CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
JUNE 27, 2013, 4:30 P.M.

COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE

AGENDA

1) PLANNING COMMISSION

ZONING: PUBLIC HEARING

1. **ORDINANCE 3-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hettie Hutchison for zone change on property at the terminus of Vine Street and Cedar Street from R-3 Three Family Residential District to C-1 Neighborhood Commercial District *RPC: Disapproval/Disapproval)*

2. **ORDINANCE 4-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of George M. Milton, Gaines Shearon-Agent, for zone change on property at Tracy Lane and Black Jack Way from R-1 Single Family Residential District to R-4 Multiple Family District *(RPC: Approval/Approval)*

2) 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 81-2012-13** (Second Reading) Authorizing acquisition of property on Tylertown Road for area drainage improvements

2. **ORDINANCE 82-2012-13** (Second Reading) Amending the Official Code relative to water and sewer rates

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

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

5. **ORDINANCE 93-2012-13** (Second Reading) Approving extension of utilities to property on Ashland City Road; request of David Welch

6. **ORDINANCE 95-2012-13** (Second 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

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

8. Approval of Minutes: May 13, May 16, June 6, June 18

3) COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

4) FINANCE COMMITTEE
Joel Wallace, Chair

1. **RESOLUTION 1-2013-14** Adopting an interlocal agreement with Montgomery County pertaining to the 2013 Byrne Justice Assistance Grant *(Finance Committee: Approval)*

2. **RESOLUTION 2-2013-14** Renewing the interlocal contract with the E911 Emergency Communication District of Montgomery County *(Finance Committee: Approval)*

5) GAS & WATER COMMITTEE
Jeff Burkhart, Chair

1. **ORDINANCE 2-2013-14** (First Reading) Authorizing extension of utilities to South Woodson Road; Request of Bill Mace Homes *(Gas & Water Committee: _____)*

6) PARKS, RECREATION, GENERAL SERVICES
Wallace Redd, Chair

7) PUBLIC SAFETY COMMITTEE
(Building & Codes, Fire, Police)
Geno Grubbs, Chair

1. **ORDINANCE 1-2013-14** (First Reading) Amending the Official Code relative to adoption of the International Fire Code *(Public Safety Committee: Approval)*

8) STREET COMMITTEE
James Lewis, Chair

9) TRANSPORTATION COMMITTEE
Marc Harris, Chair

10) NEW BUSINESS

1. Approval of appointments to the Ethics Commission: Robert T. Bateman, Willie J. Freeman, Ellen Kanervo, Herbert G. Smith, Gene Washer

12) MAYOR AND STAFF REPORTS

1. Report on Debt Obligation (Water, Sewer, and Gas Revenue Refunding Bonds)

13) ADJOURNMENT

14) PUBLIC COMMENTS

ORDINANCE 3-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HETTIE HUTCHISON FOR ZONE CHANGE ON PROPERTY AT THE TERMINUS OF VINE STREET AND CEDAR STREET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Three Family Residential District, as C-1 Neighborhood Commercial District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being the southeast corner at the terminus of Vine Street, said point also being the northeast corner of the subject tract, thence leaving the southern ROW of Vine Street 322 +/- feet in a southerly southerly direction with the western boundary of the City of Clarksville property to a point said point being in the northern ROW of Cedar Street, thence in a westerly direction 60 +/- feet with the northern ROW of Cedar Street to a point said point being the southeast corner of the Marion Watkins property, thence in a northerly direction 165' feet with the Watkins boundary to a point, said point being the northeast corner of the Watkins property, thence in a westerly direction 50 +/- feet with the northern boundary of the Watkins property to a point, said point being the southeast corner of the Linda Darnell Williams property, thence in a northerly direction 155 +/- feet with the Williams property boundary to a point, said point being in the southern ROW of Vine Street, thence in a easterly direction 100 +/- feet with the southern ROW of Vine Street to the point of beginning. said tract containing 0.59 +/- acres (Tax Map 066-E-E Parcels 035.00 & 016.01)

ORDINANCE 4-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GEORGE M. MILTON, GAINES SHEARON-AGENT, FOR ZONE CHANGE ON PROPERTY AT TRACY LANE AND BLACK JACK WAY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-4 Multiple Family Residential District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin between a pipe and a pole, said iron pin being located in the Southern ROW line of Tracy Lane and being 0.3 miles east of Whitfield Road, thence with the ROW line of said Tracy Lane South 78 degrees 00 minutes East 124.78 feet to an iron pin, thence leaving the ROW line of said Tracy Lane and with a fence South 1 degree 54 minutes 30 seconds west 149.58 feet to an iron pin, thence north 81 degrees 36 minutes 30 seconds west 137.57 feet to an iron pin located in the Smithson's line, thence with the Smithson's line north 6 degrees 59 minutes east 156.53 feet to the point of beginning. containing 0.46 +/- acres (Tax Map 041 Parcel 045.01)

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council o July 2, 2013. The public hearing will be held on: July 2, 2013.

CITY ORD. #: 3-2013-14 RPC CASE NUMBER: Z-8-2013
Applicant: HETTIE HUTCHINSON
Agent:
Location: A parcel fronting on the south side of Vine St. at the terminus of Vine St. and an adjacent parcel fronting on the north side of Cedar St. at the terminus of Cedar St.
Ward #: 9 / 6
Request: R-3 Three Family Residential District
to
C-1 Neighborhood Commercial District

STAFF RECOMMENDATION: DISAPPROVAL
PLANNING COMMISSION RECOMMENDATION: DISAPPROVAL

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CITY ORD. #: 4-2013-14 RPC CASE NUMBER: Z-9-2013
Applicant: GEORGE M MILTON
Agent: Gaines Shearon
Location: fronts on the south side of Tracy Lane 655+/- feet west of the Black Jack Way and Tracy Lane intersection.
Ward #: 12/11
Request: R-1 Single-Family Residential District
to
R-4 Multiple-Family Residential District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/26/2013 **CASE NUMBER:** Z - 8 - 2013

NAME OF APPLICANT: Hettie Hutchinson

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-3

PROPOSED ZONING: C-1

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: To build child care center

PROPERTY LOCATION: A parcel fronting on the south side of Vine St. at the terminus of Vine St. and an adjacent parcel fronting on the north side of Cedar St. at the terminus of Cedar St.

ACREAGE TO BE REZONED: 0.59

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Single family home on residential lot and adjacent lot with heavy vegetation. North- M-2 Electric Substation East - Clks. PD Shooting range West, South - Single Family Residential

GROWTH PLAN AREA: CITY **TAX PLAT:** 66-E-E **PARCEL(S):** 35.00 & 16.01

CIVIL DISTRICT: 12

CITY COUNCIL WARD: 9 / 6 **COUNTY COMMISSION DISTRICT:** 17

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☒ CHARTER COMM.
- ☐ BELL SOUTH
- ☒ FIRE DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSCTIRAL DEV BOARD
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

1. May Require Water Distribution System Upgrades

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

6. FIRE DEPT/EMERGENCY MGT.:

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

Comments Received From Department And They Had No Concerns.

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments Received From Department And They Had No Concerns.

9.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

ELEMENTARY: MOORE

MIDDLE SCHOOL: RICHVIEW

HIGH SCHOOL: CLARKSVILLE

0.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Increased traffic, light & noise

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: VINE ST. & CEDAR ST.

DRAINAGE: VARIES

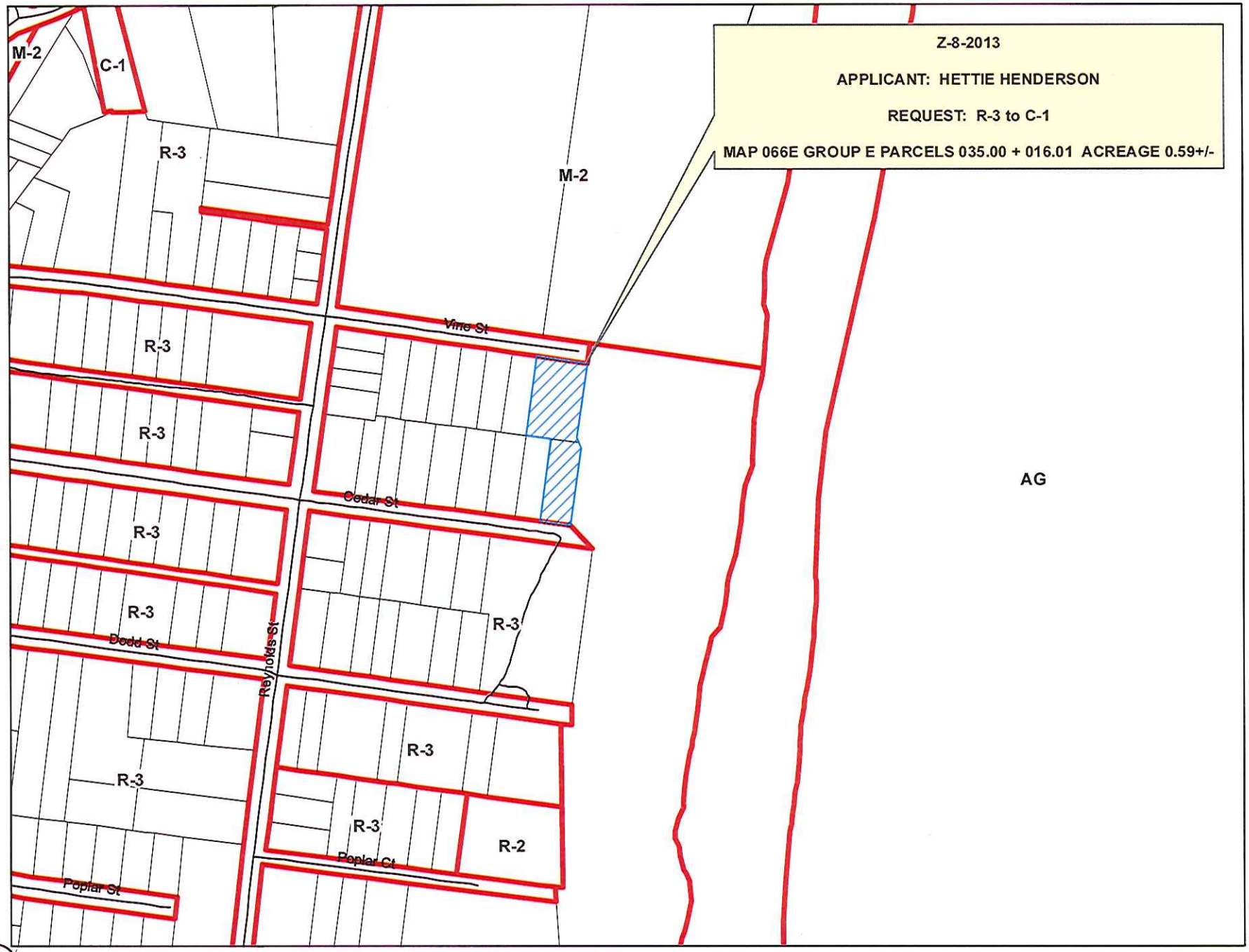
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Red River Planning Area- This planning area is home to the APSU campus. This is a mixed use area with primarily older housing stock neighborhoods sandwiched in between light industrial and commercial districts. This planning area is also targeted for redevelopment.

