



Board of Commissioners

June 22, 2017

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 8, 2017 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 17-899, an ordinance adopting and enacting supplemental and replacement pages for the municipal code of the City of Goodlettsville, Tennessee. **SECOND READING / PUBLIC HEARING**
8. New Business.
 - a. Consider Ordinance 17-900, an ordinance to amend the City of Goodlettsville Municipal Code by deleting Title 16 Chapter 2 in its entirety and replacing it with a new Chapter 2 entitled Excavations, Cuts and Work Within the Right of Way. **FIRST READING**
 - b. Consider Ordinance 17-901, an ordinance adopting tax rates for the fiscal year July 1, 2017 through June 30, 2018. **FIRST READING**
 - c. Consider Ordinance 17-902, an ordinance to amend the previous development master plan with the Dry Creek Cottages Master Plan for sixteen (16) residential units on 2.34 acres at Dry Creek Road. **FIRST READING**

- d. Consider and possibly take action on a merit recognition.
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 St.– Goodlettsville, TN 37072–615-851-2200–Fax 615-851-2212
www.goodlettsville.gov

ORDINANCE NO. 17-899

AN ORDINANCE ADOPTING AND ENACTING SUPPLEMENTAL AND REPLACEMENT PAGES FOR THE MUNICIPAL CODE OF THE CITY OF GOODLETTSVILLE, TENNESSEE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE, THAT:

Section 1. Ordinances codified. The ordinances and replacement pages contained in Change 2 to the City of Goodlettsville Municipal Code, hereinafter referred to as the "supplement," are incorporated by reference as if fully set out herein and are ordained and adopted as part of the City of Goodlettsville Municipal Code.

Change 2 includes revisions required to the municipal code when considering ordinances and modifications made by the City of Goodlettsville. Code sections affected by these ordinances and modifications contains citations at the end of the code section.

Section 2. Continuation of existing provisions. Insofar as the provisions of the supplement are the same as those of ordinances existing and in force on its effective date, the provisions shall be considered to be continuations thereof and not as new enactments.

Section 3. Penalty clause. Unless otherwise specified, wherever in the supplement, including the codes and ordinances adopted by reference, any act is prohibited or is made or declared to be a civil offense, or whenever in the municipal code the doing of any act is required or the failure to do any act is declared to be a civil offense, the violation of any such provision of the municipal code shall be punished by a civil penalty of not more than fifty dollars (\$50.00) and costs for each separate violation; provided, however, that the imposition of a civil penalty under the provisions of this municipal code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the provisions of the municipal code or other applicable law. In any place in the supplement the term "it shall be a misdemeanor" or "it shall be an offense" or "it shall be unlawful" or similar terms appears in the context of a penalty provision of this municipal code, it shall mean "it shall be a civil offense." Anytime the word "fine" or similar term appears in the context of a penalty provision of this municipal code, it shall mean "a civil penalty."¹ Each day any violation of the municipal code continues shall constitute a separate civil offense.

Section 6. Severability clause. Each section, subsection, paragraph, sentence, and clause of the municipal code, including the codes and ordinances adopted by reference, is hereby declared to be separable and severable. The invalidity of any section, subsection, paragraph, sentence, or clause in the municipal code shall not affect the validity of any other portion of said code, and only any portion declared to be invalid by a court of competent jurisdiction shall be deleted therefrom.

Section 7. Reproduction and amendment of code. The municipal code shall be reproduced in loose-leaf

¹State law reference

For authority to allow deferred payment of fines, or payment by installments, see Tennessee Code Annotated, § 40-24-101 et seq.

form. The board of commissioners, by motion or resolution, shall fix, and change from time to time as considered necessary, the prices to be charged for copies of the municipal code and revisions thereto. After adoption of the municipal code, each ordinance affecting the code shall be adopted as amending, adding, or deleting, by numbers, specific chapters or sections of said code. Periodically thereafter all affected pages of the municipal code shall be revised to reflect such amended, added, or deleted material and shall be distributed to city officers and employees having copies of said code and to other persons who have requested and paid for current revisions. Notes shall be inserted at the end of amended or new sections, referring to the numbers of ordinances making the amendments or adding the new provisions, and such references shall be cumulative if a section is amended more than once in order that the current copy of the municipal code will contain references to all ordinances responsible for current provisions. One copy of the municipal code as originally adopted and one copy of each amending ordinance thereafter adopted shall be furnished to the Municipal Technical Advisory Service immediately upon final passage and adoption.

