REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: December 8, 2005 Time: 6:30 PM Place: City Hall
Present: Bobby Jones, Jerry Garrett, Gary Manning, Jeff Cordell, John Finch Absent: None
Also Present: Jim Thomas, Joe Haynes, Claudia Davis, Julie High, Tim Ellis, Rick Gregory, Phillip Gibson, Bennie Lane, Jack Tompkins, Susan Rotkiewicz, John and Grayson Cannon, Richard Pope, Johnny Long, Gary Jaeckel, Ken Castleberry, and others.

The meeting was called to order by Mayor Jones. Prayer was offered by Ken Castleberry.

A motion was made by Manning to approve the minutes of the November 10, 2005 regular city commission meeting. as written. The motion was seconded by Garrett and passed unanimously 5-0.

Thomas reported that there will be a need to hold a regular commission meeting on December 22. There are a few items that need to be considered at that time.

Thomas reported that private funds have provided for a memorial to Megan McCrary who was killed last December in an auto accident. This memorial will be dedicated on December 17, the first anniversary of her death, at Moss-Wright Park. Cordell thanked Sissy Thomas for all her hard work on this memorial and also expressed his gratitude to everyone who contributed. Thomas likewise thanked Lori Cordell for all her efforts to make this happen.

Cordell inquired of Finch to confirm his answer to a question he had asked Finch at the last meeting, whether the Planning Board vote to recommend rezoning the Alan Banks property was a unanimous vote, and Finch had replied that it was not unanimous. Finch replied that that is correct. Cordell stated that he has reviewed the minutes and determined that Finch had emailed his vote in eighteen days after the meeting. Finch stated that is incorrect and that he was at the meeting. Cordell stated he reviewed the recorded tape of the Planning Board meeting and there was no abstained vote or any no or nay vote. Finch stated that he was silent and that he did ask the secretary to correct that after he reviewed the draft of the minutes. Cordell asked to go on record that he has a problem with that as he had plainly asked Finch the vote question at the last commission meeting and he does not feel Finch was very honest, because it was unanimous. Finch stated it was not unanimous because he did not vote in the affirmative. Cordell asked if Finch voted at the meeting. Finch responded that the Chairman asked for a vote and did not ask if there were any dissenting votes or any abstentions and the item moved on quickly. To have a definitive method of judging, he feels that rules of order would say 'any opposed' or some kind of roll call. Finch pointed out that neither of those occurred which is on the tapes. Cordell indicated that he and everyone he talked to thought the vote was unanimous and he has a problem with votes being emailed. Finch denied that he emailed his vote and that he did not vote in favor of the rezoning. Cordell stated the recorded tape of the meeting reflects that the Chairman stated, "does anyone oppose?" Finch stated that he did not vote for the rezoning and that that is 100% consistent with his comments on the issue during the meeting as he admonished the Planning Board to not approve the request. Cordell disagreed and stated that he heard his comments go back and forth. He stated that changing the minutes via email is wrong and he wants to make sure that it does not happen again. Finch responded that the minutes were sent out in draft form. His email was to ask the secretary to correct the minutes based on his recollection. He believes that was done and the minutes were then approved by the Planning Board. Cordell stated Planning Board members should look the people in the eye at the meeting and vote. He believes Mr. Banks left that meeting thinking the vote was unanimous. Finch reiterated that he did not vote in the affirmative and that is 100% consistent with his comments throughout the meeting. Cordell stated he had told Finch he would support his position on the Planning Board but he will no longer support him on that board. Cordell added that changing the minutes via email is wrong. The minutes should state specifically what is recorded on the tapes.

Consider an agreement with Patricia and Bob Moore for the establishment of a dog park in Moss-Wright Park. Ellis explained that this is a memorandum of understanding between the City and the Moore family. There will be a monetary contribution made to the City. The City will then administer the construction of the project. This will require an amendment to the City's budget to include this capital project to take care of this project. Finch inquired if the specified contribution of $7,500 is inadequate to complete the project, would the City pay the difference. Ellis assured that there is plenty of lead way in this amount and he is confident that this amount will be sufficient to complete the project. A motion was made by Garrett to approve the agreement. The motion was seconded by Manning and approved unanimously 5-0.

