



**CITY COUNCIL
CLARKSVILLE, TENNESSEE
REGULAR SESSION
APRIL 3, 2014**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, April 3, 2014, at 7:03 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

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

ATTENDANCE

PRESENT: Kip McNeill (1; arrived 7:36 p.m.), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

SPECIAL RECOGNITIONS

Mayor McMillan presented a Certificate of Recognition to Derek van der Merwe, Director of Athletics, Austin Peay State University, for his dedication to the university's athletic program. Mr. van der Merwe presented the Mayor and Councilmembers with a t-shirt displaying the program's new logo.

PUBLIC HEARING

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

ORDINANCE 60-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of CBP Properties c/o Christian Black for zone change on property at Crossland Avenue & Perkins Avenue from R-3 Three Family Residential District to R-6 Single Family Residential District

Christian Black, agent for the applicant, said the proposed development would allow nine single family lots with off-street parking and a turn-around at the end of Perkins Avenue. No one expressed opposition.

ORDINANCE 61-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Linda Titington, Jane Ondocin-Agent, for zone change on property at Rossvie Road & Dunbar Cave Road, from R-1 Single Family Residential District to OP Office-Professional District

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

ORDINANCE 62-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David S. Hong, Mike Baggett and Anthony Vaughn-Agents, for zone change on property at Highway 41-A South & Old Excell Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

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

ORDINANCE 63-2013-14 (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 Dale Terrace Subdivision from R-4 Multiple Family Residential District to R-2 Single Family Residential District

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

ORDINANCE 64-2013-14 (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 Glenstone Subdivision from R-4 Multiple Family Residential District to R-1 Single Family Residential District

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

ORDINANCE 65-2013-14 (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 Heritage Estates from R-4 Multiple Family Residential District to R-1 Single Family Residential District

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

ORDINANCE 66-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of portions of Creekside Subdivision from R-4 Multiple Family Residential District to R-2 Single Family Residential District

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

RESOLUTION 34-2013-14 Adopting the 2015-2019 Public Improvements Program

There were no comments.

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

ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 60-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Jones, McLaughlin, Summers

NOTE: Councilman McNeill was not present for this vote.

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 61-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Burkhart, McLaughlin, Wallace

NOTE: Councilman McNeill was not present for this vote.

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 62-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

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

NOTE: Councilman McNeill was not present for this vote.

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 63-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. Councilwoman McLaughlin made a motion to consider **ORDINANCE 63-2013-14, ORDINANCE 64-2013-14, ORDINANCE 65-2013-14, and ORDINANCE 66-2013-14** in one vote. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed without objection. Councilman Grubbs' motion and Councilman

Redd's second were amended to include all four ordinances. The following vote was recorded:

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

NOTE: Councilman McNeill was not present for this vote.

The motion to adopt the ordinances approving area-wide zone changes requested by the Regional Planning Commission passed on first reading.

PUBLIC IMPROVEMENTS PROGRAM

Councilman Grubbs made a motion to adopt **RESOLUTION 34-2013-14**. The motion was seconded by Councilman Redd. The following vote was recorded:

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

NOTE: Councilman McNeill was not present for this vote.

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 53-2013-14** (Second Reading) Amending the FY14 General Fund Operating Budget for repairs to the World War I Doughboy Memorial
2. **ORDINANCE 54-2013-14** (Second Reading) Amending the FY14 Operating Budget to transfer funds from Salaries and Benefits to the Two Rivers Company
3. **ORDINANCE 55-2013-14** (Second Reading) Amending the FY14 Operating Budget for water damage repairs at the Senior Citizens Center
4. **ORDINANCE 57-2013-14** (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 Sage Meadow Subdivision from R-4 Single Family Residential District to R-1 Single Family Residential District and R-2 Single Family Residential District
5. Approval of Minutes: Special Session March 6, Regular Session March 6th
6. Approval of Board Appointments:

Arts & Heritage Development Council: Leah Foote – April 2014 through March 2017

Audit Committee: Wilbur Berry – April 2014 through December 2014

Beer Board: Monte Mitchell – April 2014 through March 2016

Board of Equalization: Doug Jackson and Mark Kelly - May 2014 through April 2016

Museum Board: Valerie Guzman – January 2014 through December 2014

Councilman Lewis made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Harris. Councilman Burkhart abstained from voting on **ORDINANCE 53-2013-14**. The following vote was recorded:

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

The motion to adopt the Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said THDA was celebrating their 40th anniversary by participating in a home donation for a returning Veteran. The home was located on Sharpie Drive in Ward 9.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 58-2013-14 (First Reading) Amending the FY14 Capital Projects Budget for Fort Defiance Interpretive Center signage

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. Councilman Wallace expressed appreciation to the CW150 Commission, Friends of Fort Defiance, and Charles Morelan for their donations which match budgeted funds for this project. Councilman Redd said the Parks & Recreation Committee also supported this amendment. The following vote was recorded:

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

NOTE: Councilman McNeill was not present for this vote.

