



**CLARKSVILLE CITY COUNCIL  
EXECUTIVE SESSION  
JULY 25, 2013, 4:30 P.M.**

**COUNCIL CHAMBERS  
106 PUBLIC SQUARE  
CLARKSVILLE, TENNESSEE**

**AGENDA**

**1) PLANNING COMMISSION**

**ZONING: PUBLIC HEARING**

1. **ORDINANCE 3-2013-14** (Public Hearing July 2<sup>nd</sup>; First Reading Postponed July 2<sup>nd</sup>;) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hettie Hutchinson for zone change on property at the terminus of Vine Street and Cedar Street from R-3 Three Family Residential District to C-1 Neighborhood Commercial District (*RPC: Disapproval/Disapproval*)
2. **ORDINANCE 8-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Brenda Barr and John Gibbs, Wade Hadley-Agent, for zone change on property at the terminus of Gibbs Lane from AG Agricultural District to R-2 Single Family Residential District (*RPC: Approval/Approval*)
3. **ORDINANCE 9-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Kevin Finley, Chris Sutton-Agent, for zone change on property at Rossview Road and Powell Road from AG Agricultural District to R-1 Single Family Residential District (*RPC Approval/Approval*)

**2) 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 98-2012-13** (Second Reading) Amending the Official Code relative to special event beer permits
2. **ORDINANCE 1-2013-14** (Second Reading) Amending the Official Code relative to adoption of the International Fire Code
3. **ORDINANCE 4-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of George M. Milton, Gaines Shearon-Agent, for zone change on property at Tracy Lane and Black Jack Way from R-1 Single Family Residential District to R-4 Multiple Family District
4. Approval of Minutes: June 27, July 1, July 2

3) COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

4) FINANCE COMMITTEE

*Joel Wallace, Chair*

1. **ORDINANCE 5-2013-14** (First Reading) Amending the Capital Projects Fund for street light upgrades (*Finance: Approval*)
2. **RESOLUTION 4-2013-14** Declaring intent to reimburse the City for public works projects from bond proceeds not to exceed \$1,241,344 (*Finance: Approval*)
3. **ORDINANCE 6-2013-14** (First Reading) Amending the FY14 Operating Budget to transfer funds from Two Rivers Company to the Legislative Budget (*Finance: Approval*)
4. **RESOLUTION 5-2013-14** Authorizing issuance and reimbursement of general obligation public improvement bonds for various capital projects, not to exceed \$8,050,000 (*Finance: Approval*)
5. **RESOLUTION 3-2013-14** Authorizing Addendum #2 to the marina restaurant lease (*Finance: Approval*)
6. **RESOLUTION 6-2013-14** Terminating the lease with Daughters of the American Revolution for the Post House (*Finance: Approval*)

5) GAS & WATER COMMITTEE

*Jeff Burkhart, Chair*

6) PARKS, RECREATION, GENERAL SERVICES

*Wallace Redd, Chair*

7) PUBLIC SAFETY COMMITTEE  
(Building & Codes, Fire, Police)  
*Geno Grubbs, Chair*

8) STREET COMMITTEE  
*James Lewis, Chair*

9) TRANSPORTATION COMMITTEE  
*Marc Harris, Chair*

10) NEW BUSINESS

1. **ORDINANCE 7-2013-14** (First Reading) Amending the Official Code to delete the requirement for nominated citizen volunteers to complete a written questionnaire prior to the vote on their nomination (*Councilman Redd*)
2. **RESOLUTION 7-2013-14** Requesting the Tennessee General Assembly to enact legislation to amend the Official Charter relative to voting on ordinances (*Councilman Redd*)

12) MAYOR AND STAFF REPORTS

13) ADJOURNMENT

14) PUBLIC COMMENTS

ORDINANCE 3-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HETTIE HUTCHINSON FOR ZONE CHANGE ON PROPERTY AT THE TERMINUS OF VINE STREET AND CEDAR STREET

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Three Family Residential District, as C-1 Neighborhood Commercial District.