Consider City Manager's report of recommendations concerning public notification of proposed municipal zoning ordinance amendment public hearings. Thomas stated it has been the practice of the City to comply with the State and the City's own ordinance to publish announcements in a local publication at least fifteen days prior to the public hearing. He reviewed his recommendations to enhance the way the public would be informed going forward. We would continue to publish notice of a public hearing at least fifteen days prior to the hearing. He recommended that we also make notification by mail at least 15 days prior to the hearing. Nearby property owners within a 500 foot radius of the property being considered for rezoning would be notified by mail. We would use the owner's addresses appearing on the current county tax rolls. A graphic illustration of the property being considered to rezone will be included. Additionally, the same posting would be made at least 15 days prior to the public hearing to the City's website, both the text of the notification and the illustrations. Signage would be place on the property being considered at least 15 days prior to the hearing. There will be one sign for each street or road frontage and one sign would be placed for every 1,000 feet of street frontage. Any expenses that the City would incur relative to these methods of notification would be charged to the applicant seeking the rezoning. He provided an example of these procedures, using item 6B on the agenda for this meeting. Assuming this ordinance passes first reading and it proceeds for a public hearing and second reading, he shared a map created to display all parcels within a 500 foot radius of the 6 parcels being considered. There are a total of 53 parcels with 36 owners. The City would mail the zoning information to these 36 owners.

Finch thanked Thomas for his work on this. He questioned how the 500 foot radius is measured. Thomas indicated that we have the capability of determining the center point on a parcel. That center point is the center of the 500 foot radius. He inquired on when the internet posting would be available. Thomas reported it is ready immediately. He inquired who the hearing officer is (referenced in the last paragraph of the recommended policy). Thomas responded that the Mayor or whoever is chairing the meeting is the hearing officer. Regarding the expenses incurred by the additional activities in this recommendation, Thomas suggested the costs be included in the application fee.

Finch recommended the following changes to the City Manager's recommendations. On Item #2a, he recommended that the notification by mail be sent out at least 20 days prior to the hearing to allow for mailing time. On Item #2b, he recommended the 500 feet be changed to 1,000 feet to allow for larger tracts, and measure from the center of all the property lines, averaging irregular property lines. On Item #2i and #3g, he recommended that the graphic illustration show all the subject properties as well as all the properties in the 1,000 foot radius and the zoning on all those properties. On Item #4b, he recommended the signage be at the rate of 200 feet rather than 1,000 feet. He recommends that staff estimate the costs for these procedures and these costs be charged up front included with the application fee so that the fee is paid before the City spends any money.

Manning agreed with sending the mail notification at least 20 days prior to the hearing. He does not feel it is necessary to go out to a 1,000 foot radius. He feels the proper signage and notification to owners 500 feet from the property lines would be adequate. Finch stated he did not have a problem with that. Cordell stated he personally hates signs and feels they junk up the city. He would like to see the signage to be placed 10 days prior to the hearing. Garrett agreed with Manning on the 500 feet and he agreed with Cordell on the 10 days for sign placement,

Thomas reviewed the changes agreed to among the Commissioners. There will be no changes to the recommendations on the notification by newspaper. Notifications by mail will be changed from 15 to 20 days prior to the hearing. Mail notification will be to all owners within 500 feet in any direction from the center point of all property lines. The graphic illustration attached to the mail notice and posted on the internet depicting the property considered for rezoning would include zoning on all property included in 1,000 feet from the center of each of the subject property lines. Signage will be placed on subject property 10 days rather than 15 days prior to the hearing and in increments of 200 feet rather than 1,000 feet. An estimate of the costs for the City to do all of this will be supplied to the applicant and payment will be made prior to the application. A motion was made by Garrett to adopt this recommendation with these changes by resolution. The motion was seconded by Cordell and passed unanimously 5-0. Thomas stated he will draft a resolution to present at the December 22 meeting. It was agreed by consensus that these procedures will not become effective for rezoning applicants until after it is passed by resolution.

