



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
JANUARY 30, 2014, 4:30 P.M.**

**COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE**

AGENDA

1) PLANNING COMMISSION

PUBLIC HEARING

1. **ORDINANCE 49-2013-14** (First Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Regional Planning Commission for zone change on portions of Summerhaven Subdivision from R-4 Multiple Family Residential District to R-1A Single Family Residential District (*RPC: Approval/Approval*)
2. **ORDINANCE 50-2013-14** (First Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Edward C. Burchett for zone change on property at the southern terminus of Buckingham Place from R-1 Single Family Residential District to R-2 Single Family Residential District (*RPC: Approval/Approval*)
3. **ORDINANCE 51-2013-14** (First Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of John E. and Sue M. Goodrich for zone change on property at Crossland Avenue and Elder Street from R-3 Three Family Residential District to C-2 General Commercial District (*RPC: Approval/Approval*)
4. **ORDINANCE 52-2013-14** (First Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Billy Mace/White & Stafford, LLC, for zone change on property at Tiny Town Road and Heritage Point Drive from C-4 Highway Interchange District to C-5 Highway & Arterial Commercial 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 33-2013-14** (Second Reading) Amending the Official Code relative to Director of Finance Performance Bond
2. **ORDINANCE 42-2013-13** (Second Reading) Amending the FY14 Capital Projects Budget for Sango Road Improvements
3. **ORDINANCE 43-2013-14** (Second Reading) Amending the FY14 Parks Special Revenue Budget for purchase of a mobility cart for Liberty Park
4. **ORDINANCE 45-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Miller Estates Subdivision and Cross Point Subdivision from R-4 Multiple Family Residential District to R-2 Single Family Residential District
5. **RESOLUTION 22-2013-14** Renewing the Certificate of Compliance for a retail liquor store for Ramesh Kasetty [Caddy's Discount Liquors, 2206B Madison Street] (*CPD: No local criminal history*)
6. **RESOLUTION 23-2013-14** Renewing the Certificate of Compliance for a retail liquor store for Todd E. Morris [Mulligan's, 2255 Wilma Rudolph Boulevard] (*CPD: No local criminal history*)
6. Approval of Minutes: January 2nd
7. Approval of Board Appointments:

Residential Development Commission: Valerie Guzman (reappointment), Joel Wallace (replace Jeff Burkhart-term expired), Alan Burkhart (reappointment), Rex Hawkins (replace John Crabbe-term expired) – February 2014 through December 2015

Two Rivers Company Board of Directors: Geno Grubbs, Stanley Ross, Laura Schroeder (reappointments), Mike O'Malley (replace Chris Goodman-term expired) – February 2014 through October 2016

3) COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

4) FINANCE COMMITTEE

Joel Wallace, Chair

1. **ORDINANCE 44-2013-14** (First Reading: postponed December 19) Amending the FY14 Parking Authority Budget for vehicle sensors and meter credit card mechanisms (*Finance Committee: Approval*)
2. **ORDINANCE 46-2013-14** (First Reading) Authorizing exercise of right of eminent domain for intersection utility relocations (*Finance Committee: Approval*)
3. **ORDINANCE 47-2013-14** (First Reading) Amending the FY14 Parks Special Revenue Fund for special revenue related improvements (*Finance Committee: Approval*)
4. **ORDINANCE 48-2013-14** (First Reading) Amending the FY14 General Fund budget to accept federal and state grants to complete the FEMA/TEMA hazard mitigation acquisition and demolition project (*Finance Committee: Approval*)

5) GAS & WATER COMMITTEE

Jeff Burkhart, Chair

6) PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

7) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

1. **RESOLUTION 21-2013-14** Authorizing a fireworks display during the Best of Clarksville event (*Public Safety Committee: Disapproval*)

8) STREET COMMITTEE

James Lewis, Chair

9) TRANSPORTATION COMMITTEE

Marc Harris, Chair

10) NEW BUSINESS

1. **RESOLUTION 24-2013-14** Approving a sublease for Liberty Park restaurant
(*Mayor McMillan*)
2. Report on Debt Obligation (*Mayor McMillan*)

11) MAYOR AND STAFF REPORTS

12) ADJOURNMENT

13) PUBLIC COMMENTS

ORDINANCE 49-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF SUMMERHAVEN SUBDIVISION

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-4 Multiple Family Residential District, as R-1A Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Case Number Z-1-2014 Application of the Regional Planning Commission for a zone change from R-4 (Multiple Family Residential District) to R-1A (Single Family Residential District) on properties located north of Tiny Town Road, west of Penridge Road and east of Iris Lane (portion of Summerhaven Subdivision), 43.41 +/- acres, further identified as County Tax Map and Parcel (s):

006 K-F	001.00-012.00, 028.00-035.00
006 K-G	055.00 – 078.00
006 K-J	001.00-027.00
006 K-K	001.00-009.00
006 K-L	001.00-009.00
006K-M	003.00-006.00

ORDINANCE 50-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF EDDIE BURCHETT FOR ZONE CHANGE ON PROPERTY AT THE SOUTHERN TERMINUS OF BUCKINGHAM PLACE

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-2 Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the north ROW of Woodhaven Drive, being the south corner of Yorkshire Estates lot 57, lying North 30 degrees 39 minutes 33 seconds West for 29.48 feet from the centerline intersection of Woodhaven Drive and Terrier Way; thence along Huff west property line, North 07 degrees 15 minutes 37 seconds East for 44.29 feet to a point. being the "True Point of beginning", also the northwest corner of the Edward Burchett property; thence with the east boundary line of Yorkshire Estates also being the Huff's west line, North 07 degrees 15 minutes 37 seconds East for 112.19 feet to a point; Thence leaving the Yorkshire east boundary line on the new zone line, North 07 degrees 17 minutes 59 seconds East for 12.81 feet; Thence continuing on the new zone line, South 67 degrees 20 minutes 09 seconds East for 34.46 feet, to the southeast corner of here described parcel, also being the southwest corner of lot 56 Yorkshire Place also lying in the north ROW of Woodhaven Drive; Thence along the current zone line and Burchett north property line, North 86 degrees 14 minutes 29 seconds West for 388.85 feet to the True Point of Beginning. Containing 1.109 +/- acres (Tax Map 43 Parcel 33.00 p/o)

ORDINANCE 51-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JOHN E. AND SUE M. GOODRICH FOR ZONE CHANGE ON PROPERTY AT CROSSLAND AVENUE AND ELDER 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-2 General Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 39 +/- feet northeast of the centerline of the Crossland Ave. and Elder St. intersection, said point also being the in the eastern ROW of Elder St. also the southwest corner of the subject tract thence in a northerly direction 122 +/- feet with the eastern ROW of Elder St. to a point, said point being the southwest corner of the Tim Majors property, thence with the Majors south property line 156+/- feet in a easterly direction to a point said point being the northwest corner of the James Bolin property, thence with the western boundary of the Bolin property 122+/- feet in southerly direction to a point, said point being in the northern ROW of Crossland Ave. thence in a westerly direction with the northern ROW of Crossland Ave 155+/- feet to the point of beginning, containing 0.43+/- acres (Tax Map 66-K-J Parcel(s) 18 & 19)

ORDINANCE 52-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF BILLY MACE/WHITE & STAFFORD FOR ZONE CHANGE ON PROPERTY AT TINY TOWN ROAD AND HERITAGE POINT DRIVE

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 C-4 Highway Interchange District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin found, said pin being located 226.5 feet north of Tiny Town Road as measured along the east right of way of Heritage Pointe Drive, said pin being located at the northwest corner of the FWJR Development Partnership property as recorded in Orv. 1490, Page 278 in the Montgomery County Register of Deeds Office. Thence with the east right of way of Heritage Pointe Drive, North 12 degrees 36 minutes 43 seconds East for a distance of 827.28 feet to an iron pin found in the south line of the Heritage Pointe Apartments property as recorded in Orv. 1303, Page 686. Thence with the south line of the Heritage Pointe Apartments property, South 75 degrees 17 minutes 43 seconds East for a distance of 197.38 feet to an iron pin found in the west line of the Clare Abrahamson property as recorded in Orv. 630, Page 2319. Thence with the west line of Abrahamson, South 12 degrees 31 minutes 35 seconds West for a distance of 820.08 feet to an iron pin found at the northeast corner of the FWJR Development Property. Thence with the north line of FWJR Development, North 77 degrees 23 minutes 12 seconds West for a distance of 198.47 feet to the point of beginning. Subject tract contains 3.741 acres more or less.

Beginning at an iron pin found, said pin being located 226.5 feet north of Tiny Town Road as measured along the west right of way of Heritage Pointe Drive, said pin being located at the northeast corner of the Fort Campbell Credit Union property as recorded in Orv. 1233, Page 635 in the Montgomery County Register of Deeds Office, said pin also being located in the west right of way of Heritage Pointe Drive. Thence with the north line of Fort Campbell Credit Union, North 77 degrees 27 minutes 11 seconds West for a distance of 191.50 feet to an iron pin found in the east line of the BC Property Trust property as recorded in Orv. 1525, Page 818. Thence with the west line of BC Property Trust, North 12 degrees 37 minutes 41 seconds East for a distance of 360.12 feet to an iron pin found. Thence continuing with BC Property Trust, North 77 degrees 22 minutes 28 seconds West for a distance of 277.41 feet to an iron pin found in the east line of the Janice Bellamy property as recorded in Orv. 1019, Page 939. Thence with the east line of Bellamy, North 03 degrees 25 minutes 42 seconds East for a distance of 495.58 feet to an iron pin found, said pin being located at the southwest corner of the Heritage Pointe Apartments property as recorded in Orv. 1303, Page 686. Thence with the south line of said apartments, South 75 degrees 17 minutes 43 seconds East for a distance of 548.29 feet to an iron pin found in the west right of way of Heritage Pointe Drive. Thence with said west right of way, South 12 degrees 36 minutes 48 seconds West for a distance of 829.17 feet to the point of beginning. Subject tract contains 7.167 acres more or less. Combined tracts containing 10.91 +/- acres (Tax Map 08 Parcels 13.05, 13.06 & 21.00)

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on February 6, 2014. The public hearing will be held on: February 6, 2014.