*PUBLIC HEARING:* July 2, 2013

*POSTPONED:* July 2, 2013

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at a point, said point being the southeast corner at the terminus of Vine Street, said point also being the northeast corner of the subject tract, thence leaving the southern ROW of Vine Street 322 +/- feet in a southerly southerly direction with the western boundary of the City of Clarksville property to a point said point being in the northern ROW of Cedar Street, thence in a westerly direction 60 +/- feet with the northern ROW of Cedar Street to a point said point being the southeast corner of the Marion Watkins property, thence in a northerly direction 165' feet with the Watkins boundary to a point, said point being the northeast corner of the Watkins property, thence in a westerly direction 50 +/- feet with the northern boundary of the Watkins property to a point, said point being the southeast corner of the Linda Darnell Williams property, thence in a northerly direction 155 +/- feet with the Williams property boundary to a point, said point being in the southern ROW of Vine Street, thence in a easterly direction 100 +/- feet with the southern ROW of Vine Street to the point of beginning. said tract containing 0.59 +/- acres (Tax Map 066-E-E Parcels 035.00 & 016.01)

ORDINANCE 8-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF BRENDA BARR AND JOHN GIBBS, WADE HADLEY-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE TERMINUS OF GIBBS LANE

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned AG Agricultural District, as R-2 Single Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at a point being the northwest corner of Chalet Hills, Section 1B, lot 88, said point being in the east line of the WBW Developers property, said point also being 127+/- feet south of the south right-of-way of Gibbs Lane; thence with the east line of the WBW Developers property in a northwesterly direction, 127+/- feet to a point in the south right-of-way of Gibbs Lane; thence crossing Gibbs Lane in a northwesterly direction, 55+/- feet to a point in the north right-of-way of Gibbs Lane; thence leaving Gibbs Lane along a new line, North 30 degrees 40 minutes 05 seconds West, 257.27 feet to a point in Spring Creek; thence with the meanders of Spring Creek in a northeasterly and easterly direction, 1,800+/- feet to a point in the west line of the Batson East-Land Company Inc., property; thence with the west line of Batson in a southerly direction, 1,300+/- feet to a point, said point being the northeast corner of lot 102 of Chalet Hills Subdivision, Section 1B; thence with the north line of Chalet Hills Subdivision, Section 1B, in a southwesterly and northwesterly direction, 1,425+/- feet to the point of beginning; containing 33.01+/- acres. (Tax Map 032, Parcel 009.00 portion thereof, tax map 032, parcel 009.01 and tax map 032, parcel 009.02)

ORDINANCE 9-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF KEVIN FINLEY, CHRIS SUTTON-AGENT, FOR ZONE CHANGE ON PROPERTY ROSSVIEW ROAD AND POWELL ROAD

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned AG Agricultural District, as R-1 Single Family Residential District.

*PUBLIC HEARING:*

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Commencing at the iron pin found in the easterly right of way of Powell Road (R.O.W. 50 feet) and being the southwesterly corner to the Shelia and John Norris Jr. lands known as Book 1308, Page 344, and being located north 20 degrees 15 minutes 51 seconds east a distance of 363.03 feet from the northeasterly corner to the Edward Johnson lands known as Book 361, Page 98 and being located north 72 degrees 54 minutes 22 seconds west, a distance of 2,195.71 feet from a highway monument in the westerly boundary of Interstate 24, and being located north 76 degrees 39 minutes 58 seconds west, a distance of 2,069.20 feet from another highway monument found in the westerly boundary of Interstate 24, said point being the POINT OF BEGINNING; thence with the southerly line of said Norris lands by two calls as follows; south 78 degrees 06 minutes 26 seconds east, a distance of 326.01 feet to an iron pin found; thence south 73 degrees 23 minutes 49 seconds east a distance of 523.33 feet to an iron pin set; thence through the Willie Kilgore lands known as Book 1307, Page 1241, south 08 degrees 54 minutes 03 seconds west, a distance of 28.93 feet to a point in the Willie Kilgore lands known as Book 1270, Page 1292; thence through said Kilgore by two calls as follows; south 08 degrees 54 minutes 03 seconds west a distance of 175.24 feet to an iron pin set; thence north 80 degrees 59 minutes 01 seconds west, a distance of 861.48 feet to an iron pin set in the easterly right of way of Powell Road; thence with the easterly right of way of Powell Road by two calls as follows; north 12 degrees 02 minutes 37 seconds east, a distance of 190.25 feet to an iron pin found in the southwesterly corner of the Willie Kilgore lands known as Book 1307, Page 1241; thence north 12 degrees 50 minutes 57 seconds east a distance of 99.87 feet to the POINT OF BEGINNING, said described tract containing within said bounds 5.0 acres of land more or less.

