



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
JUNE 4, 2015**

**MINUTES**

**PUBLIC COMMENTS**

Prior to the meeting, Debbie Johnson shared information regarding the Smith-Trahern Mansion.

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 4, 2015, 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 Councilwoman Valerie Guzman.

**ATTENDANCE**

**PRESENT:** Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Geno Grubbs (Ward 7), David Allen (Ward 8), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

**ABSENT:** Wanda Smith (Ward 6), Joel Wallace, Mayor Pro Tem (Ward 9)

**PUBLIC HEARING**

Councilman Grubbs made a motion to conduct a public hearing to allow public comments regarding requests for rezoning. The motion was seconded by Councilman Redd. There was no objection.

**ORDINANCE 66-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Allen Moser for zone change on property at Reynolds Street and Porters Bluff Road from R-3 Three Family Residential District to R-6 Single Family Residential District

Allen Moser said there were six homes adjacent to this property and noted the Regional Planning Commission recommended disapproval by only one vote. No one spoke in opposition to this request.

**ORDINANCE 67-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Charles W. Hand (CWHFD, LLC), John Hadley-Agent, for zone change on property at Providence Boulevard and Peach Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

John Hadley spoke on behalf of the applicant and said the property was currently a non-conforming car lot. No one spoke in opposition to this request.

**ORDINANCE 68-2014-15** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Camilla Welch, Danell Welch-Agent, for zone change on property at Highway 41A South and Shady Maple Drive from C-5 Highway & Arterial Commercial District and R-2 Single Family Residential District to C-2 General Commercial District

Danell Welch offered to answer questions. No one spoke in opposition to this request.

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

#### ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 66-2014-15**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Guzman, Powers, Redd

NAY: Grubbs, Lewis, McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 67-2014-16**; the recommendation of the Regional Planning Commission was for approval. 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: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 68-2014-15**. 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: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

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 55-2014-15** (Second Reading) Authorizing right of eminent domain to obtain easements and rights-of-way for intersection improvements at Needmore Road & Trenton Road and Edmondson Ferry Road & Ashland City Road (41A Bypass) and installation of downtown sidewalks
2. **ORDINANCE 56-2014-15** (Second Reading) Amending the Official Code relative to keeping backyard chickens
3. **ORDINANCE 58-2014-15** (Second Reading) Authorizing extension of city utilities to property on Charles Bell Road; request of Terry Weakley
4. **ORDINANCE 59-2014-15** (Second Reading) Authorizing extension of city utilities to property on Dunlop Lane; request of William Francis Wooton
5. **ORDINANCE 61-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of John C. Fletcher for zone change on property located at Ft. Campbell Blvd. and Dover Crossing from C-2 General Commercial District to C-5 Highway & Arterial Commercial District
6. **ORDINANCE 62-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bud E. Leavell, Edward C. Burchett-Agent, for zone change on property located at McCormick Lane and Trophy Trace from R-1 Single Family Residential District to R-4 Multiple Family Residential District and R-2A Single Family Residential District
7. **ORDINANCE 63-2014-15** (Second Reading) Amending the FY15 Parks & Recreation Budget to accept donation of \$118,000 from Clarksville Academy for two B-Cycle bicycle rental stations
8. **RESOLUTION 33-2014-15** Approving a retail liquor store Certificate of Compliance for Ashok K. Bhagchand (Favorite Liquors, Inc., 2570B Madison Street)
9. **RESOLUTION 40-2014-15** Approving a Certificate of Compliance for Todd Morris (Elite Wine & Spirits, 1875 Madison Street)
10. Adoption of Minutes: May 7, May 21, May 26
11. Approval of Board Appointments:

Adjustments & Appeals Board: Herb Baggett - July 2015 through June 2018;  
Rex Hawkins, Rick Reda, Josh Wright – July 2015 through June 2019

Economic Development Council: Bill Powers – July 2015 through June 2017

Tree Board: Mike Borske, Tracy Jackson – July 2015 through June 2018

Arts and Heritage Development Council: Bettye Holte, Mandy Smith – July 2015 through June 2017; Sheila Bryant, Chris Crow, Marlon Crow, Jim Diehr, Ellen Taylor – July 2015 through June 2018

A motion was made and seconded to adopt the Consent Agenda. Councilman Burkhart abstained from voting on **RESOLUTION 33-2014-15** because of a business relationship with the licensee. Councilman Lewis and Councilwoman McLaughlin voted “nay” on **ORDINANCE 56-2014-15**. Councilman Powers abstained from voting on his appointment to the Economic Development Council. A voice vote was taken on the motion to adopt the Consent Agenda with notations. The motion passed.

#### HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

No report.

