



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JULY 1, 2014**

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Debbie Fields encouraged support of placing signs in honor of Heath Calhoun for his accomplishments in the 2014 Paralympics. Kenneth Bailey had requested to speak regarding his personal water bill but was not present. Sidney Brown informed the Council that the Veterans Nursing Home lacked sufficient property to fully develop the new facility.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, July 1, 2014, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee. This meeting was rescheduled from the first Thursday to allow council members and city officials to attend the annual Independence Day festivities on July 3rd at Liberty Park.

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

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 HEARING

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

ORDINANCE 4-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Clear Sky, LLC, for zone change on property at Warfield Boulevard and Ted A. Crozier Boulevard from C-2 General Commercial District and R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

No one spoke for or against this request.

ORDINANCE 5-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Third Generation LLC c/o Polestar Development/Tim Mitch/Evan Condor for zone change on property at Tiny Town Road and Outlaw Field Road from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

Kelly Wagner, representing Polestar Development, offered to answer questions. No one spoke against this request.

ORDINANCE 6-2014-15 (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 Ranch Hill Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District and R-2D Two Family Residential District

No one spoke for or against this request.

ORDINANCE 7-2014-15 (First Reading) Amending the Zoning Ordinance relative to homeless shelter residential separation distance

Frank White asked for support of this amendment. Attorney Roger Maness spoke against this proposed change on behalf of Bill's Wholesale. Brenda Kelly, Director of the Two Rivers Company, asked for a deferral to allow time for the TRC to review the proposed change.

ORDINANCE 8-2014-15 (First Reading) Amending the Zoning Ordinance relative to beekeeping

John Groppe said local bee keepers supported a voluntary compliance with the Tennessee Department of Agriculture's Honey Bee Best Management Practices. No one spoke against this amendment.

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

ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 4-2014-15**. Councilman Grubbs 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, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 5-2014-15**. Councilman Grubbs 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, Harris, Jones, Lewis, McLaughlin, McNeill, Redd, Summers, Wallace

ABSTAIN: Guzman

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 6-2014-15**. Councilman Grubbs 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, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Commission was for disapproval of **ORDINANCE 7-2014-15**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman McNeill. Councilman Wallace made a motion to postpone action on this ordinance to the next regular session to allow the Two Rivers Company to review the proposal. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Harris

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

The recommendation of the Regional Planning Commission was for disapproval of **ORDINANCE 8-2014-15**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Wallace felt the City should not regulate beekeeping.

Councilman Summers offered an amendment to Zoning Ordinance Chapter 2, "Rules of Interpretation and Definition," Section 2, "Definitions," Item 11, "Agricultural Uses (Customary)," by adding "Apiculture" between "floriculture" and "forests," and by amending Chapter 5, "Land Use Development Standards and Procedures," Section 1, "Standards for Uses Permitted with Conditions (PC)," Subsection 1, "Agricultural Uses Permitted with Conditions (PC)," by adding the following language:

1. "The City of Clarksville, through its Building and Codes Department, will regulate beekeepers and beekeeping activities using Tennessee Code Annotated and regulatory guidance provided by the Tennessee Department of Agriculture regulatory Services Division, Apiary Section.
2. Honey Bee Best Management Policy and Practices, as defined by the Tennessee Department of Agriculture, Apiary Section, will be required procedures for beekeepers and enforced by the City to ensure the management of European honey bees is performed in a safe and responsible manner for both the beekeeper and surrounding residents."

The motion was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Burkhart, Grubbs, Guzman, Harris, Wallace

Councilman Summers' amendment passed. Following this vote, Councilman Lewis called for the question. The question was seconded by Councilman Harris. A voice vote was taken; Councilman Redd voted "nay." The motion to cease discussion passed. Mayor McMillan said Jason Groppe stated during the public hearing that local beekeepers supported voluntary compliance with the Best Management Practices, not mandatory compliance. The following vote on the original motion was recorded:

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

NAY: Burkhart, Guzman, Wallace

The motion to adopt this ordinance on first reading as amended 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 74-2013-14** (Second Reading) Accepting donation of property from Holly Point, LLC, relating to Clarksville Blueways
2. **ORDINANCE 83-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Wholesale Investments, Chris Fielder/DBS Associates-Agent, for zone change on property at Edmondson Ferry Road and Ashland City Road from R-1 Single Family Residential District to C-2 General Commercial District
3. **ORDINANCE 84-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Elizabeth Francis Thomison, Cindy Greene-Agent, for zone change on property at the Trenton Road/Timberdale Drive/Stillwood Drive intersection from AG Agricultural District to R-2 Single Family Residential District (*Removed; see below*)
4. **ORDINANCE 85-2013-14** (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 Capitol Hill Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District and R-2D Two Family Residential District
5. **ORDINANCE 86-2013-14** (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 Keystone Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District
6. Adoption of Minutes: Special Session May 29th and Regular Session June 5th
7. Approval of Board Appointments:

Convention & Visitors Bureau: Geoff Livingston and Jared Mims - July 2014 through June 2016

Tree Board: John Beach – July 2014 through June 2017

Councilwoman Jones requested separate consideration of **ORDINANCE 84-2013-14**. Councilwoman McLaughlin made a motion to adopt the Consent Agenda with the exception of Item #3. The motion 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 adopt the Consent Agenda as amended passed.

