



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
AUGUST 4, 2016**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, August 4, 2016, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd (Ward 4); the Pledge of Allegiance was led by Councilman David Allen (Ward 8).

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), Jeff Burkhart (Ward 12)

ABSENT: Bill Powers (Ward 11)

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 Redd. There was no objection.

ORDINANCE 10-2016-17 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Laura Hardin, David Roach, Susan Hedin, James Roach, and Nathaniel Forbus, David Roach-Agent, for zone change on property at the intersection of Nicole Road and High Lea Road from AG Agricultural District to E-1 Single Family Estate District

David Roach said the owners wanted to revitalize the property and said the area was no longer appropriate for farming. Alexander Loots said he was representing area homeowners wishing to preserve green space and presented a petition of opposition to the change. Phil Haley said the intent of the original developers was to provide large tracts of land to homeowners.

ORDINANCE 11-2016-17 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jacob Wintner, Peter Faulk-Agent, for zone change on property at the intersection of Old Farmers Road and Townsend Court from O-1 Office District to C-2 General Commercial District

Peter Faulk said Signature Health Care was considering this property for a facility to expand the current services. No one voiced opposition to this request.

ORDINANCE 12-2016-17 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jeff Robinson, et al, Mark Olsen and Taylor Dahl-Agents, for zone change on property at the intersections of Bogard Lane and North First Street, Marion Street and North First Street, and Beaumont Street and North First Street from R-4 Multiple Family Residential District to CBD Central Business District

Jeff Robinson said this request included ten parcels and the rezoning would allow current development to continue without variances. No one voiced opposition to this request.

ORDINANCE 13-2016-17 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Stephanie Lee Choate for zone change on property at the intersection of Kennedy Road and Trenton Road from AG Agricultural District to R-2 Single Family Residential District

Rex Hawkins offered to answer questions. No one voiced 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.

ZONING

The recommendations of the Regional Planning Staff & Commission were for approval of **ORDINANCE 10-2016-17**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. In response to Councilman Alexander's question, Dr. David Ripple, Director of Planning, said the change would allow the owner to create three separate lots. The following vote was recorded:

AYE: Alexander, Burkhardt, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Redd, Smith, Wallace

NAY: Allen

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 11-2016-17**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilwoman McLaughlin said the current O-1 zoning would already allow expansion of the existing facility. Councilman Alexander opposed a commercial zone adjacent to existing residential developments. The following vote was recorded:

AYE: Grubbs, Redd

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

The motion to adopt this ordinance on first reading failed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 12-2016-17**; the 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. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, 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 **ORDINANCE 13-2016-17**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Burkhart said he was a potential buyer of this property and would abstain from voting. Councilwoman McLaughlin felt Trenton Road could not accommodate additional traffic. Councilman Garrett felt developers should not be penalized because of poor conditions of state roadways. The following vote was recorded:

AYE: Garrett, Grubbs, Guzman, Lewis, Redd, Smith, Wallace

NAY: Alexander, Allen, McLaughlin

ABSTAIN: Burkhart

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 4-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Johnson Properties, LP, Sidney Johnson-Agent, for zone change on property at the intersection of Stone Container Drive & Old Russellville Pike from M-3 Planned Industrial District to C-5 Highway & Arterial Commercial District
2. **ORDINANCE 5-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Clarkland, c/o Herb Baggett, for zone change on property located at the terminus of Townsend Court from O-1 Office District to R-2A Single Family Residential District
3. **ORDINANCE 6-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Ernest E. Carpenter, Mark Day-Agent, for zone change on property at the intersection of Tiny Town Road & Needmore Road from AG Agricultural District to C-5 Highway & Arterial District
4. **RESOLUTION 7-2016-17** Renewing the Certificate of Compliance for a retail liquor store for Rajan Daswani (Queen City Liquors, 1232 Tylertown Road)
5. **RESOLUTION 9-2016-17** Approving a Certificate of Compliance for sale of wine in a food store for Sweta Patel (Quick Stop Food Mart, 531 North Second Street)
6. **RESOLUTION 10-2016-17** Approving a Certificate of Compliance for sale of wine in a food store for Yogeshkumar Patel (Silver Dollar Grocery, 2700 Trenton Road)
7. Adoption of Minutes: July 7, 2016
8. Approval of Board Appointments:

Ethics Commission: Barbara Johnson – July 2016 through June 2019

Tree Board: Dottie Mann – July 2016 through June 2018

Councilman Lewis made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Burkhart. The following vote was recorded:

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

The motion to adopt this Consent Agenda as presented passed.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 7-2016-17 (First Reading) Amending the FY17 Fire & Rescue Budget to transfer funds for purchase of a vehicle chassis

