Thomas read a letter emailed to Chief Phillip Gibson. The letter was from a mother in Florida who's children were involved in an accident on I-65 on June 20th. The letter went into great detail of how wonderful Johnny Robertson, and the other firemen on duty at that time, Ed Hendricks, Ricky West, Randy Tomlinson and Joseph Knipfer had been to her family. Besides giving first aid and comforting them on the scene, the young people were taken back to the fire hall and arrangements were made to get them bus tickets to continue on their trip and Johnny Robertson drove them to the bus station. Thomas expressed his gratitude for the letter and added that these kinds of things happen often, even daily throughout city government and it is rare for these acts to be noticed. The Commission and audience joined in a standing ovation for the firemen.

Mayor Jones declared the meeting adjourned at 7:05 p.m.

Claudia Davis
Claudia Davis, City Recorder

Bobby Jones
Bobby Jones, Mayor

REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: July 14, 2005 Time: 6:30 PM Place: City Hall
Present: Bobby Jones, Jerry Garrett, Jeff Cordell, Gary Manning, John Finch
Also Present: Jim Thomas, Joe Haynes, Claudia Davis, Julie High, Tim Ellis, Rick Gregory, Terry Hutcherson, Jack Tompkins, Bennie Lane, Ricky West, Susan Rotkiewicz, Jane Birdwell, Steve Shoulders and others

The meeting was called to order by Mayor Jones. Prayer was offered by Jeff Cordell.

A motion was made by Cordell to approve the minutes of the June 23, 2005 regular city commission meeting as submitted. The motion was seconded by Garrett and passed unanimously 5-0.

Thomas summarized a lawsuit recently filed by the City of Lakewood against Metro to attempt to recapture property tax revenue and receive that revenue going forward based on an agreement in the early 1980's made between Metro and other satellite cities. Lakewood has also filed a petition with the court to include all of the satellite cities as plaintiffs in the lawsuit which includes Goodlettsville. Since filing this lawsuit, an election in Lakewood has resulted in three new commissioners. This raised some question of whether the new commissioners would want to go forward with the lawsuit. Thomas stated he has spoken to the attorney representing Lakewood and he has assured Thomas that the lawsuit would go forward. He has been asked by another satellite city to prosecute on their behalf. A motion to dismiss will be heard on July 22. Haynes stated there will be a motion on July 29th for a joinder of Goodlettsville as an additional defendant along with other cities that are not already parties. In 1981, apparently there were four contracts that were signed between Metro and four of the cities, Belle Meade, Lakewood, Oak Hill and Forrest Hills. The contracts provided that there would be some assistance given to these satellite cities for some of the services that the city has been furnishing. There was a payment made by Metro to those cities to assist with services they were providing. Carney Patterson handled the ordinance approving these agreements and it was passed by the Metro Council on May 21, 1981 on third reading. Robert Rutherford, the council for Lakewood now, was with the legal staff of Metro at the time and he remembered this situation. What will be argued on July 29th will be whether or not Goodlettsville and others will be made parties. The City of Goodlettsville can favor being joined, can be opposed to being joined, or can take no position. The rules provide that if we take no position, we can be ordered to be made a party and be made a defendant or an involuntary plaintiff. He believes the court will look to the issue of whether or not Goodlettsville is similarly situated with the other satellite cities and if in fact not joining us would cause inconsistent obligations to exist. Garrett inquired if there is a possibility, since this is a Davidson County lawsuit, that the Davidson County Chancellor would recuse himself. Haynes stated he did not think so. Garrett stated that a lot of the property taxes that citizens pay to Metropolitan Government go to pay for services that the City provides, so his position is to join in this lawsuit if the court allows us to do so. Cordell agreed with Garrett to vote to join in the lawsuit. Manning stated he feels we are long overdue to reverse some funds from Metro and if the court will allow it, that we should be a party in this lawsuit. Finch inquired of Haynes if he has evaluated this case and what the likelihood of success might be. Haynes stated he is not encouraged and referenced different yet similar situations in the past that were not successful, but ultimately there is an argument here to be made and this will be a decision of the court. Finch stated that philosophically, he is in favor of somehow improving the deal we have with Metro. His questions were the pragmatic aspects and whether we are going to be spending money without any chance of success. Finch concurred to move forward with joining in the lawsuit. Garrett made a motion to see if it would be unanimously agreed that we can hear this as an agenda item. The motion was seconded by Cordell and passed unanimously 5-0. A motion was made by Garrett that we instruct the City Attorney to join in this lawsuit with the City of Lakewood if the court permits us to do so. The motion was seconded by Finch and passed unanimously 5-0.