CITY ORD. #: 49-2013-14 RPC CASE NUMBER: Z-1-2014
Applicant: REGIONAL PLANNING COMMISSION
Location: north of Tiny Town Road, west of Penridge Road and east of Iris Lane (portion of Summerhaven Subdivision)
Ward #: 8/1
Request: R-4 Multiple-Family Residential District
 to
 R-1A Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 50-2013-14 RPC CASE NUMBER: Z-2-2014
Applicant: EDWARD C BURCHETT
Location: north of the Woodhaven Dr. and Terrier Way intersection and south of the southern terminus of Buckingham Place.
Ward #: 4/2
Request: R-1 Single-Family Residential District
 to
 R-2 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 51-2013-14 RPC CASE NUMBER: Z-3-2014
Applicant: JOHN E AND SUE M GOODRICH
Location: in the northeast quadrant of the Crossland Ave. and Elder Street intersection.
Ward #: 7/6
Request: R-3 Three Family Residential District
 to
 C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 52-2013-14 RPC CASE NUMBER: Z-4-2014

Applicant: BILLY MACE / WHITE & STAFFORD, LLC

Location: 500 +/- feet north of the Tiny Town Rd. and Heritage Pointe Dr. intersection, fronting on both the east and west side of Heritage Pointe Dr.

Ward #: 8

Request: C-4 Highway Interchange District
 to
 C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 1/29/2014

CASE NUMBER: Z - 1 - 2014

NAME OF APPLICANT: Regional Planning Commission

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-4

PROPOSED ZONING: R-1A

**EXTENSION OF ZONE
CLASSIFICATION:**

APPLICANT'S STATEMENT Bring non-conforming zoning into compliance (due to new R-4 regulations).
FOR PROPOSED USE:

PROPERTY LOCATION: Properties located north of Tiny Town Road, west of Penridge Road and east of Iris Lane (portion of Summerhaven Subdivision)

ACREAGE TO BE REZONED: 43.41 +/-

DESCRIPTION OF PROPERTY Single family residential homes currently zoned R-4.
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT: See Attached **PARCEL(S):****

CIVIL DISTRICT: 3

CITY COUNCIL WARD: 8/1

COUNTY COMMISSION DISTRICT: 18

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- | | | |
|----------------------------------------------------------------|---------------------------------------------------------|-----------------------------------------------|
| <input checked="" type="checkbox"/> CITY ENGINEER | <input type="checkbox"/> BELL SOUTH | <input type="checkbox"/> DIV. OF GROUND WATER |
| <input type="checkbox"/> UTILITY DISTRICT | <input checked="" type="checkbox"/> FIRE DEPARTMENT | <input type="checkbox"/> HOUSING AUTHORITY |
| <input checked="" type="checkbox"/> JACK FRAZIER | <input type="checkbox"/> EMERGENCY MANAGEMENT | <input type="checkbox"/> INDUSTRIAL DEV BOARD |
| <input checked="" type="checkbox"/> CITY STREET DEPT. | <input checked="" type="checkbox"/> POLICE DEPARTMENT | <input type="checkbox"/> Other... |
| <input checked="" type="checkbox"/> TRAFFIC ENG. - ST. DEPT. | <input type="checkbox"/> SHERIFF'S DEPARTMENT | |
| <input type="checkbox"/> COUNTY HIGHWAY DEPT. | <input checked="" type="checkbox"/> CITY BUILDING DEPT. | |
| <input type="checkbox"/> CEMC | 1. <input type="checkbox"/> COUNTY BUILDING DEPT. | |
| <input checked="" type="checkbox"/> DEPT. OF ELECTRICITY (CDE) | <input type="checkbox"/> SCHOOL SYSTEM OPERATIONS | |
| <input checked="" type="checkbox"/> CHARTER COMM. | <input type="checkbox"/> FT. CAMPBELL | |

1. CITY ENGINEER/UTILITY DISTRICT: Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELLSOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

7. POLICE DEPT/SHERIFF'S OFFICE:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:

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

9.

No Comment(s) Received

9. SCHOOL SYSTEM:

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

ELEMENTARY:

BARKSDALE

MIDDLE SCHOOL:

WEST CREEK

HIGH SCHOOL:

WEST CREEK

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 Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY:

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

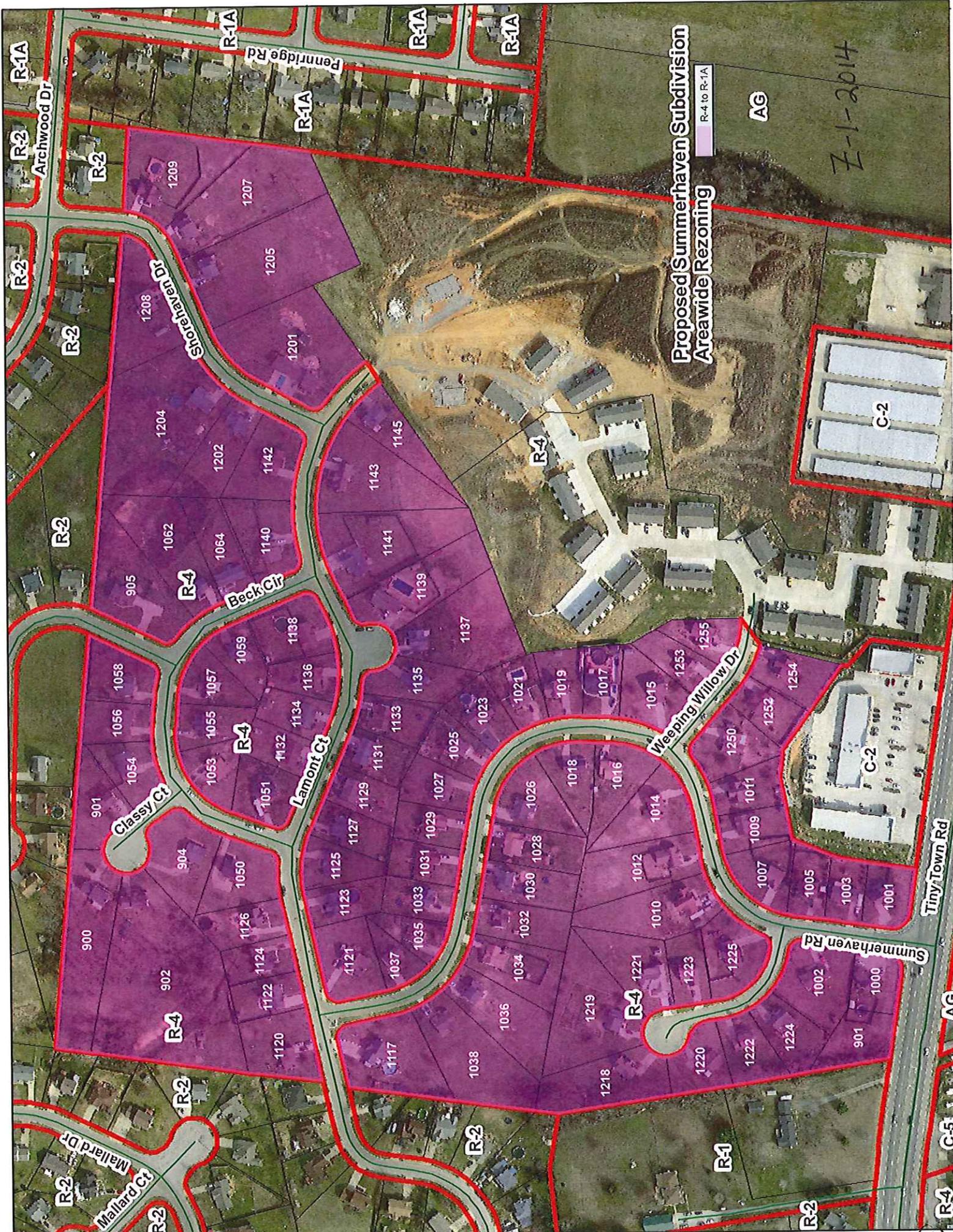
APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Airport Planning Area: This Planning area is centered around John H. Outlaw Field. The major north-south axis roads are Ft. Campbell Blvd., Tobacco Rd. and Peachers Mill Rd.. Tiny Town Rd. serves as the major east-west connector here. The planning area has vast amounts of open space that has a long history of agricultural and woodland uses.

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. Proposed area wide rezoning protects property investments for both the short-term and long-term by verifying that conforming uses fall under the correct zoning classification.

5.



Proposed Summerhaven Subdivision
 Areawide Rezoning
 R-4 to R-1A

Z-1-2014

CASE NUMBER: Z 1 2014 MEETING DATE 1/29/2014
APPLICANT: Regional Planning Commission
PRESENT ZONING R-4 PROPOSED ZONING R-1A
TAX PLAT # See Attached PARCEL

GEN. LOCATION Properties located north of Tiny Town Road, west of Pennridge Road and east of Iris Lane (portion of Summerhaven Subdivision)

PUBLIC COMMENTS

None received as of 11:00 a.m. on 1/29/2014 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 1/29/2014

CASE NUMBER: Z - 2 - 2014

NAME OF APPLICANT: Edward C

Burchett

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: R-2

EXTENSION OF ZONE

CLASSIFICATION: YES TO THE SOUTH & EAST

APPLICANT'S STATEMENT FOR PROPOSED USE: Blend with existing zoning classification in existing subdivision.

PROPERTY LOCATION: Located north of the Woodhaven Dr. and Terrier Way intersection and south of the southern terminus of Buckingham Place.

ACREAGE TO BE REZONED: 1.09

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Single family residential all sides.

GROWTH PLAN AREA:

CITY TAX PLAT: 043

PARCEL(S): 033.00 p/o

CIVIL DISTRICT: 7th

CITY COUNCIL WARD: 4/2

COUNTY COMMISSION DISTRICT: 15

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

S-60-2013

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 DEPARTMENT
- EMERGENCY MANAGEMENT
- POLICE DEPARTMENT
- SHERIFF'S DEPARTMENT
- CITY BUILDING DEPT.
- 1. COUNTY BUILDING DEPT.
- SCHOOL SYSTEM OPERATIONS
- FT. CAMPBELL

- DIV. OF GROUND WATER
- HOUSING AUTHORITY
- INDUSTRIAL DEV BOARD
- Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

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 BELL SOUTH:

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:

8. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

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 Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: WOODHAVEN DR.