Section 8. Construction of conflicting provisions. Where any provision of the supplement is in conflict with any other provision in said supplement or municipal code, the provision which establishes the higher standard for the promotion and protection of the public health, safety, and welfare shall prevail.

Section 9. Code available for public use. A copy of the supplement shall be kept available in the recorder's office for public use and inspection at all reasonable times.

Section 10. Date of effect. This ordinance shall take effect no sooner than fifteen (15) days after first passage thereof, provided that it is read two (2) different days in open session before its adoption, and not less than one week elapses between first and second readings, the welfare of the town requiring it, and the municipal code, including all the codes and ordinances therein adopted by reference, shall be effective on and after that date.

Mayor

Passed 1st reading: _____

Attest:

Passed 2nd reading: _____

City Recorder

Approved as to form and legality

City Attorney

Change 2, May 11, 2017

Ord. #	Subject	Passage	§
LAST ORDINANCE CONSIDERED #13-803			
12-790	Public right-of-way usage (left out of change 1)	11/14/13	§ 9-208
13-804	Public records	10/24/13	T. 20, Ch. 2
13-805	Budget	10/24/13	Not used
13-806	Amending zoning ordinance	12/12/13	§§ 14-204(1)(a)(ii) & 14-206(2)(g)
13-807	Stormwater ordinance	12/12/13	T. 18, Ch. 6
14-808	Adopting & enacting Change 1	02/13/14	Not used
14-809	Budget	02/13/14	Not used
14-810	Call for election to fill commissioner terms	02/13/14	Not used
14-811	Hours of sale of beer	03/13/14	§ 8-211
14-812	U-turns	03/27/14	§ 15-404
14-813	Sprinkler systems	04/10/14	T. 7, Ch. 6
14-814	Budget	05/08/14	Not used
14-815	Annexation	05/22/14	Not used
14-816	Zoning map	05/22/14	Not used
14-817	Zoning - Hotels	05/22/14	§§ 14-201(3)(mm), 14-206(5)(e)(i), 14-220(f)(ii) and Appendix A, Table III
14-818	Budget	06/26/14	Not used
14-819	Zoning - commercial core overlay district	08/14/14	§ 14-206(6)
14-820	Deletion of § 8-116(12)	08/14/14	§ 8-116(12)
14-821	Electronic citation regs & fees	09/11/14	T. 3, Ch. 4
14-822	Property tax rates	10/09/14	Not used
14-823	Meeting dates of parks, rec & tourism board	09/11/14	§ 2-102(7)(a)
14-824	Zoning map	11/13/14	Not used
14-825	Budget	12/11/14	Not used
14-826	Board of zoning appeals also board of construction appeals	12/11/14	§ 14-213(7)(a) FN
14-827	Zoning - Maximum height of structures	01/08/15	T. 14, Appendix A, Table III
14-828	Zoning map	01/08/15	Not used
15-829			
15-830	Stormwater management	02/12/15	T. 18, Ch. 3

Ord. #	Subject	Passage	§
15-831	Minimum seating requirements	02/26/15	§ 8-206
15-832	Intoxicating beverages	02/26/15	§ 2-104
15-833	Collection	02/26/15	§ 5-503
15-834	Zoning - Hotels	04/09/15	§ 14-206(5)(e)(i) & (ii)
15-835	Creation of tree board & policy	05/14/15	T. 20, Ch. 3
15-836	Zoning - Maximum height of structures	06/11/15	T. 14, App. A, Table III
15-837	Zoning - Alternative financial service facilities	06/11/15	§ 14-206(5)
15-838	Budget	06/11/15	Not used
15-839	Fire protection & fireworks & Fire code	06/25/15	§§ 7-102 & 7-201
15-840	Budget	06/25/15	Not used
15-841	Per 4/12/17 email, never received motion to be considered		Not used
15-842	Master lease agreement	07/23/15	Not used
15-843	Zoning map	08/13/15	Not used
15-844	Zoning - Language relative to accessory structures	09/10/15	§§ 14-208(1)(c)(iii) & 14-208(1)(d)(i-x)
15-845	Intoxicating beverages	08/27/15	§ 2-104(4)
15-846	Wastewater connection & capacity fees	08/27/15	Not used (§ 18-106 - FN)
15-847	Beer	09/10/15	T. 8, Ch. 2
15-848	Zoning map	10/22/15	Not used
15-849	Zoning - Amend supplementary district regs	10/22/15	§ 14-208
15-850	Office professional zoning district	11/12/15	§ 14-213(9)(h)(iii) & Appendix A, Table I
15-851	Adopt digital format zoning map	11/12/15	Not used
15-852	Zoning map	01/14/16	Not used
15-853	Budget	01/14/16	Not used
16-854	Street-side parking	01/14/16	§§ 15-601(4) & 15-602(3)
16-855	Zoning map	02/25/16	Not used
16-856	Zoning district	02/25/16	T. 14, App. A
16-857	Zoning - supplemental district regulations	02/25/16	§ 14-208(1)(c)
16-858	Zoning map	02/25/16	Not used
16-859	Zoning - expand interstate sign district map	02/25/16	Not used

