



Board of Commissioners

June 27, 2019

6:30 PM

City Hall – Massie Chambers

Agenda:

1. Call to order by the Mayor.

Prayer

Pledge of Allegiance

2. Roll call by the Recorder.

3. Reading of the minutes of the June 13, 2019 regular meeting of the Board of Commissioners by the Recorder for approval or correction.

4. Comments from citizens.

5. Comments of the City Manager and staff.

6. Reports and comments from committees, members of the Board of Commissioners and other officers.

7. Old Business.

- a. Consider Ordinance 19-940, an ordinance imposing a temporary one hundred eighty (180) day moratorium on the approval by the Board of Zoning Appeals of any Bed and Breakfast Homestay per Section 14-213-(9)(h)(ii) of the City of Goodlettsville Zoning Ordinance. **SECOND READING**

- b. Consider Ordinance 19-941, an ordinance of the City of Goodlettsville, Tennessee amending the fiscal year 2018-2019 budget, passed by Ordinance 18-918. **SECOND READING**

8. New Business.

- a. Consider Resolution 19-854, a resolution amending a contract between the City of Goodlettsville and the State of Tennessee Department of Transportation as it relates to project number 123278.00 – High Mast Lighting at Interstate 65 and Highway 31-W and Highway 41 and Highway 31-W.

- b. Consider Resolution 19-855, a resolution pursuant to the authority granted by Section 6-54-11 of the Tennessee Code Annotated, and in accordance with the internal control and compliance manual for Tennessee Municipalities authorizing appropriations for financial donation in the amount of \$15,000.00 to the Goodlettsville Area Chamber of Commerce, a non-profit civic organization whose services benefit the general welfare of the residents of Goodlettsville. **PUBLIC HEARING**

9. Adjournment.

For more information regarding this agenda, please contact the city recorder by email at:

abaker@goodlettsville.gov

A government committed to operating with efficiency and integrity in all we do as we strive to enhance the quality of life for the community we serve.

105 S. Main Street – Goodlettsville, TN 37072 – 615-851-2200 – Fax 615-851-2212

www.goodlettsville.gov

ORDINANCE 19-940

AN ORDINANCE IMPOSING A TEMPORARY ONE HUNDRED EIGHTY (180) DAY MORATORIUM ON THE APPROVAL BY THE BOARD OF ZONING APPEALS OF ANY BED AND BREAKFAST HOMESTAY PER SECTION 14-213-(9)(h)(ii) OF THE CITY OF GOODLETTSVILLE ZONING ORDINANCE.

WHEREAS, the Board of Commissioners of the City of Goodlettsville desires to plan for the orderly future zoning of Bed and Breakfast Homestays and related facilities within the City of Goodlettsville, and desires that such land use be regulated in order to preserve and protect the public health, safety and welfare of the citizens of the City of Goodlettsville; and

WHEREAS, the Board of Commissioners of the City of Goodlettsville finds that the continued authorization of Bed and Breakfast Homestays poses a risk to public health, safety and welfare, and interferes with the orderly zoning control of this community, such that a temporary moratorium is required; and

WHEREAS, the Board of Commissioners of the City of Goodlettsville now determines that the preparation and implementation of an ordinance for the better regulation of Bed and Breakfast Homestays, would be in the best interests of the citizens of the City of Goodlettsville;

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners by law, that the City of Goodlettsville shall examine the issues involved authorizing Bed and Breakfast Homestays and shall present a proposed ordinance having that purpose, for consideration by the Board of Commissioners prior to the expiration of this moratorium; and

IT IS FURTHER ORDAINED as follows:

- 1) There shall be a one hundred eighty (180) day moratorium on the zoning appeal approval of all Bed and Breakfast Homestays in accordance to the City of Goodlettsville Municipal Code SECTION: 14-213-(9)(h)(ii).
- 2) The City of Goodlettsville shall not accept any application for zoning variance for one hundred eighty (180) days following the adoption of this Ordinance.
- 3) Any person previously vesting his or her right to development of an accessory building or accessory dwelling prior to the date of adoption of this ordinance, shall not be subject to this moratorium.
- 4) This moratorium shall be effective fifteen (15) days from final passage, the public health, safety and welfare demanding, and shall continue in effect for one hundred eighty (180) days following the date of adoption, unless further extended, or unless repealed sooner by the adoption of comprehensive regulations expressly repealing this Ordinance.

