



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
MAY 29, 2014**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, May 29, 2014, following Executive Session at 6:25 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilman Joel Wallace.

ATTENDANCE

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

PUBLIC INPUT

Mayor McMillan made a motion to suspend the rules to allow Finance Director Laurie Matta and City Attorney Lance Baker to respond to questions without voting to go out of session. The motion was seconded by Councilman Harris. The following vote was recorded:

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

NAY: Allen, Burkhart, Jones, McLaughlin, McNeill, Summers

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

Councilman Allen made a motion to suspend the rules to allow Ms. Matta, Mr. Baker, and Department Heads to respond to questions without voting to go out of session. The motion was seconded by Councilman Summers. The following vote was recorded:

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

The motion passed.

JULY REGULAR MEETING

ORDINANCE 73-2013-14 (First Reading) Rescheduling the July 2014 regular meeting of the City Council

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

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

The motion to adopt this ordinance on first reading passed.

INDUSTRIAL PARK FIRE & EMERGENCY FACILITY

RESOLUTION 42-2013-14 Authorizing an interlocal contract with Montgomery County for construction of a fire protection facility and emergency services facility for the Industrial Park

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 Lewis. Following discussion, Councilman Wallace made a motion to postpone action on this resolution to the next regular session. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

The motion to postpone action on this resolution to the next regular session passed.

CORMAN BRIDGE LIGHTING

RESOLUTION 43-2013-14 Authorizing an amendment to the interlocal contract with Montgomery County for lighting of the Corman Rail Road Bridge

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 Lewis.

Councilwoman McLaughlin made a motion to postpone action on this resolution to the next regular session to allow time to obtain additional information on the project. The motion was seconded by Councilman Summers. The following vote was recorded:

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

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

The motion to postpone failed.

Councilman Allen mentioned the grant for this project; Councilman Wallace called for a point of order stating the contract was regarding cost-sharing, not grant requirements. Mayor McMillan ruled Councilman Allen's comments were not germane. Councilman Allen challenged the ruling. The following vote on the ruling was recorded:

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

NAY: Allen, Burkhart, Jones, McLaughlin, McNeill, Summers

The ruling of the Chair was upheld.

Councilwoman McLaughlin made a motion to postpone action on this resolution and to require R. J. Corman Rail Road to pay one-third of the cost of power for the decorative lighting. The motion was seconded by Councilman Summers. Mr. Baker said the City Council could not bind a non-party entity to the contract. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

The motion to postpone and require the bridge owner to pay a portion of the power costs failed. The following vote on the original motion was recorded:

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

NAY: Jones, McLaughlin, Redd

The motion to adopt this resolution passed.

FY15 BUDGETS PUBLIC HEARING

Mayor McMillan made a motion to conduct a public hearing regarding the proposed FY15 Budgets. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection. There were no comments regarding the budgets. Mayor McMillan made a motion to revert to special session. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection.

FY15 BUDGETS FIRST READING

ORDINANCE 75-2013-14 FY15 Community Development Budget

Councilman Harris 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, McMillan, McNeill, Redd, Summers, Wallace

The motion to adopt the FY15 Community Development Budget on first reading unanimously passed.

ORDINANCE 76-2013-14 FY15 Parking Authority Budget

Councilman Harris 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, McMillan, McNeill, Redd, Summers, Wallace

The motion to adopt the FY15 Parking Authority Budget on first reading unanimously passed.

ORDINANCE 77-2013-14 FY15 Clarksville Transit System Budget

Councilman Harris 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, McMillan, McNeill, Summers, Wallace

NAY: Redd

The motion to adopt the FY15 Clarksville Transit System Budget on first reading passed.

ORDINANCE 78-2013-14 FY15 Department of Electricity Budget

Councilman Harris 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, McMillan, McNeill, Redd, Summers, Wallace

The motion to adopt the FY15 Department of Electricity Budget on first reading unanimously passed.

ORDINANCE 79-2013-14 FY15 Gas-Water-Sewer Budget

Councilman Harris 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, McMillan, McNeill, Redd, Summers, Wallace

The motion to adopt the FY15 Gas-Water-Sewer Budget on first reading unanimously passed.

ORDINANCE 80-2013-14 FY15 Internal Service Fund Budget

Councilman Harris 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, McMillan, McNeill, Redd, Summers, Wallace

The motion to adopt the FY15 Internal Service Fund Budget on first reading unanimously passed.

ORDINANCE 81-2013-14 FY15 General Government Budget

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

The following disclosures were made:

Councilwoman McLaughlin said her husband was an employee of the Clarksville Police Department; Councilman Grubbs said his son-in-law was an employee of Clarksville Fire & Rescue; Councilwoman Guzman said her brother was an employee of the Clarksville Police Department; Councilman Harris said his wife was an employee of Montgomery County for the Green Certification Program. All stated their intent to vote on all elements of the budget for the betterment of the City as a whole.

AMENDMENT #1: Councilman Allen made a motion to add \$995,000 to purchase the downtown Bank of America property. The motion was seconded by Councilman Summers. Councilman Allen said the Two Rivers Company unanimously supported acquisition of this building and land. Councilman Burkhart said he would not vote on this amendment because he had a personal involvement in the property.

Councilwoman McLaughlin said she supported this purchase because Clarksville Transit System would relocate in the future and the current City property could be an extension of a new development. Councilman Burkhart said the City should consider offering an exchange of currently unused City property. Mayor McMillan suggested waiting until the appraisal was available.

Councilman Allen called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

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

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

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

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

ABSTAIN: Burkhart

The motion to add \$995,000 to purchase the Bank of America property (AMENDMENT #1) failed.

