200,000.00</b>              | <b>\$200,000.00</b>  |

<sup>1</sup> Each expense object line-item shall be defined by the Department of Finance and Administration Policy 03, *Uniform Reporting Requirements and Cost Allocation Plans for Subrecipients of Federal and State Grant Monies, Appendix A*. (posted on the Internet at: <https://www.tn.gov/finance/looking-for/policies.html>).

<sup>2</sup> Applicable detail follows this page if line-item is funded.

**GRANT BUDGET LINE-ITEM DETAIL:**

| <b>PROFESSIONAL FEE, GRANT &amp; AWARD</b>                            | <b>AMOUNT</b>       |
|-----------------------------------------------------------------------|---------------------|
| Grant payments to Grantee to make bonus payments to Eligible Officers | \$200,000.00        |
| <b>TOTAL</b>                                                          | <b>\$200,000.00</b> |

**ATTACHMENT B**



**Tennessee Law Enforcement Hiring, Training, and Recruitment Program  
Cost Sharing- Recruitment Grant Invoice**



Complete for each officer who met the designated benchmarks and anniversary dates.  
Attach additional copies or a spreadsheet if necessary.

[illegible]

Name of Law Enforcement Agency: \_\_\_\_\_  
 Print Name of Chief: \_\_\_\_\_ Date: \_\_\_\_\_  
 Signature of Chief: \_\_\_\_\_

**For Internal Use Only:**

| Grantee Edison ID:                                     |                                                               |                  |                  |                  |             | Contract No.:            | Invoice No.: |
|--------------------------------------------------------|---------------------------------------------------------------|------------------|------------------|------------------|-------------|--------------------------|--------------|
| Recruitment/Retention Category                         | Payment Upon Completion of Longevity Period/Anniversary Below |                  |                  |                  |             | Date sent to Fiscal:     |              |
|                                                        | 6 Months                                                      | 12 Months        | 24 Months        | 36 Months        | Total Bonus |                          |              |
| Category 1 Officers – Experienced                      | _____<br>\$1,000                                              | _____<br>\$3,000 | _____<br>\$3,000 | _____<br>\$3,000 |             | Grantee Mailing Address: |              |
| Category 2 Officers – No Previous Certified Experience |                                                               | _____<br>\$3,000 | _____<br>\$2,500 | _____<br>\$2,500 |             | Total Amount to be Paid: |              |

## ATTACHMENT C

**Notice of Audit Report**

Check one of the two boxes below and complete the remainder of this document as instructed. Send completed documents as a PDF file to [cpo.auditnotice@tn.gov](mailto:cpo.auditnotice@tn.gov). ***The Grantee should submit only one, completed "Notice of Audit Report" document to the State ninety (90) days prior to the Grantee's fiscal year.***

- ☐ City of Goodlettsville is subject to an audit for fiscal year #.
- ☐ City of Goodlettsville is not subject to an audit for fiscal year #.

Grantee's Edison Vendor ID Number: 0000002859

Grantee's fiscal year end:

Any Grantee that is subject to an audit must complete the information below.

| Type of funds expended                                          | Estimated amount of funds expended<br>by end of Grantee's fiscal year |
|-----------------------------------------------------------------|-----------------------------------------------------------------------|
| Federal pass-through funds                                      |                                                                       |
| a. Funds passed through the State of Tennessee                  | a.                                                                    |
| b. Funds passed through any other entity                        | b.                                                                    |
| Funds received directly from the federal government             |                                                                       |
| Non-federal funds received directly from the State of Tennessee |                                                                       |