STAFF RECOMMENDATION: **DISAPPROVAL**

1. The request is not consistent with the with the goals and objectives of the Adopted Land Use Plan. Approval of this request could effect the stability of the surrounding residential properties.
2. The C-1 Commercial request is incompatible with single family residential uses that are adjacent to the request.
3. The lot size and layout do not appear adequate to develop as commercial property. 40' Front Setbacks from Vine & Cedar Street. 25' side setbacks from the adjoining residential.
4.
5.


Z-8-2013
APPLICANT: HETTIE HENDERSON
REQUEST: R-3 to C-1
MAP 066E GROUP E PARCELS 035.00 + 016.01 ACREAGE 0.59+/-
M-2
C-1
R-3
M-2
Vine St
R-3
R-3
Cedar St
AG
R-3
R-3
R-3
Dodd St
Reynolds St
R-3
R-3
R-3
R-3
R-2
Poplar Ct
Poplar St

4

CASE NUMBER: Z 8 2013 **MEETING DATE** 6/26/2013

APPLICANT: Hettie Hutchinson

PRESENT ZONING R-3 **PROPOSED ZONING** C-1

TAX PLAT # 66-E-E **PARCEL** 35.00 & 16.01

GEN. LOCATION A parcel fronting on the south side of Vine St. at the terminus of Vine St. and an adjacent parcel fronting on the north side of Cedar St. at the terminus of Cedar St.

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PUBLIC COMMENTS

None received as of 10:30 on 6/26/2013 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/26/2013 **CASE NUMBER:** Z - 9 -2013

NAME OF APPLICANT: George M Milton

AGENT: Gaines Shearon

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: R-4

EXTENSION OF ZONE CLASSIFICATION: YES

APPLICANT'S STATEMENT FOR PROPOSED USE: Multi-family apartments.

PROPERTY LOCATION: fronts on the south side of Tracy Lane 655+/- feet west of the Black Jack Way and Tracy Lane intersection.

ACREAGE TO BE REZONED: 0.46

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Single family residence overgrown with vegetation.
North, East, South - R-4 Multi-Family Residential West - R-1 Single Family

GROWTH PLAN AREA: CITY **TAX PLAT:** 041 **PARCEL(S):** 045.01

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 12/11 **COUNTY COMMISSION DISTRICT:** 14

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING
DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☒ CHARTER COMM.
- ☐ BELL SOUTH
- ☒ FIRE DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSCTIRAL DEV BOARD
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

1. Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7. Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8. Comments Received From Department And They Had No Concerns.

7. POLICE DEPT/SHERIFF'S OFFICE:

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

No Comment(s) Received

ELEMENTARY: GLENELLEN
MIDDLE SCHOOL: ROSSVIEW
HIGH SCHOOL: ROSSVIEW

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: TRACY LANE

DRAINAGE: VARIES

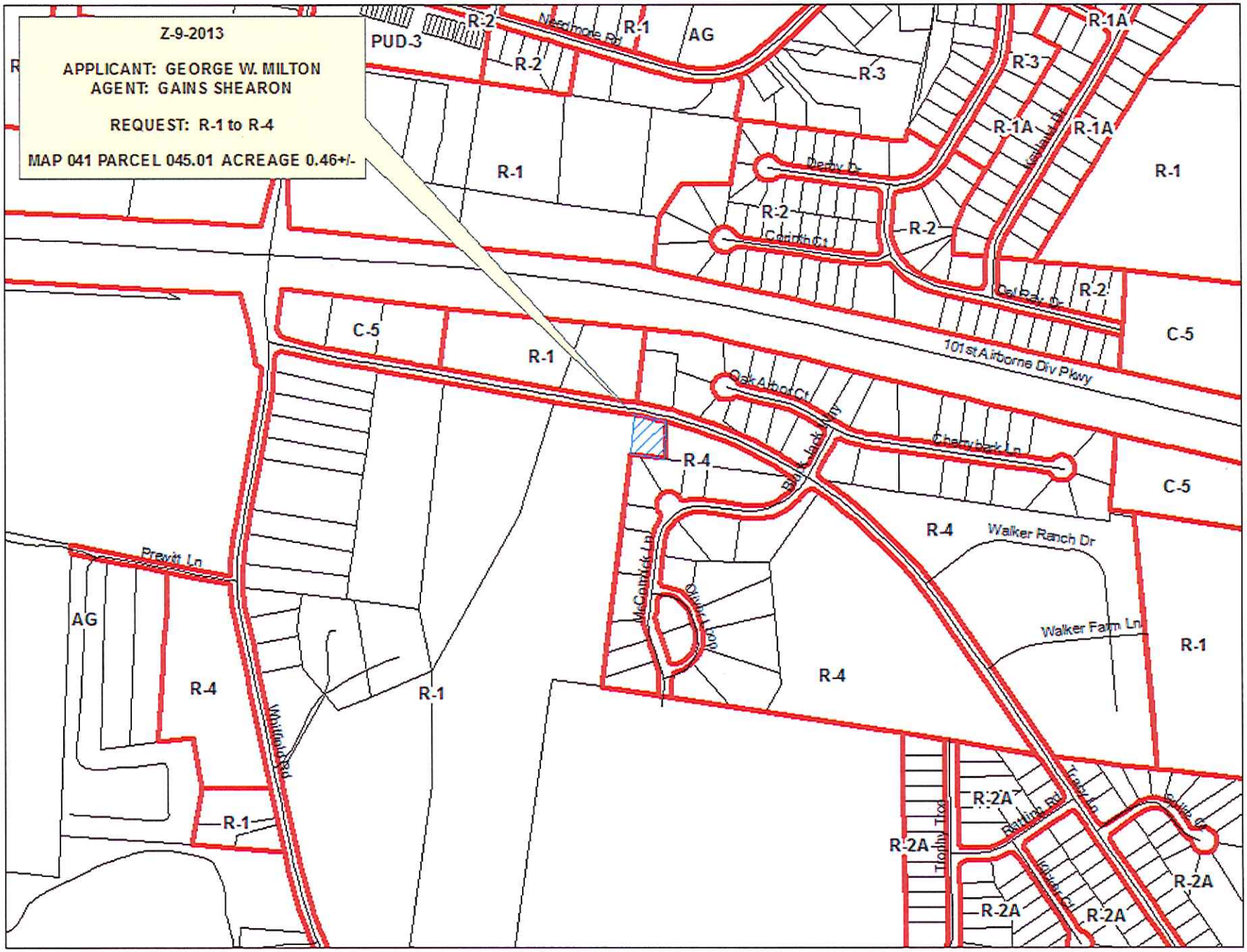
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		5
ROAD MILES:		
POPULATION:		13
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 1 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Request is an extension of the existing R-4 zoning to the North, East & South.
5.


Z-9-2013
APPLICANT: GEORGE W. MILTON
AGENT: GAINS SHEARON
REQUEST: R-1 to R-4
MAP 041 PARCEL 045.01 ACREAGE 0.46+/-
PUD-3
R-2
Needmore Rd
R-1
AG
R-3
R-1A
Derby Dr
Corinth Ct
Cal Rae Dr
C-5
101st Airborne Div Pkwy
Oak Arbor Ct
Cherry Bark Ln
R-4
Walker Ranch Dr
Walker Farm Ln
McCormick Ln
Olivia Way
Prewitt Ln
Whitehall Rd
R-2A
Trophy Trail
Rartin Rd
Trails Ln
Sunset Ct

6

CASE NUMBER: Z 9 2013 **MEETING DATE** 6/26/2013

APPLICANT: George M Milton

PRESENT ZONING R-1 **PROPOSED ZONING** R-4

TAX PLAT # 041 **PARCEL** 045.01

GEN. LOCATION fronts on the south side of Tracy Lane 655+/- feet west of the Black Jack Way and Tracy Lane intersection.

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PUBLIC COMMENTS

None received as of 10:30 on 6/26/2013 (jhb).

ORDINANCE 81-2012-13

AN ORDINANCE AUTHORIZING ACQUISITION OF PROPERTY ON TYLERTOWN ROAD FOR AREA DRAINAGE IMPROVEMENTS

WHEREAS, acquisition of a portion of the property known as 1411 Tylertown Road appears to be in the best interest of the City of Clarksville to provide adequate drainage for Trenton Road / Tylertown Road area; and

WHEREAS, the City of Clarksville seeks to acquire title to a portion of the property currently owned by Mack and Lee Ann Phillips; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby authorizes acquisition of a portion of the property at 1411 Tylertown Road, more fully described in Exhibit A attached hereto, from Mack and Lee Ann Phillips.

BE IT FURTHER ORDAINED that the Clarksville City Council hereby authorizes exercise of right of eminent domain if negotiations for purchase of said property are unsuccessful.

FIRST READING: June 6, 2013
SECOND READING:
EFFECTIVE DATE:

INGRESS/EGRESS EASEMENT ON TAX PARCEL 2.02 MAP 008

Beginning at a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee, thence with said right of way line North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet to corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.08) in the Register of Deeds Office for Montgomery County, Tennessee; (POB also being located 2797.77 feet more or less form the west right of way of Tennessee Highway Number 48).

Thence with said line North 01 Degrees 45 Minutes 28 Seconds East 502.18 feet to corner with Mack Phillips of record in Deed Book 1126 Page 1468 (Tax Map 008 Parcel 2.08) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence crossing said Tax Parcel 2.02 the following two (2) calls and distances:

1. North 01 Degrees 45 Minutes 28 Seconds East 77.28 feet;
2. South 87 Degrees 51 Minutes 09 Seconds East for 35.61 feet to a 5/8 inch diameter existing iron rebar marking the common corner of Cathryn Mehgan of record in Deed Book 912, Page 899 (Tax Map 008 Parcel 2.06) in the Register of Deeds Office for Montgomery County, Tennessee, and Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with the Guinn, Purvis, and Cherry the following two (2) calls and distances:

1. South 01 Degrees 04 Minutes 28 Seconds West 68.41 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 519.38 feet to the Point of Beginning,

Said parcel containing 21,208 Square Feet more or less or 0.49 Acres more or less.

DRAINAGE EASEMENT ON PART OF TAX PARCEL 202 (0.72 Acres more or less)

Beginning at a point corner with Mack Phillips of record in Deed Book 1126, Page 1468 (Tax Map 008 Parcel 2.02) in the Register of Deeds Office for Montgomery County, Tennessee, said point being located North 75 Degrees 00 Minutes 41 Seconds West 37.42 feet and North 01 Degrees 45 Minutes 28 Seconds East 502.18 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road common corner with Dotson Gregory Guinn, Jeffery Thomas Purvis and Michael Cherry of record in Deed Book 554, Page 574 (Tax Map 008 Parcel 2.0) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with the line of Parcel 2.08 the following two (2) calls and distances:

1. North 87 Degrees 51 Minutes 09 Seconds West 404.83 feet;
2. North 01 Degrees 34 Minutes 13 Seconds East 77.28 feet;

Thence crossing parcel 2.02 the following two (2) calls and distances:

1. South 87 Degrees 51 Minutes 09 Seconds East 405.08 feet;
2. South 01 Degrees 45 Minutes 28 Seconds West 77.28 feet to the Point of Beginning,

Said parcel containing 31,315 Square Feet more or less or 0.72 Acres more or less.

