

A motion was made by Garrett to reaffirm the authorization given to the city manager at the regular commission meeting on December 23, 2004, with specific authorization to enter into a contract on Site C as identified by our engineering firm, Barge, Waggoner, Sumner and Cannon, while the engineering firm continues to investigate other possible sites, possibly Site B as identified. Cordell questioned if Garrett meant Site A. Manning stated you could have meant that to include Sites A, B and C for that matter. Garrett clarified that he meant site A. The motion was seconded by Manning.

Finch questioned if the motion includes the intent, when you say C and A, in his understanding from staff, there has been a lot more investigative work done on site C than there has on A. There probably needs to be more study on both sites, but it may be necessary to enter into some type of purchase option on one of those sites while there is still investigation being conducted on the others.

Garrett clarified that we go ahead and enter into an option contract on C while we are studying A. The motion passed unanimously 5-0.

Haynes asked the Mayor for his signature on a proposed complaint to be filed on August 25, 2005, which is different from the original lawsuit with Lakewood. It does not include asking for any damages from the past. It does ask for pro-rata distribution or declaratory judgment to that extent for future collection of taxes. It includes three citizens in addition to the City to try to refute what he anticipates their motion to dismiss is going to be against the City, that the City does not have standing but the citizens do. He has included Vice Mayor Garrett, Mayor Jones and Commissioner Cordell.

A motion was made by Cordell. The motion was seconded by Finch and passed unanimously 5-0.

The meeting was adjourned at 6:15 p.m.



Claudia Davis, City Recorder



Bobby Jones, Mayor

REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: August 25, 2005

Time: 6:30 PM

Place: City Hall

Present: Bobby Jones, Jerry Garrett, Gary Manning, John Finch

Absent: Jeff Cordell

Also Present: Jim Thomas, Joe Haynes, Claudia Davis, Julie High, Tim Ellis, Rick Gregory, Terry Hutcherson, Jack Tompkins, Bennie Lane, Susan Rotkiewicz, Jane Birdwell, Wallace & Jackie Ralph, Gary Franks, Rev. Harry Yates, David & Teresa Pitzer, Jimmy Granberry

The meeting was called to order by Mayor Jones. Prayer was offered by Rev. Harry Yates.

A motion was made by Manning to approve the minutes of the August 11, 2005 regular city commission meeting as submitted. The motion was seconded by Finch and passed unanimously 4-0.

Garrett asked the commission to give their permission to hear consideration of a non-agenda resolution to support the 1/2% local option sales tax referendum. The commission unanimously agreed to consider the resolution. A motion was made by Garrett to approve Resolution No. 05-

296, a resolution to support and encourage citizens to vote in favor of the additional 1/2% local option sales tax referendum. He added that this increase will offer tax relief to senior citizens, property taxes will not go up as much and it will provide additional revenue for the City of Goodlettsville. The motion was seconded by Finch and passed unanimously 4-0.

Garrett informed Tompkins that a pup truck had leaked on his turnaround. He asked Tompkins to check the trucks for leaks to avoid this happening to other citizens.

Manning inquired to Gibson and Hutcherson on the status of reducing comp time payments. They reported that each department is making a smooth transition to paying employees for overtime rather than incurring comp time.

Garrett asked Thomas to forward his email communication previously sent to the Commissioners to the newspaper regarding an incident with Chief Gibson and a child who had swallowed a nail. He also asked that he put a letter of commendation in Chief Gibson's file for the way he handled the delicate life and death situation. Mayor Jones agreed with Garrett.

Consider Ordinance No. 05-660, an ordinance to amend Title 14 of the Goodlettsville Municipal Code Ordinance No. 89-413, as amended by adding commercial core as a new zoning district. Gregory reviewed the ordinance. The Mayor declared the public hearing open. Gary Franks, property and business owner of World Gym at 511 Rivergate Parkway, stated he has concerns about the parking requirements of this zoning district for businesses fronting on Rivergate Parkway and Long Hollow Pike. A large retail establishment or convention center would not work with this parking situation. He feels there is a different development perspective in those areas in comparison to Main Street. He also expressed that the ten foot sidewalks geared to pedestrian shopping are not practical for Rivergate Parkway and Long Hollow Pike. He recommended that in addition to the exemptions from the setback requirements, that the sidewalks and especially the parking requirements be reconsidered for properties on Rivergate Parkway and Long Hollow Pike. Finch agreed and stated he would be in favor of revising the parking lot situation so that we allow and accommodate the types of business that are there and that we expect to be coming there in the future. He does feel it is important to carry out the architecture and upgraded appearances and aesthetics of the district. Garrett stated that the Planning Board has acknowledged in their meetings that this is a fluid zoning matter and that there will be unique situations that will cause this ordinance to be amended. Someone who has a 7-1/2 acre tract to be developed would certainly be a unique situation and probably would cause this ordinance to be amended. Finch indicated he would agree to amend the ordinance to exclude properties on Long Hollow Pike and Rivergate Parkway from the parking requirements. Gregory noted as with any zoning amendments, he asked that the issue be presented to the Planning Board first for their recommendation. Finch stated he did not want to defer this ordinance because there are developers that need to proceed without any further delays. He committed to present the concerns of Franks to the Planning Board and that he would support amending the ordinance.

