



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JUNE 22, 2016**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Wednesday, June 22, 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 Alexander.

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)

UTILITY CONNECTION AGREEMENTS

RESOLUTION 55-2015-16 Authorizing and approving a pole attachment agreement and a right-of-way agreement

Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. City Attorney Lance Baker said this agreement will allow cell phone companies to increase their coverage and improve their reception. He said the same agreement may be used for other companies in the future. Councilman Alexander stated his intention to abstain because he had a family member employed by a local company. The following vote was recorded:

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

ABSTAIN: Alexander

The motion to adopt this resolution passed.

FY16 BUDGET AMENDMENTS

ORDINANCE 103-2015-16 (Second Reading) Amending the FY16 Budget for the City of Clarksville General Government

There was no objection to responses from City Attorney Lance Baker, Director of Finance Laurie Matta, or Department Heads during this discussion.

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

Ms. Matta noted that a scribner's error had been corrected in Attachment A, "Total Expenditures and Financing Uses;" the original total of \$9,516,050 had been corrected to \$12,551,578.

CUSTOM HOUSE MUSEUM AMENDMENT #1

Councilman Alexander made a motion to add \$20,000 to funding for the Customs House Museum for payment of the balance of a 2015 invoice for design fees for capital improvements. The motion was seconded by Councilman Powers. Museum Director Jim Zimmer said the invoice was not received during FY15 and the funds were not currently available. The following vote was recorded:

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

The motion to add \$20,000 for the Custom House Museum (Amendment #1) passed.

ADOPTION OF FY16 AMENDMENTS

The following vote on the main motion was recorded:

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

NAY: Burkhart, Guzman, Redd

NOTE: Following this vote, Councilman Burkhart indicated he meant to vote in favor of this ordinance.

The motion to adopt **ORDINANCE 103-2015-16**, FY16 Budget Amendments, on second reading as amended passed.

FY17 BUDGET

ORDINANCE 104-2015-16 (Second Reading) Establishing the FY17 Operating Budget for the City of Clarksville General Government

There was no objection to responses from City Attorney Lance Baker, Director of Finance Laurie Matta, or Department Heads during this discussion.

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

MAYOR'S OFFICE/CHIEF ADMINISTRATIVE OFFICER (Amendment #1)

Councilman Lewis made a motion to add \$73,412 [deleted during first reading June 14th] to the Mayor's Office budget. The motion was seconded by Councilman Grubbs. This amount equaled salary and benefits for the Chief Administrative Officer. Councilman Lewis said the Council should not delete currently filled positions. Councilman Wallace said this action could open the City to litigation. Following discussion, Councilman Redd made a motion to table this amendment. The motion was seconded by Councilman McLaughlin. The following vote was recorded:

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

NAY: Grubbs, Lewis, Powers, Smith, Wallace

The motion to table this amendment passed.

FIRE & RESCUE/DISTRICT CHIEFS & FIREFIGHTERS (Amendment #2)

Councilman Burkhart made a motion to delete \$261,165 from the Clarksville Fire & Rescue budget. The motion was seconded by Councilman Garrett. This amount equaled funding for three new district chiefs and three new firefighters. Fire Chief Mike Roberts said the additional district chiefs were needed to cover areas along Interstate 24. Following extended discussion, Councilman Garrett 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 the amendment passed. The following vote was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers, Wallace

The motion to delete \$261,165 from the Fire & Rescue budget (Amendment #2) passed.

HUMAN RESOURCES/H.R. ANALYST (Amendment #3)

Councilman Burkhart made a motion to delete \$73,238 from the Human Resources budget. The motion was seconded by Councilman Redd. This amount equaled funding requested for a new Human Resource Analyst position. Following discussion, Councilman Redd called for the question. 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 crease discussion passed. The following vote on the main motion was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers

The motion to delete \$73,238 from the Human Resources budget (Amendment #3) passed.

HUMAN RESOURCES/LMS SOFTWARE (Amendment #4)

Councilman Burkhart made a motion to delete \$129,000 from the Human Resources budget. The motion was seconded by Councilman Alexander. This amount equaled funding requested for Learning Management System software and an employee benefits and training software. Human Resources Director Will Wyatt said some software was already under contract. Councilman Burkhart amended his motion to delete \$60,000 for the LMH software. The motion was seconded by Councilman Garrett. A voice vote was taken; Councilman Burkhart's second amendment passed. The following vote on the main motion was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Redd

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

The motion to delete \$60,000 from the Human Resources budget (Amendment #4) failed.

MUNICIPAL PROPERTIES/LEGAL RENOVATION (Amendment #5)

Councilman Burkhart made a motion to delete \$65,000 from the Municipal Properties budget. The motion was seconded by Councilman Redd. This amount equaled funding requested for Legal Department renovations, including a conference room. The following vote was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers

The motion to delete \$65,000 from the Municipal Properties budget (Amendment #5) passed.