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 6/26/2013

**CASE NUMBER:** Z - 8 - 2013

**NAME OF APPLICANT:** Hettie

Hutchinson

**AGENT:**

---

**GENERAL INFORMATION**

**PRESENT ZONING:** R-3

**PROPOSED ZONING:** C-1

**EXTENSION OF ZONE**

**CLASSIFICATION:** NO

**APPLICANT'S STATEMENT** To build child care center  
**FOR PROPOSED USE:**

**PROPERTY LOCATION:** A parcel fronting on the south side of Vine St. at the terminus of Vine St. and an adjacent parcel fronting on the north side of Cedar St. at the terminus of Cedar St.

**ACREAGE TO BE REZONED:** 0.59

**DESCRIPTION OF PROPERTY** Single family home on residential lot and adjacent lot with heavy vegetation.

**AND SURROUNDING USES:** North- M-2 Electric Substation East - Clks. PD Shooting range West, South - Single Family Residential

**GROWTH PLAN AREA:**

CITY **TAX PLAT:** 66-E-E

**PARCEL(S):** 35.00 & 16.01

**CIVIL DISTRICT:** 12

**CITY COUNCIL WARD:** 9 / 6

**COUNTY COMMISSION DISTRICT:** 17

**PREVIOUS ZONING HISTORY:**

**(to include zoning, acreage and  
action by legislative body)**

# CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

## STAFF REVIEW - ZONING

### DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☒ CHARTER COMM.

- ☐ BELL SOUTH
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- 1. ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ Other...

#### 1. CITY ENGINEER/UTILITY DISTRICT:

May Require Water Distribution System Upgrades

2.

#### 1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

#### 2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

3.

#### 2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

#### 3. DRAINAGE COMMENTS:

4.

#### 3a. DRAINAGE COST:

#### 4. CDE/CEMC:

5.

#### 4a. COST TO CDE/CEMC:

#### 5. CHARTER COMM./BELL SOUTH:

6.

#### 5a. COST TO CHARTER AND/OR BELLSOUTH:

#### 6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

#### 6a. COST FIRE DEPT/EMERGENCY MGT.:

#### 7. POLICE DEPT/SHERIFF'S OFFICE:

8.

Comments Received From Department And They Had No Concerns.

#### 7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

#### 8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

#### 8a. COST TO CITY/COUNTY BLDG. & CODES:

#### 9. SCHOOL SYSTEM:

ELEMENTARY: MOORE

MIDDLE SCHOOL: RICHVIEW

HIGH SCHOOL: CLARKSVILLE

10.

#### 9a. COST TO SCHOOL SYSTEM:

#### 10. FT. CAMPBELL:

#### 10a. COST TO FT. CAMPBELL:

#### 11. OTHER COMMENTS:

11.



