



CLARKSVILLE CITY COUNCIL REGULAR SESSION JULY 2, 2019

MINUTES

PUBLIC COMMENTS:

Prior to the meeting, Barry Schmittou said the Industrial Development Board should comply with the open meetings law because they receive funding from taxpayer dollars. He questioned the approval process for the Atlas BX industrial plant.

Dr. Virginia Leon shared her frustration with the constant noise and disruptions coming from Tarboosh Restaurant which was located next to her apartment at 117 Franklin Street.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Tuesday, July 2, 2019, at 7:00 p.m. in the City Council Chambers, 106 Public Square, Clarksville, Tennessee. This meeting was rescheduled from the original meeting date of July 4, 2019, upon the adoption of **ORDINANCE 69-2018-19**.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilman Ron Erb.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Vondell Richmond (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4) Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Travis Holleman (Ward 7), David Allen, Mayor Pro Tem (Ward 8), Jeff Henley (Ward 9), Stacey Streetman (Ward 10), Gary Norris (Ward 11), Jeff Burkhart (12)

SPECIAL RECOGNITIONS

Mayor Pitts welcomed Senator Bill Powers who was in the audience.

PLANNING COMMISSION

Councilman Garrett made a motion to conduct a public hearing to receive comments from the public regarding proposed annexations, reapportionment, and requests for zone change. The motion was seconded by Council Henley. There was no objection.

RESOLUTION 4-2019-20 Annexing territory at off Highway 76 east of Interstate 24 Exit 11

The following individuals spoke in opposition to this proposed annexation:

Keith Boyd, Diana Larkins, Connie Baber, Deanna Theisgea, Barry Schmittou, Linda Reggins, Crissa Hubert, Joshua Beal, Jordan Lavato, Jennifer Smith, Keya Somera, Yvonne Kuchenmeister, Lane (inaudible), Michael Wilkinson, Ben Sanders, Gary Davis, Leland Sharnhorst, Dustin Geiberst, Cheryl McMichael, Carolyn Wilkinson, Brian Winning, Olivia Smith, Glenn Lightner, and Grace Mitchell.

Reasons stated for objection were loss of community identification, land is not in the Urban Growth Boundary, possible addition of 2,200 residents, annexation would be considered urban sprawl, potential R-4 zoning would not be in character of the area, over crowded school, failing hotels in the surrounding area, residents oppose additional retail development, concern for school safety, increased traffic congestion, Highway 76 cannot support additional traffic, no state plans to improve Highway 76, no existing infrastructure, annexation would benefit only two builders, development could lower the cost of labor and a possible influx of large corporations; land preparation causing environmental concerns, no existing sidewalks on Highway 76, possible reduction in property values, possible escalation in crime, and risk of road collapse caused by sinkholes

Bill Belew, applicant, said a traffic study would be conducted if annexation of the properties is approved.

RESOLUTION 5-2019-20 Approving a Plan of Services for annexed territory off Highway 76 east of Interstate 24/Exit 11

There were no public comments.

RESOLUTION 6-2019-20 Annexing territory along Gratton Road

There were no public comments.

RESOLUTION 7-2019-20 Approving a Plan of Services for annexed territory on Gratton Road

There were no public comments.

ORDINANCE 5-2019-20 (First Reading) Reapportioning annexed territory on Gratton Road and at I-24 and Highway 76

There were no public comments.

ORDINANCE 6-2018-19 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eric Huneycutt for zone change on property located at the intersection of Charlotte Street and Blackman Street from R-3 Three Family Residential District to R-6 Single Family Residential District

Cal Burchett, McKay-Burchett Engineers, said the proposed development would consist of five single-family homes. There was no expressed opposition.

ORDINANCE 7-2018-19 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reber Kennedy for zone change on property located at the north terminus of Lancelot Lane, the west terminus of Winesap Road, and the west terminus of Core Drive from AG Agricultural District to R-1 Single Family Residential District

Cal McKay, McKay-Burchett Engineers, offered to answer questions. Linda Hall Drake expressed concern about traffic. Councilman Henley said if this zoning is approved, approximately 80 homes could be built in two phases.

