



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JUNE 27, 2013**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 27, 2013, at 5:10 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilwoman Kaye Jones; the Pledge of Allegiance was led by Councilwoman Valerie Guzman.

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)

FIREWORKS

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

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

City Attorney Lance Baker explained several proposed amendments. Councilman Steward made a motion to amend the ordinance by replacing existing language with amendments proposed by Mr. Baker. The motion was seconded by Councilman Summers. The following vote was recorded:

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

The amendments passed. 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 ordinance on second reading as amended passed.

REGULAR SESSION MEETING DATES

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

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

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

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

QEC BOND PROGRAM

RESOLUTION 60-2012-13 Expressing intent to participate in the Qualified Energy Conservation Bond program

Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to adopt this resolution passed.

FY14 HOUSING & COMMUNITY DEVELOPMENT BUDGET

ORDINANCE 85-2012-13 (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Housing & Community Development

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Grubbs. 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 this ordinance on second reading unanimously passed.

FY14 PARKING AUTHORITY BUDGET

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

Councilman Redd made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Grubbs. Councilman Redd made a motion to increase the Transfer Out Management Fee to \$350,594 (add \$12,494 for signage, data costs, marketing, and repair and maintenance of facilities; include \$32,505 for debit/credit parking meter mechanisms, installation of water at Cumberland Parking Garage, improvements to the Franklin Street lot and signage improvements). The motion was seconded by Councilman Grubbs. The following vote was recorded:

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

The amendment to increase the Transfer Out Management Fee to \$350,594 passed. 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 Community Development Budget on second reading unanimously passed.

FY14 TRANSIT BUDGET

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

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

Councilwoman McLaughlin made a motion to delete \$11,400 for Wellness Center funding for employees who opted out of the Aetna health insurance. The motion was seconded by Councilman Summers. There was a lengthy discussion regarding the Wellness Center which included objections to the \$50 incentive for employee participation and objections to not requiring use of sick leave for visits to the center. 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. Councilman Redd called for the question. The call was seconded by Councilman Grubbs. The following vote was recorded:

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

The motion to cease discussion unanimously passed. The following vote on the original motion was recorded:

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

NAY: Redd

The motion to adopt the FY14 Transit Budget on second reading passed.

FY14 DEPARTMENT OF ELECTRICITY BUDGET

ORDINANCE 88-2012-13 (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Clarksville Department of Electricity

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Steward. 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 Department of Electricity Budget on second reading unanimously passed.

FY14 GAS & WATER BUDGET

ORDINANCE 89-2012-14 (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Clarksville Gas & Water Department

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

Councilwoman McLaughlin made a motion to delete \$12,000 for Wellness Center funding for employees who opted out of the Aetna health insurance. The motion was seconded by Councilman Steward. Following discussion, 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, Steward, Summers, Wallace

NAY: Redd

The motion to adopt the FY14 Gas & Water Department Budget on second reading passed.

FY14 INTERNAL SERVICE FUND BUDGET

ORDINANCE 90-2012-13 (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for the City of Clarksville Internal Service Fund

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

FY14 GENERAL GOVERNMENT BUDGET

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

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

GENERAL AMENDMENTS (AMENDMENT # 1)

Councilman Wallace made a motion to adopt amendments to the FY13 and FY14 General Government Budgets as recommended by Interim Director of Finance Debbie Frazier. The motion was seconded by Councilman Grubbs.

FY13:

- Move Interior Repair of Council Chambers from FY13 to FY14 \$10,300
- Move Restroom Upgrades of Council Chambers from FY13 to FY14 \$13,022
- Correction: Transfer to Capital Projects Fund (Ord.54-2012-13) Clarksville River Trail – not shown \$156,590 FY13 amended
- Correction: Transfer to Capital Projects Fund (Ord.30-2012-13) RJ Corman Railroad Bridge – not shown \$188,693 FY13 amended
- External audit charges for FY13 audited financials incurred prior to 6-30-13, originally budgeted in FY14 - Move \$13,000 from FY14 Internal Audit budget to FY13 Internal Audit Budget
- Move \$3,000 from Information Technology FY13 budget to FY14 to cover greater than anticipated charge for FY14 maintenance agreement
- Move from FY13 budget to FY14 budget \$2,000 grant revenue and \$3,000 contributions and \$5,000 professional service expenditures from Parks Special Revenue Fund for balance of new design guidelines for the City of Clarksville's Historic District

