



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JUNE 6, 2013
MINUTES**

PUBLIC COMMENTS

Prior to the meeting, Naomi Conner expressed appreciation for support of the Blueways Project and shared information about upcoming events sponsored by Friends of Blueways.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 6, 2013, at 7:03 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilwoman Kaye Jones.

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

Mayor McMillan presented a Certificate of Appreciation to the Northeast High School Track Team for winning the Tennessee Secondary Schools Athletic Association Championship.

PUBLIC HEARING

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

ORDINANCE 95-2012-13 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay/Wilson Properties, Wade Hadley-Agent, for zone change on property at the intersection of 101st Airborne Division Parkway & Trenton Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

Wade Hadley offered to answer questions on behalf of the applicant; there was no voiced opposition to this request.

ORDINANCE 96-2012-13 (First Reading) Amending the Zoning Ordinance and the Official Code of the City of Clarksville relative to cluster option and other text amendments

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

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

ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 95-2012-13**. Councilman Grubbs made a motion to adopt this ordinance on first reading. 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 adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 96-2012-13**. Councilman Grubbs made a motion to adopt this ordinance on first reading. 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 adopt this ordinance on first reading 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 75-2012-13** (Second Reading) Accepting property from Charles C. Powers for the Hickory Wild Sewer Lift Station

2. **ORDINANCE 78-2012-13** (Second 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
3. **ORDINANCE 79-2012-13** (Second 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
4. **RESOLUTION 48-2012-13** Approving a Certificate of Compliance for Steven A. Howard (University Package Store, 303 College Street)
5. **RESOLUTION 52-2012-13** Approving a Certificate of Compliance for Tim Crocker (Crocker's Fine Wines, 224 Dover Road)
6. **RESOLUTION 53-2012-13** Approving a Certificate of Compliance for Amber M. Heggie (Pal's Package Store, 1820-G Madison Street) *[Removed; see below]*
7. **RESOLUTION 57-2012-13** Approving a Certificate of Compliance for CRM Liquors, LLC (Calvin R. McKay) (Elite Wine & Spirits, 1849-C Madison Street) *[Removed; see below]*
8. Approval of board appointments:

Housing Authority: Angela Jones – June 2013 through September 2016

Human Relations Commission: Mercedes Acuna, Mohsun Uddin Ghias, Johnny Jones, Candy Johnson – July 2013 through June 2016; Kenneth Roberts, Dr. Jonnieann Butterfield – July 2013 through June 2015; Dr. Roxanne Gerbrandt, Dr. Bill Gordon, Ferosete Melandrez – July 2013 through June 2014; Jeff Burkhart – July 2013 through June 2015

Madison Street Design Review Board: Carter Briggs – June 2013 through April 2016; Marc Harris – June 2013 through April 2016 *[Removed; see below]*

Power Board: Sally Castleman – July 2013 through June 2016; Leo Milan – July 2013 through June 2016 *[Removed; see below]*

Tree Board: Diann Nance – July 2013 through June 2016; Mary Beth Wilder – June 2013 through June 2015

9. Adoption of Minutes: Regular Session May 2

Councilman Summers requested separate consideration of **RESOLUTION 53-2012-13** as well as the appointments to the Madison Street Design Review Board and the Power Board. Councilwoman McLaughlin requested separate consideration of **RESOLUTION 57-2012-13**. Councilman Steward made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Wallace. Councilman Burkhart announced his intention to abstain from voting on appointments to the Human Relations

Commission. Councilwoman Jones and Councilwoman McLaughlin registered a nay vote on **ORDINANCE 78-2012-13**. 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 as presented passed.

RETAIL LIQUOR STORES

RESOLUTION 53-2012-13 Approving a Certificate of Compliance for Amber M. Heggie (Pal's Package Store, 1820-G Madison Street)

This resolution was removed from the original Consent Agenda. Councilman Redd made a motion to adopt this resolution. The motion was seconded by Councilman Burkhart. Councilman Summers said he had been told this business owed fees to the Alcoholic Beverage Commission and made a motion to postpone action until additional information was obtained. The motion was seconded by Councilman Allen. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, Redd

ABSTAIN: Wallace

The motion to postpone failed. The following vote on the original motion was recorded:

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

NAY: Jones, McLaughlin, Steward, Summers

ABSTAIN: Wallace

The motion to adopt this resolution passed.

