



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
JUNE 7, 2016**

**MINUTES**

**CALL TO ORDER**

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, June 7, 2016, at 4:35 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilman Bill Powers.

**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; arrived 5:05 p.m.), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

**POWER BOARD**

Councilman Lewis made a motion to appoint Sally Castleman and Leo Milan to the Power Board, each for a term July 2016 through June 2019. The motion was seconded by Councilman Powers. The following vote was recorded:

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

**NOTE:** Councilman Alexander was not present for this vote.

The motion to approve these appointments to the Power Board passed.

## PUBLIC IMPROVEMENTS PROGRAM & CAPITAL PROJECTS BUDGET

### **RESOLUTION 35-2015-16** Accepting the 2017-2021 Public Improvements Program and Capital Projects Budget

The vote on this resolution was postponed by the City Council on April 7, 2016. The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. Councilman Wallace said this information would be used as a planning document and its adoption would not be binding. The following vote was recorded:

AYE: Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Wallace

NAY: Allen, Redd, Smith

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this resolution passed.

## PUBLIC HEARING: FY17 BUDGETS

Mayor McMillan presented the City's budgets totaling near \$400,000,000 including CDE: \$190,000,000, supported 100% by rate payers, Gas-Water-Sewer Department: \$91,000,000, supported 100% by rate payers, Parking Commission, Clarksville Transit System: \$13,000,000, 13% fund by tax payers, and Community Development.

There was no objection to conducting a public hearing to receive comments regarding the proposed FY17 budgets.

Rose Algood said the City should appropriate funds to open and operate all public pools. She mentioned two of the five pools were not open because the Parks & Recreation Department did not have funds for repairs.

Ms. Algood encouraged support for funding for the Roxy Regional Theater.

There was no objection to reverting to special session.

NOTE: There was no objection to allowing Finance Director Laurie Matta to respond to questions during the special session.

## HOUSING & COMMUNITY DEVELOPMENT FY17 BUDGET

### **ORDINANCE 96-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for Housing & Community Development

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. There was no discussion. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

#### PARKING COMMISSION FY17 BUDGET

**ORDINANCE 97-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for the Clarksville Parking Commission

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Allen. There was no discussion. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

#### CLARKSVILLE TRANSIT SYSTEM FY17 BUDGET

**ORDINANCE 98-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for Clarksville Transit System

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Allen. There was no discussion. The following vote was recorded:

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

NAY: Redd

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

#### DEPARTMENT OF ELECTRICITY FY17 BUDGET

**ORDINANCE 99-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for Clarksville Department of Electricity

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Allen. There was no discussion. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

#### GAS & WATER DEPARTMENT FY17 BUDGET

**ORDINANCE 100-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for Clarksville Gas & Water

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. There was no discussion. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

#### INTERNAL SERVICE FUND FY17 BUDGET

**ORDINANCE 101-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for the City of Clarksville Internal Service Fund

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. There was no discussion. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

#### GENERAL GOVERNMENT FY17 BUDGET

**ORDINANCE 102-2015-16** (First Reading) Amending the FY16 Budget and establishing the FY17 Budget for the City of Clarksville General Government

#### MAYOR'S STATEMENT

Mayor McMillan said by adopting a budget, the City can offer resources to serve the citizens that only government can provide. She said the budget would include funding for the needs of the City and all of its residents, as well as projects and programs that lay a solid foundation for growth and opportunity. She said that according to Moody's Investors Service and Fitch Ratings, the City of Clarksville was in a very stable, financial situation. The Finance Department had recently received a certification for Achievement in Excellence in Financial Reporting for the second consecutive year. Mayor McMillan said the proposed budget included funding for economic promotion in the Housing & Community Development

Department, property acquisition for a Performing Arts Center, property acquisition for an Athletic Complex, roadway infrastructure improvements, one new Information Technology employee, and five risk prevention officers. She said a five cent tax increase was being proposed to fund public safety.

Mayor McMillan made a motion to adopt **ORDINANCE 102-2015-16** on first reading. The motion was seconded by Councilman Grubbs.

#### PERFORMING ARTS & CONFERENCE CENTER (Amendment #1)

Councilwoman McLaughlin made a motion to delete \$1,250,000 for purchase of property for a performing arts and conference center and add \$200,000 for Custom House Museum air conditioner replacement. The motion was seconded by Councilman Garrett.

In response to Councilwoman McLaughlin's question, Mayor McMillan said this purchase would not include the Roxy Theater building and the proposed performing arts center would be operated by a non-profit agency. She said Museum officials had agreed to accept \$200,000 to replace three of the six HVAC units, then replace the remaining units the following year. Councilman Burkhart and Councilwoman McLaughlin objected to demolition of an existing downtown historical building [Brenner Building]. Councilman Allen and Councilman Alexander felt there were too many uncertainties involving this project. Councilman Grubbs expressed support for the center.

