



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
JUNE 2, 2016**

**MINUTES**

**PUBLIC COMMENTS:**

Candy Johnson, Chair of the Clarksville Human Relations Commission, asked for support of a full time Diversity Practitioner position to assist the HRC and promote its mission.

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 2, 2016, at 7:20 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

Before the prayer offered by Pastor Ron S. Washington, Restoration House of Praise located in Ward 2, Mayor McMillan asked for a moment of silence to remember the fallen *Blue Angels* pilot who lost his life in an aircraft crash earlier this day in Smyrna, Tennessee. The Pledge of Allegiance was led by Councilman Mike Alexander, Ward 10.

**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)

**SPECIAL RECOGNITIONS**

There were no special recognitions.

**PUBLIC HEARING: ZONING AND ANNEXATION**

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

**ORDINANCE 88-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Wanda Morrison, Mark Holleman-Agent, for zone change on property north of Dover Road, east of Paula Drive, and west of Aurelia Lynn Drive from R-1 Single Family Residential District to C-2 General Commercial District [amended legal description]

This request was referred back to the Regional Planning Commission on May 5, 2016, for consideration of a change in the acreage. Mark Holleman said the RPC approved the applicant's offer to reduce the acreage requested to change to commercial. There was no voiced opposition.

**ORDINANCE 95-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Roger and Karlynn Hillman, Christian Black-Agent, for zone change on property at the intersection of Union Hall Road and Russell Drive from R-1 Single Family Residential District to R-4 Multiple Family Residential District

Christian Black said multi-family developments already existed adjacent to this property and the wooded area would serve as a barrier between a new apartment complex and the single family neighborhood. He said although there was no specific building plan, 32 units could be built on the two-acre site with at least two access points on Union Hall Road.

Connie Copez, speaking on behalf of the residents of Forest Hills Subdivision, submitted a petition against this change. She said Union Hall Road had a history of fast traffic and accidents.

A resident (name inaudible) of Union Hall Road said even with the existing traffic signal at Wilma Rudolph Boulevard & Forest Hills Drive, numerous traffic accidents have occurred at this intersection.

**ORDINANCE 91-2015-16** (First Reading) Annexing territory south of Rossview Road and east of Interstate 24; request of Cornelia C. and John Mitchell and Anne and Charles Ross

Mike Baggett asked for support of this request on behalf of the applicants. Linda Alley said the City already had traffic issues at the intersection of Rossview Road and Powell Road. In response to Ms. Alley's question, Mayor McMillan said this property was not the same as the site being considered for an athletic complex. There was no voiced opposition.

**RESOLUTION 52-2015-16** Adopting a Plan of Service for annexed are south of Rossview Road and east of Interstate 24

There were no comments in support of or 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 AND ANNEXATION

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 88-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

ABSTAIN: Grubbs, 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 95-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Powers made a motion to postpone this vote to the next regular session to allow the residents of Forest Hills to meet with the applicant and obtain additional information about the proposed change. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Burkhart, Lewis, Powers, Wallace

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

The motion to postpone this vote to the next regular session failed. The following vote on the original motion was recorded:

AYE: Alexander, Grubbs, Redd

NAY: Allen, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Powers, 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 91-2015-16**. 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: Grubbs, Lewis, Powers, Redd, Wallace

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

The motion to adopt this ordinance on first reading failed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 52-2015-16**. Councilman Grubbs made a motion to adopt this resolution. This motion failed for a lack of a second.

## 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 87-2015-16** (Second Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Pamela S. May, Wayne Wilkinson-Agent, for zone change on property located at the intersection of Union Hall Road and Timberwood Drive from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District
2. **ORDINANCE 89-2015-16** (Second Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Ronnie Goad for zone change on property South of Bellshire Court and north of Wilson Road from R-4 Multiple Family Residential District to R-2D Two Family Residential District and R-2A Single Family Residential District
3. **ORDINANCE 90-2015-16** (Second Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Chris Morin, David Smith-Agent, for zone change on property at the intersection of Amberley Drive and Powell Road from AG Agricultural District to R-1 Single Family Residential District *[Removed; see transcription following vote on the Consent Agenda]*
4. Adoption of Minutes: May 5<sup>th</sup>, May 19<sup>th</sup>

Councilman Alexander requested separate consideration of **ORDINANCE 90-2015-16**. Councilman Lewis made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilwoman McLaughlin. Councilman Burkhart and Councilwoman McLaughlin voted “nay” on **ORDINANCE 87-2015-16**. The following vote 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.