Thomas recommended a date for a city commission work session to conduct a mid-year budget review. He also recommended four particular dates to conduct performance reviews of the City Manager and asked the Commission to advise the City Recorder of their availability on these dates.

Thomas stated a topic of discussion for many years is a private roadway near Rivergate Mall in a commercial PUD called Rivergate Park. During most of the life of this road, it has been in a poor state of repair, particularly in the winter months when the asphalt fails and huge potholes occur. The public then frequently complains to City Hall. This private roadway is owned by ten property owners who are also property owners within the commercial PUD. The roadway is approximately 1,200 feet in length and something less than 100 feet lies in the corporate city limits of Goodlettsville. It has been suggested by many callers that the City go to the owners and suggest that they collaboratively bring the road up to the specifications that we would require of any other city street and then dedicate the street to the City for maintenance. Thomas asked for guidance from the Commission on this issue in light of the perception of the public that all of the Mall is in our City. Jones recommended that the City needs to do something about the problem and that he should include his recommendation in the next commission meeting agenda. Finch inquired how the City could take over a street that is not inside the corporate city limits. Jones replied and Manning concurred that it should be dedicated to Metro. Thomas stated he will inform Metro of the problem and seek their position on taking the roadway for public maintenance.

Garrett announced that he has tickets available for the community supper to support the Goodlettsville Help Center to be held on Saturday evening.

Cordell thanked all the personnel and particularly Tim Ellis and Terry Hutcherson for their departments' great job in having another wonderful and safe July 4th celebration. Jones agreed with Cordell in acknowledging the efforts of all the personnel involved.

Manning stated that he has been to other cities where they have signs posted to not allow trucks to use engine brakes. He is often awoken during the night by trucks using engine brakes on I-65 for over fifteen seconds at a time which is blowing the peace in our City. He stated that we have the right to limit that use, especially in a city where most of the main streets are flat. He asked Tompkins to inquire with TDOT to determine what would be involved in implementing that restriction in our city.

Thomas gave a summary of the process that has transpired regarding banking services for the City. The Finance Director developed a banking specification for the City. Those requirements were mailed to seven banking companies having a presence in the corporate city limits, requesting a proposal. Six of the seven responded and those proposals were reviewed by the Purchasing Director, Finance Director and himself to certify that they met all the required specifications, which they did. An analysis of those proposals was conducted with two objectives, which banking company met the needs as outlined in the specifications and which banking company met those needs at the least net cost. After a lot of work and review, one banking company stood out from the others and based on that he recommends that the City's banking depository be Pinnacle Financial Partners.

Consider Ordinance No. 05-658, 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 first reading. The motion was seconded by Cordell. Finch stated that he wants to recuse himself from this vote as he does business with Pinnacle. The motion passed 4 in favor, 0 in opposition, and 1 abstention. Jones commented that the City's past banking has always been with Bank of Goodlettsville, Union Planters and then Regions and they have always done an excellent job. He expressed his appreciation for all their service through the years.