ORDINANCE 8-2018-19 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of CVHC3, LLC, C&E Partners-Agent, for zone change on property located at the intersection of 41-A Bypass/Ashland City Road and Riverwood Place C-5 Highway & Arterial Commercial District and R-4 Multiple Family Residential District to C-2 General Commercial District

Cal Burchett, McKay-Burchett Engineers, speaking on behalf of the applicant, said C-2 zoning would better suit the property for development. There was no expressed opposition.

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

ADOPTION OF ANNEXATION, REAPPORTIONMENT, AND ZONING

Councilman Garrettman Garrett made a motion to adopt **RESOLUTION 4-2019-20**. The motion was seconded by Councilman Burkhart. Council lady Guzman made a motion to postpone this vote to the next regular session to allow members to gather additional information. The motion was seconded by Councilman Chandler. Council lady Streetman expressed support for the annexation stating the land was already developable and the City would benefit from the revenue which would provide services to the properties. Councilman Chandler said a “mega” apartment complex would hinder fire service and consideration should be given to the effect a development would have on area schools. The following vote was recorded:

AYE: Chandler, Erb, Guzman, Pitts, Richmond

NAY: Allen, Burkhart, Garrett, Henley, Holleman, Smith, Streetman

The motion to postpone failed. The following vote on the main motion was recorded:

AYE: Allen, Burkhart, Garrett, Henley, Holleman, Norris, Pitts, Streetman

NAY: Chandler, Erb, Guzman, Richmond, Smith

The motion to adopt this resolution passed.

Councilman Chandler requested a recess at 8:35 p.m.; there was no objection. The Council reconvened at 8:44 p.m.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 5-2019-20**. Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

Councilman Garrett made a motion to adopt **RESOLUTION 6-2019-20**. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 7-2019-20**. Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

Councilman Garrett made a motion to adopt **ORDINANCE 5-2019-20** on first reading. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, it's, Richmond, smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 6-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 7-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Streetman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 8-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously 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 55-2018-19** (Second Reading) Amending the Official Code pertaining to the designation of the District Management Corporation from the Two Rivers Company to the Economic Development Council

2. **ORDINANCE 78-2018-19** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Maynard Family Company for zone change on property located at the intersection of Tobacco Road and Jack Miller Boulevard from R-1A Single Family Residential District to R-4 Multiple Family Residential District

3. **ORDINANCE 79-2018-19** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Yvonne Rhodes, Mark Holleman-Agent, for zone change on property located south of Madison Street and east

of Greenwood Avenue from R-3 Three Family Residential District to R-4 Multiple Family Residential District

4. **ORDINANCE 80-2018-19** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders for zone change on property located at the intersection of Dotsonville Road and Arrowfield Drive from R-1 Single Family Residential District to R-2 Single Family Residential District

5. **RESOLUTION 3-2019-20** Approving appointments to Board of Adjustments & Appeals, Economic Development Council, and Board of Zoning Appeals [*Removed; see below*]

- *Adjustments & Appeals: Herb Baggett (correct dates of term approved June 6) - July 2018 through June 2022*
- *Economic Development Council: Gary Norris - July 2019 through June 2021*
- *Board of Zoning Appeals: Cindy Green - July 2019 through December 2021*

6. Adoption of Minutes: May 29, June 6, June 13, June 20

Mayor Pitts requested separate consideration of **RESOLUTION 3-2019-20**. Councilman Burkhart made a motion to adopt the amended Consent Agenda. The motion was seconded by Councilwoman Smith. Councilman Chandler registered a “nay” vote on **ORDINANCE 79-2018-19**. Councilman Holleman registered an absence on **ORDINANCE 79-2018-19**. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt the Consent Agenda as amended passed.