RESOLUTION 57-2012-13 Approving a Certificate of Compliance for CRM Liquors, LLC/Calvin R. McKay (Elite Wine & Spirits, 1849-C Madison Street)

This resolution was removed from the original Consent Agenda. Councilman Redd made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: McLaughlin, Steward

ABSTAIN: Wallace

The motion to adopt this resolution passed.

BOARD APPOINTMENTS

Appointments to the Madison Street Design Review Board were removed from the original Consent Agenda. Councilman Summers made a motion to approve appointment of Carter Briggs, June 2013 through April 2016. 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 approve this appointment passed.

Councilman Wallace made a motion to approve appointment of Marc Harris to the Madison Street Design Review Board, June 2013 through April 2016. The motion was seconded by Councilwoman Guzman. Councilman Summers felt Councilman Harris' work schedule may prohibit from him from attending meetings regularly. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Lewis, Redd, Wallace

NAY: McLaughlin, Summers

ABSTAIN: Harris, Jones, Steward

The motion to approve this appointment passed.

Appointments to the Power Board were removed from the original Consent Agenda. Councilman Summers made a motion to approve appointment of Sally Castleman, July 2013 through June 2016. 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 approve this appointment passed.

Councilman Redd made a motion to approve re-appointment of Leo Milan to the Power Board, July 2013 through June 2016. The motion was seconded by Councilman Wallace. Councilman Summers said since Mr. Milan donated to a political action committee that targeted a sitting member of the City Council in the fall of 2012, he may have violated the ethics code. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Lewis, Redd, Wallace

NAY: Jones, McLaughlin, Summers

ABSTAIN: Steward

The motion to approve this appointment passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said a survey conducted by the Clarksville Police Department and U.S. Housing & Urban Development in January revealed twelve homeless persons were living in various areas of the city.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 81-2012-13 (First Reading) Authorizing acquisition of property on Tylertown Road for area drainage improvements

Based on the recommendation of the Finance Committee, 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, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

ABSTAIN: Burkhart

The motion to adopt this ordinance on first reading passed.

ORDINANCE 82-2012-13 (First Reading) Amending the Official Code relative to water and sewer rates

Based on the recommendation of the Finance Committee, Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. Councilwoman Jones encouraged the public to contact members of Congress to ask for support of FEMA reimbursement for reconstruction of the wastewater treatment plant. The following vote was recorded:

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

NAY: Redd, Steward

The motion to adopt this ordinance on first reading passed.

ORDINANCE 83-2012-13 (First Reading) Authorizing partial release of sanitary sewer line easement on property owned by Governor's Square Company

Based on the recommendation of the Finance Committee, Councilman Wallace 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, McLaughlin, Redd, Steward, Summers, Wallace

The motion to approve this ordinance on first reading passed.

ORDINANCE 84-2012-13 (First Reading) Amending the Official Code relative to time and place of executive and regular sessions of the City Council

Based on the recommendation of the Finance Committee, Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. Councilman Wallace made a motion to amend this ordinance by substituting language relative to passage by ordinance instead of 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 amend this ordinance passed. The following vote on the original motion as amended was recorded:

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 55-2012-13 Authorizing \$52,000,000 water, sewer, and gas revenue refunding bonds

RESOLUTION 58-2012-13 Authorizing subordinate lien water, sewer, and gas revenue bonds

RESOLUTION 59-2012-13 Authorizing subordinate lien water, sewer and gas revenue refunding bonds not to exceed \$24,255,000

Councilman Wallace recommended consideration of the three bond resolution simultaneously. There was no objection. Councilman Wallace made a motion to adopt **RESOLUTION 55-2012-13**, **RESOLUTION 58-2012-13**, and **RESOLUTION 59-2012-13**. 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 adopt these resolutions passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 92-2012-13 (First Reading) Approving extension of utilities to 3301 Highway 41-A; request of Danell Welch

The recommendation of the Gas & Water Committee was for approval of this ordinance. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. 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 passed.