**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**PLANNING STAFF'S STUDY AND RECOMMENDATION**

**IMPACT OF PROPOSED USE ON  
SURROUNDING DEVELOPMENT:** Increased traffic, light & noise

**INFRASTRUCTURE:**

**WATER SOURCE:** CITY

**PIPE SIZE:**

**SEWER SOURCE:** CITY

**ACCESSIBILITY:** VINE ST. & CEDAR ST.

**DRAINAGE:**  
VARIES

**DEVELOPMENT ESTIMATES:**

**APPLICANT'S ESTIMATES**

**HISTORICAL ESTIMATES**

**LOTS/UNITS:**

**ROAD MILES:**

**POPULATION:**

**ELEMENTARY SCHOOL STUDENTS:**

**MIDDLE SCHOOL STUDENTS:**

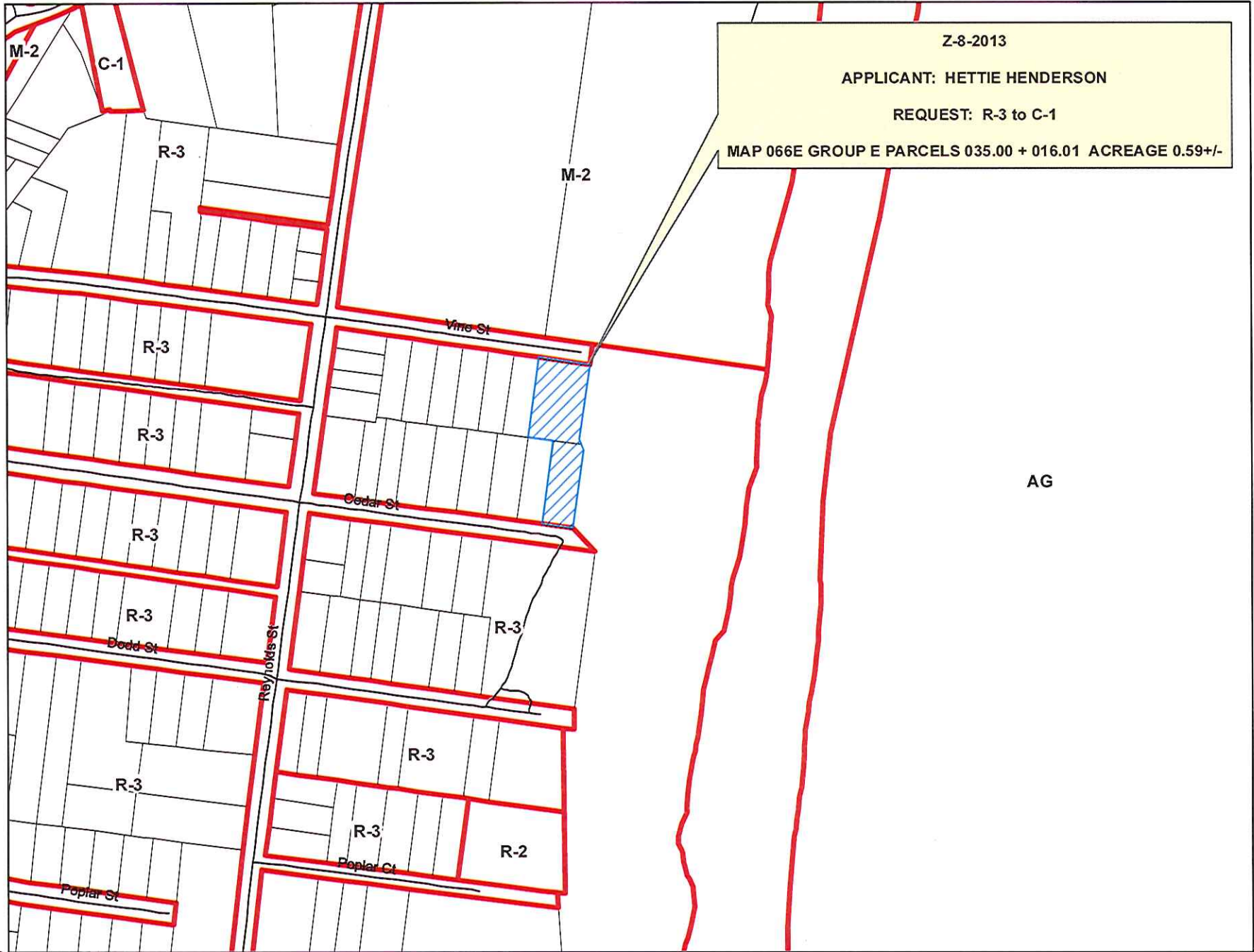
**HIGH SCHOOL STUDENTS:**

**APPLICABLE COMPREHENSIVE PLAN ELEMENTS:**

Red River Planning Area- This planning area is home to the APSU campus. This is a mixed use area with primarily older housing stock neighborhoods sandwiched in between light industrial and commercial districts. This planning area is also targeted for redevelopment.

**STAFF RECOMMENDATION: DISAPPROVAL**

1. The request is not consistent with the with the goals and objectives of the Adopted Land Use Plan. Approval of this request could effect the stability of the surrounding residential properties.
2. The C-1 Commercial request is incompatible with single family residential uses that are adjacent to the request.
3. The lot size and layout do not appear adequate to develop as commercial property. 40' Front Setbacks from Vine & Cedar Street. 25' side setbacks from the adjoining residential.
- 4.
- 5.



CASE NUMBER: Z 8 2013 MEETING DATE 6/26/2013

APPLICANT: Hettie Hutchinson

PRESENT ZONING R-3

PROPOSED ZONING C-1

TAX PLAT # 66-E-E

PARCEL 35.00 & 16.01

GEN. LOCATION A parcel fronting on the south side of Vine St. at the terminus of Vine St. and an adjacent parcel fronting on the north side of Cedar St. at the terminus of Cedar St.

\*\*\*\*\*

PUBLIC COMMENTS

None received as of 10:30 on 6/26/2013 (jhb).

### CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: August 1, 2013. The public hearing will be held on: August 1, 2013.