FEE SIMPLE ACQUISITION OF KARST AREA ON TAX PARCEL 208 (0.77 Acres more or less)

Beginning at a point in the line of Cathryn Mehgan of record in Deed Book 912, Page 899 (Tax Map 008 Parcel 2.06) in the Register of Deeds Office for Montgomery County, Tennessee, being located North 02 degrees 59 minutes 00 seconds West 346.04 feet from a 5/8 inch diameter existing iron rebar in the northern right of way line of Tylertown Road (located 3378.30 feet more or less from the west right of way of Tennessee Highway Number 48) and marking the common corner of Mehgan and Richard F. Twombly of record in Deed Book755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with Mehgan line North 03 Degrees 00 Minutes 32 Seconds West 164.00 feet;

Thence leaving said line and crossing Tax Parcel 2.08 South 84 Degrees 58 Minutes 44 Seconds East 196.43 feet to the line of Tax Parcel 202;

Thence with said line South 01 Degrees 34 Minutes 13 Seconds West 118.14 feet to common corner with Tax Parcels 2.02 and 2.08;

Thence crossing Tax Parcel 2.08 South 01 Degrees 34 Minutes 13 Seconds West for 75.34 feet to a point in the line of Richard F. Twombly of record in Deed Book755, Page 551 (Tax Map 008 Parcel 2.12) in the Register of Deeds Office for Montgomery County, Tennessee;

Thence with said line North 75 Degrees 33 Minutes 10 Seconds West 187.70 feet to the Point of Beginning,

Said parcel containing 33,641 Square Feet more or less or 0.77 Acres more or less.

Preceding descriptions based upon field work conducted on September 14, 2011 by Gresham Smith and Partners with Source of North from Deed Book 554 Page 574. Description prepared by Kenneth D. Church, TN RLS 1004 with Gresham Smith and Partners, 1400 Nashville City Center, 511 Union Street, Nashville, Tennessee, 37219.

ORDINANCE 82-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO WATER AND SEWER RATES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That effective July 1, 2013, the *Official Code* of the City of Clarksville, Tennessee, Title 13, "Utilities and Service," Chapter 3, "Gas, Water, and Sewer Service," Section 13-312, "Water and sewer rates; basis for charges; surcharges," (3) "Sewer rate schedules," is hereby amended as follows:

Delete the paragraph relative to charge for sewer usage or availability and substitute instead the following:

Per 1,000 gallons

Effective July 1, 2013 to June 30, 2014

Usage (gallons)	Within City	Outside City but served directly by City
First 2,000	$6.14	$11.44
All over 2,000	$6.14	$10.23

Effective July 1, 2014 to June 30, 2015

Usage (gallons)	Within City	Outside City but served directly by City
First 2,000	$6.73	$12.53
All over 2,000	$6.73	$11.20

Effective July 1, 2015 to June 30, 2016

Usage (gallons)	Within City	Outside City but served directly by City
First 2,000	$7.37	$13.72
All over 2,000	$7.37	$12.26

Effective July 1, 2016

Usage (gallons)	Within City	Outside City but served directly by City
First 2,000	$8.07	$15.02
All over 2,000	$8.07	$13.43

Furthermore, that effective July 1, 2013, the *Official Code* of the City of Clarksville, Tennessee, Title 13, "Utilities and Service," Chapter 3, "Gas, Water, and Sewer Service," Section 13-309, "Fee for new connections; service line," is hereby amended as follows:

Delete the paragraph relative to charge for meter boxes and substitute instead the following:

Meter box fees will be charged for all new meter installation including secondary meters as follows:

Meter Size	Fee
¾″	Cost plus 10%
1″	Cost plus 10%
1½″	Cost plus 10%
2″	Cost plus 10%
3″	Cost plus 10%
4″	Cost plus 10%
6″	Cost plus 10%

FIRST READING: June 6, 2013
SECOND READING:
THIRD READING:
PUBLICATION DATE:

ORDINANCE 83-2012-13

AN ORDINANCE AUTHORIZING PARTIAL RELEASE OF SANITARY SEWER LINE EASEMENT ON PROPERTY OWNED BY GOVERNOR'S SQUARE COMPANY IB, AN OHIO GENERAL PARTNERSHIP.

WHEREAS, the City of Clarksville owns an easement for sanitary sewer line (hereinafter, the "easement") on certain real property owned by Governor's Square Company IB, an Ohio General Partnership (hereinafter, the "property owner"), the easement being more particularly described in Collective Exhibit A attached hereto;

WHEREAS, the property owner is abandoning a portion of sewer main in order to build a commercial building and, consequently, seeks to abandon (and have the City release) a portion of the easement and, more specifically, the portion identified in Collective Exhibit A as: "PART OF EXISTING LINE #17 TO BE ABANDONED S59°08'30"E 154.58"; and

WHERAS, the property owner and the City of Clarksville seek to memorialize the partial release of the easement, in accordance with Collective Exhibit A attached hereto.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville may release a portion of the sanitary sewer line easement located on property owned by Governor's Square Company IB, an Ohio General Partnership, the portion of the easement being described more particularly in Collective Exhibit A attached hereto and incorporated herein by reference.

FIRST READING: June 6, 2013
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 92-2012-13

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF DANELL WELCH FOR PROPERTY LOCATED AT 3301 HIGHWAY 41-A SOUTH, CMAP 82 PARCEL 169.00 AND 170.00,

WHEREAS, proper application has been made by Weakley Brothers Engineering, Britt Little, on behalf of Danell Welch for extensions of City utility service to property located at Cmap 82, Parcel 169.00 and 170.00 with the property address of 3301 Highway 41-A South outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

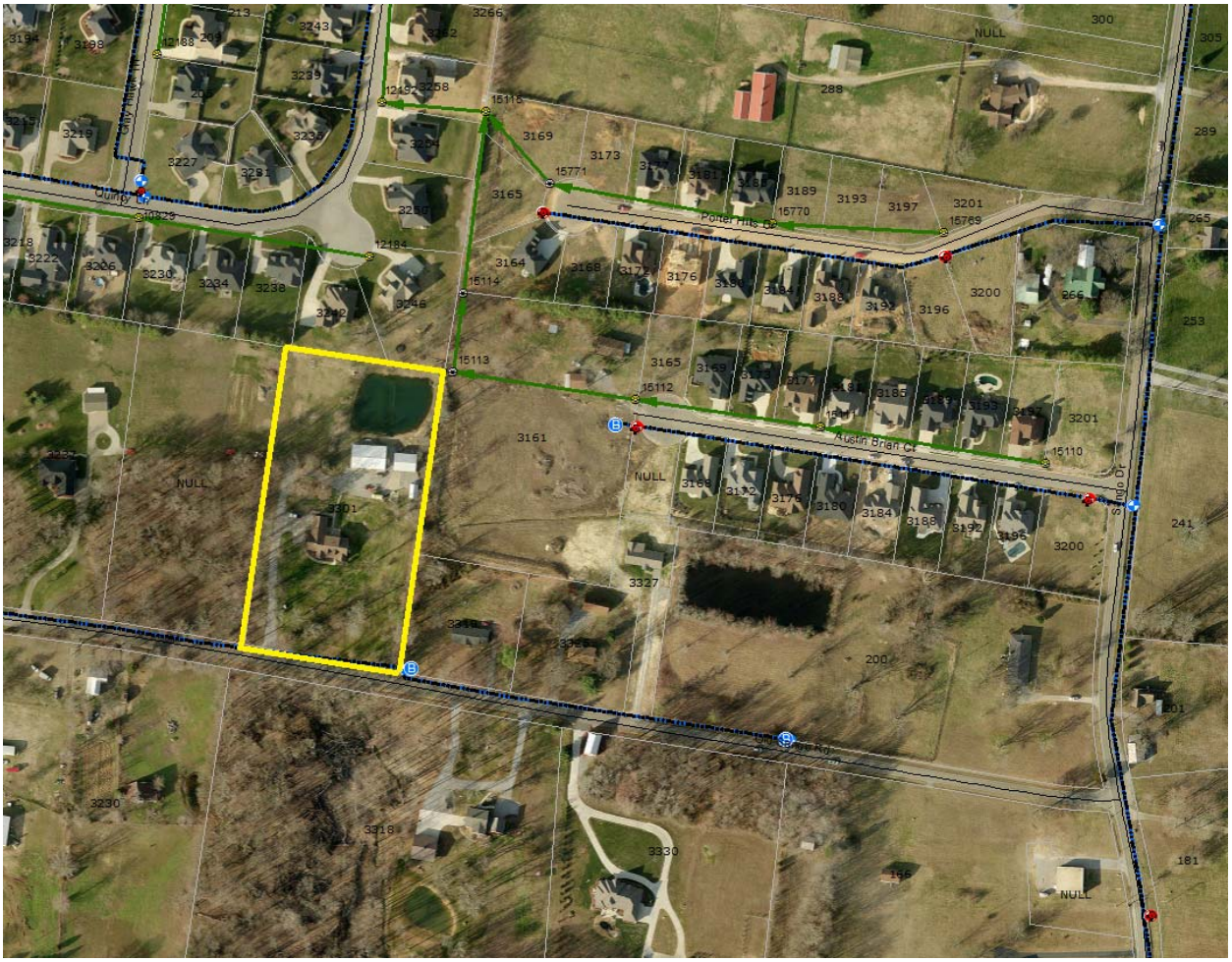
WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 82, Parcel 169.00 and 170.00 with the property address of 3301 Highway 41-A South outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: June 6, 2013
SECOND READING:
EFFECTIVE DATE

EXHIBIT A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ORDINANCE 93-2012-13

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF DAVID WELCH FOR PROPERTY LOCATED AT ASHLAND CITY ROAD, CMAP 88 PARCEL 112.03.