ORDINANCE 93-2012-13 (First Reading) Approving extension of utilities to property on Ashland City Road; request of David Welch (*Gas & Water Committee: Approval*)

The recommendation of the Gas & Water Committee was for approval of this ordinance. Councilman Burkhart made a motion to adopt this ordinance on first reading. 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 adopt this ordinance on first reading passed.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

ORDINANCE 99-2012-13 (First Reading) Amending the Official Code relative to fireworks

The recommendation of the Parks & Recreation Committee was for approval of this ordinance. Councilman Redd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. 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 passed.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

ORDINANCE 80-2012-13 (First Reading) Amending the Official Code relative to retirement of law enforcement animals

Councilwoman Jones made a motion to postpone action on this ordinance indefinitely. 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 postpone action on this ordinance indefinitely passed.

Councilman Grubbs shared the following monthly department statistics: Building & Codes Enforcement Division - 863 cases; Building & Codes Construction Division - 1,922 cases; Building & Codes Inspection Division – 69 permits; Police – 13,987 calls; Fire & Rescue – 830 responses.

Mayor McMillan announced the recent appointment of Mike Baker as Director of Building & Codes.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said the Street Department completed 259 work orders during May.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris reported 70,539 passengers transported by Clarksville Transit System during May which was 6% less than the same month in 2012. The Clarksville-Nashville Express transported 4,245 persons.

Councilman Harris said the City Garage completed 371 work orders during May with unleaded fuel priced at \$3.10 per gallon and diesel fuel at \$2.99 per gallon.

REGULAR SESSION MEETING DATES

ORDINANCE 94-2012-13 (First Reading) Rescheduling the July 2013 regular meeting of the City Council

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

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

The motion to adopt this ordinance on first reading passed.

FUNERAL PROCESSION ESCORTS

ORDINANCE 97-2012-23 (First Reading) Amending the Official Code relative to police escort of funeral processions

Councilman Allen made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Steward. City Attorney Lance Baker said this change would require the Police Department to provide a funeral procession escort unless there is a public safety emergency. Councilman Allen said this would make the service available to all citizens, not just a selected few. Councilman Allen asked for comments from Police Chief Al Ansley; Councilman Steward and Councilman Harris objected. Following discussion, Councilman Redd called for the question. The question was seconded by Councilman Harris. A voice vote was taken; the motion to cease discussion passed. The following vote on the original motion was recorded:

AYE: Allen, Burkhart, Steward

NAY: Grubbs, Guzman, Harris, Lewis, McLaughlin, Redd, Wallace

ABSTAIN: Jones, Summers

The motion to adopt this ordinance failed.

ORDINANCE 98-2012-13 (First Reading) Amending the Official Code relative to special event beer permits

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

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

NAY: Steward

The motion to adopt this ordinance on first reading passed.

RESOLUTION 54-2012-13 Approving application for Tennessee Department of Transportation permits for intersection modifications for Hazelwood Road, North Henderson Way, and Rossvie Road

Councilman Lewis made a motion to adopt this resolution. 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 resolution passed.

RESOLUTION 56-2012-13 Appointing Laurie Matta as Commissioner of Finance & Revenue/Director of Finance/Chief Financial Officer

Councilman Redd made a motion to adopt this resolution. The motion was seconded by Councilman Harris. Councilman Redd made a motion to go out of regular session to hear comments from Ms. Matta and Human Resources Director Will Wyatt. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed without objection.

During the open session, Mr. Wyatt said officials at the City of Daytona Beach, Florida did not disclose any information about Ms. Matta's employment. Mr. Wyatt said Ms. Matta will have 24 months to acquire a Tennessee Certified Public Accountant designation. Ms. Matta shared some reasons for departure from her previous employer.

After approximate one hour of discussion, Councilman Burkhart made a motion to revert to regular session. The motion was seconded by Councilman Redd. A

voice vote was taken; the motion passed without objection. Councilman Redd called for the question. The motion was seconded by Councilman Steward. A voice vote was taken; the motion to cease discussion passed without objection. The following vote on the original motion was recorded:

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

NAY: Allen

The motion to adopt this resolution passed.

RECESS

Without objection, the City Council went into recess at 9:30 p.m. for approximately 20 minutes.

