



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JUNE 25, 2015
MINUTES**

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 25, 2015, at 5:05 p.m. following the Council's executive session in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilman James Lewis.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12; arrived 6:45 p.m.)

ABSENT: David Allen (Ward 8)

TRC BOARD OF DIRECTORS

ORDINANCE 60-2014-15 (Second Reading) Amending the Official Code relative to membership of the Central Business Improvement District Management Corporation (Two Rivers Company)

Councilwoman McLaughlin made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Lewis.

Councilman Wallace offered an amendment to correct the number of ex-officio members from 10 to 11. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the amendment passed. The following vote on the original motion was recorded:

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

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

FY16 COMMUNITY DEVELOPMENT BUDGET

ORDINANCE 69-2014-15 (Second Reading) Amending the FY15 Budget and approving the FY15-20 Consolidated Plan and the FY16 Annual Action Plan and Budget and authorizing application for Community Development Block grant and HOME Investment Partnership Funds

Councilman Lewis made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman Smith.

Because of the recent ratification of comprehensive amendments to the Official Charter, Councilman Wallace offered an amendment to change Charter reference from Article V to Article VII. The motion was seconded by Councilman Garrett. A voice vote was taken; the amendment passed. The following vote on the original motion was recorded:

AYE: Alexander, Burkhart, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

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

*NOTE: This ordinance was reconsidered and tabled following recess. This ordinance was postponed indefinitely following the vote on **ORDINANCE 76-2014-15**.*

FY16 PARKING AUTHORITY BUDGET

ORDINANCE 70-2014-15 (Second Reading) Amending the FY15 Budget and adopting the FY16 Operating Budget for the Clarksville Parking Authority

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

For procedural purposes, there was no objection to Finance Director Laurie Matta responding to questions regarding any of the proposed budgets.

With regard to the proposed employee pay increase, Councilman Alexander made a motion to lay this ordinance on the table for consideration following action on the FY16 General Government budget. The motion was seconded by Councilman Redd. Following discussion, the motion and second were withdrawn.

Because of the recent ratification of comprehensive amendments to the Official Charter, Councilman Wallace offered an amendment to change Charter reference from Article V to Article VII. The motion was seconded by Councilman Redd. A voice vote was taken; the amendment passed. The following vote on the original motion was recorded:

AYE: Alexander, Burkhart, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

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

FY16 CLARKSVILLE TRANSIT SYSTEM BUDGET

ORDINANCE 71-2014-15 (Second Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for Clarksville Transit System

Councilman Lewis made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman Smith.

Because of the recent ratification of comprehensive amendments to the Official Charter, Councilman Wallace offered an amendment to change Charter reference from Article V to Article VII. The motion was seconded by Councilman Garrett. A voice vote was taken; the amendment passed.

With regard to the proposed employee pay increase, Councilman Alexander made a motion to lay this ordinance on the table for consideration following action on the FY16 General Government budget. The motion was seconded by Councilman Redd. A voice vote was taken; the motion to table passed.

*NOTE: This ordinance was removed from the table and postponed indefinitely following the vote on **ORDINANCE 76-2014-15**.*

FY16 DEPARTMENT OF ELECTRICITY BUDGET

ORDINANCE 72-2014-15 (Second Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for CDE Lightband

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

Because of the recent ratification of comprehensive amendments to the Official Charter, Councilman Wallace offered an amendment to change Charter reference from Article V to Article VII. The motion was seconded by Councilman Redd. A voice vote was taken; the amendment passed.

With regard to the proposed employee pay increase, Councilwoman McLaughlin made a motion to lay this ordinance on the table for consideration following action on the FY16 General Government budget. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion to table passed.

*NOTE: This ordinance was removed from the table and adopted on second reading following the vote on **ORDINANCE 76-2014-15**.*

FY16 GAS & WATER BUDGET

ORDINANCE 73-2014-15 (Second Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for the Clarksville Gas & Water Department

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

Because of the recent ratification of comprehensive amendments to the Official Charter, Councilman Wallace offered an amendment to change Charter reference from Article V to Article VII. The motion was seconded by Councilman Redd. A voice vote was taken; the amendment passed.

With regard to the proposed employee pay increase, Councilwoman McLaughlin made a motion to lay this ordinance on the table for consideration following action on the FY16 General Government budget. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion to table passed.

