



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
JANUARY 7, 2016**

**MINUTES**

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, January 7, 2016, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Richard Garrett; the Pledge of Allegiance was led by Councilman Joel Wallace.

**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), David Allen (Ward 8), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

**PUBLIC HEARING**

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

**ORDINANCE 67-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bill Mace for zone change on property at the intersection of Tiny Town Road and Heritage Point Drive from C-5 Highway & Arterial Commercial District to R-2D Two Family Residential District

No one expressed support for or opposition to this request.

**ORDINANCE 68-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of River Investments GP for zone change on property at the intersection of Warfield Boulevard and Rivermont Drive from R-1 Single Family Residential District to MLUD Mixed Land Use District

David Smith, DBS & Associates, offered to answer questions. In response to Councilman Alexander's question, Mr. Smith said two public meetings were held in addition to the public hearing held at the Regional Planning Commission.

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 recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 67-2015-16**. 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, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, 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 68-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Allen said the community needs assisted living facilities. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, 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 36-2015-16** (Second Reading) Amending the FY16 General Fund Budget to transfer funds to Clarksville Transit System to provide matching funds for a paratransit vehicle grant
2. **ORDINANCE 46-2015-16** (Second Reading) Authorizing purchase of Vanessa Hollis property located on Kraft Street for the Clarksville Greenway
3. **ORDINANCE 47-2015-16** (Second Reading) Authorizing purchase of Randall Arthur property located on Kraft Street for the Clarksville Greenway
4. **ORDINANCE 48-2015-16** (Second Reading) Authorizing exercise of right of eminent domain to acquire easements and rights of way for utility improvements required to facilitate design and construction of various projects

5. **ORDINANCE 50-2015-16** (Second Reading) Amending the Official Code relative to General Rules of Order, items previously denied
6. **ORDINANCE 51-2015-16** (Second Reading) Amending the Official Code relative to duties of the City Court Clerk
7. **ORDINANCE 52-2015-16** (Second Reading) Amending the Official Code relative to city departments
8. **ORDINANCE 53-2015-16** (Second Reading) Amending the Official Code relative to composition of standing committees
9. **ORDINANCE 55-2015-16** (Second Reading) Amending the FY16 Parks & Recreation budget for additional lighting of the Heritage Park Soccer Complex
10. **ORDINANCE 56-2015-16** (Second Reading) Amending Zoning Ordinance and the Official Code to establish the Downtown Urban Design Overlay District
11. **ORDINANCE 57-2015-16** (Second Reading) Amending the Zoning Ordinance and the Official Code to establish the Downtown Urban Design Overlay District standards and guidelines
12. **ORDINANCE 58-2015-16** (Second Reading) Amending the Zoning Ordinance and the Official Code to establish Central Business District and Downtown sidewalk sign regulations
13. **ORDINANCE 59-2015-16** (Second Reading) Amending the Official Code relative to the Gas, Water, & Sewer Committee
14. **ORDINANCE 60-2015-16** (Second Reading) Amending the Official Code relative to the Parks & Recreation Committee
15. **ORDINANCE 61-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of J & N Enterprises, Inc., for zone change on property south of the Tennessee-Kentucky state line, east of Barkers Mill Road and Torrington Lane, and north of Hattington Drive from R-1A Single Family Residential District to R-2 Single Family Residential District
16. **RESOLUTION 19-2015-16** Approving a retail liquor store Certificate of Compliance for Todd E. Morris for operation of Mulligan's (2255 Wilma Rudolph Blvd.)
17. **RESOLUTION 20-2015-16** Approving a Certificate of Compliance for Margaret M. Ham, Gerald Linn Evans, and Greg Amoroso for sale of wine at Food Lion (2304 Madison Street)
18. **RESOLUTION 22-2015-16** Approving a retail liquor store Certificate of Compliance for Beach Liquors, LLC (William Beach, Katherine Beach, Bill Beach) for operation of Riverbend Wine & Spirits (1206 Highway 48)
19. Adoption of Minutes: December 3<sup>rd</sup>, December 21<sup>st</sup>

