

MINUTES OF REGULAR MEETING
GOODLETTSVILLE CITY COMMISSION

Date: February 12, 1998

Time: 6:30pm

Place: City Hall

Present: Bobby Jones, Johnny Long, Jerry Garrett, Jim Driver, Jim Thomas

Also Present: David Wilson, John Wright, Joe Haynes, Jack Tompkins, Phillip Gibson, Mike Alsup, Terry Hutcherson, Bill Terry, Jack Hunnicutt, Jean Renfro, Roger Lloyd, Dan Gassett, Dennis Sellers

The meeting was called to order by Mayor Jones. Prayer was offered by Johnny Long. On a motion by Garrett, seconded by Driver, the minutes of the January 22 regular meeting were approved as written by a vote of 5-0.

Presentation of plaques to a championship football team was postponed to a later meeting.

Consider Resolution No. R98-190, to establish policy regarding attendance and orientation of members of various city boards. The City Manager presented a draft resolution containing policies previously discussed. Commissioner Thomas requested that sections dealing with orientation of members and counseling members who are not attending meetings regularly be revised. The City Manager pointed out that the 75% attendance requirement was adopted by Ordinance No. 88-412 which would have to be rescinded by ordinance. Motion by Driver to pass on caption on first reading Ordinance No. 98-554, an ordinance to rescind Ordinance No. 88-412 regarding the 75% attendance at meetings requirement. Seconded by Long. Passed 5-0. Motion by Long to defer action on the resolution until the next meeting so revisions can be made. Seconded by Thomas. Passed 5-0.

The Mayor made the following reappointments and vacancy appointments to City boards:

David Brooks, Phil Cornett, John Tyler, and Leona Moyers to the Industrial Development Board

Bobby Carpenter to the Goodlettsville Hearing Authority

Earl Simmons, Joe Birdwell, and Jack Polk to the Construction Board of Adjustments & Appeals

Jean Renfro, Anne Garrett, Debbie Robinson, Ellie Mead-Knight, and Carl Sloan to the Tourism Board

Glen Garrett to the Board of Zoning Appeals & Sign Appeals

Motion by Long to accept the Mayor's appointments. Seconded by Garrett. Commissioner Thomas asked if all the persons appointed had been notified and were willing to serve. The Mayor stated that the usual procedure is to make the appointment and send a letter notifying the person of the appointment and asking if he will accept it. The motion passed by a vote of 4-1, with Jones, Long, Garrett, and Driver voting for and Thomas voting against.

Consider on second reading Ordinance No. 97-551, an ordinance to prohibit the sale of fireworks by businesses that do not operate year round as fireworks retailers within the city and from temporary structures, and to amend the penalty provision of the fireworks ordinance. Roger Lloyd, the owner of property at the corner of Long Hollow Pike and Caldwell Road where a fireworks tent has been located for two weeks every year for the past eighteen years, spoke to give three reasons why he thinks the ordinance should not be passed. (1) He stated that he has been involved in four lawsuits in similar situations and in three of them the ordinance has been declared to be unconstitutional. (2) Temporary structures like tents are safer than permanent buildings in the event of a fire. (3) Other types of seasonal or temporary businesses would still be allowed to operate in competition with year-round businesses. Commissioner Thomas asked if temporary businesses like fireworks stands had caused unreasonable problems for the police, fire, and codes departments. The Planning Director, Police Chief, and Fire Chief spoke to tell of various problems that have occurred in past years. Commissioner Long stated that though there have been problems with temporary businesses and

though he usually favors protecting year-round businesses, in this case he has a problem justifying prohibiting fireworks stands while allowing other types of temporary businesses to keep operating. Commissioner Driver also said that he would rather ban all temporary businesses than ban just one type of temporary business. Motion by Garrett to pass Ordinance No. 97-551 on second reading. Seconded by Jones. The motion failed by a vote of 3-2, with Garrett and Jones voting for and Long, Driver, and Thomas voting against.

Consider Resolution No. R98-191, to approve the lease/purchase agreement for the acquisition of a new fire engine to replace one that was damaged in an accident. The City Manager stated that a new engine is available from Emergency One for \$218,662 under a lease similar to the one approved for the most recently acquired fire engine. The City Attorney has reviewed and approved the lease. Motion by Long to adopt Resolution No. R98-191. Seconded by Driver. Passed 5-0.

Consider amendment to the sewer use ordinance with regard to fees for assisted living facilities. Dan Gassett, representing the developers of Sterling House now under construction, spoke to request that the City consider lowering the tap fee and capacity fee, which are higher than those in other locations where they have built similar facilities. It was agreed that the City Engineer and City Manager would compare study the fees of surrounding cities and make a report at the next meeting. Motion by Garrett to defer action to the next meeting. Seconded by Thomas. Passed 5-0.

Commissioner Garrett asked that after a few weeks of operation of the new fire engine to determine if it meets all expectations that a future agenda include consideration of applying the nearly \$50,000 insurance settlement for the wrecked fire engine toward the principal on the new engine in order to lower the lease payments.

Commissioner Driver announced that the Goodlettsville Middle School boys basketball team has won the division championship and will be playing for the city championship.

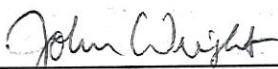
Commissioner Long stated that there are still problems with mud on Madison Creek Road due to the construction of the new school. The City Engineer said that complaints have been made to the Sumner County School Board architect who has ordered the contractor to clean the road, put more gravel on the construction access road, and pay for the City's repairs to road damage. Commissioner Long also said that the City needs to keep Crencor Drive clean in the area of the sewer construction.

The Fire Chief requested approval for a capital expenditure of \$3000 to purchase a surplus state bus. The engine and transmission of the bus will be exchanged with the old engine and transmission in the command bus, and then the surplus bus will be sold. Motion by Garrett to approve the purchase. Seconded by Long. Passed 5-0.

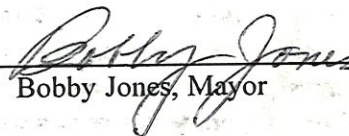
The Police Chief requested approval for a capital expenditure of \$3800 to purchase a computer for the new CID offices. Motion by Long to approve the purchase. Seconded by Thomas. Passed 5-0.

The City Manager stated that the final contract for the Interpretive Center has not been received but it should be ready to consider at the next meeting.

The meeting adjourned at 7:50 p.m.



John Wright, City Recorder



Bobby Jones, Mayor