Ord. #	Subject	Passage	§
16-860	Call for election to fill commission terms	02/25/16	Not used
16-861	Budget	02/25/16	Not used
16-862	Zoning map	04/04/16	Not used
16-863	Zoning - sign regulations	05/12/16	T. 14, Ch. 3
16-864	Budget	05/12/16	Not used
16-865	Anti-noise regulation	05/26/16	§ 11-301
16-866	Budget	06/23/16	Not used
16-867	Zoning - Donation bin as accessory use	07/14/16	§§ 14-208(1)(c), (d) & (e)
16-868	Zoning - Accessory structures	07/14/16	§ 14-208
16-869	Zoning - Community gardens in commercial zones	07/14/16	§ 14-208(3)(o)
16-870	Zoning map	08/11/16	Not used
16-871	Zoning - roadway access drives	08/11/16	§ 14-208(4)(d)(iii)
16-872	Zoning map	08/25/16	Not used
16-873	Zoning - Provisions for town center area	08/25/16	§ 14-206(6)(m)
16-874	Zoning map	08/25/16	Not used
16-875	Zoning	11/10/16	Not used
16-876	Use of public sewer required	09/08/16	§ 18-102(3)
16-877	Stormwater management	10/13/16	§ § 18-308(2), 18-313
16-878	Budget	10/27/16	Not used
16-879	Sign regulations of zoning ordinance	10/27/16	§§ 14-305(1)(c)(iv) & (v), 14-305(2) and 14-307
16-880	Flood insurance rate maps	12/08/16	§ 14-209(3)(b)
16-881		Tabled	Not used
16-882	Budget	01/12/17	Not used
17-883	Administration & Enforcement & Conditional Use Permits	01/26/17	§ 14-213(9)(f) and Appendix A, Table 1
17-884	Application procedures for site & architectural design	01/26/17	§ 14-208(4)(c)
17-885	Application procedures & building provisions	01/26/17	Not used
17-886	Tourist oriented limited manufacturing activities	01/26/17	§§ 14-201(2), 14-213(9)(f)(vii) and App. A, Table 1
17-887	Public records (amending #13-804)	02/23/17	T. 20, Ch. 2

Ord. #	Subject	Passage	§
17-888	Animal control	04/13/17	T. 10, Ch. 1
17-889	Visitors and tourism board	03/23/17	T. 2, Ch. 3
17-890	Zoning map	03/23/17	Not used
17-891	Director of parks & recreation	04/13/17	T. 2, Ch. 1
17-892	Electronic citation regulations & fees	04/13/17	T. 2, Ch. 2
17-893	Zoning -	04/27/17	§ 14-208(4)
17-894	Zoning Map	05/11/17	Not used

Ordinance 17-900

AN ORDINANCE TO AMEND THE CITY OF GOODLETTSVILLE MUNICIPAL CODE BY DELETING TITLE 16 CHAPTER 2 IN ITS ENTIRETY AND REPLACING IT WITH A NEW CHAPTER 2 ENTITLED EXCAVATIONS, CUTS AND WORK WITHIN THE RIGHT OF WAY.

Whereas, there currently exists a need to adopt an ordinance to regulate the excavation, cuts and work within any right of way within the City of Goodlettsville.

NOW THEREFORE LET IT BE ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE THAT TITLE 16 CHAPTER 2 OF THE CITY OF GOODLETTSVILLE MUNICIPAL CODE BE DELETED IN ITS ENTIRETY AND REPLACED WITH A NEW CHAPTER 2 ENTITLED EXCAVATIONS, CUTS AND WORK WITHIN THE RIGHT OF WAY AS FOLLOWS:

Section 1. Work Performed in public ways; permit required before performing work or making excavations; time of performing work. (1) No person, firm, association, corporation, public or private utility, or others shall perform any work, dig, or cause to be dug any ditch, drain, trench, or other excavation, nor cause any embankment or other obstruction to be constructed in, on, above, or under any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville without having first applied for and obtained from the public works director or his designee permission so to do.