Consider Resolution No. 05-290, a resolution to enter into a contract for wastewater collection system rehabilitation. Tompkins reported that bids were opened on Phase 4 and Moore Construction Company was the low bidder at $1,193,000. There is $1,100,000 budgeted for this project. Tompkins recommended that the City enter into the contract at the $1,100,000 amount and have a change order reducing the contract amount at the same time so that he can stay within the budget. This would leave out a 24' line abandonment project and some 10' and 8' service lines. None of the reductions in the project are critical and would be acceptable to delay to the next project. Line items 39, 41 and 44 would be eliminated, item 20 would be reduced to 5, item 25 would be reduced to 3, and item 45 would be reduced to 6 in quantity. Finch appreciated the desire to stay within the budget. He suggested that if the work needs to be done, to write the contract in such a way that the items that are going to be reduced or eliminated may be added back at the same bid prices if we find at mid-year that we have the funds to add them back into the project without paying premium prices. Regarding the quality and reliability of this company, Tompkins indicated the City's consulting engineer has worked with them before and has checked them out and advises us that they are a good company. Manning indicated Moore Construction has had an account with his business several years ago and he stated he would recuse himself from voting on this resolution. Finch inquired whether we require the insurance companies who insure our performance bonds to be on the federal register. Tompkins answered that we do not have that requirement but that the city attorney reviews them for adequacy. Finch stated that it is an industry standard with many government entities that for a bond to be valid it must be by a bonding firm that is listed on the federal registry. He asked that that be a part of this award. Tompkins asked if this company is not on the federal registry, would it be acceptable for the city attorney to investigate them for adequacy. Thomas indicated insurance companies that provide bonding are also rated by several different nationally recognized rating services and it would be easy to verify their rating. A motion was made by Finch to award this contract for $1,100,000 with the provision that the contract be structured so that deleted and revised items unit prices could be added back during the life of the project at those same unit prices that were bid and provided that the contractors bonding company is listed on the federal register. The motion was seconded by Garrett and passed 4 in favor, 0 in opposition, and 1 abstention.

Consider Resolution No. 05-291, a resolution to rename portions of Dickerson Road and Dry Creek Road. Thomas explained that this is a housekeeping resolution. Three or so years ago, a resolution was passed to rename a portion of Dickerson Road to Main Street between Shevel Drive and Mansker Creek. There are duplicate numbers and this resolution would define North Main Street commencing from Long Hollow Pike to Mansker Creek and South Main Street commencing from West Cedar Street to Shevel Drive. The second portion of this resolution would rename Dry Creek Road between Dickerson Road to Alta Loma Road and west of Dickerson Road to Dry Creek Lane. The Planning Board accepted the name as Dry Creek Lane in the approval process of the Worrell Farm development, know known as Ivy Hill. This is the name that Metro has accepted, along with tax records and 911 records. Manning inquired about the space between West Cedar Street and Long Hollow Pike. Thomas explained that there are no addresses in this space and the City Hall property is in that space. The tract that City Hall occupies could not be split which is the reason West Cedar is the boundary. A motion was made by Cordell to approve Resolution No. 05-291. The motion was seconded by Manning and passed unanimously 5-0. Finch thanked Lane for the documentation on this issue which made it very easy to understand.

Consider Ordinance No. 05-660 on first reading, 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 stated this ordinance arose from discussions in previous efforts to establish a Main Street Streetscape Plan for the downtown part of the City. There have been two recent developments in that area that would be covered by this new plan and the Planning Board asked that that portion of the plan that would affect the zoning ordinance be brought forward to the Commission. They have approved the plan for overseeing and regulating those types of developments that we hope to see in the core downtown part of Goodlettsville. Garrett expressed as a member of the Planning Board that this is a very major change for zoning on Main Street and he has supported this plan wholeheartedly. Gregory summarized the changes that this plan will provide. Jones inquired how current property owners have been involved in this process. Thomas indicated that every business owner and business operator and property owner were invited to participate in the process. Very few of them responded. Some of them did have questions but were generally in favor of the zoning change. Manning stated that even though he would be out of business if his store ever burned or had a catastrophic event, he still thinks this is a positive step forward for the City. There are many types of businesses, such as his, that would not survive with pedestrian traffic and rear parking. Finch inquired about the area this change will apply to. Gregory stated he will have a map for each commissioner before the second reading. Finch made a motion to adopt Ordinance No. 05-660 on first reading. The motion was seconded by Garrett and passed unanimously 5-0. The map defining the area covered by this ordinance will be made a part of the ordinance.

Steve Shoulders, representing the Chamber of Commerce, announced they will be conducting a business survey of about 600 businesses in the coming months. In August they will have a program called Leads Exchange which is a referral program to encourage businesses to refer business to each other.

A motion was made by Cordell to adjourn at 7:30 p.m. The motion was seconded by Garrett and passed unanimously 5-0.

Claudia Davis

Claudia Davis, City Recorder

Bobby Jones

Bobby Jones, Mayor