



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JANUARY 29, 2013**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, January 29, 2013, at 4:33 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilman Marc Harris.

ATTENDANCE

PRESENT: Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Valerie Guzman (5; arrived 5:35 p.m.), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

ABSENT: Nick Steward (1), Wallace Redd (4)

HUMAN RESOURCES

ORDINANCE 59-2012-13 (Second Reading) Amending the Official Code relative to voluntary demotion

Councilman Wallace made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman McLaughlin.

Councilman Burkhart offered an amendment to add language to require department heads to approve a voluntary demotion. The motion was seconded by Councilman Harris. Councilman Burkhart said this would allow the department head to confirm that a lower, appropriate position was available. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Summers, Wallace

NOTE: Councilwoman Guzman was not present for this vote.

Councilman Burkhart's amendment unanimously passed. The following vote on the original motion was recorded:

AYE: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Summers, Wallace

NOTE: Councilwoman Guzman was not present for this vote.

The motion to adopt this ordinance on second reading as amended unanimously passed.

ORDINANCE 60-2012-13 (Second Reading) Amending the Official Code relative to human resources, employee due process, and probationary employees, and drug and alcohol disciplinary process

Councilman Wallace made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Summers, Wallace

NOTE: Councilwoman Guzman was not present for this vote.

The motion to adopt this ordinance on second reading unanimously passed.

FIRE & RESCUE

ORDINANCE 61-2012-13 (First Reading) Authorizing purchase property on Ashbury Road for Fire Station #6

Councilman Wallace made a motion to adopt this ordinance on first reading. The ordinance was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Summers, Wallace

NOTE: Councilwoman Guzman was not present for this vote.

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 62-2012-13 (First Reading) Authorizing a budget amendment and acquisition of property on Main Street for future expansion of Fire Station #1

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Summers, Wallace

NOTE: Councilwoman Guzman was not present for this vote.

The motion to adopt this ordinance on first reading unanimously passed.

CODE OF ETHICS

ORDINANCE 67-2012-13 (First Reading) Amending the Official Code relative to Code of Ethics

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs.

Mayor McMillan expressed support for an ethics commission which was included in the proposed ordinance.

There was extended discussion regarding anonymous complaints. Councilwoman McLaughlin, Councilman Summers, and Councilwoman Jones felt anonymous complaints should be considered. Mayor McMillan felt allowing anonymous complaints would lead to abuse. Councilman Lewis called for the question. The motion was seconded by Councilman Wallace. The following vote was recorded:

AYE: Grubbs, Harris, Lewis, McMillan, Wallace

NAY: Allen, Jones, McLaughlin, Summers

NOTE: Councilwoman Guzman was not present for this vote; Councilman Burkhart left the meeting at 5:26 and was not present for this vote.

The motion to cease discussion failed due to lack of $\frac{3}{4}$ majority. During the discussion regarding the proposed ethics commission, Councilman Summers suggested each member of the city council recommend two individuals from each ward to serve on the commission as needed on a case-by-case basis. Councilman Grubbs said commissioners should receive training before review complaints.

Councilman Wallace made a motion to not allow city-funded legal representation for city officials. The motion was not seconded.

Councilwoman McLaughlin made a motion to postpone action on this ordinance to the February regular session. The motion was seconded by Councilman Summers. City Attorney Lance Baker said his staff would need more time to draft appropriate amendments recommended by council members. The motion and second were withdrawn. Councilwoman McLaughlin made a motion to

postpone action to the March regular session. The motion was seconded by Councilman Summers. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Summers

NAY: Grubbs, Guzman, Harris, Lewis, Wallace

The motion to postpone to the March regular session failed.

Following discussion, Councilman Lewis made a motion to reconsider the motion to postpone. The motion was seconded by Councilman Wallace. A voice vote was taken; with some objection, the motion passed.

Councilman Lewis made a motion to postpone action on this ordinance to the March regular session. The motion was seconded by Councilwoman Jones. The following vote was recorded:

AYE: Allen, Grubbs, Harris, Jones, Lewis, McLaughlin, Summers

NAY: Guzman, Wallace

The motion to postpone to the March regular session passed.

Mr. Baker asked members to meet with him individually regarding their proposed amendments.

ADJOURNMENT

The meeting was adjourned at 6:45 p.m.