

Special Called Meeting of the Regional Planning Commission

April 6, 2020 11:00 AM

Location: Online (GoToMeeting)/Phone

MEMBERS PRESENT:

Richard Swift, Chairman

Bryce Powers, Vice Chairman

Mayor Joe Pitts

Russell Adkins

Richard Garrett

Wade Hadley

Mark Kelly

Bill Kimbrough

Larry Rocconi

Amanda Walker

OTHERS PRESENT:

Director of Planning, Jeffrey Tyndall

Ruth C. Russell, RPC Planner/Address Manager

Brad Parker, RPC Subdivision Coordinator/Planner

Brent Clemmons, RPC GIS Manager

John Spainhoward, RPC Planner/Zoning Coordinator

Sonny Emmert, RPC GIS Planner

Judy Burkhart/Ladonna Marshall, RPC Office Manager

Angela Latta, RPC Administrative Support Clerk

Stan Williams, CUAMPO Director

Jill Hall, CUAMPO Transportation Planner

1. Mr. Tyndall covered rules and etiquette for online meetings. He asked that speakers state their name before speaking. Mr. Tyndall stated that the meeting was being recorded.
2. Mr. Tyndall did roll call and established a quorum.
3. New Business:
  - 3.1 Update the policy on “Public Hearings” for April and May’s Planning Commission meetings.
    - Mr. Tyndall stated that upon speaking with attorneys, a public hearing is not defined by TCA. He then read the Notice to the Public for temporary procedures for addressing the Clarksville Montgomery County Regional Planning Commission which stated “In order to comply with the technical aspects of Governor Lee’s Executive Orders regarding holding open meetings in an online forum other than in the public, the RPC determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak.” The public is invited to provide comments on any cases to be heard by the Clarksville Montgomery County Regional Planning Commission (RPC) utilizing:
      - Email ([rpc@cityofclarksville.com](mailto:rpc@cityofclarksville.com))
      - Traditional mail to: RPC 329 Main Street, Clarksville, TN 37040
      - And by phone 931-645-7448

Due to Federal, State and Local shelter in place executive orders that have been passed down; the RPC also desires to protect the public health of its staff, commissioners, and the public. In order to accommodate these orders the following temporary procedures will be in place for April and May 2020:

1. For all Zoning, Subdivision, Site Plan and any other case requiring a public hearing; comments will be solicited and received by email, phone or traditional mail up to 4:30 PM the day before the regularly scheduled RPC Meeting.
  - a. These comments should be concise and about the matter on the agenda.
  - b. Each correspondence should strive for factual information and avoid personal attacks.
  - c. For each application a new email, phone call or traditional mail should be provided.
2. These comments will be included as part of the permanent record for each application.
3. The applicant shall provide a written statement in lieu of an in person testimony of intent and purpose for the rezoning, subdivision or site plan.
4. Applicants shall make every effort to be on the phone or online for the RPC meeting to allow for any cross-examination by the RPC or staff.
5. After the RPC has read the applicant’s statement and heard any cross-examination, all emails, traditional mail, and phone calls will be read into the record verbatim by RPC staff.
6. Rebuttal will be at the Chairman’s discretion.
7. The meeting will be audio and video recorded (within means) and provided online for follow up listening by the public.

Mr. Tyndall stated that for this meeting, slides will be up on the web. He stated that is the reason for having the deadline for comments at 4:30 the day prior to the meeting, to allow the PDFs to be put together for the presentation. He stated that if the Planning Commission was not comfortable

with a particular case, they would always have the opportunity to defer it. He stated that cases typically heard on a consent agenda would still be heard as usual, unless there was a reason for separate discussion.

Mr. Spainhoward stated that we probably need to make sure that emails and letters received have a name and address, as we typically require from those who choose to speak in the regular meetings.

3.2 RPC to delegate the RPC staff to act on Final Subdivisions, Replats, and Preliminary Subdivisions (with parameters to be established) at staff level. (per TCA 13-3-402)

Mr. Tyndall stated that per TCA 13-3-402 (c) “A regional planning commission may delegate the responsibility for approval of a subdivision plat to the staff of the regional planning commission by a majority vote of the regional planning commission that is taken in a public meeting after being placed on the regional planning commission’s meeting agenda and notice being provided as required for other matters before the regional planning commission.”

We are proposing that the motion include all Final Plats (unless the staff or applicant wants to be heard by the RPC for a stated purpose), Replats of any amount of lots, and Preliminary Plats of up to # Lots (TBD) with or without utility extensions or road construction.

Mr. Swift asked if anyone was uncomfortable with this staff level approval.

Mr. Kimbrough asked why limit this to certain aspects. Mr. Tyndall stated that anything that has a variance request, staff cannot act upon.

Mr. Garrett asked if it would be possible to extend this beyond May and have this active until the state of emergency is over? Mr. Tyndall stated that we have Local, State and Federal States of emergencies right now.

Mayor Pitts stated that he feels 60 days at a time gives us plenty of room to work with.

There being no more discussion, Mr. Garrett moved to delegate RPC staff to act for the Regional Planning Commission on all subdivisions except those with variances. The motion was seconded by Mr. Rocconi and carried unanimously.

Mr. Tyndall stated that we have always asked that paper copies were submitted to send out to the multiple departments. He stated that there had been a question about submitting a staff level site plan electronically via PDF. Mr. Spainhoward stated that about 5-6 years ago we had attempted to go paperless. He stated that PDFs do not always print to scale and, depending on the quality of the original, may not be readable. Mr. Tyndall stated that he believes we need time to poll other departments to see what their availability is for this.

#### 4. Open Floor to Commissioners

Mr. Swift stated that he agrees with Mr. Tyndall about requiring paper copies at this time. Mr. Rocconi stated that he also agrees. He stated that he would like to see this take place but feels that we are months away from that. Mr. Spigner stated that he also agrees.

Mr. Swift asked what the City and County are going to do about meetings. Mr. Tyndall stated that they are working to come up with plans for handling their meetings electronically as well. Mr. Tyndall stated that worst case scenario they could defer cases at the City and County level as long as they are within the 100 day requirement.

Mr. Spainhoward stated that our letters have to go out this week. Mr. Tyndall stated that he believes the dates will be the same but the location may change.

Mr. Garrett stated that he was in the process of working with the City attorney to allow them to lift the 100 day requirement, in the event of a controversial case so they have the opportunity to push it back.

Mr. Tyndall stated that this week notifications and our new signs will be up for review as well. He stated that the next informal meeting will be held electronically.

Ms. Latta asked about the legals, stating that she believed the wording in those also included the location of the meetings at the City and County level. Mr. Tyndall asked that she get him a copy of a previous legal for reference. Mr. Spainhoward stated that he had already made copies of these.

There being no more discussion, the meeting was adjourned at 11:40 AM.

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Richard Swift, CHAIR