SENIOR CITIZENS/PART-TIME POSITION (Amendment #6)

Councilwoman McLaughlin made a motion to delete \$14,946 from the Senior Citizens Center appropriation. The motion was seconded by Councilman Alexander. This amount equaled funding requested for a part-time clerical position. The following vote was recorded:

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

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

NOTE: Councilman Redd was not present for this vote.

The motion to delete \$14,946 from the Senior Citizens Center budget (Amendment #6) failed.

RECESS

The Council recessed at 6:40 p.m. and reconvened at 6:50 p.m.

CITY COURT/NEW CLERK POSITION (Amendment #7)

Councilwoman McLaughlin made a motion to delete \$45,000 from the City Court budget. The motion was seconded by Councilman Redd. This amount equaled funding requested for a new clerk position and was added during first reading of the budget on June 14th. The following budget was recorded:

AYE: Burkhart, Grubbs, McLaughlin, McMillan, Redd, Smith

NAY: Garrett, Guzman, Lewis, Powers, Wallace

The motion to delete \$45,000 from the City Court budget (Amendment #7) passed.

FIRE & RESCUE/FIREFIGHTERS (Amendment #8)

Councilman Lewis made a motion to add \$261,165 [deleted by the adoption of Amendment #2] to the Fire & Rescue budget. The motion was seconded by Councilman Grubbs. This amount equaled funding requested for salaries and benefits for three new district chiefs and three new firefighters. Chief Roberts said this funding would be covered by the SAFER grant which was also included in FY17 revenues and said deleting these positions would jeopardize the entire grant.

Councilman Burkhart made a motion to reduce this addition from \$261,165 to \$129,161. The motion was seconded by Councilman Garrett. This amount equaled salaries and benefits for three new firefighters, but not three new district chief positions. The motion was seconded by Councilman Powers. A voice vote was taken; the amendment passed.

Councilman Burkhart offered an amendment to approve hiring fifteen (15) new firefighters during FY17 contingent upon award of the SAFER grant. The motion was seconded by Councilman Garrett. A voice vote was taken; the motion passed.

The following vote on the main motion was recorded:

AYE: Grubbs, Lewis, McMillan, Powers, Wallace

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

The motion to add \$129,161 to the Fire & Rescue budget (Amendment #8) failed.

CITY COURT/NEW CLERK POSITION (Amendment #9)

Councilman Garrett made a motion to add \$45,000 to the City Court budget. The motion was seconded by Councilman Alexander. This amount equaled funding requested for a new clerk position; this amount was deleted by adoption of Amendment #7. The following vote was recorded:

AYE: Alexander, Allen, Garrett, Guzman, Powers

NAY: Burkhart, Grubbs, Lewis, McLaughlin, Redd, Smith, Wallace

The motion to add \$45,000 to the City Court budget (Amendment #9) failed.

LEGISLATIVE BUDGET/ADVERTISING (Amendment #10)

Councilman Lewis made a motion to add \$50,000 to the Legislative budget. The motion was seconded by Councilman Powers. This amount equaled funding requested for advertising which was deleted during first reading of the budget on June 14th. Mayor McMillan said advertising benefits the city as a whole, and not any particular department. The following vote was recorded:

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

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

The motion to add \$50,000 to the Legislative budget (Amendment #10) failed.

MAYOR'S OFFICE/CHIEF ADMINISTRATIVE OFFICER (Amendment #1)

Councilman Lewis made a motion to lift this amendment from the table. The motion was seconded. The following vote was recorded:

AYE: Grubbs, Lewis, McMillan, Powers, Wallace

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

The motion to lift Amendment #1 from the table failed.

2% DEPARTMENT DECREASE (Amendment #11)

Councilman Burkhart made a motion to delete 2% from each General Fund department except Internal Audit, Purchasing, Crime Stoppers, and Retirees. The motion was seconded by Councilman Redd. This percentage equaled \$1,562,970. The breakdown was as follows:

Building & Codes – 40,879; City Court – 8,502; Finance – 33,401; Fire & Rescue – 357,339; Garage – 22,413; Golf/Mason Rudolph - \$4,781; Golf/Swan Lake - \$16,739; Human Relations Commission - \$136; Human Resources - \$17,604; Information Systems - \$33,070; Legal - \$11,374; Legislative - \$11,631; Mayor’s Office - \$10,132; Municipal Properties - \$13,974; Parks & Recreation - \$140,538; Police & Dispatch - \$574,172; Streets - \$266,285

Following discussion, Councilman Garrett called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers, Redd, Wallace4

The motion to cease discussion failed due to lack of 2/3 majority. Councilwoman McLaughlin said the City should be prepared in the event the Public Safety SAFER grant is not received. The following vote on the main motion was recorded:

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

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

The motion to reduce General Fund department budgets by 2% (Amendment #11) passed.

