

MINUTES OF REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: April 13, 2000

Time: 5:00 pm

Place: City Hall

Present: Bobby Jones, Johnny Long, Jerry Garrett, Jim Driver, Jeff Cordell

Also Present: David Wilson, Joe Haynes, John Wright, Jim Thomas, Bill Terry, Terry Hutcherson, Mike Alsop, Dean Birdwell, Bill Brasier, Claudia Davis, Millard Bridges, Valerie Boehm, Steve Russell, Don Pratt, Evelyn Woodrow, Nancy and John Edmondson, Eric Averett, Guinn Nolen, Brock Rust, Carl Willis, and Rob Porter

The meeting was called to order by Mayor Jones. Prayer was offered by Jeff Cordell. Motion by Long, seconded by Garrett, to approve the minutes of the March 23 regular meeting and the April 7 special called meeting. Passed 5-0.

Consider Ordinance No. 00-594, an ordinance to rezone the Maxine Sadler property on South Cartwright Street from A to IG, Davidson County Tax Map 26, Parcel 70. Bill Terry stated this property is a remaining vacant parcel between I-65, Two Mile Parkway, and Space Park North. He indicated the proposed change is in accordance with the land use policy plan and the Planning Board recommends the change. The Mayor opened the public hearing. No one spoke for or against the rezone. Motion by Long to approve Ordinance No. 00-594 on second reading, seconded by Driver and passed 5-0.

Consider Ordinance No. 00-595, an ordinance to rezone the Margaret Wood McHan property, Willis Branch Road, from R40 to LDRPUD, Sumner County Tax Map 143, Parcel 51.01. Bill Terry stated the developer for Twelve Stones Crossing would like to purchase this property and develop it as a LDRPUD. Two prior proposals and requests to rezone were denied by the Planning Board. The Planning Board did hold a public hearing and a large number of people attended. There was testimony both for and against the proposal. This third proposal was approved by the Planning Board. The present zoning is R40 and requires 40,000 square foot minimum lot size. The LDRPUD zoning is in accordance with the City's land use plan and the proposed plans meet the requirements for a maximum of 1.7 units per acre. The proposed open space includes the flood area on this property. This plan would provide for the roadway to be out of the flood plain and improve the road flooding situation. As future development occurs, this roadway could be extended. This plan would also extend the 21" sewer main farther up Willis Branch Road. The downside is that vacant rural pasture land would become developed property. The Mayor declared the public hearing open for anyone opposed to the issue.

John Edmondson stated his home and 2 ½ acres join the proposed development on the north border. He said he had attended the three Planning Board meetings regarding this issue. There are a number of things happening and changing very fast that have not been discussed or explained and that he opposes. He built a log home "in the country" and when they were annexed into the City, they were told it would stay "country" and the zoning would be "R40". At first there were only going to be 3 lots backing up to his property and now that has changed. Previously a cul-de-sac was shown and now there is an open dead end road, indicating it could be extended across his and Mr. Willis' property. Now there is traffic coming through Willis Branch Road from Indian Hills which is now connected to Twelve Stones Crossing, causing added traffic concerns. No one had mentioned this before. He stated he believes the City is courting this developer to get the new road built and the sewer line extended. He felt this development is not needed and the City just needs to fix the road. He stated he is opposed to the development.

Valerie Boehm stated she lives past the proposed development on Willis Branch and does not completely object to the development but has concerns. Her concerns are with "change" and that what is approved will be allowed to be modified, such as density, and also concerns about the impact on the road and traffic.

Carl Willis, 1045 Willis Branch Road, adjoining the proposed development, stated he has more at stake than anyone. He has not heard anyone involved say they are for this development that would not profit financially from it. He requested that the "temporary turnaround" be changed to a "permanent turn

around" so that he would not have a road running across his property near the front of his home. He stated if the Commission has to pass this that it should only pass it for R40 zoning.

Steve Russell, 1155 Willis Branch Road, stated there are fifteen (15) homes that will join his property to the side and back. Most of these lots will have to be elevated and he is concerned that this puts his property at a disadvantage. He does not know if through the years this will cause a problem and depreciate his property because he is going to be boxed in with houses all around and elevated so that he will be down in a hole. He wants to be sure that his property value is going to be protected. He also expressed concern about the new road, traffic speed and quantity, safety issues, and eliminating the old road. The Mayor assured him the present roadway will remain.

Don Pratt, 1205 Willis Branch Road, questioned if he could connect to the utilities and sewer lines that will run to his property line. Bill Terry stated that would be possible.

Nancy Edmondson expressed her opposition to the LDRPUD zoning, stating it should remain R40. The big homes and small lots are not in keeping with the rural environment. On the original plans the developer stated he could not afford to build this as a separate PUD from Twelve Stones Crossing. The next month he obviously could afford to meet the board's requirements and presented a plan separate from that development. They changed the roadway "permanent cul-de-sac" to a "temporary turnaround". She would like to see the City forget about money and think about the right thing to do.

The Mayor opened the public hearing to anyone in favor of the issue. Rob Porter, Barge, Waggoner, Sumner and Cannon, stated the road configuration is designed to provide for a future alternate access in the event of flooding. The issue of moving soil from the flood plain to raise a portion of the property out of the flood plain to create buildable lots will create no net change in the flood elevation. Jerry Garrett inquired at what level this would put the lots adjoining Mr. Russell in relation to his property. Mr. Porter stated the elevated property would be the same elevation or lower than Mr. Russell's property. The homes will be 1,700 square foot minimum up to approximately 3,500 square foot, starting at approximately \$250,000 and the average cost should be around \$300,000. The restrictions will be very similar to Twelve Stones.

