



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
NOVEMBER 5, 2015**

**MINUTES**

**PUBLIC COMMENTS**

Prior to the meeting, David Blevins encouraged the City Council to resolve the issue regarding local soccer teams' use of city-owned soccer fields. Cindy Griffy asked the City Council to expedite an agreement with Woodlawn Utility District to provide water and sewer services to that area.

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, November 5, 2015, at 7:03 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A moment of silence was held in honor of Police Detective Tyler Barrett who suddenly passed away on November 3<sup>rd</sup>.

A prayer was offered by Councilwoman Wanda Smith; the Pledge of Allegiance was led by Councilman Bill Powers.

**ATTENDANCE**

**PRESENT:** Richard Garrett (Ward 1), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

**ABSENT:** Deanna McLaughlin (Ward 2)

**SPECIAL RECOGNITIONS**

Mayor McMillan welcomed members of the Mayor's Youth Council.

Mayor McMillan proclaimed November 14, 2014, as "Combat Hunger Day" in the City of Clarksville and expressed appreciation to Kenny York, founder of Manna Café, for his efforts and dedication to feeding the hungry.

Mayor McMillan noted the November 7<sup>th</sup> breakfast and parade that would be held in conjunction with Veterans Day and thanked all Americans who have served.

## PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change and abandonment of property. The motion was seconded by Councilman Redd. There was no objection.

**ORDINANCE 41-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of William E. and Ruth Maynard, Michelle Lalande-Agent, for zone change on property located at Red Coat Run and Dr. Martin Luther King, Jr. Parkway from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

No one spoke in favor of this request. Kenneth Head and Paul Miller said a commercial operation would increase traffic in 76 Estates.

**ORDINANCE 42-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David L. Merrill and Un Chu Jenkins for zone change on property at the intersection of Tiny Town Road and Tobacco Road from R-2 Single Family Residential District and R-1A Single Family Residential District to C-1 Neighborhood Commercial District

Rob Shrom said the owners planned to develop a small strip mall which would increase sales and property taxes and provide convenient shopping to the area. Misha Paul said the recently constructed retaining wall did not appear to be safe and a commercial operation would increase traffic on Iris Lane which did not have sidewalks. Gavin Alton said the retaining wall had already caused drainage problems.

**ORDINANCE 43-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Sallee, Jr. for zone change on property at the intersection of College Street and Sallee Drive from M-1 Light Industrial District to C-5 Highway & Arterial Commercial District

Thomas Sallee said he planned to establish a car dealership on this property. No one expressed opposition to this request.

**ORDINANCE 44-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mike Shelby, Bill Roberts-Agent, for zone change on property at the intersection of Alfred Thun Road and International Boulevard from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

Bill Roberts said he was transitioning his current boat facility to an auto dealership which would require the commercial zoning. There was no expressed opposition.

**RESOLUTION 14-2015-16** Approving abandonment of two unimproved rights-of-way north of Franklin Street, South of Main Street, East of 8<sup>th</sup> Street, and west of 9<sup>th</sup> Street; request of Clarksville Fire & Rescue

No one expressed support for or opposition to this request.

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

#### ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 41-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Alexander considered this change as spot zoning. The following vote was recorded:

NAY: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading failed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 42-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Garrett, Councilman Alexander, and Councilman Allen opposed commercial intrusion into the residential area. Councilman Burkhart and Councilman Powers felt a commercial zone would be appropriate. The following vote was recorded:

AYE: Burkhart, Powers, Redd

NAY: Alexander, Allen, Garrett, Grubbs, Guzman, Leis, Smith, Wallace

The motion to adopt this ordinance on first reading failed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 43-2015-16**. 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: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 44-2015-16**; 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. Councilman Allen and Councilman Alexander felt a commercial zone would be appropriate for this property. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 14-2015-16**. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to adopt this resolution passed.