Any person, firm, corporation, public or private utility, association, or others maintaining pipes, lines, or other underground facilities in or under the surface of any street, road, alley, sidewalk, or other public way may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately and a permit cannot reasonably and practicably be obtained beforehand. The person shall thereafter apply for a permit on the first regular business day on which the office of the department of public works is open for business and such permit shall be retroactive to the date when the work was begun.

(2) Every permittee holding a valid permit to perform excavation or to otherwise cause any obstruction in, on, or under any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville shall perform the work permitted only within the hours stipulated on said permit. Work not completed during any stipulated period of hours shall be bridged, backfilled, or otherwise rendered usable for pedestrian and/or vehicular traffic until the next period of hours during which work is permitted. Each violation of the permitted hours of work shall constitute a separate violation.

Except in an emergency affecting the public health and welfare, the director of public works shall not issue a permit for open cut of Conference Drive or other streets as may be designated by resolution of the city commission. Permits for tunneling, boring or other methods that do not involve open excavation of such designated roadways, may be issued by the director of public works.

Section 2. Applications. Application for such permits shall be made to the public works director, or such person designated by him to receive such applications, and shall state thereon the location of the intended

work, excavation, or tunnel, the size thereof, the purpose thereof, the person, firm, corporation, public or private utility, association, or others doing the actual excavating with emergency (after hours) contact information, and the name of the person, firm, corporation, public or private utility, association, or others for whom the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. Such application shall be rejected or approved by the public works director or his designee in a timely fashion

Section 3. Fees. For the privilege of excavating or doing work within, on, or across streets, roads, alleys, sidewalks, or other public ways within the jurisdiction of the City of Goodlettsville, a fee of one hundred dollars (\$100.00) will be charged for each application or permit requested in this chapter. Permits shall be only for the specified project identified within the permit application. This fee may be modified from time to time by resolution of the city commission.

Section 4. Driveway cuts. No one shall cut, build, or maintain a driveway which joins a public right-of-way without first obtaining a permit from the public works director or his designee. Such permit will not be issued when the contemplated driveway is to be so located or constructed as to create a drainage problem or an unreasonable hazard to pedestrian and/or vehicular traffic. Driveway aprons shall not extend out into the street. The director shall be allowed to waive issuance of a permit for driveway cuts if it is determined not to be necessary.

Section 5. Barricades required. Any person, firm, corporation, public or private utility, association, or others doing the excavating, who shall dig or cause to be dug any ditch, drain, or other excavation or cause any embankment or other obstruction to be constructed in, on, under, across, or adjoining any street, alley, road, sidewalk, or other public way or shall perform work in and around any utility manhole in or adjoining any public way within the jurisdiction of the City of Goodlettsville, shall have the same guarded at all times with a substantial barricade, sufficient and suitable to warn persons traveling on or using such street, road, alley, sidewalk, or other public way of the presence of such excavation or utility manhole and against danger therefrom.

Section 6. Safety precautions. (1) Every person, firm, corporation, public or private utility, association, or others, who shall perform work, dig, or cause to be dug any ditch, drain, trench, or other excavation or cause any embankment or other obstruction to be constructed in, on, under, across, or adjoining any street, road, alley, sidewalk, or other public way or shall perform work in and around any utility manhole in or adjoining any public way, within the jurisdiction of the City of Goodlettsville, shall, in addition to barricades heretofore specified, post or otherwise place warning lights at the ends and sides of each excavation, utility manhole, or other obstruction during the entire night, and if such excavation or other obstruction shall extend more than fifty feet (50') along such street, road, alley, sidewalk, or other public way, then additional warning lights shall be placed each twenty-five feet (25') or fraction thereof. Where excavations or other obstructions shall extend across any street, road, alley, sidewalk, or other public way, warning lights shall be placed at six foot (6') intervals along such excavation or other obstruction. All lights shall be secured in such manner as not to be displaced by winds or storms.

(2) If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed and provided which shall be safe for travel and convenient for users. It shall be the responsibility of the permittee to adhere to the most recent adopted edition of the Manual of Uniform Traffic-Control Devices.