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Wallace said the funding was previously approved in the FY16 budget, but the part was not delivered until after the FY17 budget was in effect. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 8-2016-17 (First Reading) Amending the FY17 Capital Projects Fund to repurpose land at Liberty Park

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Wallace said the original intent for this funding was to purchase additional land for parking, but city officials were requesting the funds be used to construct a parking lot on existing park land instead. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 8-2016-17 Expressing support for an application to the Bureau of Justice for a Body Worn Cameras (BWC) grant and for commitment to this long term program

Councilman Wallace 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, McLaughlin, McMillan, Redd, Smith, Wallace

The motion to adopt this resolution passed.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said contracts had been award for reconstruction projects at 111 Ridgeway Drive, Ward 2, for \$109,800, and at 47 Chestnut Street, Ward 4, for \$96,800.

GAS & WATER COMMITTEE

Wallace Redd, Chair

No report.

PARKS, RECREATION, GENERAL SERVICES

Deanna McLaughlin

On behalf of Chairman Bill Powers, Councilwoman McLaughlin announced upcoming activities including Blueway Cleanup, Community Centers Open House, and the Back To School Splash. Councilwoman McLaughlin reported the following monthly statistics: Fort Defiance – 1,655 visitors; Burt Cobb Cennter – 196 visitors; Crow Center – 1,282 visitors; Kleeman Center – 1,851 visitors; B-Cycle – 667 rentals for 4,831 miles; Building Maintenance – 223 work orders.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

Councilman Grubbs shared the following monthly statistics: Building & Codes Construction Division – 1,425 inspections; Building & Codes Enforcement Division – 553 cases; Building & Codes Administration – 42 single-family permits; Building & Codes Abatement Division – 67 work orders; Fire & Rescue – 1,139 emergency runs; Police – 13, 804 responses.

Councilman Grubbs congratulated Chief Al Ansley and the Clarksville Police Department for recently achieving accreditation for the third consecutive year.

STREETS-TRANSPORTATION-GARAGE COMMITTEE

James Lewis, Chair

Councilman Lewis reported the following monthly department statistics: Clarksville Transit System – 54,673 passengers; Clarksville-Nashville Express – 5,740 passengers; City Garage – 319 work orders (unleaded fuel \$1.79 gal/diesel fuel \$1.47/gal); Streets – 337 work orders.

Councilman Redd expressed appreciation to the Street Department for quick responses to flooding problems in Ward 4.

NEW BUSINESS

RESOLUTION 6-2016-17 Approving a Tax Increment Financing Agreement with Montgomery County and the Clarksville-Montgomery County Industrial Development Board

Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councilwoman McLaughlin.

Councilman Allen said the church he pastors was in the proposed TIF District and City Attorney Lance Baker determined he had no conflict of interest in voting on this matter.

Councilman Redd made a motion to change this document from a resolution which would require one vote to an ordinance which would require two votes. Because of the lack of public notice, Mayor McMillan ruled this motion out of order.

During discussion, Mr. Baker said the Industrial Development Board created a subcommittee of non-IDB board members, to review applications and recommend projects to the IDB for consideration.

Councilman Lewis stated the City had no representation on the IDB. In response to Councilman Burkhart's question regarding the possibility of a developer defaulting on a bank loan for a TIF project, Mr. Baker said responsibility of parties involved would be determined by a project agreement approved by the IDB. Councilman Redd objected to giving private developers tax dollars. Councilwoman Guzman and Councilman Allen expressed support for the tax incentive program for downtown development.

There was no objection to Councilman Grubbs request to go out of session to hear comments from Community Development Director Keith Lampkin. Mr. Lampkin said existing community development funds could assist in revitalizing downtown if the proposed TIF met federal guidelines.

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

Councilman Grubbs said the City could create a separate funding program using Community Development grants. Councilwoman McLaughlin said the IDB had been very successful in negotiating significant industrial developments. Mayor McMillan said all recommendations from the City for the proposed TIF agreement had been rejected by the IDB or by Montgomery County officials.

Mayor McMillan made a motion to postpone this vote to the next regular session to allow a proposed amendment to be drafted. The motion was seconded by Councilman Redd. 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, Redd, Smith, Wallace

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

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

NAY: Alexander, Allen, Garrett, Guzman, McLaughlin, Wallace

The motion to postpone failed due to lack of a majority. 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, Redd, Smith, Wallace

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

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

NAY: Grubbs, Lewis, McMillan, Redd, Smith

The motion to adopt this resolution passed.

MAYOR AND STAFF REPORTS

There were no reports.

ADJOURNMENT

The meeting was adjourned at 9:21 p.m.