## DESIGN REVIEW BOARD

**ORDINANCE 37-2015-16** (First Reading) Amending the Official Code to dissolve the Madison Street Design Review Board and the Two Rivers Company Design Review Board

Mayor McMillan 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, McMillan, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 38-2015-16** (First Reading) Amending the Official Code to create a common design review board

Mayor McMillan 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, McMillan, Powers, Redd, Smith, Wallace

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 29-2015-16** (Second Reading) Amending the FY16 Capital Projects Budget to increase funding for the Bank of America property purchase
2. **ORDINANCE 33-2015-16** (Second Reading) Authorizing extension of utilities to property on McAdoo Creek Road; request of Frank Parcels

3. **ORDINANCE 34-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hunter S. Winn, Christine Wenrick-Agent, for zone change on property at Merritt Drive and Memorial Drive from R-1 Single Family Residential District to O-1 Office District
4. **ORDINANCE 35-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Tamay Ozari, Robert Jarrett-Agent, for zone change on property at the intersection of Providence Boulevard and Beech Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District
5. **RESOLUTION 16-2015-16** Approving a retail liquor store Certificate of Compliance for Clarksville Liquor Hospitality (Jayesh and Shveta Patel) for operation of Caddy's Discount Liquors (2206-B Madison Street) (*CPD: No Local Criminal History*)
6. Adoption of Minutes: Regular Session October 1<sup>st</sup>, Special Session October 20<sup>th</sup>
7. Approval of Board Appointments:

Audit Committee: Joyce Norris (replace Tim Hurst-term expired), Jerry Weatherspoon (replace Al Irby-term expired) – January 2016 through December 2017

Councilman Alexander made a motion to adopt the Consent Agenda. The motion was seconded by Councilwoman Guzman. Councilman Burkhart did not vote on **ORDINANCE 29-2015-16**; Councilman Redd voted “nay” on **ORDINANCE 29-2015-16**. The following vote was recorded:

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

The motion to adopt the Consent Agenda, with the abstention and nay vote noted, passed.

#### HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

Councilman Allen said a handicap ramp had been built for an elderly family in Ward 2 with the department's HUD funds and labor donated by the Church of Christ at Trenton Crossing.

#### FINANCE COMMITTEE

*Joel Wallace, Chair*

**ORDINANCE 39-2015-16** (First Reading) Amending the FY16 Traffic Camera Parks Special Revenue Fund for Heritage Park Greenway

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. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 40-2015-16** (First Reading) Amending the FY16 Internal Audit budget for salary and benefit costs for the incoming director

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. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

#### GAS & WATER COMMITTEE

*Wallace Redd, Chair*

Councilman Redd said the Clarksville Gas & Water Department had receive \$3,500,000 of the approximately \$40,000,000 in tentatively approved claims for damages following the 2010 flood. Councilman Allen said the ratepayers should be reimbursed for the current debt fee when the appropriate time comes.

#### PARKS, RECREATION, GENERAL SERVICES

*Valerie Guzman, Chair*

Councilwoman Guzman said 93 special needs students attended the department's first "Adaptive Swimming Day" on October 30<sup>th</sup>. She mentioned various upcoming events including "Homemade Holidays" on November 14<sup>th</sup> and 15<sup>th</sup> and "Christmas on the Cumberland" at McGregor Park beginning November 24<sup>th</sup>.

#### PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

*Geno Grubbs, Chair*

Councilman Grubbs shared the following department statistics for October: Building & Codes Construction Division – 1,613 inspections; Building & Codes Enforcement Division – 269 cases; Building & Codes Abatement Division – 74 work orders; Clarksville Fire & Rescue – 1,042 responses; Clarksville Police Department – 12,524 calls.

#### STREET COMMITTEE

*James Lewis, Chair*

Councilman Lewis said the Street Department completed 150 work orders during October and announced they were currently providing debris pickup.

## TRANSPORTATION COMMITTEE

*David Allen*

Councilman Allen congratulated Clarksville Transit System for placing first in the 30' Bus Division and third in the Cutaway Van Division at recent the Tennessee Public Transportation Association Bus Rodeo in Chattanooga.

Councilman Allen announced the "Basket of Thankfulness" effort during which citizens may donate three canned goods for a free bus ride every Saturday in November and said CTS will provide free transportation on "Black Friday," November 27<sup>th</sup>.

Mayor McMillan recognized and congratulated Clarksville Transit Director Arthur Bing for being elected President of the Tennessee Public Transportation Association.

## MAYOR AND STAFF REPORTS

There were no mayor or staff reports.

## ADJOURNMENT

The meeting was adjourned at 7:56 p.m.