WHEREAS, proper application has been made by Weakley Brothers Engineering, Britt Little, on behalf of David Welch for extensions of City utility service to property located at Cmap 88, Parcel 112.03 with the property address of Ashland City Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 88, Parcel 112.03 with the property address of Ashland City Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: June 6, 2013
SECOND READING:
EFFECTIVE DATE

EXHIBIT A

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ORDINANCE 95-2012-13

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 101ST AIRBORNE DIVISION PARKWAY & TRENTON ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: June 6, 2013
FIRST READING: June 6, 2013
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the southeast corner of Pea Ridge Road and 101st Airborne Division Parkway intersection; thence with the south right-of-way of 101st Airborne Division Parkway in an easterly direction, 1358+/- feet to a point being the southwest corner of the 101st Airborne Division Parkway and Trenton Road intersection; thence crossing Trenton Road in an easterly direction, 225+/- feet to a point being the southeast corner of the Trenton Road and 101st Airborne Division Parkway intersection; thence continuing with the south right-of-way of 101st Airborne Division Parkway along a curve to the right for a distance of 1650+/- feet to a point, said point being the northwest corner of the James Love property; thence with the west line of Love in a southerly direction, 963+/- feet to a point, said point being the northeast corner of the Joe Cross property; thence with the north line of Cross and the north property line of Henry Lentz in a westerly direction, 1071+/- feet to a point in the eastern right-of-way of Trenton Road; thence crossing Trenton Road in a westerly direction, 60+/- feet to a point in the western right-of-way of Trenton Road, said point also being the northeast corner of the James Baggett property; thence with the north line of Baggett and the north line of the Kevin Kennedy property in a westerly direction, 1676+/- feet to a point in the eastern right-of-way of Pea Ridge Road; thence with the eastern right-of-way of Pea Ridge Road in a northerly direction, 1956+/- feet to the point of beginning; containing 113.4+/- acres. (Tax Map 041, parcel 039.00)

ORDINANCE 96-2012-13

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE AND CITY CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATIVE TO CLUSTER DEVELOPMENT REQUIREMENTS AND INITIATION OF TEXT AMENDMENTS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE:

1. Under Chapter 5 "Land use Development Standards and Procedures", Section 9 "Standards and Procedures For Residential Cluster Developments", Subsection 3 "Development Requirements", is hereby amended by deleting Paragraph C in its entirety and by substituting instead the following:

C. Minimum lot width requirements, including perimeter lots in a cluster development meeting the landscaping requirements of Subsection 5.9.3.J but excluding perimeter lots in a cluster development under Subsection 5.9.3.H lacking a landscape buffer:

I. AG (Agricultural District): Seventy-Five (75) feet at the front setback line.

II. E-1 (Estate District): Seventy-Five (75) feet at the front setback line.

III. E-1 A (Single Family Estates District): Sixty (60) feet at the front setback line.

IV. R-1 (Single Family Residential District): Fifty (50) feet at the front setback line.

V. R-1A (Single Family Residential District): Fifty (50) feet at the front setback line.

VI. R-2 (Single Family Residential District): Fifty (50) feet at the front setback line.

VII. R-2A (Single Family Residential District): Fifty (50) feet at the front setback line.

2. Under Chapter 5 "Land use Development Standards and Procedures", Section 9 "Standards and Procedures For Residential Cluster Developments", Subsection 3 "Development Requirements", is hereby amended by deleting paragraph B in its entirety and by substituting instead the following:

B. Minimum lot size requirements, including perimeter lots in a cluster development meeting the landscaping requirements of Subsection 5.9.3.J but excluding perimeter lots in a cluster development under Subsection 5.9.3.H lacking a landscape buffer:

I. AG (Agricultural District): Thirty Thousand (30,000) square feet.

II. E- I (Estates District): Twenty-Five Thousand (25,000) square feet.

Ill E-IA (Single Family Estates District): Twenty Thousand (20,000) square feet.

IV. R-1 (Single Family Residential District): Six Thousand (6,000) square feet.

V. R-1A (Single Family Residential District): Six Thousand (6,000) square feet.

VI. R-2 (Single Family Residential District): Six Thousand (6,000) square feet.

VII R-2A (Single Family Residential District): Five Thousand (5,000) square feet.

3. Under Chapter 11 "Administration and Enforcement", Section 4 "Amendments", Section 4 is hereby amended in its entirety by deleting the section in its entirety and by substituting instead the following:

The regulations (text) and zone district boundaries (map) set forth in Chapters 1 through 11 of this Ordinance may be amended, supplemented, revised, or repealed from time to time as conditions warrant, as hereinafter set forth.

1. **Application**. A proposed change of zoning district boundaries (map amendment or rezoning) may be initiated by the City Council, the Regional Planning Commission, or by petition of one or more owners or authorized agents of the owner or owners of property within the area proposed to be changed. A proposed change to text of the zoning regulations (text amendment) may be initiated by the City Council or the Regional Planning Commission. In the case of a zoning district map amendment, the petition (application) by an individual must be by the owner(s) or their authorized agents of the subject property: an individual who is not an owner of the subject property cannot petition (apply) for a zoning district map amendment. All amendments (zoning map or text) thus introduced shall be referred to the Clarksville-Montgomery County Regional Planning Commission for action. The zoning map amendment (rezoning) may be initiated by the subject property owner(s) or their authorized agent(s) through the filing of an application (petition) with the Clarksville-Montgomery County Regional Planning Commission. Regular meeting dates and times, rezoning application fees and the deadline for each regular meeting, shall be established by the Regional Planning Commission Office. The application shall contain:

A. The name and address of the owner and/or owners of the subject property, and the written designation of any authorized for any zoning district map amendment (rezoning). In the case of a zoning ordinance text amendment, the effected property owners are to be generally described.

B. A written legal description of the subject property including the Montgomery County tax plat number and acreage for only a zoning district map amendment.

C. A description of the proposed zone map change, together with written justifications for the requested zone map change.

D. In the case of a zoning ordinance text amendment, the specific wording change shall be provided along with an explanation of why the text amendment is needed.

E. The names and addresses of the adjacent property owners including those property owners across streets, roads, highways, and/or railways and waterways which border the

applicant's property, for a zoning district map amendment.

F. Two (2) copies of a map depicting the property requested for rezoning (zoning district map amendment). These maps shall be at a scale of no less than one inch equals one hundred (100) feet and no larger than one inch equals thirty (30) feet and show the following information:

I. Title, north arrow, graphic scale, date, civil district, and the acreage of the property to be rezoned.

II. Dimensions in feet of property to be rezoned.

III. All roads and easements within or adjoining property to be rezoned.

IV. Location, size, type, and current use of any building on the property requested for rezoning.

V. Location of the adjoining property owners in relation to the property to be rezoned.

2. **Public Hearing.** Upon receipt of the approved application, the Clarksville-Montgomery County Regional Planning Commission shall schedule a hearing with the City Council, having first given at least fifteen (15) days notice thereof by one publication in a newspaper of general circulation for the zoning district map amendment (rezoning) or zoning ordinance text amendment.

3. **Action on Petition**. Any proposed amendment, supplement, modification, or change (zoning district map amendment or zoning ordinance text amendment) shall first be submitted to and approved by the Clarksville-Montgomery County Regional Planning Commission, or if disapproved, receive the favorable vote of the majority of the entire membership of the City Council. If the City Council takes no final action upon the proposed amendment, supplement, or change (zoning district map amendment or zoning ordinance text amendment)within one hundred (100) days following the public hearing provided for in this section, the failure to act shall be deemed to be a denial.

PUBLIC HEARING: June 6, 2013
FIRST READING: June 6, 2013
SECOND READING:
EFFECTIVE DATE:

CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
MAY 13, 2013

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Monday, May 13, 2013, at 4:40 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 Councilman Geno Grubbs.

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; left at 6:00 p.m.), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

FY14 BUDGETS

NON-PROFIT AGENCIES

In response to Councilman Redd's question, Councilman Allen said the HOPE organization did not apply for funding for FY14.

WELLNESS CENTER

Director of Human Resources Will Wyatt said the wellness center was a key factor is maintaining a healthy workforce and it should save approximately $5.4 million over five years. In response to Councilman Summers' question, Mr. Wyatt said $231,000 had been spent for construction of the facility and $25,000 had been spent for equipment and supplies. Interim Finance Director Debbie Frazier said the wellness center will be paid for by the health fund. Mr. Wyatt said the center would be available to retirees. Councilwoman Jones suggested the Human Resources Department consider increasing the employee contribution to premiums.

EMPLOYEE PAY INCREASE

In response to Councilman Summers' question, Mr. Wyatt said Fox-Lawson pay consultants recommended a 2.2% public sector pay increase which totaled approximately $760,000 for city employees. In response to Councilwoman Jones' question, Mr. Wyatt said merit increases may be considered in the future.

VACANT EMPLOYEE POSITIONS

Mr. Wyatt said all vacancies for city jobs are publically posted.

CITY HALL CHILLER

In response to Councilman Steward's question, Municipal Properties Manager Hatem Shah said the new City Hall air conditioning chiller should be installed the weekend of May 31.

EMERGENCY COMMUNICATIONS SYTEM

In response to Councilman Summers' question, Mrs. Frazier said $7 million, funded for the emergency communication system, of the $12.4 million bond issue had not been spent; City Attorney Lance Baker said on-going negotiations had delayed execution of a final agreement for the system.

GAS & WATER RATE STUDY

Gas & Water General Manager Pat Hickey said the recently completed rate study showed a need for a 5% increase in water and sewer rates. In response to Councilman Allen's question, Mr. Hickey said any FEMA payments received as a result of court appeals would be refunded to ratepayers. In response to Councilwoman McLaughlin's question, Mr. Hickey said the three new employee positions would be funded by Fort Campbell Gas Company.

CDE

In response to Councilwoman McLaughlin's question, CDE Superintendent Brian Taylor said the Power Board approved a 2% pay increase for CDE employees.

BUILDING & CODES

Councilwoman Jones referred to an internal audit report that showed the City was losing money with weed/mowing program. Interim Building & Codes Director Mike Baker said the report was an audit of the first year of program and said three or four years would show better benefits. He said the program allowed the department to continuously mow and not be limited because of contract amounts.

PARKING AUTHORITY

In response to Councilman Summers' question, Parking Manager David Smith said he recommended changing three full-time positions to one full time and two part-time positions. Mr. Smith said credit card fees are an operating expense and are not recovered.

$8M BOND ISSUE

Councilman Summers inquired about the $8 million bond issue; Mrs. Frazier said the money will be repaid over twenty years for various projects

GENERAL LIABILITY INSURANCE

Responding to Councilwoman McLaughlin, Mrs. Frazier said general liability insurance increased for some departments and decreased for others because premiums are based on history of claims for each department.

EMPLOYEE PAY INCREASES

Councilwoman McLaughlin requested a report showing employee name, position, and amount of salary increase.

LEGISLATIVE

In response to Councilwoman Jones, Mayor McMillan said dues for the National League of Cities, Tennessee Municipal League, and Greater Nashville Regional Council were for City as a whole, not for the Mayor's Office.

ADJOURNMENT

The meeting adjourned at 6:54 p.m.

CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
MAY 16, 2013

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, May 16, 2013, at 4:35 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilwoman Deanna McLaughlin.

ATTENDANCE

PRESENT: Nick Steward (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5; left at 5:45 p.m.), Marc Harris (6), Geno Grubbs (7), David Allen (8; left at 6:00 p.m.), Joel Wallace (9), Bill Summers (10), Kaye Jones (11; left at 6:30 p.m.), Jeff Burkhart (12)

FLOOD DISASTER RECOVERY CLAIM

City Attorney Lance Baker introduced Attorney Jessie Ziegler of Bass, Berry & Sims. Ms. Siegler briefed the Council on the status of the City's appeal of the Federal Emergency Management Agency's denial of the City's $40,000,000 disaster recovery claim following the May 2010 flood, specifically for the wastewater treatment plant reconstruction.