FY14 BUDGETS

PUBLIC HEARING

There were no public comments or questions.

ORDINANCE 85-2012-13 (First Reading) Amending the FY13 Budget and approving the FY14 Community Development Budget Action Plan and Budget and authorizing application for Community Development Block Grant and HOME Investment Partnership Funds

Councilman Harris made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. There was no discussion. The following vote was recorded:

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

The motion to adopt the FY14 Community Development Budget on first reading unanimously passed.

ORDINANCE 86-2012-13 (First Reading) Amending the FY13 Budget and establishing the FY14 budget for the Clarksville Parking Authority

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

Councilman Redd made a motion to add \$20,000 to the Parking Authority budget to be contributed to the Two Rivers Company to assist in funding the director's salary. The motion was seconded by Councilman Grubbs. Mr. Baker said the City Charter did not allow the Parking Authority to make such donations. The motion and second were withdrawn without objection. The following vote on the original motion was recorded:

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

The motion to adopt the FY14 Parking Authority Budget on first reading unanimously passed.

ORDINANCE 87-2012-13 (First Reading) Amending the FY13 Budget and adopting the FY14 Budget for the Clarksville Transit System

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

Councilwoman McLaughlin made a motion to delete \$11,400 for Wellness Center funding for employees who opted out of Aetna health insurance. The motion was seconded by Councilman Steward. Councilwoman McLaughlin felt employees who do not pay into the Health Fund should not benefit from the Wellness Center. Following discussion, Councilman Wallace called for the question. The question was seconded by Councilwoman Guzman. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Redd, Steward, Summers

The motion to cease discussion failed due to lack of 2/3 majority. The following vote on Councilwoman McLaughlin's amendment was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$11,400 for Wellness Center funding failed. The following vote on the original motion was recorded:

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

NAY: Redd

The motion to adopt the FY14 Clarksville Transit System Budget on first reading. passed.

ORDINANCE 88-2012-13 (First Reading) Amending the FY13 Budget and adopting the FY14 Budget for CDE Lightband

Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. There was no discussion. The following vote was recorded:

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

NAY: Jones, McLaughlin, Redd

The motion to adopt the FY14 CDE Lightband Budget on first reading passed.

ORDINANCE 89-2012-13 (First Reading) Amending the FY13 Budget and approving the FY14 Budget for the Clarksville Gas & Water Department

Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. There was no discussion. The following vote was recorded:

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

The motion to adopt the FY14 Clarksville Gas & Water Department Budget on first reading unanimously passed.

ORDINANCE 90-2012-13 (First Reading) Amending the FY13 Budget and adopting the FY13 Budget for the Internal Service Fund

Councilman Harris made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Steward. Councilman Burkhart and Councilman Grubbs both stated they were covered by the Aetna health insurance as retirees. Councilwoman McLaughlin stated her spouse, a police officer, is not covered by city health insurance. There was no discussion. The following vote was recorded:

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

The motion to adopt the FY14 Internal Service Fund Budget on first reading unanimously passed.

ORDINANCE 91-2012-13 (First Reading) Amending the FY13 Budget and adopting the FY14 Budget for City of Clarksville General Government

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

DISCLOSURES

Councilman Burkhart and Councilman Grubbs both stated they were covered by the Aetna health insurance as retirees. Councilwoman McLaughlin stated her husband, a police officer, was not covered by the Aetna health insurance, but is eligible for use of the Wellness Center.

PART TIME EMPLOYEE COMPENSATION (AMENDMENT #1)

Councilman Allen made a motion to add \$9,791.84 to the Parks & Recreation budget for a part time employee pay increase of \$.25 per hour. The motion was seconded by Councilman Steward. Councilman Allen said the department's part time staff had not received a pay increase in five years.

Councilman Redd made a motion to go out of regular session to hear comments from the department supervisor. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection. Tonya Vaden said part time employees are all ages and the department did not have any

problems filling the position and they had not received any complaints about the part time compensation. Councilman Redd made a motion to revert to regular session. The motion was seconded by Councilman Lewis. A voice vote was taken; the motion passed without objection. The following vote on the amendment was recorded:

AYE: Allen, Harris, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Lewis, McMillan, Redd, Wallace

The motion to add \$9,791.84 to the Parks & Recreation budget for a part time pay increase failed.

