



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
SEPTEMBER 1, 2016**

**MINUTES**

**PUBLIC COMMENTS**

Prior to the regular session, State Representative Joe Pitts asked the City Council to approve funding for improvements to Stokes Baseball Field. Tim Chandler objected to the proposed amendment to the City Code relative to panhandling. John Renken expressed concern with the way the Police Department was handling incidents he and his wife, a police officer, had been involved in.

**CALL TO ORDER**

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, September 1, 2016, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Aron Maberry, The Tabernacle, guest of Ward 5 Councilwoman Valerie Guzman; the Pledge of Allegiance was led by Councilman Geno Grubbs Ward 7.

**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)

**ABSENT:** Jeff Burkhart (Ward 12)

**SPECIAL RECOGNITIONS**

There were no special recognitions.

**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 Councilwoman McLaughlin. There was no objection.

**ORDINANCE 23-2016-17** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Meriam Tummons for zone change on property at the terminus of Belle Court from RM-1 Single Family Mobile Home Residential District to R-1 Single Family Residential District

Meriam Tummons presented photos of a house that she wanted to relocate to the property in question which was adjacent to an existing R-1 lot. No one expressed opposition.

**ORDINANCE 24-2016-17** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Lyndon W. Watts, Lyndon W. Watts or Alesha Williams-Agents, for zone change on property at the intersection of Madison Street and Liberty Parkway from OP Office Professional District to C-5 Highway & Arterial Commercial District

Lyndon Watts spoke for this change. No one expressed opposition.

Councilman Grubbs made a motion to revert to regular session. The motion was seconded by Councilwoman McLaughlin. There was no objection.

#### ADOPTION OF ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 23-2016-17**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, 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 24-2016-17**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, 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 1-2016-17** (Second Reading) Authorizing extension of utilities to 3588 Sango Road; request of Mary Nelson

2. **ORDINANCE 2-2016-17** (Second Reading) Authorizing use of eminent domain for acquisition of easements and/or rights of way for utility relocation required to facilitate construction for the TDOT roadway widening project on S.R. 76 (U.S. 41 Bypass)
3. **ORDINANCE 3-2016-17** (Second Reading) Authorizing extension of utilities to 3751 Sango Road; request of Shirley Joiner
4. **ORDINANCE 7-2016-17** (Second Reading) Amending the FY17 Fire & Rescue Budget to transfer funds for purchase of a vehicle chassis
5. **ORDINANCE 8-2016-17** (Second Reading) Amending the FY17 Capital Projects Fund to repurpose land at Liberty Park
6. **ORDINANCE 10-2016-17** (Second 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
7. **ORDINANCE 12-2016-17** (Second 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
8. **ORDINANCE 13-2016-17** (Second 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
9. Adoption of Minutes: August 4
10. Approval of Board Appointments:

Arts and Heritage Development Council: Dewey Browder, Joe Filippo and Jim Marshall – September 2016 through August 2019

Human Relations Commission: Mohsun Ghias, Candy Johnson, Alexandra Wills – July 2016 through June 2019; Mark Kelly – September 2016 through June 2019

Councilman Lewis made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilwoman Guzman. Councilman Powers registered A “nay” VOTE on **ORDINANCE 10-2016-17**. Councilwoman McLaughlin registered a “nay” vote on **ORDINANCE 13-2016-17**. A voice vote was taken; the motion to adopt the Consent Agenda as presented, with notations, passed.

## COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

*David Allen, Chair*

Councilman Allen said the First Time Buyers Program was providing down payment assistance through the Community Development Department.

### STOKES FIELD

**ORDINANCE 20-2016-17** (First Reading) Amending the FY17 Parks & Recreation Budget for Stokes Field safety repairs

Councilwoman McLaughlin made a motion to move this ordinance from the New Business section to the next item on the agenda. The motion was seconded by Councilman Garrett. There was no objection.

Councilwoman McLaughlin made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Garrett. Councilwoman McLaughlin briefly reviewed the current lease which stated the league's responsibilities and recognized members of the audience in support of this funding.

