

REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: July 28, 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, Walter Williams, Darla Hunley, Rev. Neal Glass, Phillip Gibson, Bennie Lane, Susan Rotkiewicz, Maxine Rotkiewicz, Jane Birdwell, Bill Brasier and others

The meeting was called to order by Mayor Jones. Prayer was offered by Rev. Neal Glass.

A motion was made by Manning to approve the minutes of the July 14, 2005 regular city commission meeting as submitted. The motion was seconded by Garrett and passed unanimously 4-0.

Regarding a discussion at the July 14, 2005 commission meeting concerning the noise created by the use of engine compression brakes by tractor trailer vehicles, commonly referred to as jake brakes, Thomas reported that on June 17th, Governor Bredesen signed a new state law that prohibits the use of jake brakes unless the braking device is equipped with an operational approved muffler that meets federal regulations. From research on the internet, it has been determined that municipalities throughout the country have passed laws respective to their jurisdictions, outlawing these brakes within their corporate city limits. The legal department with the Tennessee Department of Transportation confirms that this state law outlaws the use of jake brakes statewide if it's not used in conjunction with an approved muffler and that municipalities have the authority to enforce this state law at the municipal level. If the commission determines they want to restrict the use of these brakes inside the city, we are allowed to post TDOT installed signs on any thoroughfare in the city at the city's expense. Rick Gregory has been appointed Chairman to a study committee by the Metropolitan Planning Organization that is studying speed limits throughout the MPO region. The noise problem created by the use of these brakes is one issue this committee will be studying. Gregory added that this committee was formed as a result of recent deaths of officers and citizens from being struck by a vehicle along area highways. The committee will be recommending speed limits and differential speed limits for trucks. Manning recommended that our city should wait on establishing any restrictions on trucks or changing speed limits until the study is concluded by this committee and we hear their recommendations determined by their findings.

Consider Ordinance No. 05-658 on second reading, an ordinance to amend Ordinance No. 84-311 regarding the depository of municipal funds of the City. A motion was made by Garrett to approve Ordinance No. 05-658 on second reading. The motion was seconded by Manning and passed unanimously 4-0.

Thomas reported that he has attended a meeting at Rivergate Mall with the mall manager and representatives of owners of the private roadway off the mall road that goes around Rivergate Park office building. They all concurred that they are responsible to repair and maintain the road. They agreed to organize and make the necessary arrangements to get the road brought up to standards. Thomas recommended that the city not consider accepting this road as a public road because it is mostly in Metro. He further suggested that no definitive decision be made till this group has the opportunity to follow through with their intentions.

Consider Ordinance No. 05-661 on first reading, 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. Thomas suggested and the commission agreed to hear item

6c concurrently with this item because they are related to the same issue. Garrett suggested that citizens present who are concerned about this issue be given the opportunity to address the commission during citizen comments. Gregory reported this ordinance will annex 60.2 acres on the east side of Long Hollow Pike on the south side of Allen Road. There are three parcels on the corner of Allen Road and Long Hollow Pike which are not included in the ordinance. This request came to the city as a request to develop the property as Copper Creek with approximately 62 single family lots with houses of approximately 2500 square feet. They propose to access the city's sewer system and that was taken into consideration by the planning board in their recommendation to the commission. Manning recommended the owner's of the three tracts at the corner of Long Hollow Pike and Allen Road be contacted to determine if they are also interested in being annexed. He stated this would provide the corporate city limit boundary to be squared off and not create another situation where our personnel have to drive past property not in the city to reach property that is in the city to provide services. Garrett agreed it seems more logical to square off the city limit boundary. Gregory indicated if these owners wish to be annexed and the city wants to consider that proposal, their property would be presented in a separate ordinance. A motion was made by Garrett to approve Ordinance No. 05-661 on first reading. The motion was seconded by Manning and passed unanimously 4-0.

Consider Ordinance No. 05-663 on first reading, 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). Gregory stated this ordinance with rezone the property in the previous ordinance being considered for annexation, to allow for the proposed development of Copper Creek to proceed with 15,000 minimum square foot lots. A motion was made by Garrett to approve Ordinance No. 05-663 on first reading. The motion was seconded by Manning. Finch indicated he would like to encourage the commission to consider as a part of this proposal, the cost impact on the taxpayers in the current and future budgets. He stated he is not opposed to the annexation but he recommended that since there is a net cost to the city for each new lot, that it would be cognizant to evaluate that impact in the approval process. He suggested that it may be time to re-evaluate our permit fee structure to get back to a balanced net cost to the city. He added that we should be thinking about our growth in a way that makes it favorable for the right kind of development and that is also fiscally responsible for the citizens. He reported that Hendersonville has made substantial increases in their permit fees which can be channeled into the general fund rather than impact fees which have to be dedicated to a specific use. He recommended that new development should expect to fund their fair share to come into the city and receive the services they expect. The Mayor requested that Thomas, with Finch's help, study the issue of raising permit fees and make a recommendation to the commission based on their findings. The motion was passed unanimously 4-0.