Following the vote on Amendment #9, Councilman Steward asked if a member who voted on the prevailing side would make a motion to reconsider this vote; no motion was made.

WELLNESS CENTER FUNDING (AMENDMENT #2)

Councilwoman McLaughlin made a motion to delete \$63,000 collectively from all department budgets, except Transit and Gas & Water, for wellness center funding for employees who opted out of Aetna health insurance. The motion was seconded by Councilman Allen.

Councilwoman Guzman asked for input by Human Resources Director Will Wyatt; there was no objection. In response to Councilwoman Guzman's question, Mr. Wyatt said deletion of this funding would not change the cost for operation of the wellness center. Mr. Wyatt did state that not deleting this funding from the Gas & Water Department, CDE, and Transit would create problems. Without objection, the Council reverted to regular session. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$63,000 for wellness center funding failed.

CITY ATTORNEY SALARY (AMENDMENT #3)

Councilman Summers made a motion to add \$5,268 to the Legal budget to increase the City Attorney's salary to \$110,729. The motion was seconded by Councilman Steward. Mayor McMillan made a motion to go out of regular session to hear comments from Mr. Wyatt. The motion was seconded by Councilman Harris. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to go out of regular session passed. Mr. Wyatt said the new Human Resources Analyst would be continually monitoring all employee pay to recommend salary adjustments. Councilman Redd made a motion to revert to regular session. The motion was seconded by Councilman Lewis. A voice vote was taken; the motion passed without objection.

Councilman Allen called for the question. The question was seconded by Councilman Redd. A voice vote was taken; the motion to cease discussion on the amendment passed without objection. The following vote on the amendment was recorded:

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

The vote to add \$5,268 to the Legal budget passed.

MISCELLANEOUS AGENCIES (AMENDMENT #4)

Councilwoman McLaughlin made a motion to delete \$136,820 for Miscellaneous Agency funding. The motion was seconded by Councilman Steward. Councilman Harris and Councilman Allen objected to removing this appropriation for community service organizations. The following vote on the amendment was recorded:

AYE: McLaughlin, Redd, Summers

NAY: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, Steward, Wallace

The vote to delete \$136,820 for Miscellaneous Agency funding failed.

SALARY SAVINGS/DEBT SERVICE (AMENDMENT #5)

Councilwoman McLaughlin made a motion to add the following language as a new Section 22. The motion was seconded by Councilman Steward.

“Sec. 22. Personnel cost savings through the FY13 budget year for positions that were vacated or unfilled shall be applied toward payment of debt principal and/or interest above and beyond the debt service required to be paid by all debt covenants/requirements for the 2013-14 fiscal year to be paid on or before September 1, 2013. Furthermore, the personnel cost savings for the 2013-14 fiscal year for positions that are vacated or unfilled shall be applied toward payment of debt principal and/or interest above and beyond the debt service required to be paid by all debt covenants/requirements for the 2014-15 fiscal year, on or before September 1, 2014. At no time may the budgeted debt payment in the FY14 (2013-14) be reduced without the approval of the full city council.”

Councilman Wallace made a motion to go out of regular session to hear comments from Interim Director of Finance Debbie Frazier. The motion was seconded by Councilman Grubbs. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion passed. Mrs. Frazier opposed restriction of redirecting personnel savings and recommended transferring any savings to the fund balance. Councilwoman McLaughlin made a motion to revert to regular session. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed without objection. Councilman Allen called for the question. The question was seconded by Councilman Redd. A voice vote was taken; the motion to cease discussion on the amendment passed without objection. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhardt, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to add Section 22, relative to personnel savings, to the ordinance failed.

MEMBERSHIPS/ADVERTISING/PUBLIC RELATIONS (AMENDMENT #6)

Councilwoman McLaughlin made a motion to delete \$96,450 from the Legislative budget for memberships & conventions, advertising, and public relations. The motion was seconded by Councilman Redd. Councilwoman McLaughlin felt these appropriations should be funded in the Mayor's Office budget. Councilwoman McLaughlin accepted Councilwoman Jones' friendly amendment to also delete \$100 for Austin Peay State University dues Councilman Redd called for the question. The question was seconded by Councilman Harris. A voice vote was taken; the motion to cease discussion on the amendment passed without objection. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhardt, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The amendment to delete \$86,550 for memberships & conventions, advertising, and public relations failed.