RESOLUTION 51-2012-13 Seeking assistance from Congressional representatives for flood disaster relief

Councilman Steward made a motion to adopt this resolution. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

The motion to adopt this resolution unanimously passed.

EMERGENCY COMMUNICATIONS SYSTEM

RESOLUTION 50-2012-13 Authorizing an interlocal contract with the Tennessee Department of Corrections for radio communications

Councilman Steward made a motion to adopt this resolution. The motion was seconded by Councilman Grubbs. Mr. Baker said approval and execution of this contract would be the last requirement to proceed with radio communications upgrade. After discussion, Councilman Allen called for the question. The question was seconded by Councilman Allen. A voice vote was taken; the motion to cease discussion passed without objection. The following vote on the original motion was recorded:

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

The motion to adopt this resolution passed.

DRANE STREET PUMP STATION

RESOLUTION 49-2012-13 Authorizing an interlocal contract for construction, operation, and maintenance of the Drane Street grinder pump station

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 passed.

TYLERTOWN ROAD DRAINAGE IMPROVEMENTS

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

Mayor McMillan said additional information and review were needed before action was taken on this project. Councilman Steward made a motion to postpone this ordinance indefinitely. The motion was seconded by Councilman Grubbs. The following vote was taken:

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

The motion to postpone action on this ordinance passed.

FY14 BUDGETS

BUILDING &CODES

There were no questions or discussion.

CDE

There were no questions or discussion.

CITY COURT

In response to Councilwoman McLaughlin's inquiry about the appropriation of $12,000 for credit card fees, Interim Finance Director Debbie Frazier said credit card fees cannot be passed on to the consumer.

COMMUNITY DEVEVELOPMENT

There were no questions or discussion.

DEBT SERVICE

City Attorney Lance Baker said an amendment would be in order to state salary savings may be used beyond debt service to pay additional principle.

In response to Councilman Summer' question, Mrs. Frazier said $7 million of the $12 million bond issue is for the radio communications system.

FINANCE & PARKING

In response to Councilman Summers' question, Mrs. Frazier said additional resource officers were needed for school system for FY13.

FIRE & RESCUE

Councilman Burkhart felt the location for the new station was not ideal because it was on the state line and he expressed concern about the need for a station at Exit 8 in accordance with Industrial Board agreement.

GAS & WATER

There were no questions or discussion.

LEGAL

In response to Councilman Summers' question, Human Resources Director Will Wyatt said the new H.R. analyst will continually evaluate all positions, including the city attorney and staff.

PARKS & RECREATION

In response to Councilman Allen's question regarding pay increases for part-time employees, Tonya Vaden said aquatics staff will receive an increase this year, the summer program staff received an increase last year, and the community center staff pay was increased in 2009. Councilwoman McLaughlin asked for a review of all part-time salaries.

Parks Director Mark Tummons highlighted the dock relocation and excursion boat project. In response to Councilman Harris' concern about funding for Pettus Park, Mr. Tummons said upgrades will be made in yearly phases

POLICE

In response to Councilman Harris' question, Police Chief Al Ansley said drug fund disbursements are made in accordance with state and federal mandates.

STREET

There were no questions or discussion.

TRANSIT

There were no questions or discussion.

TWO RIVERS CORPORATION

In response to Councilman Summers' question, Phil Walker said the total budget would fund salary and benefits for a director.

WELLNESS CENTER

At the beginning of the budget discussion, Mayor McMillan recognized Care Here representatives who shared information regarding the recently established city employee wellness center. There were no questions asked of the representatives.

Mrs. Frazier said the health fund does not have guidelines, but it follows city accounting policies. Councilman Summers asked why the wellness center was not considered as a capital project and why council approval was not considered. Mrs. Frazier said the project was created under Human Resources. Purchasing Agent Robert Bryant said purchasing procedures were followed.

PROPOSED CHANGES

Mrs. Frazier said if there were no objections, she would make the following changes to be included for first reading:

- Delete $10,500 for billboards-Legislative Budget (contracts had expired)
- Add $5,000 for Train Depot door repair-Municipal Properties Budget

- Add $1,975 for camera software and $2,519 for additional fiber lines-Parks & Recreation Budget
- Change $255,000 to $340,000 for the Blueway land acquisition-Parks & Recreation Budget

There were no objections.

BUDGET SCHEDULE

The May 23rd special session for discussion of the budget was cancelled. First reading of the budget was scheduled for June 6th. The date for second reading of the budget would be determined.

MEETING DATES

Mr. Baker said he would draft appropriate legislation to change dates of regular sessions that fall on a holiday.

ADJOURNMENT

The meeting adjourned at 7:59 p.m.

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

   Power Board: Sally Castleman – July 2013 through June 2016; Leo Milan – July 2013 through June 2016

   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 voe 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 that 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, Burkhart, 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 Rossview 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

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, Steard, 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: Burkhart, 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: Burkhart, 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 find 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: Burkhart, 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 ¾ 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, J ones, 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 FY13 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.

CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JUNE 18, 2013

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, June 18, 2013, at 4:30 p.m. in the City Hall Conference Room, 1 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), Valerie Guzman (5; Arrived 4:51 p.m.), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

ABSENT: James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Kaye Jones (11)

STREET LIGHTING PRESENTATION

Mayor McMillan informed the Council that the City must express interest in participating in the Federal Government's Qualified Energy Conservation Bond program no later than June 30. She said Siemens was the only firm that indicated interest in providing a street lighting upgrade proposal in relation to this program.

Mayor McMillan recognized Siemens representative Kirk Whittington who introduced Don Lepard of Global Green Lighting. Mr. Lepard gave a thirty minute presentation on their street lighting products. He said the system was socially, economically, and environmentally friendly, and mentioned the fixtures are manufactured to operate between fifteen and twenty years with an estimated payback on the investment between eight and ten years.

ADJOURNMENT

The meeting was adjourned at 5:43 p.m.

RESOLUTION 1-2013-14

A RESOLUTION ADOPTING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE AND MONTGOMERY COUNTY PERTAINING TO THE DIVISION OF 2013 BYRNE JUSTICE ASSISTANCE GRANT FUND ALLOCATIONS AND THE ADMINISTRATION AND USE OF SUCH FUNDS

WHEREAS, a combined, disparate allocation of funds of $58,032 from the 2013 JAG Program to the CITY and the COUNTY establishes the need for a joint JAG Program Award Application; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

1. That the CITY agrees to provide the COUNTY $29,016 from the JAG award for the 2013 Clarksville-Montgomery County Law Enforcement Project Law Enforcement Program, and

2. That the COUNTY will use $29,016 for the Law Enforcement Program no later than September 30, 2016, and

3. That the city shall be the applicant and fiscal agent for the 2013 Byrne Justice Assistance Grant, and

4. That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED:

GMS APPLICATION NUMBER2013-H4170-TN-DJ

INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TN and THE COUNTY OF MONTGOMERY, TN REGARDING THE 2013 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this ____ day of _____, 2013, by and between The COUNTY of Montgomery acting by and through its governing body, the County Commission, hereinafter referred to as COUNTY, and the CITY of Clarksville acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Montgomery County, State of Tennessee, witnesseth:

WHEREAS, a combined, disparate allocation of funds of $58,032 from the JAG Program to the CITY and the COUNTY establishes the need for a joint JAG Program Award Application, and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement: and

WHEREAS, the CITY agrees to provide the COUNTY $29,016 from the JAG award for the Law Enforcement Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds,

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to reimburse COUNTY a total of $29,016 based upon expenditure records.

Section 2.

COUNTY agrees to use $29,016 for the Law Enforcement Program no later than September 30, 2016.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

Section 5.

The CITY shall serve as Applicant and Fiscal Agent for the 2013 JAG Program Application, shall advise the COUNTY of balance available information on a periodic basis, and shall prepare all reports. The COUNTY shall submit claims/requests for distribution of COUNTY share of funds to the CITY for payment processing and provide such summary information as may be required for periodic reports.

Section 6.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9.

This interlocal agreement will become effective upon adoption of enabling resolutions by the governing bodies of both the County and the City, at which time the applicant shall proceed to accept the JAG grant award.

For the CITY OF CLARKSVILLE, TN:

_____ _____

Kim McMillan, Mayor Date

For the COUNTY OF MONTGOMERY, TN

_____ _____

Carolyn Bowers, Mayor Date

RESOLUTION 2-2013-14

A RESOLUTION RENEWING THE INTERLOCAL CONTRACT WITH THE E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY COUNTY, TENNESSEE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Clarksville City Council hereby authorizes renewal of the Interlocal Contract between the City of Clarksville and the E911 Emergency Communication District of Montgomery County, attached hereto as Exhibit A.

_____
Mayor

ATTEST:

_____
City Clerk

ADOPTED:

INTERLOCAL CONTRACT BETWEEN THE CITY OF CLARKSVILLE, TENNESSEE, AND THE E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY COUNTY, TENNESSEE

This agreement is made and entered into between the City of Clarksville, Tennessee, a political subdivision of the State of Tennessee (hereinafter referred to as "the City"), and the E911 Emergency Communication District of Montgomery County, Tennessee, a corporate body politic organized pursuant to the provisions of Tennessee Code Annotated § 7-86-105 (hereinafter referred to as "the District").

In consideration of the mutual covenants and promises contained in this contract, the parties agree as follows:

1. The term of this contract is July 1, 2013, through June 30, 2014.
2. During the term of this agreement, the District agrees to provide sufficient personnel to answer incoming emergency/non-emergency calls twenty-four hours a day, seven days a week, for the entire duration of this agreement. The District call takers will then forward these calls via the Computer Aided Dispatch terminals (CAD) to the City of Clarksville Public Safety Police/Fire Dispatchers who will dispatch and handle all radio traffic for the Clarksville Police Department and Clarksville Fire Rescue.
3. The parties further agree that the purpose of this interlocal agreement is to comply with E911 Revenue Standard Number 21 adopted by the Tennessee Emergency Communication Board pursuant to the authority granted it by Tennessee Code Annotated § 7-86-306 (9) and to comply with the provisions of Tennessee Code Annotated § 12-9-101 et seq., regarding interlocal agreements between local governmental units.

4. The District will provide twenty-four (24) hour, toll-free voice and TDD telephone access or an equivalent system for emergency call service; develop and maintain written procedures and telephone numbers for procuring other emergency services (EMS, Fire Rescue, Ambulance, etc.) to assist the City Police Department; provide immediate playback of recorded telephone and radio conversations while maintaining a continuous recording of radio transmissions and emergency telephone conversations within the communications center; develop and maintain written procedures for the prompt handling and appropriate routing of misdirected emergency calls; issue emergency first-aid instructions over the telephone to each caller using approved emergency medical guidelines or materials; maintain backup electrical power to ensure continuous operations in the event of primary power failure; and maintain a telephone system designed to separate emergency from non-emergency calls.