Jimmy Granberry, realtor and developer with H. G. Hills Realty, stated he is interested in developing a small strip center on their Main Street property, but that potential tenants simply would not go for the proposed requirements. He assured the commission that they will end up with a nice ordinance with nice vacant pieces of property and the city will be out of business on Main Street. He added that

he has not been notified about this zoning change and only learned about the issue a few days ago. He feels the city is down-zoning his property without any concessions. Other areas have increased density allowances when they down-zone a property. Manning responded that the city has met all publication and notification requirements. Over two years ago, every property owner was notified and asked to attend meetings regarding the process of improving Main Street. Granberry stated he has attended Planning Board meetings on issues on other properties and read minutes of meetings and has not heard of the proposed changes. Finch responded that all notice publications required by law have been met by the city. For almost two years, there have been posters on display in the lobby of city hall about the Mainstreet Streetscape plan. He is personally aware of other developers who are waiting to build here when this plan is in place. He questioned Granberry as to why he has not built on the approved plans for their property on Long Hollow Pike where these requirements don't exist. Granberry replied that they have not gotten tenants for that site and the delay is economically driven.

Chad Cooke, owner of Goodlettsville Plaza, expressed that he just learned of the proposed changes also. He thinks this will be damaging to his site if he should ever want to rebuild. Garrett stated the Planning Board would give special consideration to a site this large. Finch added that this zoning ordinance is a fluid entity and this city will always look to the needs and circumstances in each individual case. He committed to bring up his concerns to the Planning Board and he encouraged Cooke to come to the Planning Board to share his ideas. He added that he would recommend the city be more proactive in notification to property owners when there are issues being considered that involve their property. Manning noted that he has property in the same core area. He had been in business for nine years on 4-1/2 acres and the zoning changed. He wanted to expand but because he had a non-conforming business he was not allowed to expand his business. While he understands Cooke's position, he added that the Commission has promised him that they will give special consideration to every large tract of land and he feels with full confidence that they will do what they said.

David Pitzer, CPA, property owner at 118 Two Mile Pike, expressed concern that in the original streetscape plan there was to be a bypass road that would straighten out old Two Mile Pike which would probably take part of his property. That has not been addressed at this meeting. His lot is triangular and he is very restricted on how he could place a building and have 10' sidewalks with parking in the rear if something were to happen to his building and he had to rebuild.

Granberry requested that the ordinance be deferred and sent back to the Planning Board. He believes the document is very vague and un-illustrated and once it is in place it is very hard to change. He questioned why there is such a hurry to pass an ordinance that is status quo with only two out of probably 100 owners represented. Finch reiterated that this community has been extremely involved in this process and has embraced this concept, and on several instances this room was almost full of owners and interested parties.

Mayor Jones declared the public hearing closed. A motion was made by Garrett to approve Ordinance 05-660 on second reading. The motion was seconded by Finch. Manning stated that he owns property in the area involved so he will recuse himself from voting. Finch asked for clarification of the companion ordinance, 05-664. Thomas stated that Ordinance No. 05-660 creates a commercial core overlay that establishes a new zoning district. Ordinance No. 05-664 applies that

zoning district classification to specific parcels along Main Street, Rivergate Parkway and Long Hollow Pike identified individually by the tax map and parcel numbers. Finch expressed that the internal protocol be looked at and a written letter or notice be sent to registered property owners where substantial issues are being considered. Some areas put signs on property being considered for rezoning. He is confident that the city has complied with the letter of the law on notice but he feels we should go a little bit further on notification. This is a starting point and this is a fluid zoning matter. He is certain it is not perfect but this commission commits that where it is flawed, it will be promptly fixed so that it is really in the best interest of our citizens. The motion passed 3-0 with Jones, Garrett and Finch voting in favor and Manning abstained.

Consider Ordinance No. 05-664, an ordinance to amend Title 14, the official zoning map, of the Goodlettsville Municipal Code Ordinance No. 89-413, as amended, by applying commercial core overlay zoning to certain properties. Mayor Jones declared the public hearing open. No one spoke for or against the issue. The Mayor declared the public hearing closed. A motion was made by Finch to approve Ordinance No. 05-664 on second reading. The motion was seconded by Garrett. Manning stated that he will recuse himself from voting. The motion passed 3-0 with Jones, Garrett and Finch voting in favor and Manning abstained.