Councilman Redd called for the question. The motion was seconded. The following vote was recorded:

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

NAY: Grubbs, Guzman, Powers, Smith, Wallace

The motion to cease discussion on the amendment failed due to lack of a 2/3 majority. The following vote on Councilwoman McLaughlin's first amendment was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers, Wallace

The motion to delete \$1,250,000 for a performing arts and conference center (Amendment #1) passed.

#### CUSTOMS HOUSE MUSEUM (Amendment #1B)

Following discussion, Councilman Redd called for the question on Councilwoman McLaughlin's amendment to add \$200,000 for Customs House Museum air conditioner replacement. The question 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 cease discussion on Amendment #1B passed. The following vote was recorded:

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

NAY: Grubbs, Lewis, Powers, Redd

The motion to add \$200,000 for Custom House Museum air conditioner replacement (Amendment #1B) passed.

#### DIVIDE THE QUESTION

Councilman Burkhart made a motion to divide the question to consider operating expenses separately from capital projects. The motion was seconded by Councilwoman Guzman. The following vote was recorded:

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

The motion to divide the question passed. The operating budget would be considered as **ORDINANCE 102A-2015-16**; the capital projects budget would be considered as **ORDINANCE 102B-2015-16**.

#### ATHLETIC COMPLEX (Amendment #102B-2)

Councilman Alexander made a motion to amend **ORDINANCE 102B-2015-16** by deleting \$6,500,000 for land and design of an athletic complex, Capital Project #16503. The motion was seconded by Councilman Redd. Councilwoman McLaughlin made a motion to amend Councilman Alexander's motion by designating the Tiny Town Road site for the proposed athletic complex, but withdrew her motion. Following discussion regarding location of a complex, Councilman Allen called for the question. The question was seconded by Councilman Alexander. The following vote was recorded:

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

The motion to cease discussion on Councilman Alexander's motion passed. The following vote on the main motion was recorded:

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

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

The motion to delete \$6,500,000 from the capital projects budget for an athletic complex (Amendment #102B-2) passed.

DIVERSITY PRACTITIONER (Amendment #102A-3)

Councilman Allen made a motion to amend **ORDINANCE 102A-2015-16** by adding \$67,500 for a Diversity Practitioner position. The motion was seconded by Councilman Garrett. Mayor McMillan responded to accusations made by Human Relations Chair Candy Johnson during Public Comments prior to the June 2<sup>nd</sup> Regular Session. Councilwoman Smith called for a point of order stating that Mayor McMillan's statements were not related to the question. Mayor McMillan ruled against Councilwoman Smith's point of order stating she had taken a point of personal privilege. Councilman Allen appealed the Mayor's decision. The following vote was recorded:

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

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

NOTE: Councilman Grubbs was not present for this vote.

The ruling was overturned. Mayor McMillan said she supports diversity and noted city employment and memberships on various boards and commissions had increased in diversity since she took office. She stated there was a policy for creating new positions and this request had not followed that policy. Councilwoman Smith said Mayor McMillan claimed to support diversity, but she did not show support by opposing creation of this position. Councilwoman Guzman called for a point of order stating that members cannot assume the intent of others' reasoning and votes. Mayor McMillan ruled in favor of Councilwoman Guzman's point of order.

Councilman Alexander called for the question. The question was seconded by Councilman Lewis. The motion and second were withdrawn after Councilman Alexander realized others were requesting to speak. Councilman Redd encouraged members to focus on issues that would bring Americans together. Councilman Alexander called for the question. The question was seconded by Councilman Powers. The following vote was recorded:

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

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

AYE: Allen, Burkhart, Garrett, Guzman, Smith

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

The motion to add \$67,500 for a Diversity Practitioner position (Amendment 102A-3) failed.

CONTRIBUTION TO LEAP (Amendment #102A-4)

Councilman Allen made a motion to amend **ORDINANCE 102A-2015-16** by adding \$25,000 to Miscellaneous Agencies for a contribution to the Leap Organization. The motion was seconded by Councilwoman Smith. Councilman Lewis said the Leap Organization did not apply for city funding. Councilman Garrett said he would abstain from voting on this amendment because of his association with the organization. Councilman Redd and Councilman Burkhart felt the City should not fund non-profit agencies. The following vote was recorded:

AYE: Allen, Smith

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

ABSTAIN: Garrett

The motion to add \$25,000 for a contribution to the Leap Organization (Amendment 102A-4) failed.

ATHLETIC COMPLEX (Amendment #102B-5)

Councilman Allen made a motion to amend **ORDINANCE 102B-2015-16** by adding \$6,500,000 to Capital Projects for an athletic complex at the Tiny Town Road site. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Garrett, McLaughlin, Powers, Smith

NAY: Alexander, Burkhart, Grubbs, Guzman, Lewis, Redd, Wallace

The motion to add \$6,500,000 for an athletic complex at the Tiny Town Road site (Amendment #102B-5) failed.