DRAINAGE:
TO THE SOUTH

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:

Lafayette Road Planning Area - There is considerable room for expansion here with SR 374 (Purple Heart Highway) as a target for residential growth

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 in an extension of the existing R-2 Single Family zoning to the south..
- 5.

CASE NUMBER: Z 2 2014 MEETING DATE 1/29/2014

APPLICANT: Edward C Burchett

PRESENT ZONING R-1 PROPOSED ZONING R-2

TAX PLAT # 043 PARCEL 033.00 p/o

GEN. LOCATION Located north of the Woodhaven Dr. and Terrier Way intersection and south of the southern terminus of Buckingham Place.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 1/29/2014 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 1/29/2014

CASE NUMBER: Z - 3 - 2014

NAME OF APPLICANT: John E And Sue M Goodrich

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-3

PROPOSED ZONING: C-2

EXTENSION OF ZONE

CLASSIFICATION: YES- WEST & SOUTH

**APPLICANT'S STATEMENT Change property zone to C-2 for contractor office building,
FOR PROPOSED USE:**

PROPERTY LOCATION: Property located in the northeast quadrant of the Crossland Ave. and Elder Street intersection.

ACREAGE TO BE REZONED: 0.43

**DESCRIPTION OF PROPERTY Two existing vacant lots that have been cleared for future construction.
AND SURROUNDING USES:**

GROWTH PLAN AREA: CITY TAX PLAT: 66-K-J PARCEL(S): 18.00 & 19.00

CIVIL DISTRICT: 12th

CITY COUNCIL WARD: 7/6 COUNTY COMMISSION DISTRICT: 17

**PREVIOUS ZONING HISTORY: Z-50-2007 / SLSR-25-2012 to the south
(to include zoning, acreage and
action by legislative body) Smith & Lurton Subdivision**

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 DEPARTMENT
- EMERGENCY MANAGEMENT
- POLICE DEPARTMENT
- SHERIFF'S DEPARTMENT
- CITY BUILDING DEPT.
- 1. COUNTY BUILDING DEPT.
- SCHOOL SYSTEM OPERATIONS
- FT. CAMPBELL

- DIV. OF GROUND WATER
- HOUSING AUTHORITY
- INDUSTRIAL DEV BOARD
- Other...

1. CITY ENGINEER/UTILITY DISTRICT: Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELLSOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

7. POLICE DEPT/SHERIFF'S OFFICE:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:

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

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

NORMAN SMITH

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 Increased traffic, light and noise
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: ELDER ST. & CROSSLAND AVE.

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:

South Clarksville Planning Area - South Clarksville is dominated by residential development but is ringed by commercial and light industrial uses. It is near the core of the city and has a well developed transportation network for destinations within its boundaries and other areas of the city. Sufficient infrastructure to support high density development.

STAFF RECOMMENDATION: APPROVAL

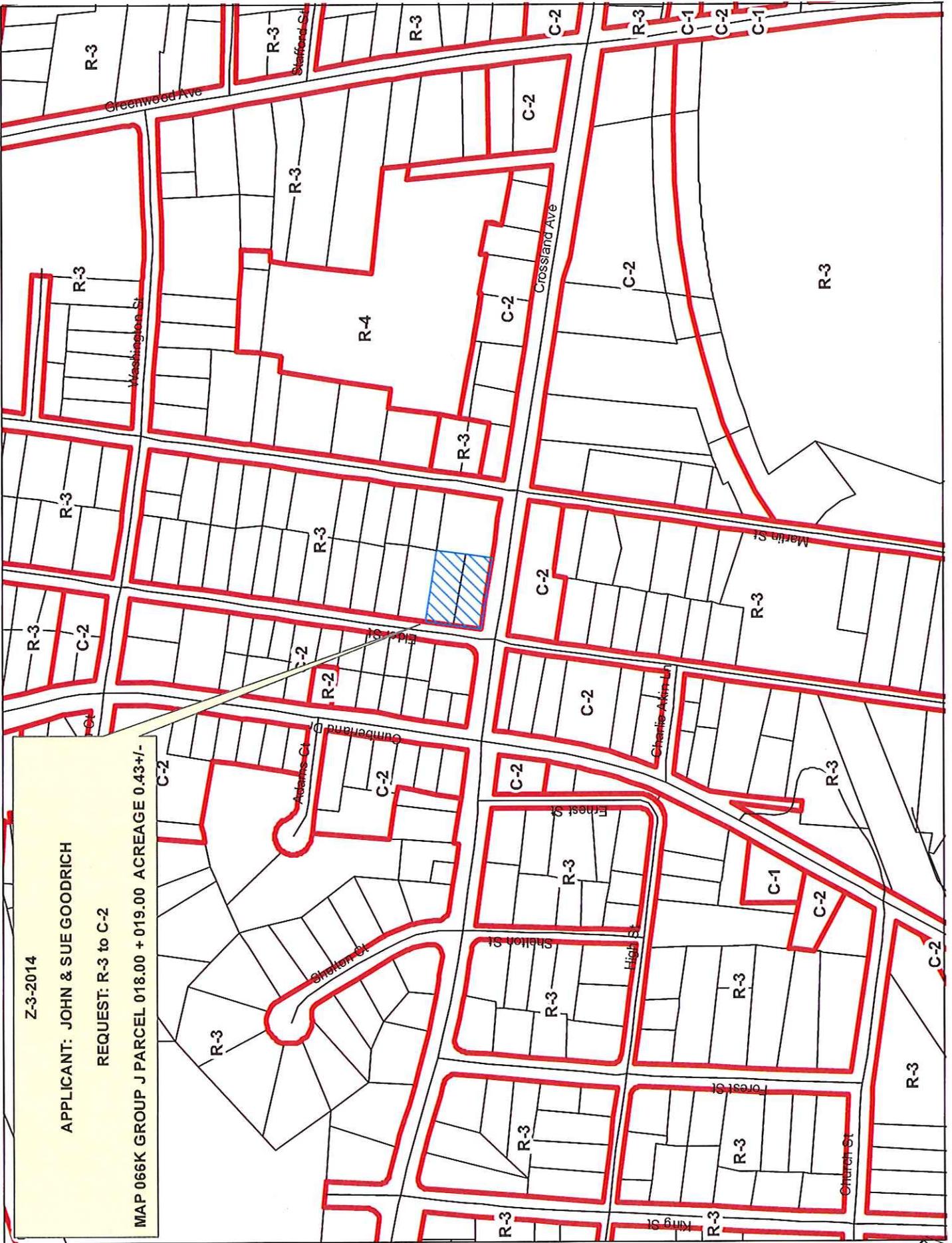
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. The C-2 request is an extension to the C-2 General Commercial district to the west and south.
- 5.

Z-3-2014

APPLICANT: JOHN & SUE GOODRICH

REQUEST: R-3 to C-2

MAP 066K GROUP J PARCEL 018.00 + 019.00 ACREAGE 0.43+/-



CASE NUMBER: Z 3 2014 MEETING DATE 1/29/2014

APPLICANT: John E And Sue M Goodrich

PRESENT ZONING R-3 PROPOSED ZONING C-2

TAX PLAT # 66-K-J PARCEL 18.00 & 19.00

GEN. LOCATION Property located in the northeast quadrant of the Crossland Ave. and Elder Street intersection.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 1/29/2014 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 1/29/2014

CASE NUMBER: Z - 4 - 2014

NAME OF APPLICANT: Billy Mace
White & Stafford, Llc

AGENT:

GENERAL INFORMATION

PRESENT ZONING: C-4

PROPOSED ZONING: C-5

**EXTENSION OF ZONE
CLASSIFICATION:**

APPLICANT'S STATEMENT FOR PROPOSED USE: To make property zoning more applicable for proposed future uses.

PROPERTY LOCATION: 500 +/- feet north of the Tiny Town Rd. and Heritage Pointe Dr. intersection, fronting on both the east and west side of Heritage Pointe Dr.

ACREAGE TO BE REZONED: 10.91 +/-

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Vacant C-4 property. Multi-Family Residential to the North; Vacant AG to East; Vacant C-4 to West, C-4 Commercial to South

GROWTH PLAN AREA: CITY TAX PLAT: 08 **PARCEL(S):** 13.05, 13.06 & 21.00
CIVIL DISTRICT: 2nd

CITY COUNCIL WARD: 8

COUNTY COMMISSION DISTRICT: 18

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 DEPARTMENT
- EMERGENCY MANAGEMENT
- POLICE DEPARTMENT
- SHERIFF'S DEPARTMENT
- CITY BUILDING DEPT.
- 1. COUNTY BUILDING DEPT.
- SCHOOL SYSTEM OPERATIONS
- FT. CAMPBELL

- DIV. OF GROUND WATER
- HOUSING AUTHORITY
- INDUSTRIAL DEV BOARD
- Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELL SOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

Comments Received From Department And They Had No Concerns.