CALL FOR THE QUESTION

Councilman Garrett called for the question on **ORDINANCE 104-2015-16**. The question was seconded by Councilwoman McLaughlin. The following vote was recorded:

AYE: Allen, Burkhart, Garrett, McLaughlin, Smith

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

The motion to cease discussion on the FY17 General Government Budget failed due to lack of 2/3 majority.

MAYOR'S OFFICE/CHIEF ADMINISTRATIVE OFFICER (Amendment #1)

Councilman Lewis made a motion to lift Amendment #1 from the table. The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Grubbs, Guzman, Lewis, McMillan, Powers, Redd

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

The motion to lift Amendment #1 from the table failed.

CALL FOR THE QUESTION

Councilwoman McLaughlin called for the question on **ORDINANCE 104-2015-16**. The motion was seconded by Councilwoman Smith. The following vote was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers, Redd

The motion to cease discussion on the FY17 General Government Budget failed due to lack of 2/3 majority.

LEGISLATIVE/COUNCIL SALARIES (Amendment #12)

Councilman Grubbs made a motion to delete \$84,432 from the Legislative Budget. The motion was seconded by Councilman Redd. Mr. Baker said the *Official Charter* prohibits changing City Council compensation during a member's term of office. Mayor McMillan ruled the motion was out of order.

CALL FOR THE QUESTION

Councilman Allen called for the question on **ORDINANCE 104-2015-16**. The motion was seconded by Councilwoman Smith. The following vote was recorded:

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

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

The motion to crease discussion on the FY17 General Government Budget failed due to lack of 2/3 majority.

MAYOR'S OFFICE/CHIEF ADMINISTRATIVE OFFIER (Amendment #1)

Councilwoman McLaughlin made a motion to lift Amendment #1 from the table. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to lift Amendment #1 from the table unanimously passed.

Councilman Redd made a motion to reduce amount of Amendment #1, \$73,412, by \$3,412, resulting in an amendment to add \$70,000 to the Mayor's Office budget. The amendment was seconded by Councilman Lewis. Councilman Redd felt that any amendment should not equal a currently filled position's salary and benefits. The following vote was recorded:

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

NAY: Grubbs, Guzman, Smith, Wallace

Councilman Redd's amendment passed. Councilman Allen called for the question. The motion was seconded by Councilman Wallace. A voice vote was taken; the motion passed. The following vote on the main motion was recorded:

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

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

The motion to add \$70,000 to the Mayor's Office budget (Amendment #1) passed.

CALL FOR THE QUESTION

Councilwoman McLaughlin called for the question on **ORDINANCE 104-2015-16**. 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 crease discussion on the FY17 General Government Budget passed.

Realizing that the property tax rate had not been considered, Councilman Redd made a motion to reconsider ceasing discussion. The motion was seconded by Councilman Garrett. The following vote was recorded:

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

The motion to reconsider ceasing discussion passed. The following vote was recorded:

AYE: Alexander, Burkhart, Smith

NAY: Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Wallace

The motion to cease discussion on the FY17 General Government Budget failed.

PROPERTY TAX RATE (Amendment #13)

Councilwoman McLaughlin made a motion to establish the property tax rate at \$1.24. The motion was seconded by Councilman Redd. The following vote was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers

The motion to establish the property tax rate at \$1.24 (Amendment #13) passed.

SAFER GRANT (Amendment #14)

Councilman Garrett made a motion to reduce the SAFER grant revenue by \$124,161 [\$663,265 originally budgeted]. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

The motion to reduce the SAFER grant revenue by \$124,161 [resulting in total revenue of \$539,104] (Amendment #14) passed.

CALL FOR THE QUESTION

Councilman Garrett called for the question on **ORDINANCE 104-2015-16**. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Garrett, McLaughlin, Smith

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

The motion to cease discussion on the FY17 General Government Budget failed.

STATUS OF BUDGET

Ms. Matta said with the tax rate established at \$1.24, the FY17 beginning fund balance would be approximately \$18.4 million.

CALL FOR THE QUESTION

Councilman Burkhart called for the question on **ORDINANCE 104-2015-16**. The question was seconded by Councilwoman McLaughlin. 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 FY17 General Government Budget passed.

ADOPTION OF BUDGET

The following vote on the motion to adopt **ORDINANCE 104-2015-16** on second reading as amended was recorded:

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

NAY: Grubbs, Lewis, McMillan, Powers, Wallace

The motion to adopt the FY17 General Government on second reading as amended passed.

ADJOURNMENT

The meeting was adjourned at 9:03 p.m.