



CLARKSVILLE CITY COUNCIL REGULAR SESSION AUGUST 1, 2019

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Louis Marshall said the local justice system was unfair and shared his printed statement regarding an incident during a local protest in 2014.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, August 1, 2019, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Mayor Pro Tem David Allen; the Pledge of Allegiance was led by Councillady Valerie Guzman.

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

There were no special recognitions.

PUBLIC HEARING

Councilman Garrett made a motion to conduct a public hearing to receive comments regarding annexation, redistricting, and requests for zone change. The motion was seconded by Councilman Henley. There was no objection.

RESOLUTION 12-2019-20 Annexing territory south of Hankook Road and east of Interstate 24

Dan Newville, representing the applicant, C & H Properties, offered to answer questions; no questions were asked. There was no expressed opposition.

RESOLUTION 13-2019-20 Adopting a Plan of Services for annexed territory south of Hankook Road and east of Interstate 24

No one spoke for or against this proposed plan.

ORDINANCE 5-2019-20 (Second Reading) Reapportioning annexed territory on Gratton Road, on Highway 76 at I-24, and on Hankook Road east of I-24

No one spoke for or against the proposed redistricting of the annexed territory on Hankook Road east of Interstate 24.

ORDINANCE 11-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Michael Connerth for zone change on property located at the intersection of Martin Luther King Parkway (SR76) and Vaughan Road from C-5 Highway & Arterial Commercial District to C-2 General Commercial District

No one spoke for or against this request.

ORDINANCE 12-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Shirley A. Stewart Revocable Living Trust for zone change on property located at the intersection of Old Ashland City Road and Proctor Drive from O-1 Office District to M-1 Light Industrial District

Vernon Weakley, Weakley Brothers Engineering, said Thomas Lumber Company was hoping to expand their operations if this property if rezoned. There was no expressed opposition.

ORDINANCE 13-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jim Flake, Vernon Weakley-Agent, for zone change on property located at the intersection of Tracy Lane and Whitfield Road from R-1 Single Family Residential District to R-4 Multiple Family Residential District

Vernon Weakley, Weakley Brothers Engineering, offered to answer questions; no questions were asked. No one expressed opposition.

ORDINANCE 14-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eagles Bluff Partnership for zone change on property located west of Wilma Rudolph Boulevard, east of Old Trenton Road, and south of Wylma Van Allen Place from C-5 Highway & Arterial Commercial District to C-2 General Commercial District

Vernon Weakley, Weakley Brothers Engineering, asked for support of this change. In response to Councilman Henley's question, Mr. Weakley said connecting roads and sidewalks would be addressed during the site review. There was no expressed opposition.

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

ADOPTION OF ANNEXATION

Councilman Garrett made a motion to adopt **RESOLUTION 12-2019-20**. The motion was seconded by Councilman Burkhart. In response to Councilman Erb's question, Mayor Pitts said the City would not maintain the cemetery. 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 13-2019-20**. The motion was seconded by Councilman Allen. There was no discussion. 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.

ADOPTION OF REDISTRICTING

Councilman Garrett made a motion to adopt **ORDINANCE 5-2019-20** on second reading. The motion was seconded by Councilman Burkhart. Councilman Allen made a motion to amend this ordinance to include the annexed territory on Hankook Road east of Interstate 24. 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 amendment unanimously passed. The following vote on the ordinance as amended was recorded:

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

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

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 11-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. 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 ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 12-2019-20**. Councilman Garrett made a motion to adopt this ordinance 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, 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 13-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. Councilman Burkhart stated his intent to abstain from voting because he was a buying partner. 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.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 14-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Norris. Councilman Burkhart stated his intent to abstain from voting because he was an owner of the 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.

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 1-2019-20** (Second Reading) Accepting donation of certain real property from the Industrial Development Board for the purpose of a water storage tank
2. **ORDINANCE 2-2019-20** (Second Reading) Authorizing purchase of property at 111 Cunningham Lane for the Gas & Water North Service Center
3. **ORDINANCE 3-2019-20** (Second Reading) Authorizing purchase of property for the Gas & Water new Meadowbrook Sewer Pump Station Equalization Basin
4. **ORDINANCE 4-2019-20** (Second 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
5. **ORDINANCE 6-2019-20** (Second 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
6. **ORDINANCE 7-2019-20** (Second 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
7. **ORDINANCE 8-2019-20** (Second 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
8. **RESOLUTION 8-2019-20** Approving a Certificate of Compliance for sale of wine at Dollar General (1945 Madison Street)
9. **RESOLUTION 9-2019-20** Approving a Certificate of Compliance for retail liquor sales at Elite Wine & Spirits (1875 Madison Street)
10. **RESOLUTION 14-2019-20** Approving appointments to the Human Relations Commission, Parking Commission, Senior Citizens Board

- *Human Relations Commission: Ronald Dayley (fill unexpired term of Mark Kelly-resigned) - August 2019 through June 2022*
- *Parking Commission: Morgan Knight (replace Linda Shepard-term expired) - September 2019 through August 2021*
- *Senior Citizens Board: Norma Deal (reappointment) - March 2019 through April 2022, Mary New (replace Daniel Dell-resigned), Jimmy Parker (replace Glenda Warren-resigned) - August 2019 through April 2022*

11. Adoption of Minutes: July 2

Councilman Burkhart made a motion to adopt the Consent Agenda. The motion was seconded by Council lady Guzman. Councilman Burkhart noted his intent to abstain from voting on Item 4, **ORDINANCE 4-2019-20**. 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 with one notation passed.