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

8. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

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 Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: HERITAGE POINTE DR.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

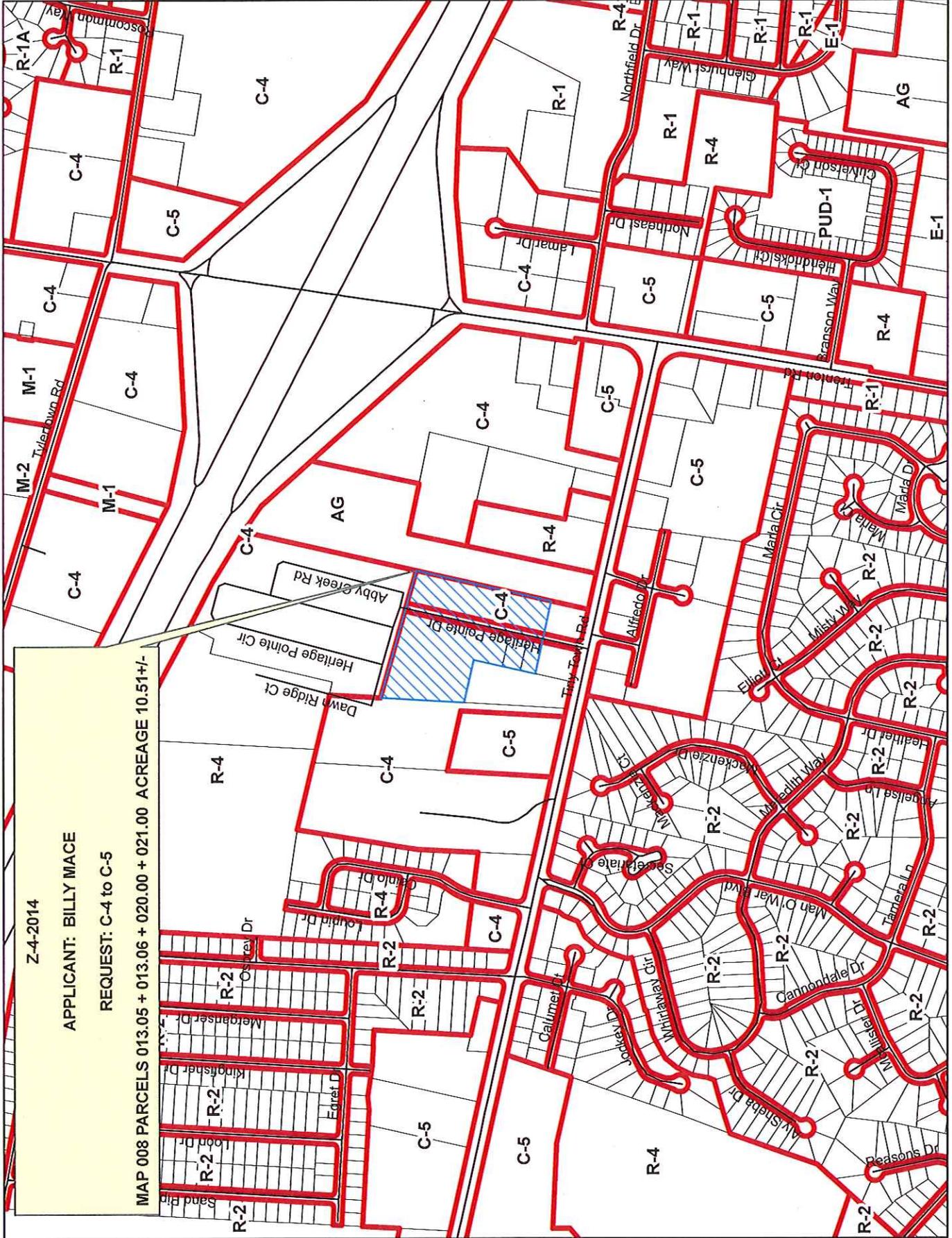
APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 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. The C-5 zoning request will allow goods and services to be provided to the neighboring public in lieu of uses that are more commonly seen at interstate highway interchanges.

5.



Z-4-2014
 APPLICANT: BILLY MACE
 REQUEST: C-4 to C-5
 MAP 008 PARCELS 013.05 + 013.06 + 020.00 + 021.00 ACREAGE 10.51+/-

CASE NUMBER: Z 4 2014 MEETING DATE 1/29/2014

APPLICANT: Billy Mace

PRESENT ZONING C-4 PROPOSED ZONING C-5

TAX PLAT # 08 PARCEL 13.05, 13.06 & 21.00

GEN. LOCATION 500 +/- feet north of the Tiny Town Rd. and Heritage Pointe Dr. intersection,
fronting on both the east and west side of Heritage Pointe Dr.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 1/29/2014 (jhb).

ORDINANCE 33-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO SETTING THE AMOUNT OF THE DIRECTOR OF FINANCE'S PERFORMANCE BOND

WHEREAS, The City Council finds that eliminating the requirement for the City to purchase performance bonds for other employees will save the City money, while insurance will adequately protect the City;

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

1. That the Official Code of the City of Clarksville, Tennessee, Title 1 (Administration, Officers, and Personnel), Chapter 5 (Director of Finance), Section 1-505 (Bond Fixed / Fidelity Insurance) is hereby amended by deleting the current language of said Section and substituting therefore the following:

Sec. 1-505. Bond fixed/fidelity insurance.

The amount of the director of finance's faithful performance bond or a fidelity insurance policy is hereby fixed at one million dollars (\$1,000,000.00).

POSTPONED: November 7, 2013
FIRST READING: January 2, 2014
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 42-2013-14

AN ORDINANCE AMENDING THE 2013-14 GENERAL FUND BUDGET AND THE CAPITAL PROJECTS BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE FUNDING OF THE CAPITAL PROJECTS BUDGET IN THE AMOUNT OF \$200,000 AND ACCEPTANCE OF A FEDERAL GRANT IN THE AMOUNT OF \$160,000 AND PROVIDE A MATCH OF \$40,000 FOR SANGO ROAD IMPROVEMENTS

WHEREAS, the construction of the Sango Road widening project cost will be greater than originally projected, and

WHEREAS, the City has been awarded a 80/20 matching Federal grant.

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

That the following Budget Amendments be made:

Capital Project Fund:

Federal Grant Revenue	4041000-33130	Increase:	\$160,000
Transfer from General Fund	4041000-39150	Increase:	\$ 40,000
Engineering Cost	40431003-4332-10303	Increase:	\$ 80,000
Construction Services	40431003-4450-10303	Increase:	\$120,000

General Fund:

Transfer to Capital Projects	10470003-4914	Increase:	\$ 40,000
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BE IT FURTHER ORDAINED that the source of funding for this \$40,000 shall be from the fund balance of the General Fund.

FIRST READING: January 2, 2014
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 43-2013-14

AN ORDINANCE AMENDING THE 2013-14 PARKS SPECIAL REVENUE BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE PARKS AND RECREATION DEPARTMENT TO INCREASE FUNDING IN THE AMOUNT OF \$15,000 FOR PURCHASE OF A MOBILITY CART FOR LIBERTY PARK

WHEREAS, the Parks & Recreation Department wishes to purchase a mobility cart for use at Liberty Park; and

WHEREAS, the mobility cart will be use to transport persons with disabilities at Liberty Park; and

WHEREAS, the cart is estimated to cost \$15,000.

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

That the following Budget Amendments be made:

Parks Special Revenue Fund Expenditures:

Equipment Purchases 24450004-4740-800 Increase: \$15,000

BE IT FURTHER ORDAINED that the source of funding for this \$15,000 shall be from the fund balance of the Parks Special Revenue Fund.

FIRST READING: January 2, 2013

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 45-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF MILLER ESTATES SUBDIVISION AND CROSS POINTE SUBDIVISION

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-4 Multiple Family Residential District, as R-2 Single Family Residential District.

PUBLIC HEARING: January 2, 2014
FIRST READING: January 2, 2014
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Property located south and west of Jack Miller Boulevard, further identified as County Tax Map (see below), parcels (see below), 39.57 +/- acres:

019 J-A	12-29, 19.01-19.06, 20.01, 21.01, 22.01, 23.01, 30-40
019 G-A	1-29
019 G-B	1-48, 52-64
019 H-E	1-21

RESOLUTION 22-2013-14

A RESOLUTION RENEWING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR RAMESH KASETTY

WHEREAS, Ramesh Kasetty, has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Caddy's Discount Liquors currently located at 2206-B Madison Street; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s) has/have complied with the residency provision;

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Ramesh Kasetty for operation of Caddy's Discount Liquors located at 2206B Madison Street, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 23-2013-14

A RESOLUTION APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR TODD E. MORRIS (MULLIGAN'S)

WHEREAS, Todd E. Morris, has applied for renewal of the Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for the operation of Mulligan's currently located at 225 Wilma Rudolph Boulevard; and

WHEREAS, the applicant(s) who is/are to be in actual charge of said business has/have not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*;

WHEREAS, the applicant(s) has/have secured a location which complies with all restrictions of the laws, ordinances, or resolutions;

WHEREAS, the applicant(s) has/have complied with the residency provision;

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

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

That the Clarksville City Council hereby renews the Certificate of Compliance for Todd E. Morris for operation of Mulligan's located at 2255 Wilma Rudolph Boulevard, Clarksville, Tennessee.

ADOPTED:



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JANUARY 2, 2014**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, January 2, 2014, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Mayor Pro Tem James Lewis.

ATTENDANCE

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

ABSENT: Wallace Redd (4)

PLANNING COMMISSION PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change. The motion was seconded by Councilman Lewis. There was no objection.

ORDINANCE 45-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Miller Estates Subdivision and Cross Point Subdivision from R-4 Multiple Family Residential District to R-2 Single Family Residential District

There were no comments in support of or in objection to this request.

Councilman Grubbs made a motion to revert to regular session. The motion was seconded by Councilman Harris. There was no objection.

ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 45-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McNeill, 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 31-2013-14** (Second Reading) Authorizing transfer of funds to create a new capital project for a new police north precinct
2. **ORDINANCE 34-2013-14** (Second Reading) Amending the Official Code relative to backflow prevention testing fees and grease management inspection fees
3. **ORDINANCE 35-2013-14** (Second Reading) Authorizing exercise of right of eminent domain for acquisition of easements for the Main Lift Station Gravity Sewer Upgrade Project
4. **ORDINANCE 36-2013-14** (Second Reading) Accepting donation of property from Gordon Seay for Fire Station #11
5. **ORDINANCE 37-2013-14** (Second Reading) Amending the FY14 Information Technology budget for a video playback system and additional servers
6. **ORDINANCE 38-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Regional Planning Commission for zone change at Highway 75 & Highway 41-A South, portions of Bellgar Subdivision and Bellshire Subdivision from R-4 Multiple Family Residential District to R-1A Single Family Residential District and R-2D Two Family Residential District
7. **ORDINANCE 40-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jimmy Randolph for zone change on property at S.R. 374 & Evans Road from RM-1 Single Family Mobile Home Residential District to C-5 Highway & Arterial Commercial District
8. **ORDINANCE 41-2013-14** (Second Reading) Amending the FY14 Garage Operating Budget to transfer funds for purchase of a welder, air compressor motor, and oil separators

9. Approval of Minutes: December 5th

10. Approval of Board Appointments:

Economic & Community Development Board: Jeff Burkhart – January 2014 through December 2016; Melinda Shepard – January 2014 through June 2017; Douglas Heimbeck – January 2014 through June 2015

Parking Authority: Wallace Redd – January 2014 through December 2014; Mitch Robinson – January 2014 through December 2017

Councilman Burkhart made a motion to adopt the Consent Agenda. The motion was seconded by Councilman Summers. Councilman Burkhart voted “nay” on **ORDINANCE 36-2013-14**. Councilman Burkhart abstained from voting on **ORDINANCE 31-2013-14**. Councilwoman Jones voted “nay” on **ORDINANCE 35-2013-14**. Councilman McNeill voted “nay” on **ORDINANCE 31-2013-14**. The following vote was recorded:

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

The motion to adopt the Consent Agenda as noted passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said contractors had begun installing the splash pad in Pettus Park at a total project cost of \$57,493. He announced a new low-to-moderate income housing project for Ward 3. Councilman Allen said new sidewalk construction was underway along New Providence Boulevard in the Cedar Court area totaling \$57,037 and drainage improvements were being made in Summit Heights in the amount of \$28,995.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 33-2013-14 (First Reading; Postponed November 7th) Amending the Official Code relative to Director of Finance Performance Bond

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

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 42-2013-13 (First Reading) Amending the FY14 Capital Projects Budget for Sango Road Improvements

The recommendation of the Finance Committee was for approval of this ordinance. 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, McNeill, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

ORDINANCE 43-2013-14 (First Reading) Amending the FY14 Parks Special Revenue Budget for purchase of a mobility cart for Liberty Park

The recommendation of the Finance Committee was for approval of this ordinance. 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, McNeill, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

No report.