Consider Resolution No. 05-292, a resolution adopting a plan of service for annexation of the area described in Ordinance No. 05-661 by the City of Goodlettsville, Tennessee. Gregory stated this proposed plan of service identifies the services that would be applied to the properties under consideration to be annexed and gives a time for those services to be implemented. Mayor Jones declared the public hearing open. No one spoke for or against the issue. The Mayor declared the public hearing closed. A motion was made by Garrett to approve Resolution No. 05-292. The motion was seconded by Manning and passed unanimously 4-0.

Consider Ordinance No. 05-661, an ordinance to annex certain property south of Allen Road and east of Long Hollow Pike into the City of Goodlettsville, Tennessee, map 143 parcels 22, 22.02 and 22.03 containing approximately 60.2 acres and that portion of Long Hollow Pike immediately adjacent to parcels 22, 22.02 and 22.03 as shown in the records of the Assessor of Property of Sumner County, Tennessee. Mayor Jones declared the public hearing open. No one spoke for or against the issue. The Mayor declared the public hearing closed. A motion was made by Manning to approve Ordinance No. 05-661 on second reading. The motion was seconded by Finch. Finch complimented the City Manager for the quality job he did preparing the plan of service and the financial analysis. By annexing this property we are adding a \$59,000 net expense to the city. He favors the annexation but he believes this commission must look at a fee structure change that will offset the cost. Manning noted that we have projects within our city on a daily basis where there is new construction. On average, our city spends approximately \$662 per person per year. As a homeowner we all have to admit that our property taxes are a minor portion of what is involved in covering the cost to provide services to our citizens. Thomas thanked Finch for his commendation but noted Gregory was an integral part of that report. Finch thanked Gregory for his efforts also. The motion passed unanimously 4-0.

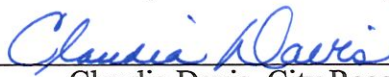
Consider Ordinance No. 05-663, an ordinance to amend title 14, the official zoning map of the Goodlettsville Municipal Code Ordinance No. 89-413, as amended by zoning a certain area of land recently annexed into the city by Ordinance No. 05-661 to low density residential planned unit

development (LDRPUD). Mayor Jones declared the public hearing open. No one spoke for or against the issue. The Mayor declared the public hearing closed. A motion was made by Garrett to approve Ordinance No. 05-663 on second reading. The motion was seconded by Finch and passed unanimously 4-0.

Consider Resolution No. 05-294, a resolution to make applications for grants for repairs to the Bowen Campbell House. Ellis reported in this past year's budget process, it was determined that the cedar shake roof on the Bowen Campbell House would need to be replaced in the next couple years. It was not budgeted in this year's budget due to the limited budget allocations, however the Tennessee Historical Commission and the National Parks Service has grants available for this type restoration. 60% would be funded by federal funds with a 40% local match. Ellis asked for permission to make application for the grant for \$40,000. The city's match would be \$16,000 and this resolution would be guaranteeing that the city would fund that amount. If awarded, the grant would be issued in February and would be over a two year period so that the expense can be spread out. There is a marginal opportunity that the funding for the match may come from a private source. In January or February, Ellis stated he will be returning to ask for a similar resolution for a match of \$150,000 for grants for other improvements at Moss Wright. Thomas noted that the \$16,000 match can be spread over two budget years and that it is well under the annual maintenance budget for the historic sites. A motion was made by Manning to approve Resolution 05-294. The motion was seconded by Finch and passed unanimously 4-0.

Consider Resolution No. 05-295, a resolution authorizing the city manager to execute a consultancy agreement with Lose and Associates, Inc., under which Lose and Associates will provide as-needed planning support for the City's Main Street Redevelopment Plan. Thomas explained that this arrangement would make Lose and Associates available to the Planning Board and the Commission for consultancy support in an ongoing as-needed basis as both of those bodies consider various steps of implementation of the Mainstreet Redevelopment Plan. As the Planning Board reviews plans and prioritizes their recommendations, additional information is typically needed and questions need to be answered that could be supplied by Lose and Associates. The consultancy rates are within the range that we pay for similar consultancy. A motion was made by Finch to approve Resolution No. 05-295. The motion was seconded by Garrett. Finch expressed that he feels this is an excellent idea but he does have a concern with the open ended nature of the contract. He recommended some threshold where there would be some accountability to the Commission. Thomas stated the rate is approximately \$175 per hour. Finch made a motion to amend the motion by adding a provision in the contract for approving it up to a cap of \$25,000. That will not be the limit of their contract, but when it gets to \$25,000, Thomas will come back to the commission for further consideration. Thomas asked that the Planning Board be given the responsibility to design how it seeks consultancy from Lose & Associates and that they monitor that \$25,000. Finch also recommended that they bill monthly. Garrett seconded the amendment. The amendment passed unanimously 4-0. The Resolution passed unanimously 4-0.

A motion was made by Garrett to adjourn. The motion was seconded by Finch and passed unanimously 4-0. The meeting was adjourned at 7:40 p.m.



Claudia Davis, City Recorder



Bobby Jones, Mayor