(3) The permittee shall carry on the work authorized by the permit in such manner as to cause minimum of interference with traffic. He shall provide adequate warning signs and devices to warn and guide traffic, and shall place the signs and warning devices in a position of maximum effectiveness. Where the public works director or his designee determines that difficult or potentially hazardous conditions exist, competent flagmen shall be provided by the permittee to effect a safe and orderly movement of traffic. Where insufficient traffic lanes exist because of street openings, adequate bridging shall be supplied by the permittee. When traffic congestion occurs in spite of all precautions, the permittee shall be responsible for providing police assistance. On main thoroughfares and in congested districts, sufficient traffic lanes shall be kept open at all times to permit substantial normal traffic flow, except when emergency conditions require otherwise. Unless this can be accomplished, work shall be done only during the periods as the public works director may designate. In the case of emergency occurring in any important thoroughfares, the permittee shall notify the police and fire department immediately.

Section 7 . Testing for flammable gases and/or liquids in utility manholes. No person engaged in working in and around any utility manhole shall enter said utility manhole until testing by instrument or other acceptable method has been performed to determine whether or not said manhole is free from toxic or flammable gases and/or liquids. When tests indicate the presence of toxic and/or flammable gases and/or liquids, the manhole shall be properly ventilated prior to entering of manhole by any person. Tests are to be repeated at such intervals as are necessary to make certain that toxic or flammable gases and/or liquids do not recur in hazardous quantities.

Section 8. Safety standards. All work shall be performed in and about any utility manhole in or adjoining any highway, street, alley, sidewalk, or any public way in accordance with OSHA standards and the most recent approved edition of MUTCD - Manual on Uniform Traffic Control Devices. The City Manager, Chief of Police or Director of Public Works or their designees shall have the authority to require work to cease if in their judgement adequate flaggers, signage and other safety measures are not being utilized.

Section 9. Excavation and/or removal of materials. Any person who shall perform work, dig, quarry, or cause to be dug or quarried any dirt, earth, sand, stone, or paving and/or shall remove said materials from, in, on, or under any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville, without the specific direction and/or permission of the public works director or his designee, shall be subject to such a violation, with each location of such diggings, quarrying, and/or removal to constitute a separate offense.

Section 10. Unguarded excavations or openings adjacent to sidewalks or rights-of-way. It is hereby declared to be a nuisance for any person, firm, corporation, public or private utility, association, or others, to perform any work, make any excavation, or to establish any opening adjacent to any sidewalk or public right-of-way within the jurisdiction of the City of Goodlettsville without the erection of barricades or other

proper precautions to prevent danger to persons or vehicles passing along said sidewalk or public right-of-way.

Section 11. Refilling excavated areas. Every person, firm, corporation, public or private utility, association or others, who shall dig or cause to be dug any ditch, drain, trench, or other excavation in, on, under, or across any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville, shall refill carefully all such ditches, drains, trenches, or other excavations by replacing with compacted crushed stone in paved areas, under sidewalks and roadway shoulders pending replacement of pavements and/or other improvements, and shall fill said ditch, drain, trench, or other excavation with selected earth materials in unpaved or otherwise unimproved areas.

Section 12. Replacement of curbs, gutters, sidewalks, pavements, etc. Every person, firm, corporation, public or private utility, association or others, excavating in, on, under, or across any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville shall replace all curbs, gutters, sidewalks, pavements, or other special structures disturbed, displaced, or removed, at the expense of said persons making the excavations and in accordance with the standard requirements and specifications of the public works director.

Section 13. Flow of Traffic. At no time shall any permitted work under this chapter create a negative impact on traffic flow on streets and highways within the city. The City Manager, Chief of Police or Director of Public Works or their designees shall have the authority to require work to cease if in their judgement work being performed is negatively effecting traffic flow on streets and highways within the city.

Section 14. Bond and insurance required. No permit shall be issued by the public works director or his designee to any person, firm, corporation, public or private utility, association, or others, for the privilege of excavating in, on, or across any street, road, alley, sidewalk, or other public way within the jurisdiction of the City of Goodlettsville, until a bond is posted in the amount of ten thousand dollars (\$10,000.00) to insure faithful performance of all work and payment of fees and shall have further furnished certificates of liability insurance in total amount of one million dollars (\$1,000,000.00) per occurrence. Such liability insurance policies shall contain a rider annexed to such policies containing the following provision:

"This policy shall not be cancelled, terminated, nullified, or changed by the company unless thirty (30) days prior written notice is sent to the insured by registered mail addressed to the public works director of the City of Goodlettsville, Tennessee."

This chapter shall not apply to any excavation in connection with a public improvement or public work where the work is performed by the city.

Section 15. Penalty for violation. The violation of any provision of this chapter shall be subject to a penalty of up to five hundred dollars (\$500.00) for each violation.