PARKS, RECREATION, GENERAL SERVICES

Valerie Guzman

On behalf of Chairman Wallace Redd, Councilwoman Guzman said community centers were undergoing maintenance.

Councilwoman Guzman announced Lynn Carter as the winner of the “Walk with Me Tennessee” program.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

Councilman Grubbs shared the following department statistics: Clarksville Fire & Rescue – 902 responses during December, 9,801 during 2013; Building & Codes Enforcement Division – 4,211 cases during 2013; Building & Codes Construction Division – 21,435 inspections during 2013; Building & Codes Abatement Program – 564 work orders during 2013; Building & Codes Administration – 773 single-family permits during 2013; Clarksville Police – 10,822 calls during December.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said the Street Department completed 150 work orders during December and a total of 3,000 for the year.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris reported 266 persons were transported during the “Warm Souls program and 105 persons were transported during New Year’s Eve “Operation Safe Ride.”

Clarksville Transit system transported 56,624 passengers during December. The Clarksville-Nashville Express transported 4,009 passengers.

Councilman Harris said the City Garage completed 322 work orders with unleaded fuel at a cost of \$3.03 and diesel fuel at \$3.05 per gallon.

Councilman Harris wished a speedy recovery to CTS Director Jimmy Smith following his recent back surgery.

MAYOR AND STAFF REPORTS

City Attorney Lance Baker said if there were no objections, he would file an amicus brief on behalf of the City of Clarksville involving litigation against the City of Red Bank, Tennessee, for an alleged violation of the Tennessee Human Rights Act. There were no objections.

In response to Councilwoman Jones’ question, Mayor McMillan said the City of Clarksville would work closely with the American Red Cross to assist anyone in need of shelter during extreme cold weather.

Mayor McMillan wished everyone a Happy New Year.

ADJOURNMENT

The meeting adjourned at 7:22 p.m.

ORDINANCE 44-2013-14

AN ORDINANCE AMENDING THE 2013-14 CLARKSVILLE GENERAL FUND OPERATING BUDGET (ORDINANCE 91-2012-13) AND THE CLARKSVILLE PARKING AUTHORITY FUND BUDGET (ORDINANCE 86-2012-13) AUTHORIZING THE PARKING AUTHORITY TO INCREASE THE PARKING AUTHORITY BUDGET BY \$166,431 FOR THE PURCHASE OF VEHICLE SENSORS AND PARKING METER MECHANISMS THAT WILL ACCEPT DEBIT AND CREDIT CARD PAYMENTS

WHEREAS, the Parking Authority Board recommends installing vehicle sensors and the purchase and replacement of parking meter mechanisms that will accept debit and credit cards.

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

That the following General Fund adjustment be made:

100390-39140	Transfer in from Parking Authority	Increase	\$77,056
10415103-4610	Operating Expense	Increase	\$62,835
10415103-4530	Communication Expense	Increase	\$11,821
10415103-4807	Credit Card Fees	Increase	\$ 2,400

That the following Parking Authority Fund adjustments be made:

11AC -1650	Machinery & Equipment Purchases	Increase	\$89,375
11410003-4150	Management Fee	Increase	\$77,056

BE IT FURTHER ORDAINED:

That the \$166,431 funding for the vehicle sensors and parking meter mechanisms come from the Parking Authority Fund balance.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 46-2013-14

AN ORDINANCE OF THE CITY OF CLARKSVILLE AUTHORIZING USE OF EMINENT DOMAIN FOR ACQUISITION OF EASEMENTS FOR THE STREET DEPARTMENT INTERSECTION MODIFICATION UTILITY RELOCATION PROJECT

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements affecting certain real properties as described in Collective Exhibit A attached hereto (hereinafter, the "Properties") for the purpose of construction of the Street Department Intersection Modification Utility Relocation Project.

WHEREAS, it may not be possible to effectively negotiate timely easement acquisitions with the affected owners of the Properties for the required construction of the Street Department Intersection Modification Utility Relocation Project.

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

That, if negotiation efforts are not timely or effective, the City of Clarksville, Tennessee is hereby authorized to exercise the right of eminent domain and institute condemnation actions in the appropriate court for acquisition of any and all necessary property rights from affected owners of the Properties described specifically in Collective Exhibit A attached hereto for construction of the Street Department Intersection Modification Utility Relocation Project.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Collective Exhibit A

File No. 20060887

BT

This instrument was prepared by **R. Mitchell Ross** of the law firm of Rudolph, Ross, Hogan, Ragland & Peay, 107 North Third Street, Post Office Box 925, Clarksville, Tennessee 37041-0925.

MAIL TAX STATEMENTS TO:

OWNER AND PROPERTY ADDRESS:

**Trustees of Cross & Crown Baptist Church
P. O. Box 31491
Clarksville, Tennessee 37040**

**Trustees of Cross & Crown Baptist Church
1220 Hazelwood Road
Clarksville, Tennessee 37040**

**Edward Ottinger and wife
Roxanna Ottinger**

Joyce B. Sawyer, Register
Montgomery County Tennessee
Rec #: 126540
Rec'd: 10.00 Instrument #: 706738
State: 518.00 Recorded
Clerk: 1.00 7/13/2006 at 3:01 PM
EDP: 2.00 in Volume
Total: 531.00 **1111**
Pgs 1796-1797

TO: CASH WARRANTY DEED

Jerry Lucas and Frank Whitaker as Trustees of Cross & Crown Baptist Church

FOR A CASH CONSIDERATION, this day in hand paid, the receipt of which is acknowledged, **Edward Ottinger and Roxanna Ottinger**, as **Grantor** and in this deed called the "**Grantor**", has this day bargained and sold and does transfer and convey unto **Jerry Lucas and Frank Whitaker as Trustees of Cross & Crown Baptist Church**, **Grantee** and in this deed called the "**Grantee**", in fee simple absolute, **Grantee's** successors and assigns forever, the following described real estate, together with any and all improvements located on the real estate, situated in the Second (2nd) Civil District of Montgomery County, Tennessee, to-wit:

**Volume
1111 Pgs 1796**

BEGINNING AT NEW IRON PIN in the southern margin Hazelwood Road, said iron pin is located South 80 degrees 19 minutes 45 seconds West 235.32 feet from the centerline intersection of Trenton Road and Hazelwood Road; thence leaving said margin of Hazelwood Road, South 07 degrees 24 minutes 43 seconds West 243.85 feet to a new iron pin; thence South 86 degrees 37 minutes 25 seconds West 205.46 feet to a new iron pin; thence North 08 degrees 33 minutes 55 seconds East 244.53 feet to a new iron pin in the southern margin of Hazelwood Road; thence along said margin of Hazelwood Road, North 86 degrees 32 minutes 17 seconds East 200.51 feet to the point of beginning containing 1.12 acres according to a survey prepared by Weakley Brothers dated 6/27/2006 and having a job No. of 06-265

This being a portion of the same real estate conveyed to **Grantor** by deed of record in ORBV 1022, Page 2758, in the Register's Office for Montgomery, Tennessee. The map, group and parcel number assigned to the above described real estate by the Assessor of Property for Montgomery County, Tennessee is 17-38.

TO HAVE AND TO HOLD said real estate together with any and all improvements thereon unto **Grantee**, in fee simple absolute, **Grantee's** successors and assigns forever.

GRANTOR COVENANTS that **Grantor** is lawfully seized and possessed of said real estate; that **Grantor** has a good and lawful right to convey the same; that this real estate is unencumbered; and, that **Grantor** will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

POSSESSION will be given upon delivery of this deed.

THE REAL ESTATE AD VALOREM TAXES for the current year are to be pro-rated between the parties.

IN WITNESS WHEREOF, Grantor has affixed Grantor's signature on this the 10th day of July, 2006.

GRANTOR:

Edward Ottinger by *Roxanna Ottinger* Attorney in Fact
Edward Ottinger By Roxanna Ottinger as Attorney in Fact

Roxanna Ottinger
Roxanna Ottinger

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

Personally appeared before me, the undersigned Notary Public in and for the State and County aforesaid, **ROXANNA OTTINGER**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he/she executed the within instrument for the purposes therein contained, and who further acknowledged that, pursuant to Power of Attorney of record in ORBV 1111, Page 1794 ROMCT, the **Attorney-in-fact** for **EDWARD OTTINGER** (herein called the "Maker"); or a constituent of the **Maker** and authorized by the **Maker** or by its constituent, the constituent being authorized by the **Maker**, to execute this instrument as the free act and deed of the **Maker** on this 10th day of July, 2006.

[Signature]
NOTARY PUBLIC SEAL

8/14/2006
COMMISSION EXPIRES

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

Personally appeared before me, the undersigned Notary Public of the State and County aforesaid, **Roxanna Ottinger**, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained on this 10th day of July, 2006.

[Signature]
NOTARY PUBLIC SEAL

8/14/2006
COMMISSION EXPIRES

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

As required by Tennessee Code Annotated Section 67-4-409 (a)(6)(A), the undersigned being **Grantee's** agent or a trustee acting for **Grantee**, after first being duly sworn, makes oath that the actual consideration for this transfer or the value of the property transferred, whichever is greater, is **\$140,000.00**.