THOMISON ZONING

ORDINANCE 84-2013-14 (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Elizabeth Francis Thomison, Cindy Greene-Agent, for zone change on property at the Trenton Road/Timberdale Drive/Stillwood Drive intersection from AG Agricultural District to R-2 Single Family Residential District

This ordinance was removed from the original Consent Agenda. Councilman Grubbs made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Harris. Councilwoman Jones felt improvements to Trenton Road should be made before new developments in the area are approved. The following vote was recorded:

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to adopt this ordinance on second reading passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said bids were taken recently for five rehab projects in Ward 6. He reported two demolition cases had been completed, one in Ward 6 and one in Ward 7.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 2-2014-15 (First Reading) Authorizing purchase of property on Edmondson Ferry Road for Community Development

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 Harris. This property would be donated to Habitat For Humanity once acquired. 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.

ORDINANCE 3-2014-15 (First Reading) Authorizing purchase of property at 912 Richardson Street for Community Development

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. This property would be donated to Habitat For Humanity once acquired. 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.

RESOLUTION 1-2014-15 Authorizing a Co-Applicant Memorandum of Understanding with the Clarksville Housing Authority for the Choice Neighborhood Planning Grant

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. The following vote was recorded:

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

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

Councilman Burkhart said utility relocation projects on Rossview Road and 41-A Bypass were underway.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd invited the public to the annual Independence Day celebration at Liberty Park on the evening of July 3rd.

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

Councilman Grubbs shared the following department statistics for the month of June:
Fire & Rescue – 931 emergency responses; Police – 14,591 calls; Building & Codes
Enforcement Division – 453 cases; Building & Codes Abatement – 100 work orders.

STREET COMMITTEE
James Lewis, Chair

Councilman Lewis reported 210 work orders completed by the Street Department during
the month of June.

TRANSPORTATION COMMITTEE
Marc Harris, Chair

Councilman Harris reported the following department statistics for the month of June:
Clarksville Transit System – 62,273 passengers; Clarksville-Nashville Express - 4,994
passengers; Garage – 358 work orders with unleaded fuel at a cost of \$3.20 per gallon
and diesel fuel at a cost of \$3.07 per gallon.

NEW BUSINESS

FUNERAL PROCESSIONS

ORDINANCE 1-2014-15 (First Reading) Amending the Official Code relative
to funeral processions

Councilwoman Jones made a motion to adopt this ordinance on first
reading. The motion was seconded by Councilman Summers. Councilman
Allen felt the public wants full funeral procession escorts no matter how
many vehicles are involved. Councilman Redd supported the current
policy of the Police Chief to escort no more than seven vehicles.
Following discussion, Councilman Redd called for the question. The
question was seconded by Councilman Lewis. A voice vote was taken,
the motion to cease discussion passed without objection. Councilwoman
McLaughlin said she would abstain from voting on this ordinance because
she was recently promoted to ride captain of the Patriot Guard. The
following vote on the original motion was recorded:

AYE: Allen, Burkhart, Harris, Jones, McNeill, Wallace

NAY: Grubbs, Guzman, Lewis, Redd

ABSTAIN: McLaughlin, Summers

The motion to adopt this ordinance on first reading failed due to lack of the required seven affirmative votes.

RESOLUTION 2-2014-15 Authorizing creation and placement of “Home of Heath Calhoun-2014 Paralympic Silver Medalist” signs near the Clarksville city limits entrances

Councilwoman McLaughlin made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The resolution was read in full by the City Clerk.

Mayor McMillan offered an amendment to include a tribute to all Wounded Warriors on the signage and designate a portion of 101st Airborne Division Parkway to acknowledge the City and County’s gratitude for their contributions. The motion was seconded by Councilman Lewis.

Councilwoman McLaughlin offered an amendment to place signage at the city limits on 41-A North, Highway 12, Highway 48/13, and Highway 79. The motion was seconded by Councilman Redd.

Mayor McMillan commended Councilwoman McLaughlin for initiating and sponsoring this resolution. City Attorney Lance Baker recommended the acknowledgment for the 101st Airborne Division Parkway be referred to the Designations Committee. Councilwoman McLaughlin accepted this provision and called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion on the amendment passed. The following vote on Councilwoman McLaughlin’s amendment was recorded:

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

Councilwoman McLaughlin’s amendment unanimously passed. Because her proposed amendment was incorporated in Councilwoman McLaughlin’s amendment, Mayor McMillan was allowed to withdraw her amendment without objection. The following vote on the original motion as amended was recorded:

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

The motion to adopt this resolution as amended unanimously passed.

MAYOR AND STAFF REPORTS

Mayor McMillan announced the proclamation of Clarksville as a Purple Heart City and expressed appreciation to the Nashville Chapter of the “Rebuilding Together” organization for their support of rebuilding the home of local residents Todd and Catherine Shaw, both Purple Heart recipients.

ADJOURNMENT

The meeting adjourned at 8:52 p.m.