IN WITNESS WHEREOF, each party has caused this interlocal agreement to be executed by an authorized person on the date indicated by his or her name.

CITY OF CLARKSVILLE

Date:_____ BY:_____

KIM McMILLAN
Its: City Mayor

E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY

Date:_____ BY:_____

LIZ HENLEY
Its: Chairman

ORDINANCE 2-2013-14

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF BILL MACE HOMES FOR PROPERTY LOCATED ON SOUTH WOODSON ROAD, CMAP 82 PARCEL 91.00.

WHEREAS, proper application has been made by Billy Ray Suiter on behalf of Bill Mace Homes for extensions of City utility service to property located at Cmap 82, Parcel 91.00 with the property address of South Woodson Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

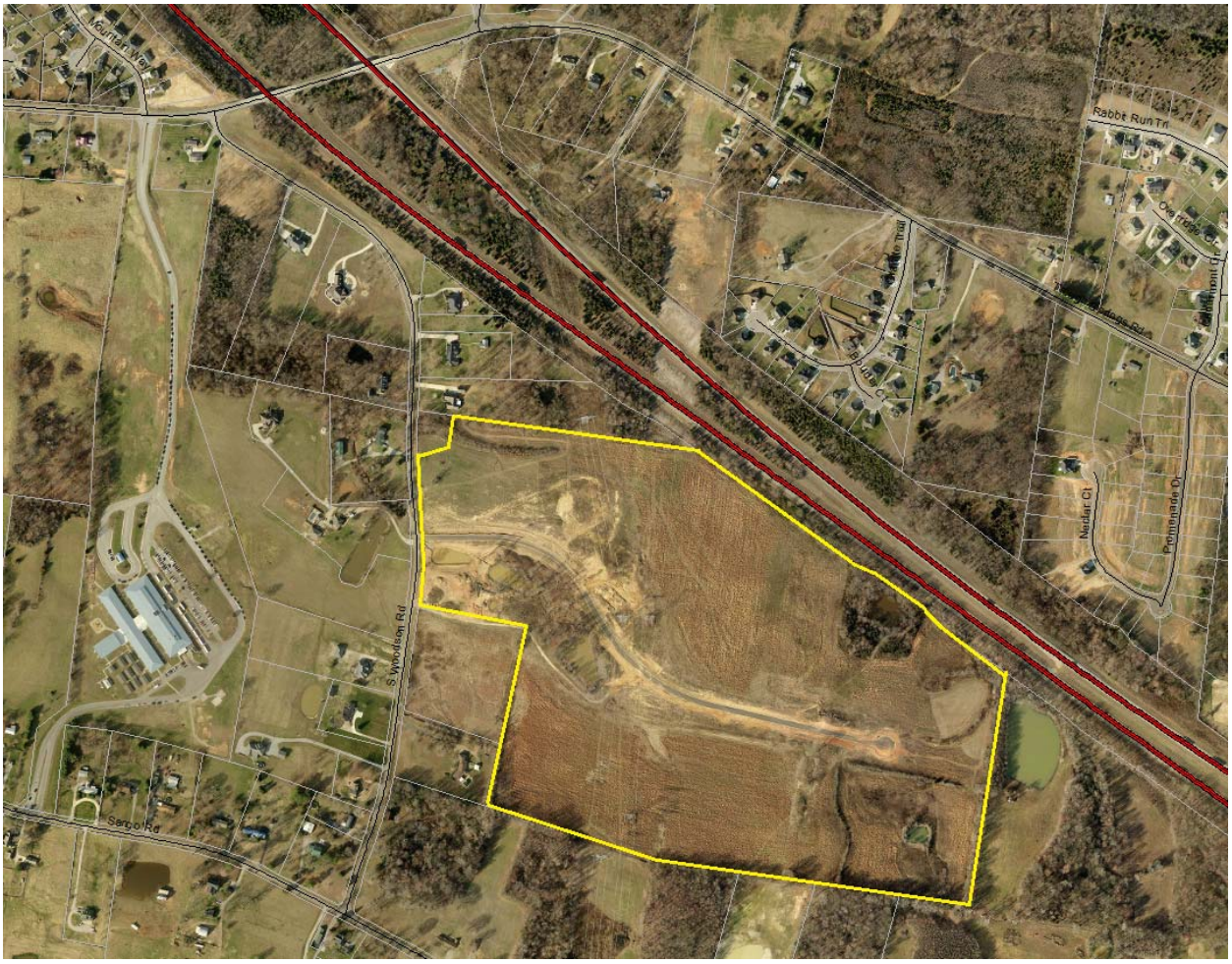
WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 82, Parcel 91.00 with the property address of South Woodson Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING:
SECOND READING:
EFFECTIVE DATE

EXHIBIT A


Mountain View
Rabbit Run Trl
Old Trail
Nadar Ct
Promenade Ct
S Woodson Rd
Sergo Rd

ORDINANCE 1-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATIVE TO ADOPTION OF THE INTERNATIONAL FIRE CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Official Code of the City of Clarksville, Tennessee, Title 7, "Fire Protection, Fireworks, and Explosives," Chapter 2, "Fire Code," Section 7-201, "Fire code adopted," is hereby amended by deleting the existing language as follows:

> In accordance with the authority granted by the provisions of Article III, Section 2, of the Charter of the City of Clarksville, Tennessee, the National Fire Codes, 2006 Edition, comprised of fifteen (15) volumes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, are hereby adopted by reference.

And by substituting instead the following new language:

> In accordance with the authority granted by the provisions of Article III, Section 2, of the Charter of the City of Clarksville, Tennessee, the International Fire Code, 2012 Edition, published by the International Code Council, Birmingham, Alabama 35213. The Life Safety Code 2012 Edition, (except Chapter 24: One and Two Family Dwellings) published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269, and any codes referenced by the International Fire Code and Life Safety Code are hereby adopted by reference.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Section 1-623. Ethics Commission Member Questionnaire

Each Ethics Commission nominee will fill out the following questions for review by members of the city council. The questionnaire results will be provided to council members one week (seven (7) calendar days) before a confirmation vote. Nominees will attend the confirmation vote meeting to introduce themselves and provide answers or further information as requested by council members.

1. Nominee Name Robert T. Bateman

2. Home Address 513 Georgetown Road; Clarksville, TN 37043

3. Occupation Attorney

4. Employment Firm/Company and Address Bateman & Bateman, PC
212 Madison Street; 2nd Floor; Clarksville, TN 37040

5. Have you lived (day-to-day residence) within the city limits of Clarksville and been a registered voter of the council ward you are assigned to for at least the past two years? Yes: ✓ No: _____ If no, explain.

6. Have you or any immediate family members (spouse and other family that reside at your home address) been associated with or participate in the formation, membership, financial donation/fundraising, management, financial oversight, political planning or membership activities of any Political Action Committee or lobby/labor organization that campaigned for or against any sitting member of the City Council? Yes: ____ No: ✓ If yes, explain.

7. Are you or any immediate family members (spouse and other family that resides at your home address) and the companies you may own, work for or have any financial or management interest in, currently working any professional (non-competitive bid) contracts for the City of Clarksville? Yes: ____ No: ✓ If yes, explain.

8. Have you or any immediate family members (spouse and other family that resides at home address) provided money/in-kind donations or given personal time to the campaigns of any current sitting council member or those that ran as opponents against sitting council members? Yes: ____ No: ✓ If yes, explain

9. Are you or any immediate family members (spouse and other family that resides at home address) currently an employee of the city or appointed as a representative of the city to any board, commission, company, authority, task force or other activity? Yes: ____ No: ✓ If yes, explain. Have you served in such a capacity in the past? Yes: ____ No: ✓ If yes, explain.

10. Are you a board member, employee or volunteer worker for a non-profit that receives funding from the City of Clarksville? Yes: ____ No: ✓ If yes, explain.

11. Are you an elected official for any other local, state or federal function? Yes: ____ No: ✓ If yes, please explain.

12. Have you ever been arrested and convicted or been found in violation of ethically standards with any activities you worked with or participated in? Yes: ____ No: ✓ If yes, explain.

13. Is there any other information or activities that you may be involved in that will assist the council in reviewing your nomination?

The undersigned certifies that all of the information that has been provided is true, correct and complete to the best of my knowledge.

Signature:

Date: 5/2/13

Section 1-623. Ethics Commission Member Questionnaire

Each Ethics Commission nominee will fill out the following questions for review by members of the city council. The questionnaire results will be provided to council members one week (seven (7) calendar days) before a confirmation vote. Nominees will attend the confirmation vote meeting to introduce themselves and provide answers or further information as requested by council members.

1. Nominee Name WILLIE J FREEMAN

2. Home Address 3214 GREEN ACRES DR

3. Occupation MINISTER

4. Employment Firm/Company and Address

5. Have you lived (day-to-day residence) within the city limits of Clarksville and been a registered voter of the council ward you are assigned to for at least the past two years? Yes: ✓ No: _____ If no, explain.

6. Have you or any immediate family members (spouse and other family that reside at your home address) been associated with or participate in the formation, membership, financial donation/fundraising, management, financial oversight, political planning or membership activities of any Political Action Committee or lobby/labor organization that campaigned for or against any sitting member of the City Council? Yes: ____ No: ✓ If yes, explain.

7. Are you or any immediate family members (spouse and other family that resides at your home address) and the companies you may own, work for or have any financial or management interest in, currently working any professional (non-competitive bid) contracts for the City of Clarksville? Yes: ____ No: ✓ If yes, explain.

8. Have you or any immediate family members (spouse and other family that resides at home address) provided money/in-kind donations or given personal time to the campaigns of any current sitting council member or those that ran as opponents against sitting council members? Yes: ✓ No: ____ If yes, explain
Donation to Kim McMillan for Mayor.

9. Are you or any immediate family members (spouse and other family that resides at home address) currently an employee of the city or appointed as a representative of the city to any board, commission, company, authority, task force or other activity? Yes: ____ No: ✓ If yes, explain. Have you served in such a capacity in the past? Yes: ✓ No: _____ If yes, explain. CDE board

10. Are you a board member, employee or volunteer worker for a non-profit that receives funding from the City of Clarksville? Yes: ____ No: ✓ If yes, explain.

11. Are you an elected official for any other local, state or federal function? Yes: ____ No: ✓ If yes, please explain.

12. Have you ever been arrested and convicted or been found in violation of ethically standards with any activities you worked with or participated in? Yes: ____ No: ✓ If yes, explain.

13. Is there any other information or activities that you may be involved in that will assist the council in reviewing your nomination?

The undersigned certifies that all of the information that has been provided is true, correct and complete to the best of my knowledge.

Signature: Millie L Freeman

Date: 27-05-13

Section 1-623. Ethics Commission Member Questionnaire

Each Ethics Commission nominee will fill out the following questions for review by members of the city council. The questionnaire results will be provided to council members one week (seven (7) calendar days) before a confirmation vote. Nominees will attend the confirmation vote meeting to introduce themselves and provide answers or further information as requested by council members.