SWORN AND SUBSCRIBED TO before me on this the 10th day of July, 2006.

[Signature]
NOTARY PUBLIC SEAL
Commission expires: 8/14/2006

PAMELA TAYLOR HAYES

TO: QUITCLAIM DEED

PAUL COOPER ET AL

THIS QUITCLAIM DEED OF REALTY, executed as of the 17th day of November, 2000, by Grantor, **PAMELA TAYLOR HAYES**, to Grantees, **PAUL COOPER, PAMELA TAYLOR HAYES and PEGGY C. HUDDLESTON**, Witnesseth:

That Grantor does hereby quitclaim and convey unto Grantees, all of Grantor's right, title and interest, in and to certain realty situated in the **SECOND (2nd)** Civil District of Montgomery County, Tennessee, and being bounded and described as follows:

BEGINNING at an iron pin located in the southern right of way margin of Hazelwood Road, a 50-foot public right of way, said iron pin being located 0.58 miles +/- west of Trenton Road; thence S 04° 56' 19" W 891.11' to an iron pin; thence N 85° 48' 41" W 252.60' to an iron pin; thence with a fence and the eastern line of the John J. Stanton property (ORBV 604, PG 2393, ROMCT) N 04° 56' 19" E 833.51' to an iron pin in the southern right of way margin of Hazelwood Road; thence with the southern right of way margin of Hazelwood Road N 81° 22' 52" E 259.82' to the point of beginning, containing 5.00 acres +/-, according to a survey by Ben Robert Weakley, TRLS #1457 of Weakley Brothers, P.O. Box 3409, 2121 Old Ashland City Road, Clarksville, Tennessee 37043, dated November 1, 1999, Job No. 99-660, and being designated as a portion of Map and Parcel No. 17-36, on the Maps of the Assessor of Property for Montgomery County, Tennessee.

This being the same realty conveyed to Pamela Taylor Hayes by deed of record in Official Record Book Volume 733, Page 2223, in the Register's Office for Montgomery County, Tennessee.

IN WITNESS WHEREOF, Grantor has executed this quitclaim deed of realty as of the date written first herein.



PAMELA TAYLOR HAYES

GRANTOR

Prepared by:
John R. Brice
BATSON, NOLAN, BRICE,
HARVEY & WILLIAMSON
622 Madison Street
Clarksville, TN 37040

205594

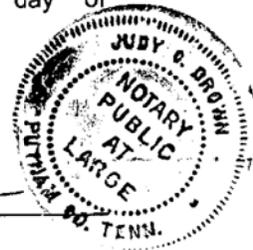
STATE OF TENNESSEE)
)
COUNTY OF MONTGOMERY)

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, **PAMELA TAYLOR HAYES**, the within named bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal at office this the 17 day of Nov, 2000.

My Commission Expires: 10-25-2004.

Judy C. Brown
Notary Public



Property Owners Name and Address:

Ms. Peggy Huddleston
1380 Hazelwood Road
Clarksville, TN 37042

Person or Entity Responsible for Payment of Property Taxes:

Same/Owner

STATE OF TENNESSEE, MONTGOMERY COUNTY

The actual consideration given for this conveyance is \$ 0.

Jessie Nolan
Affiant

Subscribed and sworn to before me this the 21 day of November, 2000

Julie A. Chadwick
Notary Public (Register of Montgomery County, Tennessee)

My Commission Expires: 9/13/04

j:\deed\cooperhayes qcd\jrb\jo



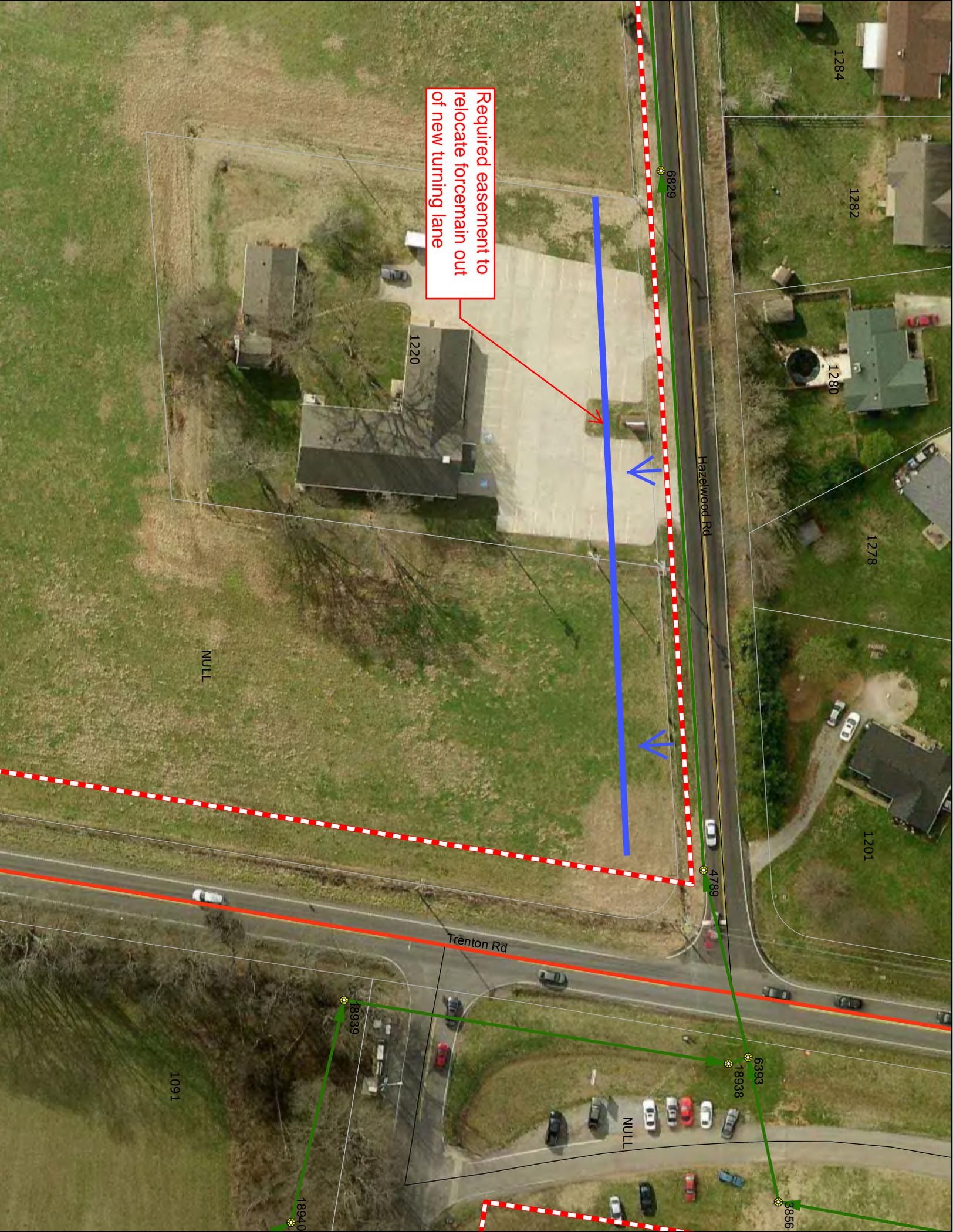
VOL. 0762 PAGE 1160

JOYCE B. NORFLEET
REGISTER OF DEEDS
MONTGOMERY, CO TN

11-21-2000 2:49

SATX _____ CF _____
SBTX _____ CF _____
COMPUTER FEE 2.00
RECORDING FEE _____
RECEIPT NO. 6963-005

Required easement to relocate forcemain out of new turning lane



1284

1282

1280

1278

1201

1220

NULL

Trenton Rd

Hazelwood Rd

6829

4789

6393

18938

18939

18940

3856

1091

NULL

ORDINANCE 47-2013-14

AN ORDINANCE AMENDING THE 2013-14 PARKS SPECIAL REVENUE BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO DECREASE THE REVENUES OF THE PARKS SPECIAL REVENUE BUDGET IN THE AMOUNT OF \$57,601 AND INCREASE THE EXPENDITURES OF THE PARKS SPECIAL REVENUE BUDGET IN THE AMOUNT OF \$248,134.

WHEREAS, the Parks Special Revenue Fund is required to spend Program revenues for Program expenditures; and,

WHEREAS, an internal audit report dated October 29, 2013 recommended the Parks Special Revenue funds be spent in accordance with Resolution 76-2010-11 which defines the order of spending as follows: restricted, committed, assigned and unassigned; and,

WHEREAS, the funds of the Parks Special Revenue Fund are committed, and, therefore should be spent in order to be in compliance with the City Code and the City spending policy; and,

WHEREAS, the Parks and Recreation Department is seeking permission to spend an additional \$248,134 for needed special revenue related improvements during the FY2014 and anticipate a decrease in revenue of \$57,601.