Consider Ordinance No. 05-662 on first reading, an ordinance to establish a property tax rate for the fiscal year July 1, 2005 through June 30, 2006. Thomas reported that this ordinance provides for the tax rate to be 63.6¢ for Sumner County properties and 58.7¢ for Davidson County properties. Those are the effective tax rates to achieve an equalized tax rate city wide. Garrett clarified that the discrepancy in the rates is due to a reappraisal in property in Davidson County and we are not allowed by state law to collect more taxes than in the previous year. The rate is lowered to collect the same amount of tax on the new appraisal values. These rates reflect no increase over the previous fiscal year. A motion was made by Finch to approve Ordinance No. 05-662 on first reading. The motion was seconded by Manning and passed unanimously 4-0.

Consider Ordinance No. 05-664 on first reading, an ordinance to amend Title 14, the official zoning

map, of the Goodlettsville Municipal Code Ordinance No. 89-413, as amended, by applying commercial overlay zoning to certain properties. Gregory explained that at the last meeting, first reading was approved on Ordinance No. 05-660 to approve a new commercial core zoning district. This overlay of the zoning map applies the new zoning to all the parcels involved in the new district. All the parcels front on Main Street, Long Hollow Pike and Rivergate Parkway west of I-65. They are all zoned commercial except for the rear east half of the Middle School property and all the Elementary School property. Manning inquired of and Gregory confirmed that this overlay applies the requirements that are part of the Mainstreet Streetscape Plan which are incorporated into the new commercial core zoning district. Manning asked to recuse himself from this vote as his family owns property included in this area. He further noted that there are two large properties in this district and now questions if we impose the requirements of this district on those large areas could we be eliminating a large major retailer from being in these areas, considering their proximity to I-65. Garrett agreed that is an excellent point, however, if in the future a developer presents a favorable proposal, at that time the commission could be receptive to change the zoning. Finch added that in the last two weeks, it has occurred to him that the character of the properties and existing development on Rivergate Parkway and Long Hollow Pike is substantially different from the character of properties on Main Street. In the Mainstreet planning, all the focus seemed to be on Main Street. He has some concerns and plans to bring the question back to the Planning Board whether it is really our intent to have on Two Mile Parkway and Long Hollow Pike the same ideas of buildings next to the street with parking in the rear and alleys. We may be making an error by putting Long Hollow Pike and Rivergate Parkway in the same category with Main Street. He is in favor of everything about the plan except the setbacks and questions if they should be different from the properties on Main Street. Gregory noted that the original presentation included gateway improvements on Long Hollow Pike and Rivergate Parkway and these areas were included in a monolithic way in the process. Garrett made a motion to approve Ordinance No. 05-664 on first reading. The motion was seconded by Finch and passed 3 in favor, 0 in opposition and 1 abstention.

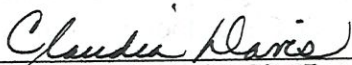
Jane Birdwell thanked Commissioner Finch for recommending that the commission consider increasing fee schedules.

William Hall inquired what annexation of his property would mean to him. Garrett explained that he will get trash pickup and city services including police and fire protection. He will probably see a substantial reduction in his fire insurance costs but he will also be responsible for paying city real estate taxes. Thomas invited Mr. Hall and the other interested property owners to come by City Hall and he and his staff would be happy to answer any questions they might have.

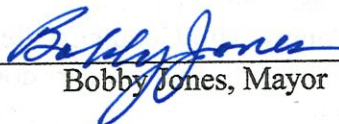
Darla Hunley, representing the Chamber of Commerce, announced there will be a kickoff for the Leads Exchange Program at Panera Bread on August 1st at noon. As the incoming Chair, she expressed her desire to work with the City officials and invited them to meet with her to determine how the chamber and city relationship can move forward.

Chief Gibson announced there will be Fireman's Foam for the children at 1:00 on Friday, July 29th at Pleasant Green Pool.

A motion was made by Manning to adjourn. The motion was seconded by Finch and passed unanimously 4-0. The meeting was adjourned at 7:37 p.m.



Claudia Davis, City Recorder



Bobby Jones, Mayor