



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
MAY 2, 2013**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, May 2, 2013, at 7:00 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 Nick Steward.

ATTENDANCE

PRESENT: Nick Steward (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

SPECIAL RECOGNITIONS

Councilman Redd and Brandon Reed presented Mayor McMillan with the Tri-Cities Magician Association “Merlin Award” for her support of the organization’s fundraisers.

Mayor McMillan proclaimed May 18 as “Kids to Parks Day” and expressed appreciation to the Parks & Recreation Staff for their support of this national program.

MAYOR’S YOUTH COUNCIL

Following the group’s study and evaluation of proposed facilities for the City, Hieler Meek and Makagin Gray presented the recommendations of the Mayor’s Youth Council for a recreational center to be located at Exit 1 and a multi-purpose convention center to be located at Exit 8 or Exit 11.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change. The motion was seconded by Councilman Steward. A voice vote was taken; the motion passed without objection.

ORDINANCE 78-2012-13 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eric Huneycutt for zone change on property at West Washington Street and Kline Alley from R-4 Multiple Family Residential District to CBD Central Business District

Cal Burchett, DBS & Associates, said the developer planned to construct single-family homes on the property. Dwight Eversol said a single-family development would create traffic problems including access to and from the property.

ORDINANCE 79-2012-13 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Gateway Financial Services, Howard Poff-Agent, for zone change on property at Rossview Road and Earl Slate Road from R-1 Single Family Residential District to R-2D Two Family Residential District

There was no voiced support for or opposition to this request.

Councilman Grubbs made a motion to revert regular session. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed without objection.

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 78-2012-13**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. In response to Councilman Wallace's question, Street Department Engineer Jack Frazier said sidewalks and street lighting would not be required on existing streets, but some regulations of the downtown district overlay may apply. The following vote on the motion was recorded:

AYE: Burkhart, Grubbs, Lewis, McMillan, Redd, Steward, Wallace

NAY: Allen, Guzman, Harris, Jones, McLaughlin, Summers

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 79-2012-13**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, Redd, Steward, Summers, Wallace

NAY: McLaughlin

The motion to adopt this ordinance on first reading passed.

PUBLIC IMPROVEMENTS PROGRAM

RESOLUTION 47-2012-13 Adopting the 2013-14 through 2017-18 Public Improvements Program

The recommendation of the Regional Planning Commission was for approval of this program. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this resolution unanimously passed.

CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 77-2012-13** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joe A. Winn, Jr. and Joe Winn, David Riggins-Agent, for zone change on property at Tiny Town Road & Barkers Mill Road from AG Agricultural District to C-5 Highway & Arterial Commercial District
2. **RESOLUTION 44-2012-13** Approving a retail liquor store Certificate of Compliance for Horace Heggie, Jr. (Pals Package Store, 1820 Madison Street)
3. Adoption of Minutes: Special Session March 28th, Regular Session April 4th

Councilman Summers requested a notation of his vote to abstain on RESOLUTION 42-2012-13 in the April 4th minutes. Councilman Burkhart made a motion to adopt the Consent Agenda. The motion was seconded by Councilman Steward. Councilwoman McLaughlin voted “nay” on ORDINANCE 77-2012-13. The following vote was recorded:

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

The motion to adopt the Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said the Community Development Department recently completed one home re-construction and four property demolitions totaling \$147,760.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 75-2012-13 (First Reading) Accepting property from Charles C. Powers for the Hickory Wild Sewer Lift Station

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

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

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

RESOLUTION 45-2012-13 Authorizing issuance and sale of refunding bonds for the City of Clarksville Electric System, not to exceed \$52,000,000

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this resolution. In response to Councilman Summers' questions, Bond Attorney Jeff Oldham said as long as CDE is under the direct or indirect control of the City, future refinancing would not be required if by chance the current Power Board was dissolved, and that in the event CDE is unable to pay its bills, the utility could be forced to increase rates to cover its obligations. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this resolution unanimously passed.

RESOLUTION 46-2012-13 Adopting the 2013-14 Action and Budget for the Community Development Block Grant and HOME Programs

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this resolution unanimously passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

No report.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd mentioned upcoming special events including the Queen City Road Race, 50+ Olympics, Movies in the Park, and the Downtown Market.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

RESOLUTION 43-2012-13 Authorizing a Mutual Aid Agreement with Montgomery County Volunteer Fire Service

The Public Safety Committee recommended approval. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. In response to Councilwoman McLaughlin's question, Councilman Grubbs said any County expenses would not be reimbursed by the City. The following vote was recorded:

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

The motion to adopt this resolution unanimously passed.

Councilman Grubbs reported the following monthly department statistics: Building & Codes Enforcement-378 cases; Building & Codes Construction-1,928 inspections; Building & Codes Administration-79 single-family permits; Fire & Rescue-817 emergency calls; Police-12,853 responses.

Councilman Grubbs announced the designation of May 6-10 as "Fire Safety Week," and May as "National Building Safety Month."

Deputy Police Chief Mike Parr shared the Tennessee Bureau of Investigation's local 2012 crime report. Chief Parr said Clarksville had 91 incidents per 1,000 residents as compared to 95 in 2011, and 12,448 "crimes against society" as compared to 12,960 in 2011. The department contributed the fall in crime statistics to progressive law enforcement, especially in the areas of drug and narcotics violations, prostitution, burglaries, and theft of property. Chief Parr thanked the City Council for their support in providing funding for manpower and equipment.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said paving projects throughout the City were currently underway. He reported 230 work orders completed by the Street Department during the month of April.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris noted Clarksville Transit System's Lift program.

NEW BUSINESS

Councilman Steward made a motion to consider board appointments. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

The motion to consider unanimously passed. Councilman Summers made a motion to approve the following board appointments:

Madison Street Design Review Board: Frank Parcels – May 2013 through April 2015

Senior Citizens Board: Sonya Baggett, Al Colvin, Claudia Erb, Elizabeth Evans – May 2013 through April 2015

The motion was seconded by Councilman Steward. The following vote was recorded:

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

The motion to approve the board appointments unanimously passed.

ADJOURNMENT

Councilman Harris made a motion to adjourn at 7:57 p.m. The motion was seconded by Councilman Redd.

Mayor McMillan recognized Councilman Steward who had already made a request to speak. He expressed appreciation for well wishes following his recent kidney donation surgery.

In response to Councilman Allen's inquiry regarding the Mayor's May 2nd email relative to City Council requests for information, Mayor McMillan referenced the City Charter provision that states the City Council must act as a body and not individually instruct department heads or city employees to provide information. She restated her directive that future City Council requests for information that require research and compilation of reports must be made through the Mayor's Office.

Councilman Redd called for a point of order stating this issue was not listed on the agenda and called for a vote on the motion to adjourn.

The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to adjourn passed at 8:01 p.m.