



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
AUGUST 7, 2014**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, August 8, 2014, at 7:00 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 Deanna McLaughlin.

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)

SPECIAL RECOGNITIONS

Mayor McMillan recognized Gas & Water General Manager Pat Hickey who introduced Chris Cherry, Chris Lambert, Shane Davenport, Randall Gillum, and Phillip Whittinghill, members of the department's water quality leadership team. Mike Bernard of the Kentucky-Tennessee Section of the American Water Works Association presented Mayor McMillan with an award for the City's excellence in providing safe drinking water for residents.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing receive comments regarding requests for zone change and an annexation progress report. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection.

ORDINANCE 7-2014-15 (First Reading; Postponed July 1st) Amending the Zoning Ordinance and the Official Code relative to homeless shelter residential separation distance

Eddie Burchett and Coy Baggett, Jr., encouraged support of this amendment. Merle Denise Ramey Watts expressed concern for the safety of her father who was a resident of the area. Donna Boisseau, co-owner of Bill's Wholesale, mentioned their problems with loitering, property damage, theft of property, dumpster vandalism, and parking lot litter since the opening of an emergency warming shelter on an adjacent property earlier in the year. Carlos Sorono, Manna Café board member, said there was no record of increased criminal activity in the area since the establishment of the emergency shelter. Joyce Bradley said she had experienced theft of property at her residence.

ORDINANCE 11-2014-15 (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 Lafayette Point Subdivision from R-3 Three Family Residential District and R-4 Multiple Family Residential District to R-2A Single Family Residential District

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

ORDINANCE 12-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Woodhaven Drive and Terrier Way from R-1 Single Family Residential District to R-2 Single Family Residential District

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

ORDINANCE 13-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Highpoint Row/Jeff Robinson for zone change on property at Marion Street and North First Street from R-4 Multiple Family Residential District and H-1 Historical District to R-4 Multiple Family Residential District

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

RESOLUTION 4-2014-15 Adopting the First Plan of Services Progress Report for annexed territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision (requested by D.W. Howard)

There were no comments regarding this report.

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

ZONING

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 Harris.

At the request of Councilman Harris, City Attorney Lance Baker read the proposed ordinance. Councilman Harris reminded the Council that the amendment would not authorize Manna Café to establish a homeless shelter on

Kraft Street, but it would allow shelters to be operated 500 feet instead of 1,000 feet from a residential zone throughout the city. Councilman Allen said the residents of the area should be represented and heard. Councilman Wallace felt the amendment would benefit one party; he and Councilman Redd opposed the operation of three shelters on the same area. Councilwoman Jones said the City should provide an avenue for agencies who wish to offer humanitarian services to do so. Councilwoman Jones called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

AYE: Jones, Lewis, Redd, Summers

NAY: Allen, Burkhart, Grubbs, Guzman, Harris, McLaughlin, McNeill, Wallace

The motion to cease discussion failed. Councilwoman McLaughlin said residents who attended her recent community meeting were in favor of this amendment. Councilman McNeill and Councilwoman Guzman said the distance change would increase the location possibilities for any agency to offer assistance to homeless citizens. Councilman Burkhart expressed support for this amendment.

Councilman Harris objected to Councilman Allen's request to hear from Regional Planning Commission Director David Ripple regarding potential shelter location options if the distance was reduced. Councilman Allen made a motion to go out of regular session. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

NAY: Burkhart, Harris

The motion to go out of regular session passed. In response to Councilman Allen's question, Dr. Ripple said four areas, Downtown (Main Street between Fourth & Sixth), Kraft Street at Wilma Rudolph Boulevard, Dunbar Cave Road at Wilma Rudolph Boulevard, and Wilma Rudolph Boulevard from Needmore Road to Interstate 24, had eligible locations for a homeless shelter under the current 1,000 foot restriction. He said under a 500 foot restriction, no new areas would become eligible, but the existing areas would be expanded. Councilman Allen made a motion to revert to regular session. The motion was seconded by Councilman Lewis. A voice vote was taken; the motion passed without objection.