MAYOR JEFF G. DUNCAN

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: _____

Passed Second Reading: _____

Ordinance 19-941

AN ORDINANCE OF THE CITY OF GOODLETTSVILLE, TENNESSEE AMENDING THE FISCAL YEAR 2018-2019 BUDGET, PASSED BY ORDINANCE 18-918

WHEREAS, the City of Goodlettsville adopted the fiscal year 2018-2019 budget by passage of Ordinance 18-918 on May 24, 2018; and

WHEREAS, pursuant to the Tennessee state constitution, Section 24 of Article II, no public money shall be expended except pursuant to appropriations made by law; and

WHEREAS, insurance proceeds from the bay garage doors damage sustained to the Fire Department building were received in March 2019, after the passage of the FY 2018-2019 Budget; and

WHEREAS, the garage door replacement was not budgeted in the FY 2018-2019 Budget; and

WHEREAS, Fire Department personnel and equipment were deployed to North Carolina in response to Hurricane Florence in September, 2018; and

WHEREAS, these additional personnel costs incurred were not budgeted; and

WHEREAS, TEMA has reimbursed 50% of the City's claim; and

WHEREAS, insurance proceeds related to damage sustained to a police cruiser were received in May, 2019, after the passage of the FY 2018-2019 Budget; and

WHEREAS, the repairs to the police cruiser were not budgeted in the FY 2018-2019 Budget; and

Whereas, in order to spend the additional funds, a budget amendment will be necessary.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE THAT THE FISCAL YEAR 2018-2019 BUDGET BE AMENDED AS FOLLOWS:

General Fund Fire Department Maintenance Expenditures	\$10,500	
General Fund Revenues Insurance Proceeds		\$10,500
General Fund Fire Department Personnel Expenditures	\$12,000	
General Fund Revenues TEMA Grant		\$12,000
General Fund Police Department Maintenance Expenditures	\$11,500	
General Fund Revenues Insurance Proceeds		\$11,500

Mayor Jeff G. Duncan

Passed First Reading:_____

City Recorder

Passed Second Reading:_____

Approved as to form and legality:

City Attorney

RESOLUTION NO. 19-854

A RESOLUTION AMENDING A CONTRACT BETWEEN THE CITY OF GOODLETTSVILLE AND THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AS IT RELATES TO PROJECT 123278.00 – HIGH MAST LIGHTING AT INTERSTATE 65 AND HIGHWAY 31-W AND HIGHWAY 41 AND HIGHWAY 31-W.

WHEREAS, the State of Tennessee has completed the design of High Mast Lighting improvements for the Interstate 65 / Highway 31-W / Highway 41 corridors; and

WHEREAS, upon completion of final construction plans of the aforementioned construction project it has been determined that additional funding will be required.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE AN AMENDMENT TO CONTRACT NUMBER 123278.00, A CONTRACT BETWEEN THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AND THE CITY OF GOODLETTSVILLE, TENNESSEE IS HEREBY APPROVED AND IS ATTACHED HERETO AS EXHIBIT "A".

THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Adopted: June 27, 2019

MAYOR JEFF G. DUNCAN

CITY RECORDER

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
PROGRAM DEVELOPMENT & ADMINISTRATION DIVISION
LOCAL PROGRAMS DEVELOPMENT OFFICE

SUITE 600, JAMES K. POLK BUILDING
505 DEADERICK STREET
NASHVILLE, TN 37243-1402
(615) 741-5314

CLAY BRIGHT
COMMISSIONER

BILL LEE
GOVERNOR

June 18, 2019

The Honorable Jeff Duncan
Mayor, City of Goodlettsville
105 S. Main Street
Goodlettsville, TN 37072

Re: Amendment 2, I-65 Interchange Lighting at US-31W, Exit 98 and Intersection of US-31W and US-41
Goodlettsville, Sumner County
PIN: 123278.00
State Project Number: 83001-3145-04
Agreement Number: 160007

Dear Mayor Duncan:

I am attaching an amendment to the contract providing for the construction of the referenced project. A new estimate was generated on 5/21/2019 in preparation for the upcoming August 2019 letting that eclipses the estimated construction cost of \$1,107,945.00 documented in Amendment 1. The current estimated construction cost is \$1,803,000.00. Your agency's share is \$901,500.00 of which you have already deposited \$553,972.50 leaving a balance due of \$347,527.50. If you find the contract fully satisfactory, please execute it in accordance with all rules, regulations and laws, obtain the signature of the attorney for your agency and return the amendment with your construction deposit of \$347,527.50. Once the amendment is fully executed, we will forward a copy to you for your records. Please review the amendment and advise me if it requires any additional explanation.