Section 16. This ordinance shall take effect fifteen days after its final adoption, the welfare of the City of Goodlettsville requiring it.

MAYOR

PASSED 1ST READING: _____

CITY RECORDER

PASSED 2ND READING: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

ORDINANCE NO. 17-901

AN ORDINANCE ADOPTING TAX RATES FOR THE CITY OF GOODLETTSVILLE FOR THE FISCAL YEAR JULY 1, 2017, THROUGH JUNE 30, 2018.

BE IT FURTHER ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSEE:

The following tax rates are hereby imposed for the fiscal year of July 1, 2017 through June 30, 2018:

- (a) Properties in Davidson County: \$.7484 per hundred dollars of assessed value.
- (b) Properties in Sumner County: \$.8163 per hundred dollars of assessed value.

This property tax rate ordinance was duly advertised in The Community Ledger, giving notice of a public hearing to be held on July 13, 2017, at 6:30 p.m. in Massie Chambers of Goodlettsville City Hall.

THIS ORDINANCE SHALL TAKE EFFECT FIFTEEN DAYS AFTER ITS FINAL ADOPTION, THE WELFARE OF THE CITIZENS OF GOODLETTSVILLE REQUIRING IT.

Mayor

Passed first reading: _____

City Recorder

Passed second reading: _____

Approved as to form and legality.

City Attorney



**STATE OF TENNESSEE
STATE BOARD OF EQUALIZATION
9TH FLOOR, W.R. SNODGRASS TN TOWER
312 ROSA PARKS AVENUE
NASHVILLE, TENNESSEE 37243-1102
PHONE (615) 401-7883**

June 7, 2017

Honorable John Coombs
Mayor, City of Goodlettsville
105 South Main Street
Goodlettsville, TN 37072

Re: Equalized property tax rates

Dear Mayor Coombs:

Attached is a text discussion and calculation of equalized property tax rates for the city of Goodlettsville for tax year 2017. The rate for Davidson County is \$0.7484, and for the Sumner County portion, \$0.8163. The purpose of this rate is to take into account the relative levels of assessments for the different parts of the city, and maintaining a differential of this proportion is the only way to assure an acceptable degree of tax uniformity throughout the city (other than to create an assessment authority for the city and utilize values separate from those established by the county assessors). The proportions established for these rates should be recalculated next year because the appraisal ratios will change.

You are welcome to review these figures and if you concur, the city governing body should proceed to determine (concur in) these equalized rates by simple action on motion and second. This is normally done as the budget is presented. You may use Step 7 of the calculation to determine rates necessary to meet the budget while maintaining the necessary differential, and if the equalized rates do not need to be exceeded, the city may proceed to adopt its actual tax rates. If the equalized rates will need to be exceeded, the city should publish notice and conduct a public hearing before acting on final tax rates. A sample of this notice is enclosed.

Page 2
Mayor Coombs
June 7, 2017

Please call or write if you wish to discuss this further.

Very truly yours,



Betsy Knotts
Executive Secretary

c: Vivan Wilhoite, Davidson County Assessor
John C. Isbell, Sumner County Assessor
Julie J. High, Assistant City Manager



STATE OF TENNESSEE
STATE BOARD OF EQUALIZATION
9TH FLOOR, W.R. SNODGRASS TN TOWER
312 ROSA PARKS AVENUE
NASHVILLE, TENNESSEE 37243-1102
PHONE (615) 401-7883

Procedure for Developing Equalized Tax Rates for Multi-County Jurisdictions

Background

Tennessee has a number of cities lying in two or more counties which levy a city ad valorem property tax. In these cases, property values in the representative counties were established at different times and therefore are seldom assessed on a comparable basis. The recommended solution has been creation of a separate assessment function for these counties, in which the city is reappraised on the same cycle as the predominant county and maintenance of assessment records is performed either by a city assessor or under agreement with the state and/or representative county assessors. While this is usually the best long-term solution, some cities which have not yet addressed the problem face it anew each time any of their counties are reappraised. Applying the same city tax rate to differently valued parcels raises a serious uniformity issue under the Tennessee Constitution and jeopardizes the validity of the city levy.

One short-term alternative for these cities, pending a general reappraisal, is adjustment of the city tax rate to accommodate differing levels of assessment within the city, a procedure referred to here as the equalization of tax rates. The procedure was approved by the State Board of Equalization on August 14, 1989.

Equalizing the city tax rates

The purpose of this approach is to adjust the actual city tax rate to be applied within each county within the city, in such a way that all properties are taxed uniformly when both the rate and assessed value are considered together. A calculation form is attached, and the concept is explained below.