Councilwoman McLaughlin said additional shelters could be considered on some commercial properties upon review by the Board of Zoning Appeals. The following vote on the original motion was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Joes, McLaughlin, McNeill, Summers

NAY: Allen, Lewis, Redd, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 11-2014-15**. 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, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 12-2014-15**. 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, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission and the Regional Historic Zoning Commission were for approval of **ORDINANCE 13-2014-15**. 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

NAY: Guzman

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs made a motion to adopt **RESOLUTION 4-2014-15**. The motion 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 adopt this resolution passed.

NOTE: Councilman Wallace was a candidate for Montgomery County District Attorney and left the meeting at 8:08 p.m. to hear election results.

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 4-2014-15** (Second 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
2. **ORDINANCE 5-2014-15** (Second 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
3. **ORDINANCE 6-2014-15** (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 Ranch Hill Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District and R-2D Two Family Residential District
4. **ORDINANCE 8-2014-15** (Second Reading) Amending the Zoning Ordinance and the Official Code relative to beekeeping [*Removed; See below*]
5. **RESOLUTION 3-2014-15** Renewing the retail liquor store Certificate of Compliance for Billy G. Brown (Bill's Package Store, 1651 Ft. Campbell Boulevard)
6. Adoption of Minutes: Special Session June 26th, Special Session June 30th and Regular Session July 1st
7. Approval of Board Appointments:

Human Relations Commission: Michael Dale [corrected to August 2014 through June 2015], Maria Jimenez, Joann Latz, Rebecca Hines – August 2014 through June 2017

Councilman Summers requested separate consideration of **ORDINANCE 8-2014-15**. Councilman Redd made a motion to adopt the Consent Agenda with the exception of Item #4. The motion was seconded by Councilman Harris. Councilwoman Guzman abstained from voting on **ORDINANCE 5-2014-15**. The following vote was recorded:

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

The motion to adopt the Consent Agenda as amended passed.

BEEKEEPING CODE AMENDMENT

ORDINANCE 8-2014-15 (Second Reading) Amending the Zoning Ordinance and the Official Code relative to beekeeping

This ordinance was removed from the original Consent Agenda. Councilman Redd made a motion to adopt this ordinance on second reading. The motion was

seconded by Councilman Summers. City Attorney Lance Baker read proposed revised language which clarified the amendment adopted on first reading and did not change the substance of the ordinance. Councilman Summers made a motion to adopt the revised language as recommended by the City Attorney. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed without objection. The following vote on the original motion was recorded:

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

NAY: Burkhart

The motion to adopt this ordinance as amended on second reading passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said the Community Development Department had submitted a grant to the Environmental Protection Agency for access to the Frost Morn property to perform an environmental study. He said two pedestrian crosswalk lights had been installed on Kraft Street.

FINANCE COMMITTEE

Geno Grubbs

ORDINANCE 9-2014-15 (First Reading) Amending the 2014-15 Special Revenue Budget for Roadscape Project Phase I and Phase II

The Finance Committee did not submit a recommendation on this amendment. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. Councilwoman Jones asked to see the proposed signage prior to second reading. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 10-2014-15 (Second Reading) Establishing the 2014 property tax rate [\$1.1832 per \$100 assessed value]

Councilman Grubbs made a motion to adopt this ordinance on second 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

The motion to adopt this ordinance on second reading passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

Councilman Burkhart said the department would have some changes to present to the Council the following month.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd said the committee recently addressed user fees.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

Councilman Grubbs reported the following July department statistics: Clarksville Police – 14,779 calls; Clarksville Fire & Rescue – 953 emergency responses; Building & Codes Construction Division – 2,206 inspections; Building & Codes Enforcement Division – 501 cases.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis reported 200+ work orders completed by the Street Department during July.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris reported the following July department statistics: Clarksville Transit System – 64,585 passengers; Nashville-Clarksville Express – 5,503 passengers; Garage – 325 work orders with unleaded fuel at a cost of \$3.00 per gallon and diesel fuel at a cost of \$2.93 per gallon.

MAYOR AND STAFF REPORTS

There were no reports.

ADJOURNMENT

The meeting was adjourned at 8:23 p.m.

ADOPTED: August 7, 2014