The motion to adopt this ordinance on first reading passed.

ORDINANCE 59-2013-14 (First Reading) Amending the FY14 Capital Projects budget to close the excursion boat dock project and create the Red River Trail Phase II project

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 Grubbs. Councilwoman Jones said her previous attempt to transfer these funds to park repairs during the FY14 budget process was not political and made a motion to table this ordinance

and transfer the funds to park repairs. The motion was seconded by Councilman Summers. It was the opinion of the city attorney that the motion involved two separate actions. Councilwoman Jones then made a motion to amend this ordinance to transfer \$325,000 from the excursion boat dock project to park repairs. The motion was seconded by Councilman Summers. In response to Councilman Allen's question, Mayor McMillan said appraisals were being prepared for land necessary for the second phase of the Red River Trail.

NOTE: Councilman McNeill arrived at 7:36 p.m.

Councilman Summers said he supported transfer of funds to park repairs because no time-line had been established and no cost estimates had been prepared for the Red River Trail Phase II project. Councilman Lewis called for the question. The motion was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to cease discussion failed due to lack of 2/3 majority. In response to Councilman Burkhart's question, Mayor McMillan said the excursion boat dock project would be addressed in the future. Councilman Burkhart objected to borrowing funds for park repairs. Councilwoman Jones called for the question. The motion was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion on the amendment passed. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

Councilwoman Jones' amendment failed. The following vote on the original motion was recorded:

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

NAY: Jones, Summers

The motion to adopt this ordinance on first reading passed.

RESOLUTION 33-2013-14 Authorizing issuance of General Obligation Refunding and Improvement Bonds not to exceed \$11,000,000

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Harris.

In response to Councilman Summers' question regarding a new fire station at Exit 1, Mayor McMillan said a land donation is still being considered. Councilman Summers was concerned that the project had not progressed. Councilman Burkhart said a new station at Exit 8 should have priority.

Councilman Harris objected to Mayor McMillan's request to go out of session to hear comments from the Director of Finance and the bond attorney. Following discussion, Councilman Redd made a motion to go out of session to hear comments from the Director of Finance and the bond attorney. The motion was seconded. A voice vote was taken; the motion passed. Finance Director Laurie Matta said some projects in the FY14 capital budget were already underway and some had actually been completed. Councilman Redd made a motion to revert to regular session. The motion was seconded. A voice vote was taken; the motion passed.

Councilman Lewis called for the question. The motion was seconded by Councilman Harris. The following vote was displayed:

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

The motion to cease discussion unanimously passed.

The following vote on the original motion was displayed:

AYE: Harris, Grubbs, Guzman, Lewis, McLaughlin, McNeill, Redd, Wallace

NAY: Allen, Burkhart, Jones, Summers

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

Councilman Burkhart said the Gas & Water Department was making efforts to provide more customer-friendly services.

Councilman Summers asked for CDE to give a department update at the next executive session. Mayor McMillan said she would respond to any questions sent to her.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd referred the Council to the Parks & Recreation website for information on current events.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

Councilman Grubbs shared the following department statistics for the month of March: Building & Codes Enforcement Division – 310 cases; Building & Codes Construction Division – 1,788 inspections; Building & Codes Abatement Program – 21 work orders including 11 graffiti cases; Fire & Rescue – 923 emergency responses; Police Department – 12,337 calls.

Councilman Grubbs said the Clarksville Police Department had recently been awarded a Green Certification.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said the Street Department completed 150 work orders during the month of March.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris said during the month of March, Clarksville Transit System transported 57,373 passengers and Clarksville-Nashville Express transported 4,982 passengers.

Councilman Harris said the City Garage completed 397 work orders during March with unleaded fuel at a cost of \$3.29 per gallon and diesel fuel at \$3.22 per gallon. He mentioned the Garage had recently been awarded a Green Certification.

NEW BUSINESS

RESOLUTION 32-2013-14 Approving the Tennessee Department of Transportation proposal for improvements to SR 237 (Rossvie Road) serving Hankook Tire

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

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

The motion to adopt this resolution unanimously passed.

MAYOR AND STAFF REPORTS

Although this issue was not listed on the agenda, Councilwoman Jones made a motion hold the next executive session on the normal meeting date of April 24th instead of April 28th [this meeting had been rescheduled because Public Square would be closed to vehicular traffic for activities associated with the annual Rivers & Spires festival]. Councilwoman Jones said the normal meeting date would all council members more time to review the agenda prior to regular session. The motion was not seconded.

ADJOURNMENT

Councilman Redd made a motion to adjourn. The motion was seconded by Councilman Harris. A voice vote was taken; there was objection. Mayor McMillan ruled the motion passed. Councilwoman McLaughlin objected to the ruling. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to adjourn passed at 8:47 p.m.