The first step would be to fix a pro forma equalized tax base for the city. This is done by first dividing the total assessments in the city, by county, by the approved appraisal ratio for that county, and then adding these assessments together. Although applying the same tax rate to these equalized values would achieve rough equity, it would also require creation of a separate assessment records base and agreements with the representative county assessors to maintain it. Equalizing tax rates instead allows the city to defer these arrangements until the general reappraisal.

The second step is determining the previous year's property tax levy, which represents the property taxes billed for the previous tax year. Dividing the previous year's levy by the equalized city tax base yields an overall equalized rate which must then be adjusted for the use in the separate areas of the city, by county. The equalized rate for each county portion of the city is determined by dividing the overall rate by the approved appraisal ratio for the county.

If the city needs to increase its rate from the previous year's rate, the city would first increase the overall rate before applying the appropriate adjustment to fix the separate equalized rates.

The foregoing adjustment would be done each year until the long term solution of a general reappraisal, occurred. Each year, the current appraisal ratios and assessed values would be used. Because equalizing tax rates in this manner has the same effect as adjusting relative values throughout the jurisdiction, it is perhaps safest for the city to give public notice before establishing equalized tax rates in excess of those determined through the above process.

Further details concerning these procedures are available from the State Board of Equalization.

WORKSHEET FOR CALCULATING TAX RATE EQUIVALENTS AND TARGET RATES FOR MULTI-COUNTY JURISDICTIONS

STEP 1. Collect and list needed information. (see instructions, attached)

<u>Row</u> <u>Item</u>	(Column A) (most parcels) Area A	(Column B) Area B	(if applicable) (Column C) Area C	(Column D)
1 County Name	Davidson	Sumner		
2 County parcel count	3,599	2,631		
3 Appraisal ratio	1.0000	.9168		
4 Unadjusted assessed value	\$ 431,097,358	\$ 166,216,770	\$	\$
5 Net new real property	\$ 1,005,495	\$ 5,468,675	\$	\$
6 Net new personal property	\$ 1,366,058	\$ 148,325	\$	\$
7 Previous year levy	\$ 3,014,618	\$ 1,451,427	\$	\$ 4,466,045

STEP 2. Determine the adjusted current year assessed value by area. By area, subtract new real property (Row 5 above) and new personal property (Row 6 above) from the total unadjusted value (Row 4 above).

<u>Row</u> <u>Item</u>	Area A	Area B	Area C
8 Adjusted assessed value	\$ 421,607,962	\$ 160,599,770	\$

STEP 3. Equalize the adjusted assessed values. By area, divide the adjusted values (Row 8) by the appraisal ratio (Row 3).

<u>Row</u>	<u>Item</u>	<u>Area A</u>	<u>Area B</u>	<u>Area C</u>
9	Equalized & adjusted values	\$ 421,607,962	\$ 175,174,269	\$ _____
				\$ <u>596,782,231</u>

STEP 4. Determine the overall tax rate equivalent. Divide the previous year's levy (Row 7) by the sum of all equalized values (Row 10) and multiply times 100.

<u>Row</u>	<u>Item</u>	
11	Overall tax rate equivalent	\$ <u>0.7484</u>

STEP 5. Determine the tax rate equivalent by area. By area, divide the overall tax rate equivalent (Row 11) by the appraisal ratio (Row 3).

<u>Row</u>	<u>Item</u>	<u>Area A</u>	<u>Area B</u>	<u>Area C</u>
12	Tax rate equivalent by area	\$ <u>0.7484</u>	\$ <u>0.8163</u>	\$ _____

STEP 6. Targeting the current year's equalized tax rates. Whether the current year's tax rates must be increased above the equivalent rates in item 5 are determined by (a) the improvements and personal property added since the previous year. To project current year revenues from the equivalent tax rates, use the most recent total actual assessed values by area (Row 4 above). If the revenues so calculated are sufficient to meet current year needs, no increase above the equivalent rates is necessary and collection shortfalls in determining whether the equivalent rates will be sufficient. If the equivalent rates are insufficient to generate needed new revenue, calculate the target rates as shown in step 7 below and do not adopt the rates until after publication notice and a public hearing.

STEP 7. Calculating target rates for the current year.

Step 7A. By area, equalize the unadjusted assessed values by dividing Row 4 above by the appraisal ratio (Row 3), then total.