MISCELLANEOUS AGENCIES (Amendment #102A-6)

Councilwoman McLaughlin made a motion to amend **ORDINANCE 102A-2015-16** by deleting \$103,500 for Miscellaneous Agencies. The motion was seconded by Councilman Redd. Councilman Allen, Councilman Powers, and Councilman Garrett expressed support for non-profit funding and said the agencies have a positive impact on the community. The following vote was recorded:

AYE: Alexander, Burkhart, Guzman, McLaughlin, Redd

NAY: Allen, Garrett, Grubbs, Lewis, Powers, Smith, Wallace

The motion to delete \$103,500 for Miscellaneous Agencies (Amendment #102A-6) failed.

CHIEF ADMINISTRATIVE OFFICER (Amendment #102A-7)

Councilwoman Garrett made a motion to amend **ORDINANCE 102A-2015-16** by deleting \$63,321 and delete the position of Chief Administrative Officer (Mayor's Office). The motion was seconded by Councilwoman McLaughlin. Councilman Garrett felt the duties of the Chief Administrative Officer and the Chief of Administration (Mayor's Office) overlap.

Councilwoman McLaughlin offered an amendment to delete an additional \$10,091 for benefits for the position of Chief Administrative Officer. The motion was seconded by Councilman Alexander. The following vote was recorded:

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

NAY: Grubbs, Guzman, Lewis, Powers, Wallace

Councilwoman McLaughlin's amendment passed. In response to Mayor McMillan's question, City Attorney Lance Baker said there is no clear City Charter or City Code provision that allows the City Council to eliminate employee positions. He said if salary and benefit funding were deleted from the budget, a department head would still have authority to move existing appropriations to fund a position.

Councilwoman Smith made a motion to postpone this amendment to the next regular session. The motion was not seconded.

Councilman Allen called for the question. The question was seconded by Councilman Redd. The following vote was recorded:

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

The motion to cease discussion on the amendment passed. The following vote on the main motion as amended was recorded:

AYE: Allen, Garrett, McLaughlin, Redd, Smith

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

The motion to delete \$73,412 and the position of Chief Administrative Officer (Amendment #102A-7) failed.

PROPERTY TAX RATE (Amendment #102A-8)

Councilman Redd made a motion to decrease the proposed property tax rate from \$1.29 to the current rate of \$1.24. The motion was seconded by Councilwoman McLaughlin. Mayor McMillan said if the property tax rate is reduced, the proposed budget would not be balanced. Councilman Allen said he supported the 2% general wage increase for city employees and was concerned that reducing the property tax rate would not fund the wage increase. Following discussion, Councilman Redd called for the question. The question was seconded by Councilman Alexander. The following vote was recorded:

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

NOTE: Councilman Garrett was not present for this vote.

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

AYE: Allen, Burkhart, McLaughlin, Redd

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

NOTE: Councilman Garrett was not present for this vote.

The motion to decrease the proposed property tax rate to \$1.24 (Amendment #102A-8) failed.

#### FY17 GENERAL GOVERNMENT OPERATING BUDGET

Councilwoman McLaughlin called for the question on the motion to adopt **ORDINANCE 102A-20150-16** on first reading. The question was seconded by Councilman Redd. The following vote was recorded:

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

The motion to cease discussion passed. The following vote on the main motion as amended was recorded:

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

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

The motion to adopt the proposed FY17 General Government Operating Budget, **ORDINANCE 102A-2015-16** as amended, on first reading failed.

#### RECESS

The City Council recessed at 8:16 p.m. and reconvened at 8:28 p.m.

#### ATHLETIC COMPLEX (Amendment #102B-9)

Councilman Garrett made a motion to amend **ORDINANCE 102b-2015-16** by creating a capital project for an athletic complex at the Tiny Town Road site for \$6,500,000. The motion was seconded by Councilman Allen.

Councilman Redd made a motion to adjourn. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Allen, Garrett, Guzman, McMillan, Powers, Smith, Wallace

The motion to adjourn failed. Councilman Garrett expressed support for the Tiny Town Road athletic complex and called for the question. Mayor McMillan ruled the call for the question was out of order because it followed Councilman Garrett's comments supporting an athletic complex. Councilman Powers called for the question. The question was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Smith

The motion to cease discussion on Councilman Garrett's amendment passed. The following vote on the amendment was recorded:

AYE: Allen, Garrett, McLaughlin, Powers, Smith

NAY: Alexander, Burkhart, Grubbs, Guzman, Lewis, McMillan, Redd, Wallace

The motion to create a Tiny Town Road athletic complex (Amendment #102B-9) failed.

#### FY17 GENERAL GOVERNMENT CAPITAL PROJECTS BUDGET

Councilman Burkhart called for the question on **ORDINANCE 102B-2015-16**. The motion was seconded by Councilman Redd. The following vote was recorded:

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

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

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

NAY: Allen, Redd, Smith

The motion to adopt the FY17 General Government Capital Projects Budget (**ORDINANCE 102B-2015-16**) on first reading passed.

#### ADJOURNMENT

The meeting was adjourned at 8:50 p.m.