The deposit may be made either by check delivered to Matt Burcham in the Local Programs Development office at the address listed above or via deposit into the Local Government Investment Pool (LGIP) account. To deposit funds into your LGIP account please follow the attached instructions.

If you have any questions or need any additional information, please contact Ms. Maria Hunter at 615-532-3632 or maria.hunter@tn.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Phillips".

John Phillips
Transportation Manager

Attachment

Ecc: Paul Degges
Ronnie Porter
Matt Burcham
John Phillips
David Layhew
Shane Hester
Mike Brown
E-file

C O N T R A C T

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between **THE TREASURY DEPARTMENT OF THE STATE OF TENNESSEE**, hereinafter referred to as the "Treasury", and _____, Tennessee, hereinafter referred to as the "Local Agency".

W I T N E S S E T H:

WHEREAS, the State of Tennessee, acting through the Department of Transportation, entered into a contract with the _____, hereinafter called "Local Agency", on the _____ day of _____, 20____, relative to providing for implementation of _____;

WHEREAS, said agreement provides that the Local Agency may deposit its pro rata share of the estimated cost of the project with the Treasury for temporary investment as an alternative to furnishing the Department with said share, and the Local Agency has elected to use said alternate; and

WHEREAS, the Local Agency has made application to participate in the Local Government Investment Pool which has been accepted by the Treasury and has deposited its pro rata share of the estimated cost of the project by immediate credit transfer and advised the Treasury thereof and identified the account to which said deposit should be credited.

NOW THEREFORE, in consideration of the premises, the Treasury and the Local Agency agree as follows:

The Local Agency hereby authorizes Treasury to transfer from its Local Government Investment Pool Account (LGIP Account) relative to the above- identified project, to the account of the Department of Transportation, such amounts as said Department may request from time to time by written instructions from its Finance Director, without liability.

The Local Agency understands that no funds in its LGIP account shall be subject to withdrawal until the project is completed and the actual pro rata share of cost is determined. On completion, any surplus will be returned to the Local Agency pursuant to written instructions of said Department with an accounting of transfers made.

The Treasury will credit interest to the account which will be added to the principal and will become part of the surplus, if any, for disposition by said Department at the completion of the project. LGIP account statements will be sent to the Local Agency and said Department monthly. There will be an administrative fee charged to the Local Agency for the LGIP account at the same rate as other LGIP accounts are charged.

It is understood by the parties that the Treasury shall be responsible for the investment of aforesaid sum in accordance with the terms and conditions of the administration of the pool.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their duly authorized officials as of the date above written.

**STATE OF TENNESSEE
TREASURY DEPARTMENT**

By: _____

NAME OF OFFICIAL WHOSE
SIGNATURE APPEARS BELOW

(Type or Print)

TITLE: _____

ADDRESS: _____

TELEPHONE NO: _____

COUNTY OF: _____

SIGNATURE
OF OFFICIAL: _____

INSTRUCTIONS FOR DEPOSITING FUNDS
FOR INVESTMENT IN LOCAL GOVERNMENT INVESTMENT POOL

Enclosed herewith you will find one (1) copy of a contract relative to investing in the Local Government Investment Pool (LGIP) administered by the State Treasury Department. These are for your use in providing evidence that the Local Agency's pro-rata share of funds for the amount set forth in the project agreement relative to the project identified in the contract have been deposited for the use of the Department of Transportation. After completing the information necessary in the body of the contract you will need to have a total of four (4) original copies signed by an authorized official. Due to the sophistication of today's copiers, signatures in ink of a color other than black will clearly mark them as original signatures and prevent possible delays. Mail two (2) copies to, Assistant Director of Investment Department, P. O. Box 198785, Nashville, TN., 37219-8785, and one (1) copy to Jennifer Herstek, Finance Administrator, Tennessee Department of Transportation, 800 James K. Polk Building, Nashville, TN 37243-0329. The remaining copy is to be retained for your file until a fully executed copy is returned by the Treasury Department. Any questions you have should be directed to **Assistant Cash Manager for LGIP Administration at (615) 532-1163**.

Please note that due to the volume of deposits, the Treasury Department will not confirm to TDOT that your deposit has been made more than once a month. To prevent delays in project development, once you have made the deposit, call the person who signed the letter transmitting this document. Give that person the account number to which you have made your deposit, the amount of your deposit and the date on which you submitted it.