Thomas reported on staff's findings pertaining to the publication of the City's public notices in The Tennessean in comparison to The Ledger. A rate sheet was obtained from the Tennessean and earlier this year an actual document was priced by both newspapers. Using an annualized amount based on all the publications in 2004, the City paid $4,450 to the Ledger. The same documents published in the Tennessean would have cost $26,918 for a difference of $22,468. The Tennessean reports that the circulation in the entire 37072 zip code area is 3,915. The Ledger reports that they distribute over 5,175 issues weekly in the corporate city limits. Susan Rotkiewicz with The Ledger assured the Commission that if there are any residents or streets not receiving their paper, they will be happy to add them to their circulation. They do have a few addresses where they have been asked not to deliver to and she will supply that list to the City. Thomas compared their circulation with the number of residences where the City picks up trash each week is 4,400. Rotkiewicz added there are additional issues delivered to banks, groceries, the library, City Hall and retirement centers, so that they are available to apartment dwellers who do not receive the paper. Finch stated that given the cost difference and the circulation numbers and the Ledger's willingness to deliver the paper to everyone who wants the paper and the additional exposure on the website, he has no objection to continuing to publish the City's notices in The Ledger. A motion was made by Manning to reject the proposal to publish the City's notices in The Tennessean. The motion was seconded by Garrett and passed unanimously 5-0.

Thomas stated in 2000, the City asked MTAS to do a review of the City's revenue streams and make recommendations of other revenue that could be considered. There were no actions taken on those recommendations at that time or in the following years. This year, he asked MTAS to review and update their report and again make recommendations to the City concerning revenues. He introduced Gary Jaeckel, MTAS Municipal Management Consultant, who proceeded to summarize a report of his updated analysis. Jaeckel reported that he basically focused on the General Fund of the City. Many of the graphs illustrate a history of trends and assumptions which help determine recommendations on revenue. Many current expenses have not been funded recently such as vehicle replacements, additional personnel costs and paving. Many of these type expenses must be considered ongoing and the list typically increases each year. He offered the following suggestions as potential revenue sources for the City. These include garbage collection fees, impact fees or adequate facilities tax, development review and engineering cost fees, increase local option sales tax from 2.25% to 2.75%, and to conduct a special census. Garrett requested the City Manager schedule a work session for the Commission to study all the items on this report.

Consider Ordinance No. 05-667, an ordinance to rezone properties known as 110, 112, 116, 118, 120 and 122 East Cedar Street as shown on Davidson County Tax Map 26-1, Parcels 80, 81, 82, 83, 84 and 85, from R10 Medium Density Residential to Restricted Office Planned Unit Development (ROPUD) on first reading. Gregory reported the Planning Board recommends this rezoning on these six parcels on the north side of East Cedar Street. The south side of East Cedar Street across from these properties is currently zoned commercial. A motion was made to approve Ordinance No. 05-667 on first reading. The motion was seconded by Manning and passed unanimously 5-0.

Consider Resolution No. 05-300, a resolution endorsing the creation of the Sumner County Multi-jurisdictional GIS Enterprise Committee and the City's membership and participation on the committee. Thomas reported that about 18 months ago, Sumner County and representatives from each municipality in Sumner County began working as a committee to prepare a county wide GIS system. Jay Leeman has been the City's representative on this committee. The County recently passed a resolution to enable this committee and this system to be integrated with a state system. This resolution recognizes the work of this committee. Finch inquired if there is any cost to the City for this project and Thomas responded no. The system is available online to any user at this time. All funding has been from the County Tax Assessor's office. A motion was made by Finch to approve Resolution No. 05-300. The motion was seconded by Garrett and passed unanimously 5-0.

Garrett recommended that when the work session is held on the MTAS revenue report, that the City Attorney should be present to address legal implications.

A motion was made by Cordell to adjourn. The motion was seconded by Manning. The meeting was adjourned at 7:58 p.m.

Claudia Davis

Claudia Davis, City Recorder

Bobby Jones

Bobby Jones, Mayor