1. Nominee Name Ellen Kanervo

2. Home Address 2304 Woodmeadow Drive, Clarksville, Tennessee

3. Occupation Executive Director, Clarksville Arts + Heritage Development Council

4. Employment Firm/Company and Address P.O. Box 555, 200 S. 2nd Street Clarksville, TN 37041

5. Have you lived (day-to-day residence) within the city limits of Clarksville and been a registered voter of the council ward you are assigned to for at least the past two years? Yes: X No: _____ If no, explain.

6. Have you or any immediate family members (spouse and other family that reside at your home address) been associated with or participate in the formation, membership, financial donation/fundraising, management, financial oversight, political planning or membership activities of any Political Action Committee or lobby/labor organization that campaigned for or against any sitting member of the City Council? Yes: ____ No: X If yes, explain.

7. Are you or any immediate family members (spouse and other family that resides at your home address) and the companies you may own, work for or have any financial or management interest in, currently working any professional (non-competitive bid) contracts for the City of Clarksville? Yes: ____ No: X If yes, explain.

8. Have you or any immediate family members (spouse and other family that resides at home address) provided money/in-kind donations or given personal time to the campaigns of any current sitting council member or those that ran as opponents against sitting council members? Yes: X No: ____ If yes, explain My husband made a small donation ($50-$100) to Mayor Kim McMillan's campaign

9. Are you or any immediate family members (spouse and other family that resides at home address) currently an employee of the city or appointed as a representative of the city to any board, commission, company, authority, task force or other activity? Yes: ____ No: X If yes, explain. Have you served in such a capacity in the past? Yes: X No: _____ If yes, explain. ex officio member of Public Arts Commission

10. Are you a board member, employee or volunteer worker for a non-profit that receives funding from the City of Clarksville? Yes: X No: ____ If yes, explain. AHDC was established at the impetus of the city + has the same connection to the city as Customs House Museum.

11. Are you an elected official for any other local, state or federal function? Yes: ____ No: X If yes, please explain.

12. Have you ever been arrested and convicted or been found in violation of ethically standards with any activities you worked with or participated in? Yes: ____ No: X If yes, explain.

13. Is there any other information or activities that you may be involved in that will assist the council in reviewing your nomination?

The undersigned certifies that all of the information that has been provided is true, correct and complete to the best of my knowledge.

Signature: Ellen W. Kanervo

Date: May 26, 2013

Section 1-623. Ethics Commission Member Questionnaire

Each Ethics Commission nominee will fill out the following questions for review by members of the city council. The questionnaire results will be provided to council members one week (seven (7) calendar days) before a confirmation vote. Nominees will attend the confirmation vote meeting to introduce themselves and provide answers or further information as requested by council members.

1. Nominee Name Hubert G. Smith
2. Home Address 2900 US Hwy 41A South Clarksville, TN 37043
3. Occupation Retired XC
4. Employment Firm/Company and Address N/A

5. Have you lived (day-to-day residence) within the city limits of Clarksville and been a registered voter of the council ward you are assigned to for at least the past two years? Yes: ✓ No: _____ If no, explain.

6. Have you or any immediate family members (spouse and other family that reside at your home address) been associated with or participate in the formation, membership, financial donation/fundraising, management, financial oversight, political planning or membership activities of any Political Action Committee or lobby/labor organization that campaigned for or against any sitting member of the City Council? Yes: ____ No: X If yes, explain.

7. Are you or any immediate family members (spouse and other family that resides at your home address) and the companies you may own, work for or have any financial or management interest in, currently working any professional (non-competitive bid) contracts for the City of Clarksville? Yes: ____ No: X If yes, explain.

8. Have you or any immediate family members (spouse and other family that resides at home address) provided money/in-kind donations or given personal time to the campaigns of any current sitting council member or those that ran as opponents against sitting council members? Yes: ____ No: X If yes, explain

9. Are you or any immediate family members (spouse and other family that resides at home address) currently an employee of the city or appointed as a representative of the city to any board, commission, company, authority, task force or other activity? Yes: ____ No: X If yes, explain. Have you served in such a capacity in the past? Yes: ____ No: X If yes, explain.

10. Are you a board member, employee or volunteer worker for a non-profit that receives funding from the City of Clarksville? Yes: ____ No: X If yes, explain.

11. Are you an elected official for any other local, state or federal function? Yes: ____ No: X If yes, please explain.

12. Have you ever been arrested and convicted or been found in violation of ethically standards with any activities you worked with or participated in? Yes: ____ No: X If yes, explain.

13. Is there any other information or activities that you may be involved in that will assist the council in reviewing your nomination? No

The undersigned certifies that all of the information that has been provided is true, correct and complete to the best of my knowledge.

Signature: Robert Nuich

Date: May 20, 2013

Section 1-623. Ethics Commission Member Questionnaire

Each Ethics Commission nominee will fill out the following questions for review by members of the city council. The questionnaire results will be provided to council members one week (seven (7) calendar days) before a confirmation vote. Nominees will attend the confirmation vote meeting to introduce themselves and provide answers or further information as requested by council members.

1. Nominee Name Gene Washer

2. Home Address 647 Cornwall Rd, Clarksville, TN 37043

3. Occupation retired

4. Employment Firm/Company and Address

5. Have you lived (day-to-day residence) within the city limits of Clarksville and been a registered voter of the council ward you are assigned to for at least the past two years? Yes: ✓ No: _____ If no, explain.

6. Have you or any immediate family members (spouse and other family that reside at your home address) been associated with or participate in the formation, membership, financial donation/fundraising, management, financial oversight, political planning or membership activities of any Political Action Committee or lobby/labor organization that campaigned for or against any sitting member of the City Council? Yes: ____ No: ____ If yes, explain. Don't know see reverse side of this sheet

7. Are you or any immediate family members (spouse and other family that resides at your home address) and the companies you may own, work for or have any financial or management interest in, currently working any professional (non-competitive bid) contracts for the City of Clarksville? Yes: ____ No: ✓ If yes, explain.

8. Have you or any immediate family members (spouse and other family that resides at home address) provided money/in-kind donations or given personal time to the campaigns of any current sitting council member or those that ran as opponents against sitting council members? Yes: ____ No: ✓ If yes, explain

9. Are you or any immediate family members (spouse and other family that resides at home address) currently an employee of the city or appointed as a representative of the city to any board, commission, company, authority, task force or other activity? Yes: ____ No: ✓ If yes, explain. Have you served in such a capacity in the past? Yes: ✓ No: _____ If yes, explain. member of Power board and years also the parking authority

10. Are you a board member, employee or volunteer worker for a non-profit that receives funding from the City of Clarksville? Yes: ____ No: ✓ If yes, explain.

11. Are you an elected official for any other local, state or federal function? Yes: ____ No: ✓ If yes, please explain.

gave $25.00 To Rosland Kurita
when she was running for County
Commission years ago. I won a bet
and they wanted me To give the $25.00
To her campaign.

I gave, Think it was $50.00 or 75.00
To Kim McMillian some kind
of party. Don't remember the exact
amount

12. Have you ever been arrested and convicted or been found in violation of ethically standards with any activities you worked with or participated in? Yes: ____ No: ✓ If yes, explain.

13. Is there any other information or activities that you may be involved in that will assist the council in reviewing your nomination?

The undersigned certifies that all of the information that has been provided is true, correct and complete to the best of my knowledge.

Signature:

Date: May - 2, 13

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:

Name: City of Clarksville, Tennessee

Address: One Public Square
Clarksville, Tennessee 37040

Water, Sewer and Gas Revenue Refunding Bonds, Series 2013

2. Debt Obligation:

- [✓] a. Bond
- [ ] b. CON
- [ ] c. BAN
- [ ] d. GAN
- [ ] e. TRAN
- [ ] f. CRAN
- [ ] g. Capital Lease
- [ ] h. Loan Agreement

Note: Enclose a copy of the executed NOTE FORM if applicable.

3. Security For Debt Obligation:

- [ ] a. General Obligation
- [ ] b. General Obligation+Revenue+Tax
- [✓] c. Revenue
- [ ] d. TIF
- [ ] e. Annual Appropriations

4. Purpose of Issue:

- [ ] a. General Government ____ %
- [ ] b. Education ____ %
- [ ] c. Highways and Streets ____ %
- [ ] d. Public Safety ____ %
- [ ] e. Solid Waste Disposal ____ %
- [ ] f. Industrial Park ____ %
- [ ] g. Manufacturing Facilities ____ %
- [ ] h. Health Facilities ____ %
- [ ] i. Airports ____ %
- [ ] j. Utilities ____ %
  - [ ] i. Water ____ %
  - [ ] ii. Sewer ____ %
  - [ ] iii. Electric ____ %
  - [ ] iv. Gas ____ %
- [✓] k. Refunding or Renewal 100.00 %
- [ ] l. Other _____ ____ %
  specify

5. Face Amount of Debt Obligation: $46,535,000.00

Premium/Discount: $4,971,084.30

6. Type of Sale:

- [ ] a. Competitive Public Sale
- [ ] b. Informal Bid
- [✓] c. Negotiated Sale
- [ ] d. Loan Program

7. Tax Status:

- [✓] a. Tax Exempt
- [ ] b. Tax Exempt - Bank Qualified
- [ ] c. Taxable

8. Dated Date: 06/27/2013

9. Issue Date (Closing Date): 06/27/2013

10. Ratings:

- a. Moody's Aa3
- b. Standard & Poor's
- c. Fitch AA-
- d. Unrated

11. Interest Cost:

3.929161 %

- [✓] a. TIC
- [ ] b. NIC
- [ ] c. Variable: Index _____ plus _____ bps
- [ ] d. Other _____

12. Recurring Costs:

- a. Remarketing Agent (bps) 0
- b. Liquidity (bps) 0
- c. Credit Enhancements (bps) 0

CT-0253 (Rev. 12/11)

13. Maturity Dates, Amounts and Interest Rates

Year	Amount	Interest Rate		Year	Amount	Interest Rate
2019	$375,000	5.00 %		2028	$1,930,000	5.00 %
2020	$3,390,000	5.00 %		2029	$2,025,000	5.00 %
2021	$3,565,000	5.00 %		2030	$255,000	4.00 %
2022	$3,740,000	5.00 %		2031	$4,085,000	4.00 %
2023	$1,625,000	5.00 %		2032	$800,000	4.00 %
2024	$665,000	5.00 %		2032	$1,500,000	5.00 %
2024	$950,000	5.00 %		2033	$2,410,000	5.00 %
2025	$1,670,000	5.00 %		2038	$13,965,000	5.00 %
2026	$170,000	3.50 %				%
2026	$1,585,000	5.00 %				%
2027	$1,840,000	5.00 %				%

If additional space is needed, attach additional sheet.