Amendment Number: 2

Agreement Number: 160007

Project Identification Number: 123278.00

Federal Project Number: N/A

State Project Number: 83001-3145-04

This AGREEMENT AMENDMENT is made and entered into this _____ day of _____, 20__ by and between the STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION, an agency of the State of Tennessee (hereinafter called the "Department") and the City of Goodlettsville (hereinafter called the "Agency") for the purpose of providing an understanding between the parties of their respective obligations related to the management of the project described as:

“I-65 Interchange at US-31W, Exit 98 and Intersection of US-31W and US-41”

1. The language of AGREEMENT # 160007 dated January 25, 2019 Exhibit A for Amendment 1 is hereby deleted in its entirety and replaced with the attached Exhibit A for Amendment 2.

All provisions of the original contract not expressly amended hereby shall remain in full force and effect.

Amendment Deleting and Replacing Exhibit A

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their respective authorized officials on the date first above written.

CITY OF GOODLETTSVILLE

**STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION**

By: _____ Date _____ By: _____ Date _____
Jeff Duncan **John C. Schroer**
Mayor **Commissioner**

**APPROVED AS TO
FORM AND LEGALITY**

**APPROVED AS TO
FORM AND LEGALITY**

By: _____ Date _____ By: _____ Date _____
Russell Freeman **John Reinbold**
Attorney **General Counsel**