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

That the following Budget Amendments be made:

Parks Special Revenue Fund:

Revenues	2445000-various	Decrease:	\$ 57,601
Expenditures	24450003-various	Increase:	\$ 248,134
(see attachment)			

BE IT FURTHER ORDAINED that the source of funding for the increase of expenditures above revenues in the net amount of \$305,735 shall be from the fund balance of the Parks Special Revenue Fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

PARKS SPECIAL REVENUE AMENDMENT BY PROGRAM

	REVENUES	EXPENDITURES
207 SOCCER	13,375	51,831
811 SOFTBALL	1,063	88,789
811A SOFTBALL-ADULT	(4,500)	32,740
810 TENNIS	250	14,795
870 QCRR		14,838
813 CROW		19,382
815 BURT COBB		30,027
814 KLEEMAN	(6,140)	17,044
800 LIBERTY PARK		(181)
820 MCGREGOR		3,063
819 PROGRAMMING FACILITIES	2,000	26,522
DOME DOME	3,083	10,475
830 PARKS AFTER DARK	(5,150)	-
CHOC CHOCOLATE AFFAIR	9,350	-
BARK BARK PARK	(800)	30
HMADE HANDMADE HOLIDAYS	5,900	-
ATHM ATHLETIC MISC.	(1,355)	(127)
FLAGY FLAG FOOTBALL	(10,065)	(12,065)
FTDEF FT DEFIANCE		7,463
COC CHRISTMAS ON CUMBERLAND	1,100	1,649
DOWNT DOWNTOWN HOLIDAYS	(1,075)	-
JULY3 JULY 3RD	(16,150)	4,058
OTHER OTHER	(15,000)	(15,000)
RFEST RIVERFEST	(33,487)	(47,199)
TOTALS	\$ (57,601)	\$ 248,134

ORDINANCE 48-2013-14

AN ORDINANCE AMENDING THE 2013-14 GENERAL FUND BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE FUNDING IN THE AMOUNT OF \$40,000 AND ACCEPTANCE OF FEDERAL AND STATE GRANTS IN THE AMOUNT OF \$35,000 TO COMPLETE FEMA/TEMA HAZARD MITIGATION ACQUISITION AND DEMOLITION PROJECT

WHEREAS, FEMA has requested the removal of concrete driveways and pads on the Hazard Mitigation home buyouts; and

WHEREAS, the cost of concrete removal on these projects is estimated to be \$40,000; and

WHEREAS, the Federal Government will reimburse the city 75% of actual cost and the State of Tennessee will reimburse the city 12.5% of actual cost; and

WHEREAS, the City of Clarksville's share of these expenditures will be 12.5%; estimate to be \$5,000.

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

That the following Budget Amendments be made:

General Fund:

Federal Grant Revenue	100330-33130-FL10A	Increase:	\$18,750
Federal Grant Revenue	100330-33130-FL10B	Increase:	\$11,250
State Grant Revenue	100330-33410-FL10A	Increase:	\$ 3,125
State Grant Revenue	100330-33410-FL10B	Increase:	\$ 1,875
Other Expenditures	10460003-4800-FL10A	Increase:	\$25,000
Other Expenditures	10460003-4800-FL10B	Increase:	\$15,000

BE IT FURTHER ORDAINED that the City of Clarksville's share in the amount of \$5,000 shall be from the fund balance of the General Fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 21-2013-14

A RESOLUTION AUTHORIZING A FIREWORKS DISPLAY DURING THE BEST OF CLARKSVILLE EVENT

WHEREAS, the City of Clarksville received a request from Justin Grant, Fuse Fireworks & Shows, to conduct a fireworks display on October 2, 2014, at 7:00 p.m. at Two Rivers Center; and

WHEREAS, this fireworks display would be conducted during the annual Best of Clarksville event benefiting the March of Dimes.

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

That the Clarksville City Council hereby authorizes Fuse Fireworks & Shows to conduct a fireworks display on October 2, 2014, at 7:00 p.m. at Two Rivers Center during the annual Best of Clarksville event.

ADOPTED:



January 8, 2014

Dear Mr. Williams,

Fuse Fireworks and Shows is requesting approval to conduct a fireworks display for the 2014 Best of Clarksville. We are currently awaiting approval from the Public Safety Committee meeting and February session of the City Council. The event will be held Two Rivers Center on Thursday, October 2. The fireworks will start at 7:00 PM. This particular show will be similar to previous shows and last approximately 15 minutes.

Only Class "C" fireworks will be used in the display. Specification details of Class "C" fireworks are enclosed with this document. Briefly stated, they are the same fireworks that can be purchased by any consumer over the age of 16 without any permits in the State of Tennessee. They are also the same fireworks that are legal to shoot within the city limits of Clarksville from July 1 through July 5 without any permits.

This show will be under my supervision at all times including setup, firing and clean up. My insurance certificate is also attached to this document. The maximum diameter shell used in this show will be 1", which requires a 70' fall out area. We will have a 80' fall out area for extra security.

A handwritten signature in blue ink that reads "Justin Grant". The signature is fluid and cursive, with the first name "Justin" and last name "Grant" clearly legible.

Justin Grant
Fuse Fireworks and Shows



Consumer Fireworks

“Consumer Fireworks” describes the type of fireworks permitted for sale to consumers in a number of states, including Alabama, Texas, Mississippi, Oklahoma, and Missouri. Individual states may impose restrictions on specific categories of items within the “consumer fireworks” definition.

The term “consumer fireworks” refers to fireworks that produce visible and/or audible effects through the burning or explosion of chemical mixtures. “Consumer fireworks” may produce a shower of sparks, may propel burning pellets (“stars”) into the air, may propel inserts into the air which burst to produce visible and/or audible effects, or the devices themselves may rise into the air and produce visible and/or audible effects. All “consumer fireworks” must be approved for transportation by the U.S. Department of Transportation, and are classed as DOT Division 1.4G (UN 0336). All “consumer fireworks” must fully comply with the fireworks construction, labeling, and performance regulations of the United States Consumer Product Safety Commission (CPSC).

The effects from a “consumer fireworks” will occur from ground level to one hundred feet in the air or higher, depending on the type of device that is ignited.

Categories of “consumer fireworks” include ground-based devices such as fountains, ground spinners, and wheels. Aerial devices include roman candles, mines and shells (either single or multiple tubes), sky rockets, and missiles. Other “consumer fireworks” include helicopters and firecrackers.

Allowed audible effects in “consumer fireworks” include whistle effects and a mild “crackling” effect, as well as “report”, which is a firecracker-type of explosive effect either at ground level or in the air. Aerial reports are limited by CPSC regulation to a maximum of 130 milligrams (0.013 grams or two grains) of chemical composition per report, while ground-based reports are limited to 50 milligrams of powder.

The sub-category of “consumer fireworks” that consists of ground-based devices that produce a shower of sparks, colored flame, crackling effect, or smoke as their pyrotechnic effects are known as “safe and sane” fireworks. “Safe and sane” fireworks do not produce a report, rise into the air, or propel inserts or stars into the air.



Firing Details

Fuse Fireworks and Shows will conduct this display with the highest level of care and safety. The information below describes how the fireworks in the display will be properly fired. All fireworks used in the show are defined as Class "C" (1.4G) explosives, meet the CPSC guidelines, and do not exceed 1.5" in diameter. Water buckets will be at the firing station in the event of an emergency. Gas grill lighters will be used to ignite the fireworks, in order for the people lighting the fireworks to maintain a safe distance from the item.

Aerial Repeaters

These items are commonly referred to as "cakes" that repeat a various number of shot after being lit just once. There are two different sub-categories of aerial repeaters: 200 gram repeaters and 500 gram repeaters. The 200 gram aerial repeaters will shoot up to 125' into the air, and the 500 gram aerial repeaters will shoot up to 250' in the air. All "cakes" will be centered on a piece of plywood to ensure a solid and flat surface. All "cakes" will be surrounded by concrete blocks to prevent the item from tipping over.

Reloadables - NOT USED IN THIS SHOW

These are kits that contain 1 tube and 6 reloadable shells. Each shell is loaded one at a time into the tube and will shoot approximately 125' into the air and explode into a color break. The tube will be placed on a piece of plywood to ensure a solid and flat surface. The tube will also be surrounded by concrete blocks to prevent the tube from tipping over.

Ground Fountains - NOT USED IN THIS SHOW

These are classified as "safe and sane" items, meaning they produce little if any noise. They stay grounded and shower up. The sparks produced by these fountains stay within a 10' radius and are generally safe for kids. The fountains will be placed on a piece of plywood and surrounded by concrete blocks to prevent the fountain from tipping over.



January 8, 2014

Clarksville Fire Department
802 Main Street
Clarksville, TN 37040
(931) 645-7456

Chief Michael E. Roberts,

Fuse Fireworks and Shows is requesting approval to conduct a fireworks display within the city limits. The date is scheduled for October 2, 2014 around 7:00 PM at Two Rivers Center for the Best of Clarksville.

The event is currently pending the approval of the February session of the City Council. If the event is approved, Fuse Fireworks and Shows would like to request the Clarksville Fire Department to be on site in the event of an emergency.

More information, including a detailed schedule of events and maps of the event, are available upon request.

A handwritten signature in blue ink that reads "Justin Grant". The signature is fluid and cursive, with the first name "Justin" and last name "Grant" clearly legible.

Justin Grant
Fuse Fireworks and Shows



Display Specifications

Event: Fireworks Display at the Best of Clarksville

Date: October 2, 2014

Location: Two River Center
700 North Riverside Drive
Clarksville, TN 37040

Contact: Justin Grant
Fuse Fireworks and Shows
3371 Highway 41-A South
Clarksville, TN 37043
(931) 546-9624 showroom
(865) 603-2264 cell phone

Schedule: This fireworks display is for the annual Best of Clarksville benefiting the March of Dimes. The fireworks display signify the event of the event, just before the winners are announced.



Preparation and Safety

All fireworks in the display come directly from the Fuse Fireworks and Shows showroom. They are defined as Consumer Fireworks, according to NFPA 1123 1.4.20.1, and can be legally purchased in the state of Tennessee by anyone over the age of sixteen (16).

The fireworks will be used according to the instructions on the warning labels on the product, as well as the manufacturer (TNT Fireworks).

Inspect all items – ensure they are in good working order. Look for any damage or leaking.

Read the instructions for every item. This is required for the safety of the person shooting the show and your audience. This is also important for the performance of the items. Some items like fan shaped aerals will have instructions on what side should face the audience. This pre-planning will ensure safety, optimum effect and presentation.

Remove any cello packaging, locate fuses and remove any fuse covers. Make sure Glo-Fuze items get proper light before sundown.

Unwind the fuse on all reloadable shell items in advance. This will make them easier to handle in the dark.

Plan your firing order. Shoot the smallest items first. Then move on to ground level fountains, spinners, crackers and wheels. Build your show literally from the ground up. Next, add some small rockets, roman candles and winged items. Then build up to larger items like aerial cakes, reloadable shells, and large stick rockets. Finally, add your large aerial repeaters and then the grand finale 500 gram aerial repeaters.

Once you have chosen your shoot order, sequentially line up your items prior to sundown. Place them in a box and keep them a safe distance from the shoot site. Keep the box covered at all times.

Make sure you shoot area is flat and solid. If you are shooting from grass, it is recommended to place a 4' x 8' piece of plywood over the grass area. This will ensure your shoot surface is flat and solid.

If you are going to pre-set your show, follow these safety tips:

Keep your fireworks separated.

Make sure you can light your fireworks without standing over any unlit item.