BOARD APPOINTMENTS

RESOLUTION 3-2019-20 Approving appointments to the Board of Adjustments & Appeals, Economic Development Council, and Board of Zoning Appeals

This resolution was removed from the original Consent Agenda. Mayor Pitts made a motion to adopt this resolution. The motion was seconded by Councilman Burkhart. Mayor Pitts made a motion to amend this resolution by adding the appointment of Kunal Shah to the Power Board [July 2019 through June 2022]. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

Mayor Pitts’ amendment unanimously passed. The following vote on the main motion as amended was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution as amended unanimously passed.

FINANCE COMMITTEE

ORDINANCE 1-2019-20 (First Reading) Accepting donation of certain real property from the Industrial Development Board for the purpose of a water storage tank

The recommendations of the Gas & Water Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Richmond. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 2-2019-20 (First Reading) Authorizing purchase of property at 111 Cunningham Lane for the Gas & Water North Service Center

The recommendations of the Gas & Water Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 3-2019-20 (First Reading) Authorizing purchase of property for the Gas & Water new Meadowbrook Sewer Pump Station Equalization Basin

The recommendations of the Gas & Water Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Erb. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 4-2010-20 (First Reading) Authorizing exercise of right of eminent domain to acquire easements and/or rights-of-way for the Trenton Road and Meriwether Road Project, the Tylertown-Oakland Road Improvements Project, and the Whitfield Road Improvements Project

The recommendations of the Street Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Chandler. Councilman Burkhart said he would abstain because he owns an affected property. The following vote was recorded:

AYE: Allen, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

ABSTAIN: Burkhart

The motion to adopt this ordinance on first reading passed.

RESOLUTION 1-2019-20 Asking the Tennessee Department of Transportation for improvements to SR374/Warfield Boulevard from south of Dunbar Cave Road to SR112/Madison Street

The recommendations of the Street Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

RESOLUTION 2-2019-20 Authorizing an interlocal agreement between the City of Clarksville and the E-911 Emergency Communication District

The recommendations of the Public Safety Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

GAS & WATER COMMITTEE

Chairlady Guzman shared the following monthly department statistics: 5,071 work orders, 370 calls, almost 100,000 meter readings, 68,947 billings, and 2,970 requests.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Chairman Allen said three demolitions for the new Loaves & Fishes facility had been completed. He announced the Tennessee Housing Development Agency had approved an application for the 2019 Emergency Solutions Grant in the amount of \$161,250.

Chairman Allen congratulated Housing & Community Development Director Keith Lampkin for being selected as a member of the Executive Committee of the National Community Development Association.

PARKS & RECREATION

Chairlady Guzman announced the new branding for Parks & Recreation as “Parks and Rec and You.” She said the Mayor’s Summer Lights events had been successful. Chairlady Guzman mentioned the Independence Day Celebration on July 3rd in Liberty Park, the Food Truck Rally in McGregor Park on July 11, and the Taste of Liberty Park scheduled for July 18.

PUBLIC SAFETY COMMITTEE

Chairman Henley shared the following monthly department statistics: Building & Codes - 2,132 inspections, 352 enforcement cases, 82 single family permits, and 96 abatement work orders; Fire Rescue - 676 calls; Police - 13,459 responses.

STREETS & GARAGE COMMITTEE

Chairman Chandler shared the following monthly department statistics: Streets - 201 work orders including storm debris pickup through the month of July; Garage - 502 work orders in 1,229 man hours, unleaded fuel \$2.06/gallon, diesel fuel \$2.09/gallon

TRANSPORTATION COMMITTEE

Chairlady Smith shared the following monthly department statistics: Clarksville Transit System - 51,326 passengers including 6,693 senior citizens, and 1,750 youth free rides. She said construction of the Ebenezer Church shelter was complete. Chairlady Smith said CTS would offer free rides all day on all routes on July 3rd and would provide a free shuttle to the Independence Day Celebration in Liberty Park from designated locations.

MAYOR AND STAFF REPORTS

Mayor Pitts recognized Councilman Norris who invited the Mayor and City Council to a Volunteer Appreciation Dinner on July 11 at the First Presbyterian Church sponsored by Loaves & Fishes.

Mayor Pitts reminded the public that fireworks are permitted through July 5th at 10:00 p.m.

ADJOURNMENT

The meeting was adjourned at 9:14 p.m.