FY14:

- Move Interior Repair of Council Chambers from FY13 to FY14 \$10,300
- Move Restroom Upgrades of Council Chambers from FY13 to FY14 \$13,022
- External audit charges for FY13 audited financials incurred prior to 6-30-13, originally budgeted in FY14 - Move \$13,000 from FY14 Internal Audit budget to FY13 Internal Aud. Budget
- Reduce City Court budget \$487 due to decrease in salary for City Judge – based on April CPI – Originally estimated using February CPI which was 1.9% - April is .9%

- Move \$3,000 from Information Technology FY13 budget to FY14 to cover greater than anticipated charge for FY14 maintenance agreement
- Move from FY13 budget to FY14 budget \$2,000 grant revenue and \$3,000 contributions and \$5,000 professional service expenditures from Parks Special Revenue Fund for balance of new design guidelines for the City of Clarksville's Historic District

The original list of amendments included transfer of funds for the Green Certification Program. There was no objection to Councilman Redd's request to consider these transfers separately (see below). The following vote was recorded:

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

The motion to adopt the recommended general amendments passed.

GREEN CERTIFICATION PROGRAM (AMENDMENT #2)

Councilman Wallace made a motion to approve the following transfer of funds for the green Certification Program from FY13 to FY14. The motion was seconded by Councilman Steward.

- Move from FY13 budget to FY14 budget \$8,500 to allow for payment of benefits & taxes for the Green Certification Program employee
- Move from FY13 budget to FY14 budget \$8,500 to allow for payment of benefits & taxes for the Green Certification Program employee

Councilman Harris disclosed that his wife is the Montgomery County employee of the program and that he is not covered by her county insurance. The following vote was recorded:

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

NAY: Redd

ABSTAIN: Harris

The motion to approve transfer of Green Certification Program funds passed.

GREATER NASHVILLE REGIONAL COUNCIL (AMENDMENT #3)

Councilman Wallace made a motion to add \$27,916 to the Mayor's Office budget for Greater Nashville Regional Council dues. The motion was seconded by Councilman Harris. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Redd, Summers

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

PERSONNEL SAVINGS TO TWO RIVERS COMPANY (AMENDMENT #4)

Councilman Summers made a motion to direct personnel cost savings not to exceed \$350,000 from the FY14 budget for city general positions that are vacant or unfilled to the Two Rivers Company. The motion was seconded by Councilman Steward. Following discussion, Councilman Redd called for the question. The call was seconded by Councilman Summers. The following vote was recorded:

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

The motion to cease discussion passed. The following vote on the amendment was recorded:

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

NAY: Burkhardt, Harris, Redd

The motion to direct personnel savings up to \$350,000 to the Two Rivers Company passed.

WILMA RUDOLPH EVENT CENTER LIGHTING (AMENDMENT #5)

Councilwoman McLaughlin made a motion to transfer \$100,000 from the Debt Service Fund (salary savings) to the capital project budget for Wilma Rudolph Event Center lighting improvements. The motion was seconded by Councilman Allen. The following vote was recorded:

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

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

The motion to transfer \$100,000 for WREC lighting improvements failed.

PARKS PART-TIME COMPENSATION (AMENDMENT #6)

Councilman Allen made a motion to add \$9,792 to the Parks budget for a \$.25 per hour pay increase for part-time employees. The motion was seconded by Councilman Steward. Following discussion, Councilman Redd called for the question. The call was seconded by Councilman Steward. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward

The motion to cease discussion passed. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Steward, Summers

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

The motion to add \$9,792 for a Parks part-time employee pay increase failed.

RECESS

The Council recessed at 7:39 p.m., then reconvened at 8:00 p.m.

FLOOD MITIGATION PROGRAM (AMENDMENT #7)

Councilman Summers made a motion to transfer \$300,000 from the Debt Service Fund (salary savings) to the Municipal Properties budget for development of a flood hazard mitigation program. The motion was seconded by Councilman Summers. Following discussion, Councilman Lewis called for the question. The call was seconded by Councilwoman Guzman. The following vote was recorded:

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

NAY: Guzman

The motion to cease discussion passed. The following vote on the amendment was recorded:

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

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

The motion to add \$300,000 for a flood hazard mitigation program failed.