FINANCE COMMITTEE *Chairman Jeff Burkhart*

ORDINANCE 9-2019-20 (First Reading) Amending the FY20 General Fund Operating Budget to increase operating budgets for departments/entities for the purpose of paying for items planned in FY19 but will necessitate funding in FY20

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Council lady 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.

RESOLUTION 10-2019-20 Authorizing a mutual aid/interlocal agreement between the City of Clarksville and Austin Peay State University for police services

The recommendations of the Public Safety Committee and Finance Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Norris. 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 11-2019-20 Declaring the City’s intent to reimburse itself not to exceed \$15,620,000.00 for certain project expenditures with proceeds of general obligation bonds, notes, or other debt obligations

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Chandler. 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 *Councilady Valerie Guzman*

Councilady Guzman shared the following monthly department statistics: 539 million gallons [reported as 5 million] of treated water, 392 million gallons of treated sewage, 11,000 calls, 13 new gas services, 54 natural gas odor calls, 28 water leak repairs, 326 hydrant flushes, and 1,700 backflow tests.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairman David Allen*

Councilman Allen said the low bid for demolition of the Wesley Chapel Church building was \$190,000 and Pettus Park concession demolition was completed on July 31st. A “key” ceremony was recently held at 844 Glendale Drive and another was scheduled for 1317 Cedar Street.

PARKS & RECREATION *Chairlady Valerie Guzman*

Councilady Guzman mentioned upcoming events including the Downtown Market, Wonder Kids Triathlon, Back To School Splash, and Food Truck Rallys. Councilady Streetman expressed appreciation to Mayor Pitts, Parks Staff, Police, and other city employees for successful Mayor’s Summer Lights events held twice weekly during June and July.

PUBLIC SAFETY COMMITTEE *Chairman Jeff Henley*

Councilman Henley shared the following monthly department statistics: Building & Codes - 1,840 inspections, 446 enforcement cases, 39 single-family permits, 85 abatement work orders; Fire Rescue - 697 calls; Police - 13,971 responses.

Councilman Henley noted CPD’s “Night Out Against Crime,” scheduled for August 5 and welcomed new Fire Chief Freddie Montgomery who had taken the oath of office earlier this day.

STREETS & GARAGE COMMITTEE *Chairman Tim Chandler*

Councilman Chandler said the Street Department worked 972 year-to-date man hours to complete 100 more work orders than in 2018 at a cost \$10,000 less than the previous year. Current work orders totaled 296 and including 1,226 debris pickups.

Councilman Chandler expressed appreciation to David Smith for assistance in remedying various issues in Ward 4 and Ward 6.

TRANSPORTATION COMMITTEE *Chairlady Wanda Smith*

Councillady Smith said Clarksville Transit System transported 51,326 passengers during July, including 7,028 senior citizens, 2,048 youths-ride-free, and 1,128 passengers for the Independence Day celebration. The shelter at Walmart on 41-A North had been replaced with a shelter that has solar security lights. Councillady Smith said the Conwood property on Franklin Street was being considered as a new location for the transit center and a selection committee had been formed to search for a new transit director following the recent retirement of Arthur Bing.

NEW BUSINESS

CERTIFIED TAX RATE

ORDINANCE 10-2019-20 (Second Reading) Establishing the FY20 Certified Tax Rate at \$1.0296 (Tax Year 2019)

Mayor Pitts made a motion to adopt this ordinance on second reading. The motion was seconded by Councillady 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 second reading unanimously passed.

ROSSVIEW ROAD WIDENING PROJECT

ORDINANCE 15-2019-20 (First Reading) Authorizing negotiations and agreements for purchase of easements and/or rights of way and/or condemnation through use of eminent domain for acquisition of property for the TDOT Rossview Road widening project

Because this ordinance was not presented during the July 25th Executive Session, Councillady Smith made a motion to consider this ordinance on first reading. The motion was seconded by Councilman Garrett. The following vote was recorded:

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

The motion to consider this ordinance on first reading unanimously passed with the required 3/4 majority vote approval. Councillady Guzman made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Garrett. 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.

COMPREHENSIVE GROWTH PLAN

Regional Planning Director Jeff Tyndall summarized the proposed plan and noted the first public hearing was held during the City Council's Executive Session on July 25, 2019. Mayor Pitts opened the floor for the second of two required public hearings; there were no public comments.

MAYOR AND COUNCIL MEMBER REPORTS

Councillady Guzman invited the public to the United Way Campaign Kickoff at the Roxy Regional Theater on August 28th.

Councilman Richmond thanked Mayor Pitts for his support of the recent "Breaking Barriers, Building Bridges" small business luncheon held on July 24th.

ADJOURNMENT

The meeting was adjourned at 7:51 p.m.