20. Approval of Board Appointments:

Design Review Board: *[Removed for separate consideration]*

Doug Jones (RHZC), Gail Longton (RHZC)	Jan. 2016 – Sept. 2016
Gary Norris (RHZC), Marsha Williams (RHZC)	Jan. 2016 – Sept. 2017
John Gannon (RHZC), Robert Nichols (RHZC)	Jan. 2016 – Aug. 2018
Geno Grubbs (RHZC)	Jan. 2016 – Dec. 2018
Morrell Boyd, Carter Briggs (General Public)	Jan. 2016 – Dec. 2019
Sally Castleman, Marc Harris (General Public)	Jan. 2016 – Dec. 2020

Museum Board: Mike Alexander – Jan. 2016 through Dec. 2016

Residential Development Commission: Valerie Guzman, Joel Wallace – Jan. 2016 through Dec. 2017

Councilman Burkhart made a motion to adopt the Consent Agenda. The motion was seconded by Councilman Redd.

Councilwoman McLaughlin made a motion to move the appointments to the Design Review Board to New Business because seven names had been added since Executive Session. The motion was seconded by Councilman Burkhart. City Attorney Lance Baker said the seven members of the Regional Historic Zoning Commission should be appointed along with the four general public members. In response to Councilwoman Smith's question, Mayor McMillan said one individual recommended as a general public member was a minority and one individual was a female. The following vote was recorded:

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

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

The motion to move the Design Review Board appointments to New Business failed. There was no objection to considering the appointments to the Design Review Board separately.

Councilman Grubbs abstained from voting on **ORDINANCE 46-2015-16**. Councilman Alexander and Councilman [redacted] abstained from voting on their appointments to the Museum Board and the Design Review Board respectively. The following vote on the motion to adopt the Consent Agenda as amended was recorded:

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

The motion to adopt the Consent Agenda as amended passed.

Councilman Burkhart made a motion to approve the recommended appointments to the Design Review Board. The motion was seconded by Councilman Alexander. The following vote was recorded:

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

NAY: Smith

ABSTAIN: Grubbs

The motion to approve appointments to the Design Review Board passed.

#### HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

Councilman Allen said sixteen area churches were currently participating in the “Room in the Inn” program.

#### FINANCE COMMITTEE

*Joel Wallace, Chair*

**ORDINANCE 49-2015-16** (First Reading) Amending the Official Code relative to City Council compensation

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. Councilman Powers, sponsor of this ordinance, said there should be consequences for not adopting a budget by the end of a fiscal year and there was no intent for this to be a bullying tactic. Councilwoman McLaughlin made a motion to include the mayor’s compensation along with the compensation of the city council. The motion was seconded by Councilman Garrett. Councilman Allen disagreed with the concept of this ordinance. The following vote was recorded:

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

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

Due to lack of a majority, the amendment failed. Councilman Garrett called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion passed. The following vote on the original motion was recorded:

AYE: Grubbs, Lewis, Powers, Wallace

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

The motion to adopt this ordinance on first reading failed.

**ORDINANCE 63-2015-16** (First Reading) Authorizing donation of property located at 1014 Daniel Street to Buffalo Valley

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, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 64-2015-16** (First Reading) Authorizing sale of property located on Public Square to Wayne Wilkinson

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. In response to Councilman Allen's inquiry, Mr. Baker said the selling price was determined by current tax records and that an appraisal would cost more than the property was worth. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 65-2015-16** (First Reading) Amending the FY16 Municipal Properties Budget for acquisition of the Hollis property and Arthur property for the Clarksville Greenway

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, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

ABSTAIN: Grubbs

The motion to adopt this ordinance on first reading passed.

**GAS & WATER COMMITTEE**

*Wallace Redd, Chair*

Councilman Redd said the Gas & Water Department completed 5,498 work orders during December.

**PARKS, RECREATION, GENERAL SERVICES**

*Valerie Guzman, Chair*

Councilwoman Guzman announced the Parks & Recreation Department received a "Four Star Award" for the Heritage Park/Greenway Connection from the Tennessee Department of Recreation and Parks Association during the recent state convention.

Councilwoman Guzman invited the City Council and the public to the January 15<sup>th</sup> ribbon cutting ceremony for the "B-Cycle" program sponsored by Clarksville Academy and to the "Chocolate Affair" event on February 2<sup>nd</sup>.