*NOTE: This ordinance was removed from the table and postponed indefinitely following the vote on **ORDINANCE 76-2014-15**.*

FY16 INTERNAL SERVICE FUNDS BUDGET

ORDINANCE 74-2014-15 (Second Reading) Amending the FY15 Operating Budget and adopting the FY16 Operating Budget for the Internal Service Funds

Councilman Lewis made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Wallace. Ms. Matta said employee pay increases were not a part of this budget.

Because of the recent ratification of comprehensive amendments to the Official Charter, Councilman Wallace offered an amendment to change Charter reference from Article V to Article VII. The motion was seconded by Councilman Redd. A voice vote was taken; the amendment passed.

The following vote on the original motion was recorded:

AYE: Alexander, Burkhart, Garrett, Grubbs, guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

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

FY16 GENERAL GOVERNMENT BUDGET

ORDINANCE 76-2014-15 (First Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital budgets for the City of Clarksville Governmental Funds and adopting the Tax Rate beginning July 1, 2015 and ending June 30, 2016

Mayor McMillan shared implications the City would face as a result of not adopting a general operating budget and made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander.

POINT OF ORDER

Councilman Redd called for a point of order and referenced the City Code provision for action on previously denied items (**ORDINANCE 75-2014-16**). In response to Mayor cMillan's question, City Attorney Lance Baker shared his opinion that a Court and accounts may come to different conclusions regarding whether a document was materially and substantially changed and said the Council should make a determination whether this provision applied to this ordinance. Mayor McMillan ruled the referenced code did not apply to **ORDINANCE 76-2014-15**.

Councilman Redd made a motion to overturn the ruling of the Chair. The motion was seconded by Councilwoman McLaughlin. Following discussion, Councilman Alexander called for the question. The question was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Grubbs, Lewis, McLaughlin, McMillan, Redd, Smith, Wallace

NAY: Guzman, Powers

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

AYE: Burkhart, McLaughlin, Redd

NAY: Alexander, Garrett, Grubbs, Guzman, Lewis, McMillan, Powers, Smith, Wallace

The motion to overturn the ruling of the Chair failed.

BANK OF AMERICA PROPERTY, ATHLETIC COMPLEX, CARDINAL LANE, EMPLOYEE PAY INCREASE, TAX RATE (*Amendment 1*)

Councilman Wallace offered an amendment to add \$1,000,000 for purchase of the downtown Bank of America property, to delete \$100,000 for environmentally related studies for the proposed athletic complex, and to delete \$6,750,000 for extension of Cardinal Lane (these three amendments were approved during the special session on June 16, 2015), to reduce the proposed 3% employee general wage increase to 1.75%, and to establish the property tax rate at \$1.34. The motion was seconded by Councilman Alexander.

Mayor McMillan made a motion to separate the amendment and consider each item individually. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Grubbs, Powers, Smith

NAY: Alexander, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Redd, Wallace

The motion to separate failed. The following vote on the original motion was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, McMillan

Councilman Wallace's amendment as stated above passed.

MISCELLANEOUS AGENCIES (*Amendment 2*)

Councilman Lewis made a motion to amend the Miscellaneous Agencies appropriations by reducing funding for the Leap Organization by \$2,000, by reducing funding for Manna Café by \$1,000, by reducing funding for the Mid-Cumberland Human Resources Agency by \$2,000, and by adding \$5,000 for the Mayor's Fitness Council. The motion was seconded by Councilman Grubbs.

Councilman Redd offered an amendment to not add funding for the Mayor's Fitness Council. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, McLaughlin, Redd, Wallace

NAY: Burkhart, Grubbs, Guzman, Lewis, McMillan, Powers, Smith

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

AYE: Grubbs, Lewis, McMillan, Powers

NAY: Alexander, Burkhart, Guzman, McLaughlin, Redd, Smith, Wallace

The motion to amend the Miscellaneous Agencies appropriations failed.

EMPLOYEE GENERAL WAGE INCREASE (*Amendment 3*)

Councilman Lewis made a motion to raise the employee general wage increase from 1.75% to 3%. The motion was seconded by Councilman Alexander. Mayor McMillan said a 3% increase would keep employee pay in line with the current job market. Councilman Alexander called for the question. The question was seconded by Councilman Redd. A voice vote was taken; the motion to cease discussion passed. The following vote on the amendment was recorded:

AYE: Alexander, Grubbs, Lewis, McMillan, Powers

NAY: Burkhart, Garrett, Guzman, McLaughlin, Redd, Smith, Wallace

The motion to raise the employee general wage increase to 3% failed.