Councilman Powers said the Director of Parks should be allowed to assess the safety issues at Stokes Field. He agreed that the City should offer support, but the Northwest Little League should participate in the renovations. Councilman Powers made a motion to postpone action on this ordinance indefinitely. The motion was seconded by Councilman Alexander. Councilman Allen said the field needed immediate attention. Councilman Wallace said the Director of Parks should evaluate the needs and prepare a list of priorities and cost estimates. During discussion, Councilman Wallace called for a point of order regarding Councilman Allen's previous statement questioning the motives of other members. Mayor McMillan supported Councilman Wallace's point of order and ruled Councilman Allen's comments out of order. Councilwoman McLaughlin and Councilman Garrett objected to postponement. Councilman Alexander called for the question on the motion to postpone indefinitely. The question was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Guzman, McMillan, Powers, Redd

Mayor McMillan ruled the motion to cease discussion on the motion to postpone indefinitely failed due lack of a 2/3 majority.

Councilman Redd felt this issue should be addressed by the appropriate department committees. Councilwoman Guzman made a motion to amend Councilman Power's motion to postpone action on this ordinance to the next regular session. The motion was seconded by Councilman Grubbs. Mayor McMillan reminded members that this ordinance was based on salary savings that may not become available. Councilman Redd called for the question. The question was seconded by Councilman Alexander. The following vote was recorded:

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

The motion to cease discussion on Councilwoman Guzman's amendment passed. The following vote on the amendment to the motion to postpone was recorded:

AYE: Alexander, Garrett, Grubbs, Guzman, Lewis, McMillan, Powers, Redd, Wallace

NAY: Allen, McLaughlin, Smith

The motion to amend Councilman Powers' motion to postpone passed. Councilman Alexander called for the question. The question was seconded by Councilman Garrett. A voice vote was taken; the motion to cease discussion on the motion to postpone passed. The following vote on the motion to postpone was recorded:

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

NAY: Allen, Garrett, McLaughlin, Smith

The motion to postpone action on this ordinance to the next regular session passed.

#### FINANCE COMMITTEE

*Joel Wallace, Chair*

**ORDINANCE 14-2016-17** (First Reading) Closing the Red River Trail/Greenway grant match capital project and transfer funds to the correct Red River Trail project

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 15-2016-17** (First Reading) Accepting a National Parks Service grant through the Tennessee Historical Commission and providing matching funds for Smith-Trahern Mansion repairs

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin.

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 16-2016-17** (First Reading) Amending the Official Code relative to membership of the Two Rivers Company Board of Directors

The recommendation of the Finance Committee was for approval. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

NOTE: Councilman Alexander was not present for this vote.

The motion to adopt this ordinance on first reading passed.

**ORDINANCE 18-2016-17** (First Reading) Adding a capital project and accepting a state grant for Swan Lake Pool Renovations

The recommendation of the Finance Committee was for approval. 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: Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed

**RESOLUTION 11-2016-17** Authorizing Two Rivers Company to reallocate previously approved funding

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. The following vote was recorded:

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

The motion to adopt this resolution passed

**RESOLUTION 12-2016-17** Declaring the intent of the City of Clarksville to reimburse itself not to exceed \$7,000,000 for certain project expenditures with proceeds of general obligation bonds or other debt obligations to be issued to the City

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. The following vote was recorded:

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

The motion to adopt this resolution passed

**GAS & WATER COMMITTEE**

*Wallace Redd, Chair*

**ORDINANCE 17-2016-17** (First Reading) Authorizing extension of utilities to 3181 Highway 41A South; request of David Welch

The recommendation of the Gas & Water Committee was for approval. Councilman Redd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed

Councilman Redd reported the Gas & Water Department had received \$500,000 in claims for sewer treatment repair following the 2010 flood. Additional claims had been filed.

**PARKS, RECREATION, GENERAL SERVICES**

*Bill Powers, Chair*

Councilman Powers reported the following monthly departmental statistics: Fort Defiance – 1,230 visitors; Burt Cobb Center – 988 patrons; Crow Center – 1,442 patrons; Kleman Center – 3,186 patrons.