Johnny Long inquired to Bill Terry regarding the concerns with the temporary turn-around and the flooding. Terry stated these issues were discussed at length by the Planning Board. In order to get a roadway out of the flood plain, by stubbing out this roadway at the property line, it allows that in the event of any future development this would allow an alternate route to be put in place that would be out of the floodway. If the present Willis Branch Road were ever improved to elevate it out of the floodway so that residents would not be stranded in a flood event, it would create a dam on either side which would worsen the flood issue of the properties along Willis Branch.

The Mayor declared the public hearing closed. Motion by Garrett to approve Ordinance No. 00-595 on first reading. Seconded by Long. Passed 5-0.

Consider Ordinance No. 00-596, an ordinance to amend the Goodlettsville Municipal Code regarding fees for building plan review. Bill Terry explained that in the current version of the building code adopted in 1997, there is a cap on the maximum fee we can charge for building plan review. Our Codes Department has expanded and has now applied for exempt status from the Fire Marshall's office for duplicating fire reviews. In some cases, fees could be fairly substantial because they are calculated on a percentage of the building permit fee, but the cap prevents us from charging proportionately for large projects. Motion by Cordell to approve Ordinance No. 00-596 on first reading. Seconded by Driver. Passed 5-0.

Consider Ordinance No. 00-597, an ordinance to enter into a contract to purchase property located at 100 South Main Street, Davidson County Tax Map 025-010, parcels 1.00 and 2.00. David Wilson stated the long range planning and preparing for growth for the City is an ongoing issue. City Hall is currently at capacity and we do not have any space for any future growth. The appraised price for the property with

improvements is \$769,949. A price of \$700,000 has been agreed on by the owner with the City. Union Planters has offered financing or funding may be available from a TML bond fund loan at a reduced rate. There is some question about whether the City would have to use the facility immediately to qualify for the TML funds. The building is fully occupied except for the basement area where the Help Center has moved out. The tenants are on a thirty day notice that they could be expected to vacate. The current rent is approximately \$4,200 per month. Jerry Garrett questioned if the City could use a portion of the building to qualify for the TML funds. He stated the vault in the basement would serve as an excellent secure storage for the police department. Johnny Long recommended paying some amount down to finance less. Wilson stated a projection of \$200,000 down is being considered and financing \$500,000 for 10 to 15 years. Motion by Driver to approve Ordinance No. 00-597 on first reading, seconded by Garrett, and passed 5-0.

Consider Resolution No. 00-218 to amend Personnel Policies and Procedures adopting a workplace harassment policy. Joe Haynes stated he has reviewed this revised draft and recommends approval. Motion by Cordell to approve Resolution No. 00-218, seconded by Garrett, and passed 5-0.

Consider approval of capital expenditure of \$2,490 to add a protected left turn signal at Long Hollow Pike and the northbound I-65 on-ramp. Wilson stated this light has been installed and the funds were budgeted but have not been approved as a capital expenditure. Motion by Long to approve, seconded by Cordell, and passed 5-0.

Regarding the rezoning issue on Willis Branch Road, Garrett stated he would like to go on record that he is sympathetic with those property owners who live adjacent to that property. However, over the years, any time vacant land is developed, the adjoining property owners have always opposed any change. It is sometimes very tough to be in favor of a project like that when you know there are neighbors in opposition. The other side of the coin is, if the City adhered to those objections, there would be no subdivisions or growth. It is a painful process and it does create a lot of pain for the immediate or adjacent property owners. Nevertheless, in looking at the overall good of the area, he believes this is a worthwhile project and one that will benefit the City overall. Mayor Jones agreed with Garrett but stated he has experienced this personally as a victim of zoning changes and he knows that it is painful. Wilson added that for a number of years, the residents in Sumner County have asked to be annexed into the City. Of course there are many benefits in having the City's services, but the downside is that it means development is going to come when those services are extended. Driver stated that for thirty years he has watched from his front porch cows graze in pastureland and he knows that can end at any time and probably will in the near future. He stated he understood the reluctance to accept this change, however, it is almost inevitable that if the City is going to grow in an orderly manner that projects like this should go forward.

Wilson stated there has also been some discussion about the need for a signal on the southbound ramp of I-65 and Long Hollow Pike. After some discussion, it was determined from Bill Brasier that there is a \$50,000 grant for that signal and he plans to budget an additional \$20,000 for over runs. Joe Haynes has approved a contract from TDOT for this project and he asked that Resolution No. 00-219 be approved to enter into that contract with TDOT. Motion by Driver to approve Resolution No. 00-219, seconded by Long, and passed 5-0.

Chief Terry Hutcherson requested approval of \$13,200 capital expenditure to replace Detective Willis' automobile, damaged in an accident on March 28. Insurance will be reimbursing the City for \$3,200 from that damage and those funds would go back into the General Fund. Motion by Long to approve, seconded by Cordell, and passed 5-0.

The meeting was adjourned at 7:30 p.m.

Claudia Davis

Bob Jones