PARKS MAINTENANCE (AMENDMENT #8)

Councilwoman Jones made a motion to transfer \$250,000 from the Exit 1 Fire Station project if the land is donated, and \$60,500 from the general fund balance to the Parks & Recreation budget for city-wide park maintenance. The motion was seconded by Councilman Steward. The following vote was recorded:

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

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

The motion to transfer \$310,500 for park maintenance failed.

CHRISTMAS ON THE CUMBERLAND (AMENDMENT #9)

Councilman Summers made a motion to transfer \$50,000 from the Capital Project Revenue District fund to the Parks budget for new light displays for Christmas on the Cumberland. The motion was seconded by Councilman Steward. The following vote was recorded:

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

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

The motion to add \$50,000 for Christmas on the Cumberland failed.

WELLNESS CENTER REQUIRED SICK LEAVE (AMENDMENT #10)

Councilwoman McLaughlin made a motion to require employees to use sick leave when visiting the Wellness center. The motion was seconded by Councilman Allen. Human Resources Director Will Wyatt said not requiring employees to use sick leave would be part of the effort to get employees in the center and back to work in less time. Following discussion, Councilman Redd called for the question. The call was seconded by Councilman Wallace. The following vote was recorded:

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

NAY: Allen

The motion to cease discussion passed. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Steward, Summers

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

The motion to require use of sick leave for Wellness Center visits failed.

PARKING AUTHORITY (AMENDMENT #11)

Councilman Redd made a motion to add \$12,494 to the Parking Authority budget for signage, data costs, marketing, and repair and maintenance of facilities, and to increase the Transfer In revenue of the General Fund by \$12,494 from the Parking Authority. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to add \$12,494 to the Parking Authority budget passed.

BLUEWAYS (AMENDMENT #12)

Councilman Redd made a motion to transfer \$107,575 that had previously been transferred at first reading (from FY13 to FY14) for the Blueways Project back to the FY13 Parks Special Revenue Fund budget, and transfer \$19,500 from the unobligated Parks Special Revenue Fund to the FY14 budget. 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 transfer Blueways funds passed.

COURTESY BOAT DOCK (AMENDMENT #13)

Councilman Allen made a motion to delete \$325,000 for relocating the McGregor Park courtesy boat dock. The motion was seconded by Councilman Redd. Following discussion regarding relocation of the existing dock to provide an area for an excursion boat, Councilman Redd called for the question. The call was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Steward

The motion to cease discussion passed. 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 \$325,000 for courtesy dock relocation failed.

FIREFIGHTERS (AMENDMENT #14)

Councilman Summers made a motion to transfer \$39,231 from the Debt Service Fund to the Fire Department budget for three new firefighters beginning in the fourth quarter of FY14. The motion was seconded by Councilman Steward. Councilman Summers said these positions would be the first three of fifteen needed for a new fire station. Following discussion, Councilman Burkhart called for the question. The call 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 cease discussion passed. The following vote on the amendment was recorded:

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

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

The motion to add \$39,231 for three firefighters failed.

CALL FOR THE ORIGINAL MOTION

Councilman Redd called for the question on the original motion. The call was seconded by Councilman Burkhart. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to cease discussion on the General Government Budget failed due to lack of 2/3 majority.

POLICE OFFICERS (AMENDMENT #15)

Councilman Summers made a motion to add \$115,070 for four new police officers beginning in the fourth quarter of FY14. The motion was seconded by Councilman Steward. Councilman Redd called for the question; the call was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to cease discussion failed due to lack of 2/3 majority.

Councilman Redd made a motion to go out of regular session to hear comments from Police Chief Al Ansley. The motion was seconded by Councilman Summers. A voice vote was taken. With some objection, the motion passed. In response to Councilman Grubbs' question, Chief Ansley said the department had a plan for hiring new officers. Councilman Redd made a motion to revert to regular session. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection. The following vote on the amendment was recorded:

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

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

The motion to add \$115,070 for four police officers failed.

CALL FOR THE ORIGINAL MOTION

Councilman Redd called for the question on the original motion. The call was seconded by Councilman Wallace. A voice vote was taken; the motion passed without objection.

GENERAL GOVERNMENT BUDGET SECOND READING

The following disclosures were made: Councilwoman Guzman's brother was an employee of the Clarksville Police Department; Councilman Burkhart and Councilman Grubbs were covered under the City's health insurance program; Councilman Harris' wife was the Montgomery County employee for the Green Certification Program.

The following vote on the original motion was recorded:

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

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to adopt the FY14 General Government Budget passed.