#### FINANCE COMMITTEE

*James Lewis*

**ORDINANCE 64-2014-15** (First Reading) Authorizing purchase of property at 815 Crossland Avenue

The recommendation of the Finance Committee was for approval of this ordinance. Councilwoman McLaughlin made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this ordinance on first reading passed.

**RESOLUTION 37-2014-15** Establishing the Fleet Management Policy & Procedures

The recommendation of the Finance Committee was for approval of this resolution. Councilman Lewis made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this resolution passed.

**RESOLUTION 38-2014-15** Authorizing reallocation of appropriated funds for Two Rivers Company

The recommendation of the Finance Committee was for approval of this resolution. Councilman Lewis made a motion to adopt this resolution. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this resolution passed.

**RESOLUTION 39-2014-15** Authorizing an interlocal agreement with Montgomery County relative to the 2015 Byrne Justice Assistant Grant

The recommendation of the Finance Committee was for approval of this resolution. Councilman Lewis made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this resolution passed.

**GAS & WATER COMMITTEE**

*Wallace Redd, Chair*

No report.

**PARKS, RECREATION, GENERAL SERVICES**

*Valerie Guzman, Chair*

Councilwoman Guzman shared information regarding the upcoming fishing rodeo, Movies in the Park, and the Summer Youth Program. She said the Maintenance Department completed 235 work orders during the month of May.

**PUBLIC SAFETY COMMITTEE**

(Building & Codes, Fire, Police)

*Geno Grubbs, Chair*

Councilman Grubbs reported the following department statistics for the month of May: Building & Codes Construction Division – 1,663 inspections; Building & Codes Enforcement Division – 563 cases; Building & Codes Abatement Division – 119 work orders; Building & Codes Administration – 63 single-family permits; Police – 14,277 calls; Fire & Rescue – 1,079 emergency responses.

## STREET COMMITTEE

*James Lewis, Chair*

Councilman Lewis said the Street Department completed 252 work orders during the month of May and announced the sidewalk on Arrowood Drive at the Veterans Center had been completed.

## TRANSPORTATION COMMITTEE

*Deanna McLaughlin, Chair*

Councilman McLaughlin said Clarksville Transit System transported 54,922 passengers and the Nashville-Clarksville Express transported 4,986 passengers during May. The City Garage completed 301 work orders.

Councilwoman McLaughlin announced “free fare Saturdays” during the month of June in celebration of CTS’ birthday.

## NEW BUSINESS

### BANK OF AMERICA PROPERTY

**ORDINANCE 57-2014-15** (First Reading; Postponed May 7<sup>th</sup>) Authorizing purchase of the downtown Bank of America property

Councilman Allen made a motion to postpone action on this ordinance to the next meeting. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to postpone action on this ordinance passed.

### TWO RIVERS COMPANY BOARD OF DIRECTORS

**ORDINANCE 60-2014-15** (First Reading; Postponed May 7<sup>th</sup>) Amending the Official Code relative to membership of the Central Business Improvement District Management Corporation (Two Rivers Company)

Councilwoman McLaughlin made a motion to postpone action on this ordinance to the next meeting. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to postpone action on this ordinance passed.

## CODE OF ETHICS

### **ORDINANCE 65-2014-15** Amending the Official Code relative to the Code of Ethics

Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Garrett, a real estate agent, said he would like to be able to assist homebuyers who need federal funding assistance. City Attorney Lance Baker informed the Council of the Code of Federal Regulations that would conflict with this amendment. Following discussion, Councilman Redd made a motion to postpone action on this ordinance indefinitely. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Burkhardt, Grubbs, Guzman, Lewis, Powers, Redd

NAY: Allen, Garrett, McLaughlin

The motion to postpone indefinitely passed.

## CHARTER REVISIONS

### **RESOLUTION 36-2014-15** (Postponed May 7<sup>th</sup>) Ratification of Tennessee General Assembly Private Chapter \_\_ of the Private Acts of 2015 relative to comprehensive amendments to the Official Charter of the City of Clarksville

Mayor McMillan said the Charter bill had been passed by the Tennessee General Assembly and signed by the Governor, but it had not been processed by the Secretary of State. Mayor McMillan made a motion to postpone action on this resolution to the next meeting. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Allen, Burkhardt, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to postpone action on this resolution passed.

## AFTER HOURS ESTABLISHMENT BOARD

Councilman Allen made a motion to consider an appointment to the After Hours Establishment Board. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed without objection.

Councilman Allen made a motion to appoint Charlie Keene, Jr. to the After Hours Establishment Board (replacing Marc Harris who was recently appointed, then was determined to be ineligible) for a term June 2015 through April 2016. The motion was seconded by Councilman Powers. The following vote was recorded:

AYE: Alexander, Allen, Burkhardt, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to approve the appointment passed.

#### MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

#### ADJOURNMENT

The meeting was adjourned at 8:18 p.m.