AMENDMENT #2: Councilman Allen made a motion to add \$50,000 for a \$.50 step increase for the Parks & Recreation part-time employees. The motion was seconded by Councilwoman McLaughlin. Councilman Allen called for a point of order regarding Mayor McMillan's comments relative to her amendment which had not yet been presented. There was no ruling. Ms. Matta said the department hires part-time employees based on number of hours needed, not on number of employees. In response to Councilman Allen's statement saying the Chair was out of order, Councilman Redd called for point of order stating only the Chair can make a ruling of order. Mayor McMillan ruled in favor of Councilman Redd's point of order.

Councilman Summers called for the question. The question was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

NAY: Burkhart

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

AYE: Allen, Jones, McLaughlin, McMillan, McNeill, Summers

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

The motion to add \$50,000 for a \$.50 step increase for Parks & Recreation part-time employees (AMENDMENT #2) failed.

AMENDMENT #3: Mayor McMillan made a motion to add \$25,000 for a \$.25 step increase for Parks & Recreation part-time employees. The motion was seconded by Councilman Grubbs. Councilman Allen made a motion to amend Mayor McMillan's motion to add \$55,000 for a \$.55 step increase for Parks & Recreation part-time employees. The motion was seconded by Councilwoman McLaughlin. Councilman Lewis called for the question. The question was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Allen, McLaughlin, McNeill, Summers

The motion to cease discussion on Councilman Allen's amendment passed. The following vote was recorded:

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

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

Councilman Allen's amendment to add \$55,000 for a step increase for Parks & Recreation part-time employees failed. Councilman Redd called for the question on Mayor McMillan's amendment. The question was seconded by Councilman Lewis. The following vote was recorded

AYE: Grubbs, Harris, Jones, Lewis, McMillan, McNeill, Redd, Wallace

NAY: Allen, Burkhart, Guzman, McLaughlin, Summers

The motion to cease discussion passed. The following vote on Mayor McMillan's amendment was recorded:

AYE: Allen, Grubbs, Harris, Jones, Lewis, McLaughlin, McMillan, McNeill, Summers

NAY: Burkhart, Guzman, Redd, Wallace

The motion to add \$25,000 for a \$.25 step increase for Parks & Recreation part-time employees (AMENDMENT #3) passed.

Councilman Harris called for the question on ORDINANCE 81-2013-14. The motion was seconded by Councilwoman Guzman. The following vote was recorded.

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to cease discussion on the FY15 General Government Budget failed due to lack of 2/3 majority.

AMENDMENT #4: Councilman Wallace made a motion to add \$99,385 for Clarksville Fire & Rescue employee equity adjustments. The motion was seconded by Councilman Grubbs. Ms. Matta said the inequities were corrected for FY14, but not carried over to the proposed FY15 budget. The following vote was recorded:

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

The motion to add \$99,385 for CFR employee equity adjustments (AMENDMENT #4) passed.

AMENDMENT #5: Councilman Summers made a motion to add \$1,086,383 for Fire Station 11 [Tiny Town Road]. The motion was seconded by Councilman Allen. Following a lengthy discussion regarding support for and opposition to building Fire Station 11 and Fire Station 12 [Rossvil Road] at the same time, Councilman Lewis called for the question. The question was seconded by Councilman Redd. The following vote was recorded:

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

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

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

The motion to add \$1,086,383 for Fire Station 11 (AMENDMENT #5) failed.

Councilman Redd called for the question on ORDINANCE 81-2013-14. The question was seconded by Councilman Harris. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to cease discussion on the FY15 General Government Budget failed.

AMENDMENT #6: Councilwoman Jones made a motion to delete \$100,000 for the Marion Street/Drane Street round-about. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Burkhart, Guzman, Harris, Jones, McLaughlin, McNeill, Redd, Summers

NAY: Grubbs, Lewis, Wallace

The motion to delete \$100,000 for the Marion/Drane round-about (AMENDMENT #6) passed.

AMENDMENT #7: Councilwoman Jones made a motion to delete \$100,000 for the athletic complex geotechnical survey. The motion was seconded by Councilman Redd. Mayor McMillan said the survey would include proposed sites at Exit 1 and Exit 8. Councilman Redd called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Allen

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

AYE: Allen, Burkhart, Jones, McLaughlin, McNeill, Redd, Summers

NAY: Grubbs, Guzman, Harris, Lewis, Wallace

The motion to delete \$100,000 for the sports complex survey (AMENDMENT #7) passed.

AMENDMENT #8: Councilwoman Jones made a motion to delete \$9,000 from Parks & Recreation public relations (\$6,800 Mayor's volunteer luncheon and employee appreciation breakfasts; \$2,200 employee recognition ceremony and pins). The motion was seconded by Councilman Redd. Councilman Redd called for the question. The question was seconded by Councilman Harris. The following vote was recorded:

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

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

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

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

The motion to delete \$9,000 from Parks public relations (AMENDMENT #9) failed.

AMENDMENT #9: Councilman Summers made a motion to delete \$100,000 for the proposed performing arts center. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Guzman, Harris, Jones, McLaughlin,
McNeill, Redd, Summers

NAY: Grubbs, Lewis, Wallace

The motion to delete \$100,000 for the performing arts center (AMENDMENT #9) passed.

Councilman Redd called for the question on ORDINANCE 81-2013-14. The question was seconded by Councilman Harris. The following vote was record:

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

NAY: Allen

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

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

NAY: Allen, Burkhart, Jones, McLaughlin, McNeill, Summers

The motion to adopt the FY15 General Government Budget on first reading as amended passed.

ADJOURNMENT

The meeting was adjourned at 9:58 p.m.