<u>Row</u> <u>Item</u>	<u>Area A</u>	<u>Area B</u>	<u>Area C</u>
13 Equalized unadjusted values	\$ _____	\$ _____	\$ _____
14 Total, Row 13			\$ _____

Step 7B. Determine the overall target tax rate by dividing current year's needed revenue, by the total on Row 14 and multiply times 100.

15 Overall target rate: _____ Needed revenue _____ Row 14 _____ = \$ _____

Step 7C. Equalize overall target rate by area: By area, divide overall rate (Row 15) by appraisal ratios (Row 3).

<u>Row</u> <u>Item</u>	<u>Area A</u>	<u>Area B</u>	<u>Area C</u>
16 Equalized target rates	\$ _____	\$ _____	\$ _____

Miscellaneous instructions for worksheet

Step 1

- Row 1 - List each county in which the city lies, beginning with the county in which most of the city parcels lie. This county portion is Area A. The other county or counties represented in the city become Area B and Area C (if applicable).

Row 2 - Parcel county

Row 3 - List here the current year's appraisal ratio approved by the Stated Board of Equalization for the county.

Row 4 - List by area the total current year's value of all taxable property.

Row 5 - List the total current year's value of all real property improvements added to the assessment roll since the previous year's levy was set.

Row 6 - List the total year's value of all personal property added for the first time in the current year.

Row 7 - List total property taxes billed from the previous year.

ETR Form

ORDINANCE NO. 17-902

AN ORDINANCE TO AMEND THE PREVIOUS DEVELOPMENT MASTER PLAN WITH THE DRY CREEK COTTAGES MASTER PLAN FOR SIXTEEN (16) RESIDENTIAL UNITS ON 2.34 ACRES AT DRY CREEK ROAD.

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to dividing the city into zones and districts restricting and regulating therein the location, construction, and use of residential buildings, structures; and,

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to protecting the character and maintain the stability of residential areas within the city, and to promote the orderly and beneficial development of such areas; and,

WHEREAS, the City's Zoning Ordinance Planned Unit Development Section intent and purpose includes but is not limited to promote flexibility in design and permit planned diversification in the location of structures; to promote efficient use of land that will facilitate a more economic arrangement of buildings; circulation systems, land use, and utilities and to provide a mechanism for the ownership of land, utilities, streets, and facilities in common as well as the maintenance and disposition thereof; and,

WHEREAS, The Goodlettsville Planning Commission reviewed and discussed this proposed amendment on June 5, 2017 and voted to deny the request to the Board of Commissioners based on questions with the proposed final master plan, and,

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF GOODLETTSVILLE, TENNESSE, AS FOLLOWS:

SECTION 1. That the Cedar Glen Development Master Plan approved in 2004 has been renamed to Dry Creek Commons Dry Creek Road and amended to increase the residential unit number from twelve (12) to sixteen (16) and to change the project layout and the architectural design of the residential units for the property attached as "EXHIBIT A" and described as follows:

PROPERTY TAX MAP/PARCEL 03300020800 CONTAINING APPROXIMATELY 2.34 ACRES AS SHOWN IN THE RECORDS OF THE ASSESSOR OF PROPERTY OF DAVIDSON COUNTY, TENNESSEE.

SECTION 2. That the Commissioners of the City of Goodlettsville, Tennessee, hereby certify that this Ordinance has been submitted to the Planning Commission of the City of Goodlettsville for a recommendation, and a notice of hearing thereon has been ordered after at least fifteen (15) days notice of the time and place of said meeting has been published in a newspaper circulated in the City of Goodlettsville, Tennessee. This Ordinance shall take effect fifteen (15) days from the date of its final passage, the public welfare demanding it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Goodlettsville, the most restrictive shall in all cases apply.

MAYOR

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Passed First Reading: _____

Passed Second Reading: _____

ORDINANCE 17-902
"EXHIBIT A"





CIVIL DESIGN CONSULTANTS, LLC

8170 Coley Davis Rd.
Nashville, TN 37221
Phone: 615-638-8207

June 14, 2017

HAND DELIVERED

Mr. Addam McCormick
City of Goodlettsville Planning Department
Goodlettsville, TN

RE: Dry Creek Cottages Plan

Dear Mr. McCormick

Attached please find digital file copies of the proposed revised plan. This plan has been revised to address the deficiencies noted from city staff and included in the attached response documentation.

We request that this item be heard at the next available city commission meeting.

If you have any questions or need additional information please call.

Sincerely,

Civil Design Consultants LLC

Jared R. Gray, PE
President

Attachments

CIVIL DESIGN CONSULTANTS, LLC

CIVIL ENGINEERS - LAND PLANNERS