## ADOPTION OF ZONING

**ORDINANCE 90-2015-16** (Second Reading) Amending the Zoning Ordinance and map of the City of Clarksville, application of Chris Morin, David Smith-Agent, for zone change on property at the intersection of Amberley Drive and Powell Road from AG Agricultural District to R-1 Single Family Residential District

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 Lewis.

There was no objection to Councilman Alexander’s request to hear comments from Dr. David Ripple, Director of Planning. Dr. Ripple said the response from the Clarksville-Montgomery County School System regarding this zone change

stated the Rossview School Complex was more than 90% occupied and a change could add more students. He said the Street Department said Rossview Road improvements at Powell Road should accommodate additional traffic.

There was no objection to Councilman Alexander's request to hear comments from Traffic Engineer Chris Cowan. Mr. Cowan said a traffic assessment showed no change in the level of service for Rossview Road if this zone change were approved.

Councilman Lewis objected to Councilman Alexander's request to hear comments from David Smith, agent for the applicant.

There was no objection to reverting to regular session. The following vote was recorded:

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

NAY: Alexander, Guzman

The motion to adopt this ordinance on second reading passed.

#### FINANCE COMMITTEE

*Joel Wallace, Chair*

**ORDINANCE 94-2015-16** (First Reading) Accepting donation of property from Donald Malone for future sewer system improvements

The recommendation of the Finance Committee and Gas & Water Committee were 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, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

#### HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

Councilman Allen announced the June 13<sup>th</sup> opening of Patriots Place, an affordable housing unit for homeless Veterans located on Daniel Street. The City donated this property to Buffalo Valley to be used as a transitional housing facility for Veterans.

#### GAS & WATER COMMITTEE

*Wallace Redd, Chair*

No report.

## PARKS, RECREATION, GENERAL SERVICES

*Bill Powers, Chair*

Councilman Powers said City pools and splash pads opened May 28<sup>th</sup>. He said 22,417 patrons visited the Indoor Aquatic Center during the previous fall and winter seasons. Councilman Powers said more than 1,500 runners participated in the recent Queen City Road Race and Fort Defiance had approximately 1,600 visitors during the month of May.

## PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

*Geno Grubbs, Chair*

Councilman Grubbs shared the following monthly department statistics: Building & Codes Construction Division – 160 inspections; Building & Codes Enforcement Division – 594 cases; Building & Codes Administration – 59 single-family permits; Building & Codes Abatement Division – 71 work orders; Fire & Rescue – 1,024 runs; Police – 14,179 responses.

## STREETS-TRANSPORTATION-GARAGE COMMITTEE

*James Lewis, Chair*

Councilman Lewis shared the following monthly department statistics: Streets – 233 work orders; Clarksville Transit System – 54,445 passengers; Clarksville-Nashville Express – 5,490 passengers; Garage – 332 work orders with unleaded fuel at \$2.16/gal. and diesel fuel at \$1.69/gal.

## INTERNAL AUDIT COMMITTEE

**RESOLUTION 53-2015-16** Confirming the Mayor's appointment of Rod Wright as Director of Internal Audit

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

The motion to adopt this resolution unanimously passed.

## NEW BUSINESS

**ORDINANCE 75-2015-16** (Second Reading; Postponed April 7<sup>th</sup>) Amending the Official Code relative to the number of retail liquor store inside the city limits

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

Councilwoman McLaughlin made a motion to adopt her amendment which established an application process and an effective date of August 1, 2016. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Allen, Garrett, McLaughlin, McMillan, Redd, Smith

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

Councilwoman McLaughlin's amendment passed.

Councilman Burkhart made a motion to amend the ordinance by adding language that would create a phase-in process to add two stores per year beginning July 1, 2018, until the allowed number of stores is achieved. The motion was seconded by Councilman Lewis. Councilwoman McLaughlin, Councilman Redd, and Councilwoman Smith stated their objection to phasing in additional stores. Councilman Allen felt the retail liquor store business should not be regulated by local government. The following vote was recorded:

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

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

Councilman Burkhart's amendment passed. The following vote on the original motion was recorded:

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

NAY: Guzman

The motion to adopt this ordinance as amended passed.

#### MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

#### ADJOURNMENT

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