14. Repayment Schedule

This Issue				Total Debt Outstanding		
Year	Cum. Principal Redeemed	% Total		Year	Cum. Principal Redeemed	% Total
1	$0	0.00		1	$12,078,409	5.16
5	$0	0.00		5	$60,763,837	25.95
10	$12,695,000	27.28		10	$136,375,262	58.24
15	$21,495,000	46.19		15	$189,641,879	80.99
20	$32,570,000	69.99		20	$220,202,639	94.04
25	$46,535,000	100.00		25	$234,167,639	100.00
30				30		

15. Itemized Description of the Cost of Issuance

(Round to Nearest Dollar)

		Name of Firm
a. Financial Advisor Fees*	$61,273.65	Public Financial Management
b. Legal Fees:		
i. Bond Counsel	$50,180.24	Bass, Berry & Sims
ii. Issuer's Counsel		
iii. Trustee's Counsel		
c. Paying Agent Fees and Registration Fees	$358.43	US Bank
d. Trustee Fees		
e. Remarking Agent Fees		
f. Liquidity Fees		
g. Rating Agency Fees	$48,567.30	Moody's, Fitch
h. Credit Enhancement Fees		
i. Underwriter's Discount _____%	$148,213.04	Morgan Stanley & Co, LLC
i. Take Down		
ii. Management Fee		
iii. Risk Premium		
iv. Underwriter's Counsel	$25,090.28	Adams & Reese
v. Other Expenses		
j. Printing and Advertising Fees	$1,139.81	Imagemaster
k. Issuer Fees		
l. Real Estate Fees		
m. Bank Closing Costs		
n. Other Costs	$3,584.30	miscellaneous
Total Costs	$338,407.05	

*If other costs are included, please itemize

Note: Enclose a copy of the DISCLOSURE DOCUMENT/ OFFICIAL STATEMENT if applicable.

16. Description of Continuing Disclosure Obligations

(Use additional pages if necessary)

Individual Responsible for Completion: Comm. of Finance and Revenue and CFO of Clarksville Gas & Water

Date Annual Disclosure is due: Disclosure Due June 30 of each year

The Issuer's continuing disclsoure obligations are described in the form of agreement attached to the Official Statement filed with this form.

17. Description of Compliance with Written Debt Management Policy:
(Use additional pages if necessary)

General Policies: Debt issued only for the purpose of financing capital assets. As revenue debt, the debt does not count against the policy's debt limit.
Procedures for Issuance of Debt: Bonds issued pursuant to TCA 9-21-101 et seq. and approved by City Council
Transparency: City Council meeting noticed in accordance with law and policy; estimated costs presented at City Council meeting
Debt structure: Debt does not extend beyond the life of the assets financed
Interest rate Mode: fixed rate debt, as preferred by policy
Method of Issuance: Negotiated Sale with underwriter selected through RFP process conducted by the Issuer with assistance from and consultation with its financial advisor
Professionals: Bond counsel and financial advisor engaged pursuant to written engagement letters disclosing conflicts with other finance team members (none)

18. (If any) Description of Derivative and Compliance with Written Derivative Management Policy:
(Use additional pages if necessary)

Not applicable

19.

Kim McMillan Kim McMillan	Jeff Oldham
Authorized Representative	Preparer
Mayor	Bond Counsel
Title	Title
06/27/2013	Bass, Berry & Sims PLC
Date	Firm
	06/27/2013
Email	Date
	joldham@bassberry.com
	Email

20.
Submitted to Governing Body on 6/27/13 and presented at its public meeting held on 6/27/13

COPY TO: Director - Office of State and Local Finance, 505 Deaderick Street, Suite 1600, James K. Polk State Office Building, Nashville TN 37243-1402

Attachment to State Form No. CT-0253
of the City of Clarksville, Tennessee

$46,535,000 Water, Sewer and Gas Revenue Refunding Bonds, Series 2013

Part 13:

The weighted average maturity of the bonds is 15.302 years

Parts 15 and 16:

Official Statement is available for review at
http://emma.msrb.org/IssueView/IssueDetails.aspx?id=EA346693.

Part 17:

Debt management policy previously submitted

11996746.1

REPORT ON DEBT OBLIGATION
(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:

Name: City of Clarksville, Tennessee

Address: One Public Square
Clarksville, Tennessee 37040

Subordinate Lien Water, Sewer and Gas Rev. Ref. Bonds, S2013

2. Debt Obligation:

- [✓] a. Bond
- [ ] b. CON
- [ ] c. BAN
- [ ] d. GAN
- [ ] e. TRAN
- [ ] f. CRAN
- [ ] g. Capital Lease
- [ ] h. Loan Agreement

Note: Enclose a copy of the executed NOTE FORM if applicable.

3. Security For Debt Obligation:

- [ ] a. General Obligation
- [ ] b. General Obligation+Revenue+Tax
- [✓] c. Revenue
- [ ] d. TIF
- [ ] e. Annual Appropriations

4. Purpose of Issue:

- [ ] a. General Government ____ %
- [ ] b. Education ____ %
- [ ] c. Highways and Streets ____ %
- [ ] d. Public Safety ____ %
- [ ] e. Solid Waste Disposal ____ %
- [ ] f. Industrial Park ____ %
- [ ] g. Manufacturing Facilities ____ %
- [ ] h. Health Facilities ____ %
- [ ] i. Airports ____ %
- [ ] j. Utilities ____ %
  - [ ] i. Water ____ %
  - [ ] ii. Sewer ____ %
  - [ ] iii. Electric ____ %
  - [ ] iv. Gas ____ %
- [✓] k. Refunding or Renewal 100.00 %
- [ ] l. Other _____ (specify) ____ %

5. Face Amount of Debt Obligation: $18,380,000.00

Premium/Discount: $1,590,239.15

6. Type of Sale:

- [ ] a. Competitive Public Sale
- [ ] b. Informal Bid
- [✓] c. Negotiated Sale
- [ ] d. Loan Program

7. Tax Status:

- [✓] a. Tax Exempt
- [ ] b. Tax Exempt - Bank Qualified
- [ ] c. Taxable

8. Dated Date: 06/27/2013

9. Issue Date (Closing Date): 06/27/2013

10. Ratings:

- a. Moody's: A1
- b. Standard & Poor's: ____
- c. Fitch: A+
- d. Unrated: ____

11. Interest Cost:

1.483117 %

- [✓] a. TIC
- [ ] b. NIC
- [ ] c. Variable: Index _____ plus _____ bps
- [ ] d. Other _____

12. Recurring Costs:

- a. Remarketing Agent (bps) 0
- b. Liquidity (bps) 0
- c. Credit Enhancements (bps) 0

CT-0253 (Rev. 12/11)

13. Maturity Dates, Amounts and Interest Rates

Year	Amount	Interest Rate		Year	Amount	Interest Rate
2014	$3,880,000	2.00 %				%
2015	$2,760,000	3.00 %				%
2016	$2,845,000	4.00 %				%
2017	$2,960,000	4.00 %				%
2018	$3,080,000	5.00 %				%
2019	$2,855,000	5.00 %				%
		%				%
		%				%
		%				%
		%				%
		%				%

If additional space is needed, attach additional sheet.

14. Repayment Schedule

This Issue				Total Debt Outstanding		
Year	Cum. Principal Redeemed	% Total		Year	Cum. Principal Redeemed	% Total
1	$3,880,000	21.11		1	$12,078,409	5.16
5	$15,525,000	84.47		5	$60,763,837	25.95
10	$18,380,000	100.00		10	$136,375,262	58.24
15				15	$189,641,879	80.99
20				20	$220,202,639	94.04
25				25	$234,167,639	100.00
30				30		

15. Itemized Description of the Cost of Issuance

(Round to Nearest Dollar)

		Name of Firm
a. Financial Advisor Fees*	$24,201.35	Public Financial Management
b. Legal Fees:		
i. Bond Counsel	$19,189.76	Bass, Berry & Sims
ii. Issuer's Counsel		
iii. Trustee's Counsel		
c. Paying Agent Fees and Registration Fees	$141.57	US Bank
d. Trustee Fees		
e. Remarking Agent Fees		
f. Liquidity Fees		
g. Rating Agency Fees	$19,182.70	Moody's, Fitch
h. Credit Enhancement Fees		
i. Underwriter's Discount _____%	$58,539.93	Morgan Stanley & Co, LLC
i. Take Down		
ii. Management Fee		
iii. Risk Premium		
iv. Underwriter's Counsel	$9,909.94	Adams & Reese
v. Other Expenses		
j. Printing and Advertising Fees	$450.19	Imagemaster
k. Issuer Fees		
l. Real Estate Fees		
m. Bank Closing Costs		
n. Other Costs	$1,415.70	miscellaneous
Total Costs	$133,031.14	

*If other costs are included, please itemize

Note: Enclose a copy of the DISCLOSURE DOCUMENT/ OFFICIAL STATEMENT if applicable.

16. Description of Continuing Disclosure Obligations

(Use additional pages if necessary)

Individual Responsible for Completion: Comm. of Finance and Revenue and CFO of Clarksville Gas & Water

Date Annual Disclosure is due: Disclosure Due June 30 of each year

The Issuer's continuing disclosure obligations are described in the form of agreement attached to the Official Statement filed with this form.

17. Description of Compliance with Written Debt Management Policy:
(Use additional pages if necessary)

General Policies: Debt issued only for the purpose of financing capital assets. As revenue debt, the debt does not count against the policy's debt limit.
Procedures for Issuance of Debt: Bonds issued pursuant to TCA 9-21-101 et seq. and approved by City Council
Transparency: City Council meeting noticed in accordance with law and policy; estimated costs presented at City Council meeting
Debt structure: Life of Debt does not extend beyond the life of the debt refinanced
Interest rate Mode: fixed rate debt, as preferred by policy
Method of Issuance: Negotiated Sale with underwriter selected through RFP process conducted by the Issuer with assistance from and consultation with its financial advisor
Professionals: Bond counsel and financial advisor engaged pursuant to written engagement letters disclosing conflicts with other finance team members (none)
Refunding: Issuance of debt achieved in excess of 6% present value savings for ratepayers

18. (If any) Description of Derivative and Compliance with Written Derivative Management Policy:
(Use additional pages if necessary)

Not applicable

19.

Kim McMillan Kim McMillan	Jeff Oldham
Authorized Representative	Preparer
Mayor	Bond Counsel
Title	Title
06/27/2013	Bass, Berry & Sims PLC
Date	Firm
	06/27/2013
Email	Date
	joldham@bassberry.com
	Email

20.
Submitted to Governing Body on 6/27/13 and presented at its public meeting held on 6/27/13

COPY TO: Director - Office of State and Local Finance, 505 Deaderick Street, Suite 1600, James K. Polk State Office Building, Nashville TN 37243-1402

Attachment to State Form No. CT-0253
of the City of Clarksville, Tennessee

$18,380,000 Subordinate Lien Water, Sewer and Gas Revenue Refunding Bonds, Series 2013

Part 13:

The weighted average maturity of the bonds is 3.076 years

Parts 15 and 16:

Official Statement is available for review at
http://emma.msrb.org/IssueView/IssueDetails.aspx?id=EA346693.

Part 17:

Debt management policy previously submitted

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