**PUBLIC SAFETY COMMITTEE**

(Building & Codes, Fire & Rescue, Police)

*Geno Grubbs, Chair*

**ORDINANCE 19-2016-17** (First Reading) Amending the Official Code relative to use of public rights-of-way

The recommendation of the Public Safety Committee was for approval. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Grubbs offered an amendment to adopt revised language as recommended by the City Attorney. The motion was seconded by Councilman Alexander. The following vote on the amendment was recorded:

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

Councilman Grubbs' amendment passed. Councilwoman McLaughlin offered an amendment that would add language that would prohibit drivers to make an exchange with panhandlers in a right-of-way. The motion was seconded by Councilman Garrett. There was no objection to Councilman Grubbs' request to allow Deputy Chief Frankie Gray to answer questions. Deputy Gray said the ordinance is not enforceable and the Chief of Police does not support fines for drivers. The following vote was recorded:

AYE: Alexander, Garrett, McLaughlin

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

Councilwoman McLaughlin's amendment failed. Councilman Alexander called for the question. The question was seconded by Councilman Garrett. A voice vote was taken; the motion to cease discussion on this ordinance passed. The following vote on the main motion was recorded:

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

NAY: Allen, Redd

The motion to adopt this ordinance on first reading as amended passed.

Councilman Grubbs reported the following monthly department statistics: Police – 13,831 responses; Fire & Rescue – 1,146 emergency runs; Building & Codes Enforcement Division – 794 cases; Building & Codes Construction Division – 1,582 inspections; Building & Codes Administration – 56 single family permits; Building & Codes Abatement Program – 92 work orders.

#### STREETS-TRANSPORTATION-GARAGE COMMITTEE

*James Lewis, Chair*

Councilman Lewis reported the following monthly department statistics: Clarksville Transit System – 61,556 passengers; City Garage – 414 work orders.

#### NEW BUSINESS

**ORDINANCE 21-2016-17** (First Reading) Amending the FY17 Capital Projects Budget for Trenton Road improvements

Councilman Allen made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Allen said the Tennessee Department of Transportation planned to address improvements to Trenton Road in the future, but the highway needs immediate attention. Councilman Wallace said the addition of a \$60 million project would require a tax increase. Councilman Powers and Councilman Redd objected to city funding for state route improvements. Councilman Allen called for the question. The question was seconded by Councilman Alexander. A voice vote was taken; the motion to cease discussion passed. The following vote was recorded:

AYE: Allen, Garrett, McLaughlin, Smith

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

The motion to adopt this ordinance on first reading failed.

**ORDINANCE 22-2016-17** Amending the FY17 Operating Budget to appropriate funds for the Tree Board

Councilman Lewis made motion to adopt this ordinance on first reading. The motion was seconded by Councilman Wallace. Councilman Lewis said funding for the Tree Board was not included in the FY17 budget. The following vote was recorded:

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

NAY: Alexander, Redd

The motion to adopt this ordinance on first reading passed.

**RESOLUTION 13-2016-17** Expressing support for Military and Veteran Caregivers

Because it was not an item on the August 25<sup>th</sup> Executive Session agenda, Mayor McMillan made a motion to consider **RESOLUTION 13-2016-17**. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed by the 3/4 majority required.

Councilwoman McLaughlin made a motion to adopt this resolution. The motion was seconded by Councilman Alexander. The following vote was recorded:

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

The motion to adopt this resolution passed.

**RESOLUTION 14-2016-17** Accepting a TDOT proposal for intersection improvements at Denny Road & Rotary Park Drive

Because it was not an item on the August 25<sup>th</sup> Executive Session agenda, Councilman Lewis made a motion to consider **RESOLUTION 14-2016-17**. The motion was seconded by Councilwoman Alexander. A voice vote was taken; the motion passed by the 3/4 majority required.

Mayor McMillan made a motion to adopt this resolution. The motion was seconded by Councilman Garrett. The following vote was recorded:

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

The motion to adopt this resolution passed.

**MAYOR AND STAFF REPORTS**

There were no mayor or staff reports.

**ADJOURNMENT**

The meeting was adjourned at 9:11 p.m.