Ensure all fuses are facing the same direction if possible.

IMPORTANT: Never leave pre-set fireworks area unattended!

Use buckets full of sand or dirt to safely place your roman candles and bottle rockets.

As you are setting up, pay attention to the wind direction and have the spectators positioned upwind from the launch site so the smoke blows away from the crowd instead of towards them.

The audience will be able to view the fireworks show from within the area marked in blue.

The fireworks will be fired from the area marked in yellow.

Maps and Diagrams



- Blue area indicates spectator viewing.
- Yellow indicates area roped off for fireworks.
- Fall out area allowed is 80' (70' required for items used in the show).

Maps and Diagrams



- Blue area indicates spectator viewing.
- Yellow indicates area roped off for fireworks.
- Fall out area allowed is 80' (70' required for items used in the show).



Display Shoot List

All fireworks are defined as Consumer Fireworks by NFPA 1123 and approved by the United States CPSC

Item Name	DOT Class	Powder Charge	Diameter
Purple People Eater	1.4G	200	0.75"
Texas Cyclone	1.4G	200	0.50"
Radioactive	1.4G	200	0.75"
War Hog Motorcycle	1.4G	200	0.75"
Turning Heads	1.4G	200	0.75"
After Burner	1.4G	200	0.75"
Burn Out	1.4G	200	1.00"
About Time	1.4G	200	1.00"
Outta Control	1.4G	500	1.00"
Yikes	1.4G	500	1.00"
Proud	1.4G	500	1.00"

3 shells for each item will be used in this show.



Attached a separate file:

- Insurance Certificate



CERTIFICATE OF LIABILITY INSURANCE

11/1/2013

DATE (MM/DD/YYYY)

9/11/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Scottsdale Insurance Company		41297
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER: 12359885** **REVISION NUMBER: XXXXXXXX**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	N	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPIOP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	NOT APPLICABLE			<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
 PRODUCT LIABILITY FOR TNT BRAND PRODUCTS ONLY

CERTIFICATE HOLDER 12359885 FUSE FIREWORKS AND SHOWS JUSTIN GRANT 2324 LOCK B ROAD NORTH CLARKSVILLE TN 37043	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

RESOLUTION 24-2013-14

A RESOLUTION AUTHORIZING AND APPROVING THE SUB-LEASE OF THE RESTAURANT LEASE PROPERTY AT LIBERTY PARK

WHEREAS, the Clarksville City Council has previously found that the public good will be served by the construction, installation, and professional operation of a public restaurant at Liberty Park, which will increase the tax base of surrounding properties, generate additional sales tax, and provide additional employment opportunities, and generally increase the utility and attractiveness of Liberty Park; and

WHEREAS, the City and Cumberland Tavern, LLC, (entity name later changed to Liberty Park Grill, LLC; entity name again later changed to Liberty Park Development, LLC) have previously entered into a long term ground lease which was authorized and approved by the Clarksville City Council by adoption of RESOLUTION 32-2011-12 on December 20, 2011, as amended by Addendum One as approved by the Clarksville City Council by adoption of Resolution 8-2012-13 on August 2, 2012; and as further amended by Addendum Two as approved by the Clarksville City Council by adoption of Resolution 3-2013-14 on August 1, 2013; and

WHEREAS, the Lessee, Liberty Park Development, LLC (formerly named Liberty Park Grill, LLC; which was formerly named Cumberland Tavern, LLC in the original Restaurant Lease) desires to sub-lease all or a portion of the restaurant property (restaurant to be built in accordance with the Lease Agreement) to a new entity owned by the same principals, Bob McManus and Darby Campbell.

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

That the Lessee, Liberty Park Development, LLC (formerly named Liberty Park Grill, LLC; which was formerly named Cumberland Tavern, LLC in the original Restaurant Lease) is authorized to sub-lease all or a portion of the restaurant property at Liberty Park, as described in the Restaurant Lease, to sub-lessee Liberty Park Grill, LLC, a new entity owned by the same principals, Bob McManus and Darby Campbell, said sub-lease agreement between Liberty Park Development, LLC and Liberty Park Grill, LLC, being approved is attached hereto as Exhibit A.

ADOPTED:

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, TN 37040
 Debt Issue Name: Electric System Rev Ref Bonds, Series 2014
 If disclosing initially for a program, attach the form specified for updates, indicating the frequency required

2. Face Amount: \$ 3,215,000
 Premium/Discount: \$ 126,288.95

3. Interest Cost: 2.045283 % Tax-exempt Taxable
 TIC NIC
 Variable: Index _____ plus _____ basis points; or
 Variable: Remarketing Agent _____
 Other: _____

4. Debt Obligation:
 TRAN RAN CON
 BAN CRAN GAN
 Bond Loan Agreement Capital Lease
 If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Office of State and Local Finance ("OSLF").

5. Ratings:
 Unrated
 Moody's Aa2 Standard & Poor's _____ Fitch _____

6. Purpose:

		BRIEF DESCRIPTION
<input type="checkbox"/> General Government	_____ %	_____
<input type="checkbox"/> Education	_____ %	_____
<input type="checkbox"/> Utilities	_____ %	_____
<input type="checkbox"/> Other	_____ %	_____
<input checked="" type="checkbox"/> Refunding/Renewal	<u>100</u> %	<u>Refunding outstanding 2004 Bonds</u>

7. Security:
 General Obligation General Obligation + Revenue/Tax
 Revenue Tax Increment Financing (TIF)
 Annual Appropriation (Capital Lease Only) Other (Describe): _____

8. Type of Sale:
 Competitive Public Sale Interfund Loan _____
 Negotiated Sale Loan Program _____
 Informal Bid

9. Date:
 Dated Date: 01/29/2014 Issue/Closing Date: 01/29/2014

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

10. Maturity Dates, Amounts and Interest Rates *:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
2014	\$ 285,000	2.000 %		\$	%
2015	\$ 290,000	2.000 %		\$	%
2016	\$ 300,000	2.000 %		\$	%
2017	\$ 300,000	4.000 %		\$	%
2018	\$ 325,000	2.000 %		\$	%
2019	\$ 325,000	2.000 %		\$	%
2020	\$ 325,000	2.500 %		\$	%
2021	\$ 345,000	3.000 %		\$	%
2022	\$ 355,000	3.000 %		\$	%
2023	\$ 365,000	3.000 %		\$	%
	\$	%		\$	%

If more space is needed, attach an additional sheet.

If (1) the debt has a final maturity of 31 or more years from the date of issuance, (2) principal repayment is delayed for two or more years, or (3) if debt service payments are not level throughout the retirement period, then a cumulative repayment schedule (grouped in 5 year increments out to 30 years) including this and all other entity debt secured by the same source **MUST BE PREPARED AND ATTACHED**. For purposes of this form, debt secured by an ad valorem tax pledge and debt secured by a dual ad valorem tax and revenue pledge are secured by the same source. Also, debt secured by the same revenue stream, no matter what lien level, is considered secured by the same source.

* This section is not applicable to the Initial Report for a Borrowing Program.

11. Cost of Issuance and Professionals:

No costs or professionals

	AMOUNT <small>(Round to nearest \$)</small>	FIRM NAME
Financial Advisor Fees	\$	
Legal Fees	\$ 20,000	Bass, Berry & Sims PLC
Bond Counsel	\$	
Issuer's Counsel	\$	
Trustee's Counsel	\$	
Bank Counsel	\$	
Disclosure Counsel	\$	
Paying Agent Fees	\$ 1,250	Regions Bank
Registrar Fees	\$	
Trustee Fees	\$	
Remarketing Agent Fees	\$	
Liquidity Fees	\$	
Rating Agency Fees	\$ 12,000	Moody's
Credit Enhancement Fees	\$	
Bank Closing Costs	\$	
Underwriter's Discount <u>0.60%</u>	19,290	Wiley Bros.- Aintree Capital
Take Down	\$	
Management Fee	\$	
Risk Premium	\$	
Underwriter's Counsel	\$	
Other expenses	\$	
Printing and Advertising Fees	\$ 500	
Issuer/Administrator Program Fees	\$	
Real Estate Fees	\$	
Sponsorship/Referral Fee	\$	
Other Costs	\$ 3,000	Miscellaneous
TOTAL COSTS	\$ 56,040	

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

12. Recurring Costs:

No Recurring Costs

	AMOUNT (Basis points/\$)	FIRM NAME (If different from #11)
Remarketing Agent		
Paying Agent / Registrar	\$750.00	Regions Bank (annual payment)
Trustee		
Liquidity / Credit Enhancement		
Escrow Agent		
Sponsorship / Program / Admin		
Other _____		

13. Disclosure Document / Official Statement:

None Prepared

EMMA link _____ or

Copy attached

14. Continuing Disclosure Obligations:

Is there an existing continuing disclosure obligation related to the security for this debt? Yes No

Is there a continuing disclosure obligation agreement related to this debt? Yes No

If yes to either question, date that disclosure is due April 30 of each yr

Name and title of person responsible for compliance David Johns, CFO of Clarksville Dept. of Electricity

15. Written Debt Management Policy:

Governing Body's approval date of the current version of the written debt management policy 02/02/2012

Is the debt obligation in compliance with and clearly authorized under the policy? Yes No

16. Written Derivative Management Policy:

No derivative

Governing Body's approval date of the current version of the written derivative management policy _____

Date of Letter of Compliance for derivative _____

Is the derivative in compliance with and clearly authorized under the policy? Yes No

17. Submission of Report:

To the Governing Body: on 2/6/2014 and presented at public meeting held on 2/6/2014

Copy to Director to OSLF: on 2/7/2014 either by:

Mail to: 505 Deaderick Street, Suite 1600
James K. Polk State Office Building
Nashville, TN 37243-1402

OR Email to: StateAndLocalFinance.PublicDebtForm@cot.tn.gov

18. Signatures:

	AUTHORIZED REPRESENTATIVE	PREPARER
Name	<u>Kim McMillan</u>	<u>Jeffrey Oldham</u>
Title	<u>Mayor</u>	<u>Member</u>
Firm		<u>Bass, Berry & Sims</u>
Email	<u>kim.mcmillan@cityofclarksville.com</u>	<u>joldham@bassberry.com</u>
Date	<u>01/29/2014</u>	<u>01/29/2014</u>