TWO RIVERS COMPANY (AMENDMENT #7)

Councilman Summers made a motion to delete \$49,472 from the Two Rivers Company funding which would give six months for development of an impact fee which would fund the second half of FY14 and future TRC budgets. The motion was seconded by Councilman Steward. Councilman Wallace and Councilman Grubbs expressed support for full funding for the TRC. Councilman Lewis called for the question. The question was seconded by Councilman Redd. The following vote was recorded:

AYE: Burkhardt, Grubbs, Guzman, Harris, Lewis, McMillan, Redd, Wallace

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to cease discussion on the amendment failed due to lack of a 2/3 majority.

Councilman Harris expressed opposition to an impact fee. Councilman Redd called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion passed without objection. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$49,472 from TRC funding failed.

MAYOR STAFF SALARIES (AMENDMENT #8)

Councilwoman McLaughlin made a motion to delete \$44,009 from the Mayor's Office budget for staff salary increases. The motion was seconded by Councilman Summers. Councilman Redd objected to Councilman Allen's mention of a rumor regarding the reason for the pay adjustments and called for a point of order. Mayor McMillan ruled that Councilman Allen's statement was inappropriate and out of order. Councilman Allen challenged the ruling. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Summers

ABSTAIN: Steward

The ruling of the chair was sustained. Councilman Burkhart called for the question. The question was seconded by Councilman Steward. A voice vote was taken; the motion to cease discussion passed without objection. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, Redd, Wallace

The amendment to delete \$44,009 for Mayor's Office staff salary increases failed.

U.S. CONFERENCE OF MAYORS DUES (AMENDMENT #9)

Councilman Redd made a motion to delete \$17,800 from the Mayor's Office Budget for U. S. Conference of Mayors dues. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$17,800 for U.S. Conference of Mayors dues failed.

CEASE DISCUSSION

Councilman Steward called for the question on ORDINANCE 91-2012-13. The question was seconded by Councilman Burkhart. Because some members wished to present additional amendments, the motion and second to cease discussion were withdrawn. A voice vote was taken; the motion to cease discussion on t

PARK CARRYOVERS (AMENDMENT #10)

Councilman Redd made a motion to carry over \$107,575 for completion of Robert Clark Park and \$6,500 for the Pettus Park splash pad and playground from the FY13 budget to the FY14 budget. 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 carry over \$107,575 and \$6,500 for Robert Clark Park and Pettus Park from FY13 to FY14 passed.

BLUEWAYS (AMENDMENT #11)

Councilman Redd made a motion to change the current funding for Blueways land acquisition from \$255,000 to \$340,000. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Harris

NOTE: Councilman Burkhart was not present for this vote.

The motion to increase the Blueways funding passed.

EXCURSION BOAT (AMENDMENT #12)

Councilwoman Jones made a motion to delete \$325,000 for the excursion boat dock. The motion was seconded by Councilman Summers. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, Wallace

ABSTAIN: Steward

The motion to delete \$325,000 for the excursion boat dock failed.

EMPLOYEE STIPEND (AMENDMENT #13)

Mayor McMillan made a motion to add funding for a \$200 stipend for employees who were not eligible for the full 2% pay increase, excluding part time employees. The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Grubbs, Harris, Lewis, Redd

NAY: Allen, Burkhart, Guzman, Jones, McLaughlin, Steward, Summers, Wallace

The motion to add funding for a \$200 employee stipend failed.

POLICE DEPARTMENT (AMENDMENT #14)

Councilman Summers made a motion to add \$227,516 to hire additional police officers during the third quarter of FY14. The motion was seconded by Councilman Steward. Councilman Grubbs made a motion to go out of regular session to hear comments from Police Chief Al Ansley. The motion was seconded by Councilman Harris. A voice vote was taken; the motion failed. Following discussion, Councilman Redd called for the question. The question was seconded by Councilman Steward. The following vote was recorded:

AYE: Burkhart, Guzman, Jones, Lewis, Redd, Summers, Wallace

NAY: Allen, Grubbs, Harris, McLaughlin, Steward

The motion to cease discussion failed due to lack of $\frac{3}{4}$ majority. Councilwoman Guzman stated that her brother was an employee of the Police Department. The following vote on the motion was recorded:

AYE: Allen, Guzman, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Harris, Lewis, McMillan, Redd, Wallace

The motion to add \$227,516 for additional police officers failed.