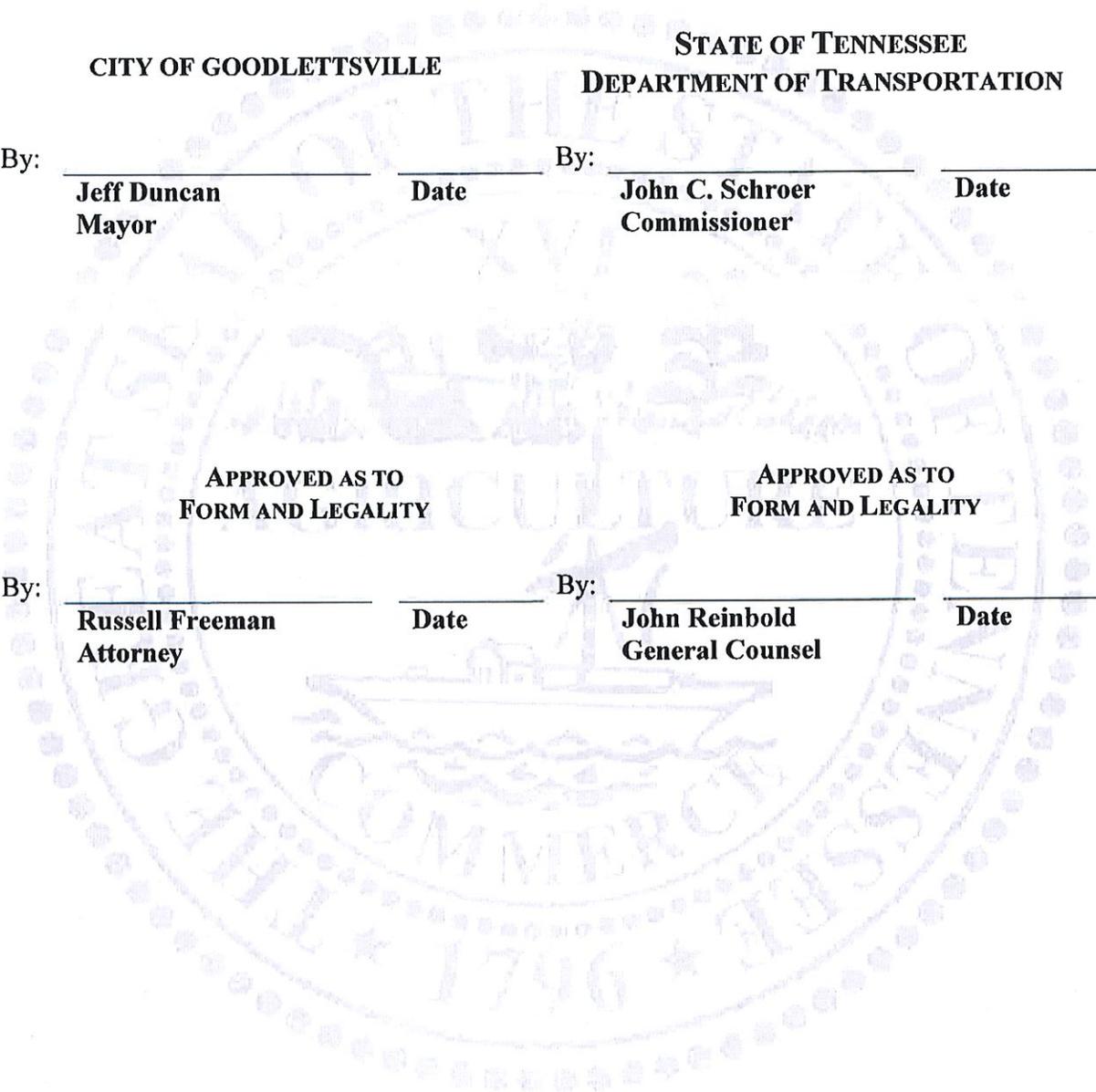


EXHIBIT "A" for Amendment 2

CONTRACT No.: 160007
PROJECT IDENTIFICATION No.: 123278.00
State Project No.: 83001-3145-04

PROJECT DESCRIPTION: I-65 INTERCHANGE AT US-31W, EXIT 98 AT INTERSECTION OF US-31W AND US-41

Phase: Preliminary Engineering
Accomplished By: Department
ROW No ROW Required
Construction Department

TYPE OF WORK: INTERCHANGE LIGHTING

PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
PE-NEPA	INTERSTATE LIGHTING	0%	50%	50%	\$20,000.00
PE-DESIGN	INTERSTATE LIGHTING	0%	50%	50%	\$60,000.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
CONST	INTERSTATE LIGHTING	0%	50%	50%	\$1,640,000.00
PHASE	FUNDING SOURCE	FED %	STATE %	LOCAL %	ESTIMATED COST
CONST	CEI	0%	50%	50%	\$163,000.00

INELIGIBLE COST: One hundred percent (100%) of the actual cost will be paid from Agency funds if the use of said state or federal funds is ruled ineligible at any time by the Federal Highway Administration due to any action on the part of the Agency.

LEGISLATIVE AUTHORITY: For federal funds included in this contract, the CFDA Number is 20.205, Highway Planning and Construction funding provided through an allocation from the US Department of Transportation.

RESOLUTION NO. 19-855

A RESOLUTION PURSUANT TO THE AUTHORITY GRANTED BY SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED, AND IN ACCORDANCE WITH THE INTERNAL CONTROL AND COMPLINACE MANUAL FOR TENNESSEE MUNICIPALITIES AUTHORIZING APPROPRIATIONS FOR FINANCIAL DONATION IN THE AMOUNT OF \$15,000.00 TO THE GOODLETTSVILLE AREA CHAMBER OF COMMERCE, A NONPROFIT CIVIC ORGANIZATION WHOSE SERVICES BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF THIS MUNICIPALITY.

WHEREAS, Goodlettsville Area Chamber of Commerce is a nonprofit civic organization whose year-round services benefit the general welfare of the residents of this municipality; and

WHEREAS, Section 6-54-111 of Tennessee Code Annotated authorizes appropriation of funds for financial aid of such nonprofit charitable or nonprofit civic organizations; and

WHEREAS, the Internal Control and Compliance Manual for Tennessee Municipalities Title 4, Chapter 3, Section 1, requires that a special resolution be adopted for each such nonprofit charitable or nonprofit civic organization which is to receive such funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Goodlettsville, Tennessee, that;

Section 1. The Board of Commissioners may appropriate funds from time to time, in such amounts as is deemed proper, for the financial aid of Goodlettsville Area Chamber of Commerce, a nonprofit charitable or nonprofit civic organization whose year-round-services benefit the general welfare of the residents of this municipality.

Section 2. Such funds appropriated by the municipality for use by Goodlettsville Area Chamber of Commerce shall be spent for the following purposes:

1. Marketing and Business Development of the City of Goodlettsville

All such funds shall be used to promote the general welfare of the residents of this municipality.

Section 3. Goodlettsville Area Chamber of Commerce shall comply with all requirements of Section 6-54-111 of Tennessee Code Annotated and Title 4, Chapter 3, Section 1 of the Internal Control and Compliance Manual for Tennessee Municipalities, particularly with regard to submission of an annual report of its business affairs and transactions and the proposed use of the municipal assistance.

Section 4. This resolution shall take effect upon its passage, the public welfare requiring it.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION IS EFFECTIVE UPON ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Passed: June 27, 2019

Mayor Jeff G. Duncan

City Recorder

Approved as to form and legality.

City Attorney