Councilwoman Guzman said the Building Maintenance Department responded to 134 service requests during December.

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

Councilman Grubbs shared the following monthly department statistics: Police - 11,842 calls; Fire & Rescue – 1,017 emergency responses in December, including 40 from recently opened Station 12, totaling 12,174 for 2015; Building & Codes Enforcement – 186 cases; Building & Codes Construction Division – 1,397 inspections; Building & Codes Abatement Division – 39 work orders; Building & Codes Administration – 62 single-family permits.

STREET COMMITTEE  
*James Lewis, Chair*

Councilman Lewis reported 251 work orders were completed by the Street Department during December.

TRANSPORTATION COMMITTEE  
*Deanna McLaughlin, Chair*

Councilwoman McLaughlin shared the following monthly department statistics: Clarksville Transit System – 58,133 passengers, including 122 transported during “Operation Safe Ride” on New Year’s Eve; Clarksville-Nashville Express – 4,660 passengers in November; Garage – 339 work orders during October.

SAFE ROUTES TO SCHOOL

**RESOLUTION 21-2015-16** Supporting a grant application for the 2016 Safe Routes to School Program through the Tennessee Department of Transportation

Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Alexander. Councilman Wallace said the City will partner with Kenwood Middle School on this project. The following vote was recorded:

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

The motion to adopt this resolution passed.

CITY COUNCIL COMPENSATION

**ORDINANCE 66-2015-16** (First Reading) Amending the Official Code relative to city council compensation

Councilwoman Smith made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilwoman Smith shared council compensation information she had gathered from surrounding cities and said this proposed increase would take effect January 1, 2019. Following discussion, Councilman Garrett called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

AYE: Burkhart, Garrett, Grubbs, Lewis, Smith, Wallace

NAY: Alexander, Allen, Guzman, McLaughlin, Powers, Redd

Due to lack of a majority, the motion to cease discussion failed. Councilwoman McLaughlin said she supports an increase for future members of the City Council; Councilman Alexander and Councilman Powers disagreed.

Councilman Redd made a motion to refer this ordinance to the Finance Committee for further evaluation. The motion was seconded by Councilwoman Guzman. Upon Mr. Baker's suggestion, Councilman Redd revised his motion to allow the Finance Department and Human Resources Department to provide relative information to the Finance Committee. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Alexander, Allen, Guzman, Lewis, McLaughlin, McMillan, Redd

NAY: Burkhart, Garrett, Grubbs, Powers, Smith, Wallace

The motion to refer this ordinance to the Finance Committee with department input passed.

## EMPLOYEE HIRING FREEZE

### **ORDINANCE 69-2015-16** (First Reading) Relative to hiring of city employees

Councilman Burkhart made a motion to adopt the following revised language for this ordinance on first reading.

*From the effective date of this ordinance, until the approval of a new budget for fiscal year 2016-2017 by the City Council, no City department or the Mayor's office shall hire any new personnel, to include any new personnel for existing, open positions, except for open department head positions, and sworn firefighter and police officer positions, and part-time positions for any department, and any Clarksville Department of Electricity positions, which shall not be subject to this "hiring freeze" restriction.*

Councilman Burkhart said this action could result in a lower property tax increase and would prevent new employees hired prior to June 30, 2016, from being terminated on July 1<sup>st</sup> if the positions are not included in the FY17 Budget. The motion was seconded by Councilwoman Guzman. Councilman Wallace and Councilman Grubbs voiced opposition to a hiring freeze.

Councilwoman McLaughlin made a motion to postpone action on this ordinance to the next regular session. The motion was seconded by Councilman Lewis. Councilman Alexander called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion passed. The following vote on the motion to postpone was recorded:

AYE: Alexander, Burkhart, Grubbs, Lewis, McLaughlin, Redd, Smith

NAY: Allen, Garrett, Guzman, Powers, Wallace

The motion to postpone passed.

#### MAYOR AND STAFF REPORTS

Mayor McMillan said, with regard to **ORDINANCE 69-2015-16** relative to an employee hiring freeze, policies were already in place to determine whether positions should be filled. She said she would share the information during the next regular session.

#### ADJOURNMENT

The meeting was adjourned at 8:34 p.m.