CHAMBER DUES (AMENDMENT #15)

Councilman Redd made a motion to delete \$5,675.00 for Chamber dues and \$1,000 for Chamber functions from the Legislative budget. The motion was seconded by Councilman Summers. The following vote was recorded:

AYE: Guzman, Redd, Summers

NAY: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Steward, Wallace

The motion to delete \$6,675.00 for Chamber dues and functions failed.

GREATER NASHVILLE REGIONAL COUNCIL (AMENDMENT #16)

Councilman Redd made a motion to delete \$27,916 from the Legislative budget for GNRC dues. The motion was seconded by Councilman Steward. The following vote was recorded:

AYE: Allen, Jones, Lewis, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Wallace

The motion to delete \$27,916 for GNRC dues passed.

INTERNATIONAL COUNCIL OF SHOPPING CENTERS (AMENDMENT #17)

Councilman Redd made a motion to delete \$12,000 from the Legislative budget for the ICSC Retail Convention. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: McLaughlin, Redd, Steward

NAY: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, Summers, Wallace

The motion to delete \$12,000 for the ICSC Retail Convention failed.

MAYOR'S FITNESS COUNCIL ADVERTISING (AMENDMENT #18)

Councilman Redd made a motion to delete \$5,000 from the Mayor's Office budget for Mayor's Fitness Council advertising. The motion was seconded by Councilman Steward. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$5,000 for Mayor's Fitness Council advertising failed.

CITY COUNCIL OFFICE SUPPLIES (AMENDMENT #19)

Councilwoman Jones made a motion to increase funding for City Council office supplies from \$250 each to \$500 each. The motion was seconded by Councilman Steward. The following vote was recorded:

AYE: Allen, Jones

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to increase City Council office supplies to \$500 failed.

CHAMBER INTERCITY VISIT (AMENDMENT #20)

Councilman Allen made a motion to add \$8,000 to the Legislative budget for Chamber Intercity Visit program. The motion was seconded by Councilman Steward. Councilwoman Jones offered an amendment to decrease this funding to \$4,000. The amendment was seconded by Councilman Summers. The following vote on the amendment was recorded:

AYE: Allen, Guzman, Jones, Lewis, Redd, Steward, Summers, Wallace

NAY: Burkhart, Grubbs, Harris, McLaughlin

The amendment to reduce the funding to \$4,000 passed. The following vote on the original motion was recorded:

AYE: Allen, Guzman, Jones, McMillan, Steward, Summers, Wallace

NAY: Burkhart, Grubbs, Harris, Lewis, McLaughlin, Redd

The motion to add \$4,000 for Chamber Intercity Visit program passed.

SCHOOL SYSTEM SHARED EXPENSES (AMENDMENT #21)

Councilman Summers made a motion to delete \$16,000 from Shared Expenses for the Clarksville-Montgomery County School System. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$16,000 for CMC School System shared expenses failed.

FLOOD MANAGEMENT (AMENDMENT #22)

Councilman Summers made a motion to add \$500,000 to the Municipal Properties budget which would be paid for through a bond issue for formulation of a flood hazard mitigation program. The motion was seconded by Councilwoman McLaughlin. Following brief discussion, the motion and second were withdrawn.

FY14 GENERAL GOVERNMENT BUDGET

Councilman Burkhart called for the question on the original motion. The motion was seconded by Councilman Lewis. A voice vote was taken; Councilman Redd voted "nay." The motion to cease discussion on the FY14 General Government Budget passed.

The following vote on **ORDINANCE 91-2012-13** was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to adopt the FY14 General Government Budget on first reading passed.

MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

ADJOURNMENT

The meeting was adjourned on Friday, June 7, 2013, at 2:26 a.m.

ADOPTED: July 2, 2013