PROPERTY TAX RATE (\$1.28) (*Amendment 4*)

Councilman Alexander made a motion to reduce the property tax rate from \$1.34 to \$1.28. The motion was seconded by Councilman Powers. Following extended discussion, Councilman Wallace called for the question. The question was seconded by Councilman Redd. A voice vote was taken; Councilwoman McLaughlin voted "nay." The motion to cease discussion passed. The following vote on the amendment was recorded:

AYE: Alexander, Burkhart, McLaughlin, Powers, Redd

NAY: Garrett, Grubbs, Guzman, Lewis, McMillan, Smith, Wallace

The amendment to reduce the property tax rate to \$1.28 failed.

RECESS

The Council recessed at 7:18 p.m. and reconvened at 7:41 p.m.

FY16 COMMUNITY DEVELOPMENT BUDGET

Councilman Redd made a motion to reconsider **ORDINANCE 69-2014-15**. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed. Councilman Redd made a motion to lay this ordinance on the table so the proposed employee pay increase could be discussed after the vote on **ORDINANCE 76-2014-15**. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion to lay this ordinance on the table passed.

NEW POSITIONS (Garage, Police, I.T., Parks) (*Amendment 5*)

Councilwoman McLaughlin made a motion to delete proposed new positions for a Garage/Fleet Manager (\$89,743), a Police Grounds/Facility Maintenance Worker (\$19,567), an Information Technology Applications Specialist (\$54,535), and four (4) Parks Grounds/Maintenance Assistants (\$30,569 each). The motion was seconded by Councilman Redd.

Councilman Redd made a motion to consider the IT Applications Specialist separately. The motion was seconded by Councilwoman Guzman. A voice vote was taken; Councilwoman McLaughlin voted “nay.” The motion passed.

The following vote on the motion as amended was recorded:

AYE: Alexander, Burkhart, Garrett, McLaughlin, Redd, Smith

NAY: Grubbs, Guzman, Lewis, McMillan, Powers, Wallace

The motion to delete six proposed positions as stated failed due to lack of a majority.

INFORMATION TECHNOLOGY APPLICATION SPECIALIST (*Amendment 6*)

The following vote to delete the I.T. Applications Specialist was recorded:

AYE: Alexander, Burkhart, Garrett, McLaughlin, Redd

NAY: Grubbs, Guzman, Lewis, McMillan, Powers, Smith, Wallace

The motion to delete the proposed I.T. Application Specialist failed.

CEASE BUDGET DISCUSSION

Councilman Lewis called for the question on **ORDINANCE 76-2014-15**. The question was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Burkhart, Grubbs, Lewis, McMillan, Wallace

NAY: Alexander, Garrett, Guzman, McLaughlin, Powers, Redd, Smith

The motion to cease discussion on the FY16 General Government Budget failed.

FIRE STATION 11

Councilwoman Guzman made a motion delay opening of Fire Station 11 to July 2016. Ms. Matta said operating expenditures for this station were not included in the FY16 budget. The motion was not seconded.

PERFORMING ARTS CENTER (*Amendment 7*)

Councilman Garrett made a motion to delete \$100,000 from capital projects for the Performing Arts Center. The motion was not seconded.

ATHLETIC COMPLEX (*Amendment 8*)

Councilman Garrett made a motion to add \$100,000 to capital projects for a geotechnical study for an athletic complex. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Garrett, Grubbs, Lewis, Smith

NAY: Alexander, Burkhart, Guzman, McLaughlin, Powers, Redd, Wallace

The motion to add \$100,000 for the athletic complex study failed.

PERFORMING ARTS CENTER (*Amendment 9*)

Councilman Redd made a motion to reconsider the motion to delete \$100,000 from capital projects for the Performing Arts Center. The motion was seconded by Councilman Alexander.

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Powers, Redd, Smith

NAY: Grubbs, Lewis, McMillan, Wallace

The motion to reconsider the previous motion passed. Councilman Redd made a motion to delete \$100,000 from capital projects for the Performing Arts Center. The motion was seconded by Councilwoman Alexander. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Redd

NAY: Grubbs, Lewis, McMillan, Powers, Smith, Wallace

The motion to delete \$100,000 for the Performing Arts Center failed due to lack of a majority.

CEASE DISCUSSION

Councilman Lewis called for the question on the original motion. The question was seconded by Councilman Wallace. The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Lewis, McMillan, Smith, Wallace

NAY: Alexander, Garrett, McLaughlin, Powers, Redd

The motion to cease discussion on **ORDINANCE 76-2014-15** failed due to lack of majority.

DEPARTMENT OPERATING REDUCTION

Councilwoman McLaughlin made a motion to require each department to reduce their operating budget by 2% to 3% and to impose a hiring freeze on open position excluding fire and police. The motion was seconded by Councilman Alexander. Following discussion, the motion and second were withdrawn.

EMPLOYEE GENERAL WAGE INCREASE (*Amendment 10*)

Councilman Garrett made a motion to reduce the employee general wage increase from \$1.75% to 0%. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Burkhart, Garrett, Guzman, McLaughlin, Redd, Smith

NAY: Alexander, Grubbs, Lewis, McMillan, Powers, Wallace

The motion to reduce the employee general wage increase to 0% failed due to lack of a majority.

CEASE DISCUSSION

Councilman Burkhart made a motion to cease discussion on the original motion. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion to cease discussion passed.

ADOPTION OF FY16 GENERAL GOVERNMENT BUDGET

The following vote on the motion to adopt **ORDINANCE 76-2014-15** was recorded:

AYE: Grubbs, Lewis, Powers, Wallace

NAY: Alexander, Burkhart, Garrett, Guzman, McLaughlin, McMillan, Redd, Smith

The motion to adopt the FY16 General Government Budget on first reading failed.

FY16 COMMUNITY DEVELOPMENT BUDGET

ORDINANCE 69-2014-15 (Second Reading) Amending the FY15 Budget and approving the FY15-20 Consolidated Plan and the FY16 Annual Action Plan and Budget and authorizing application for Community Development Block grant and HOME Investment Partnership Funds

Councilman Alexander made a motion to remove this ordinance the table. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed.

Councilman Alexander made a motion to postpone action on this budget indefinitely until the employee general wage increase is determined. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, Lewis, McMillan

The motion to postpone first reading on the FY16 Community Development budget indefinitely passed.

FY16 CLARKSVILLE TRANSIT SYSTEM BUDGET

ORDINANCE 71-2014-15 (Second Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for Clarksville Transit System

Councilman Alexander made a motion to remove this ordinance from the table. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, McMillan

Councilman Alexander made a motion to postpone action on this budget indefinitely until the employee general wage increase is determined. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, Lewis, McMillan

The motion to postpone first reading on the FY16 Clarksville Transit System budget indefinitely passed.

FY16 DEPARTMENT OF ELECTRICITY BUDGET

ORDINANCE 72-2014-15 (Second Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for CDE Lightband

Councilman Alexander made a motion to remove this ordinance from the table. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, McMillan

The motion to remove this ordinance from the table passed. Councilman Alexander made a motion to postpone further action on this budget indefinitely until the employee general wage increase is determined. The motion was seconded by Councilwoman McLaughlin. City Attorney Lance Baker had stated the City Council does not have authority to amend the CDE budget, but may only request its reconsideration by the Power Board. The following vote was recorded:

AYE: Alexander, Burkhart, Guzman, McLaughlin, Redd, Smith

NAY: Garrett, Grubbs, Lewis, McMillan, Powers, Wallace

The motion to postpone second reading indefinitely failed due to lack of a majority. The following vote on the original motion was recorded:

AYE: Garrett, Grubbs, Guzman, Lewis, McMillan, Powers, Wallace

NAY: Alexander, Burkhart, McLaughlin, Redd, Smith

The motion to adopt the FY16 CDE Lightband budget on second reading passed.

FY16 GAS & WATER BUDGET

ORDINANCE 73-2014-15 (Second Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for the Clarksville Gas & Water Department

Councilman Alexander made a motion to remove this ordinance from the table. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs, McMillan

The motion to remove this ordinance from the table passed. Councilman Alexander made a motion to postpone action on this budget indefinitely until the employee general wage increase is determined. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Redd, Smith, Wallace

NAY: Grubbs, Lewis, McMillan, Powers

The motion to postpone second reading on the FY16 Gas & Water Department budget indefinitely passed.

ADJOURNMENT

The meeting was adjourned at 8:49 p.m.