CITY ORD. #: 8-2013-14      RPC CASE NUMBER: Z-10-2013

Applicant:      BRENDA BARR / JOHN GIBBS

Agent:      Wade Hadley

Location:      at the terminus of Gibbs Lane fronting on the North & South of Gibbs Lane and following the south bank of Spring Creek.

Ward #:      12

Request:      AG Agricultural District  
to  
R-2 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

\*\*\*\*\*

CITY ORD. #: 9-2013-14      RPC CASE NUMBER: Z-12-2013

Applicant:      KEVIN FINLEY

Agent:      Chris Sutton

Location:      Property fronting on the east side of Powell Rd. 3,275+/- feet south of the Rossview Rd. & Powell Rd. intersection.

Ward #:      10

Request:      AG Agricultural District  
to  
R-1 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

\*\*\*\*\*

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE: 7/24/2013**

**CASE NUMBER: Z - 10 - 2013**

**NAME OF APPLICANT:** Brenda  
John

Barr /  
Gibbs

**AGENT:** Wade

Hadley

---

**GENERAL INFORMATION**

**PRESENT ZONING:** AG

**PROPOSED ZONING:** R-2

**EXTENSION OF ZONE**  
**CLASSIFICATION:** YES

**APPLICANT'S STATEMENT** Single Family Residential  
**FOR PROPOSED USE:**

**PROPERTY LOCATION:** at the terminus of Gibbs Lane fronting on the North & South of Gibbs Lane and following the south bank of Spring Creek.

**ACREAGE TO BE REZONED:** 33.01

**DESCRIPTION OF PROPERTY** Farmland with rolling hills and tree lines adjoining Spring Creek. Two single  
**AND SURROUNDING USES:** family residences are located within the area of this request.

**GROWTH PLAN AREA:**

CITY **TAX PLAT:** 032

**PARCEL(S):** 009.00, 09.01,  
009.02

**CIVIL DISTRICT:** 2nd

**CITY COUNCIL WARD:** 12

**COUNTY COMMISSION DISTRICT:** 1

**PREVIOUS ZONING HISTORY:** Z-24-2012 (AG to R-2) 33.01 +/- acres Staff Rec.-Approval RPC Rec.-Approval  
(to include zoning, acreage and City Council-Disapproved  
action by legislative body)

# CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

## STAFF REVIEW - ZONING

### DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☒ CHARTER COMM.

- ☒ BELL SOUTH
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- 1. ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Water Distribution System Improvements May Be Required At Time Of Development.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/  
COUNTY HIGHWAY DEPARTMENT:

Alternate Access Must Be Provided For Access. ( Zurich Ct.) Gibbs Lane  
Must Be Raised To 1' Above 100 Year, Flood Study Required At Development

3. Stage.

2a. COST TO STREET/HIGHWAY DEPT.:

Portions Are 100 Year Flood Plain.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5. No Comment(s) Received

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELL SOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7. Fire Protection Must Be Provided Prior To Start Of Building Construction.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

8. CITY BUILDING DEPARTMENT/  
COUNTY BUILDING DEPARTMENT:

9.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

ELEMENTARY: ST. B.

MIDDLE SCHOOL: NORTHEAST

HIGH SCHOOL: NORTHEAST

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**PLANNING STAFF'S STUDY AND RECOMMENDATION**

IMPACT OF PROPOSED USE ON Increased traffic, light & noise.  
SURROUNDING DEVELOPMENT:

**INFRASTRUCTURE:**

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: GIBBS LANE / CHALET HILLS SUBDIVISION

DRAINAGE:  
VARIES

**DEVELOPMENT ESTIMATES:**

**APPLICANT'S ESTIMATES**

**HISTORICAL ESTIMATES**

LOTS/UNITS:

95

ROAD MILES:

POPULATION:

257

ELEMENTARY SCHOOL STUDENTS:

20

MIDDLE SCHOOL STUDENTS:

9

HIGH SCHOOL STUDENTS:

11

**APPLICABLE COMPREHENSIVE PLAN ELEMENTS:**

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

**STAFF RECOMMENDATION: APPROVAL**

1. Proposed development is consistent with Growth Plan (as in the City) and Land Use Plan Opinion Map which shows single family residential in the area.
2. R-2 single family is compatible with the surrounding land uses and is an extension of the existing R-2 development to the south.
3. Gibbs Lane will not be permitted to serve as the only means of access to this site. In order for the property to be developed, a connection to the south (Chalet Hills Subdivision) for access shall be required, providing a connection to Needmore Road.
4. No adverse environmental issues were identified relative to this request.

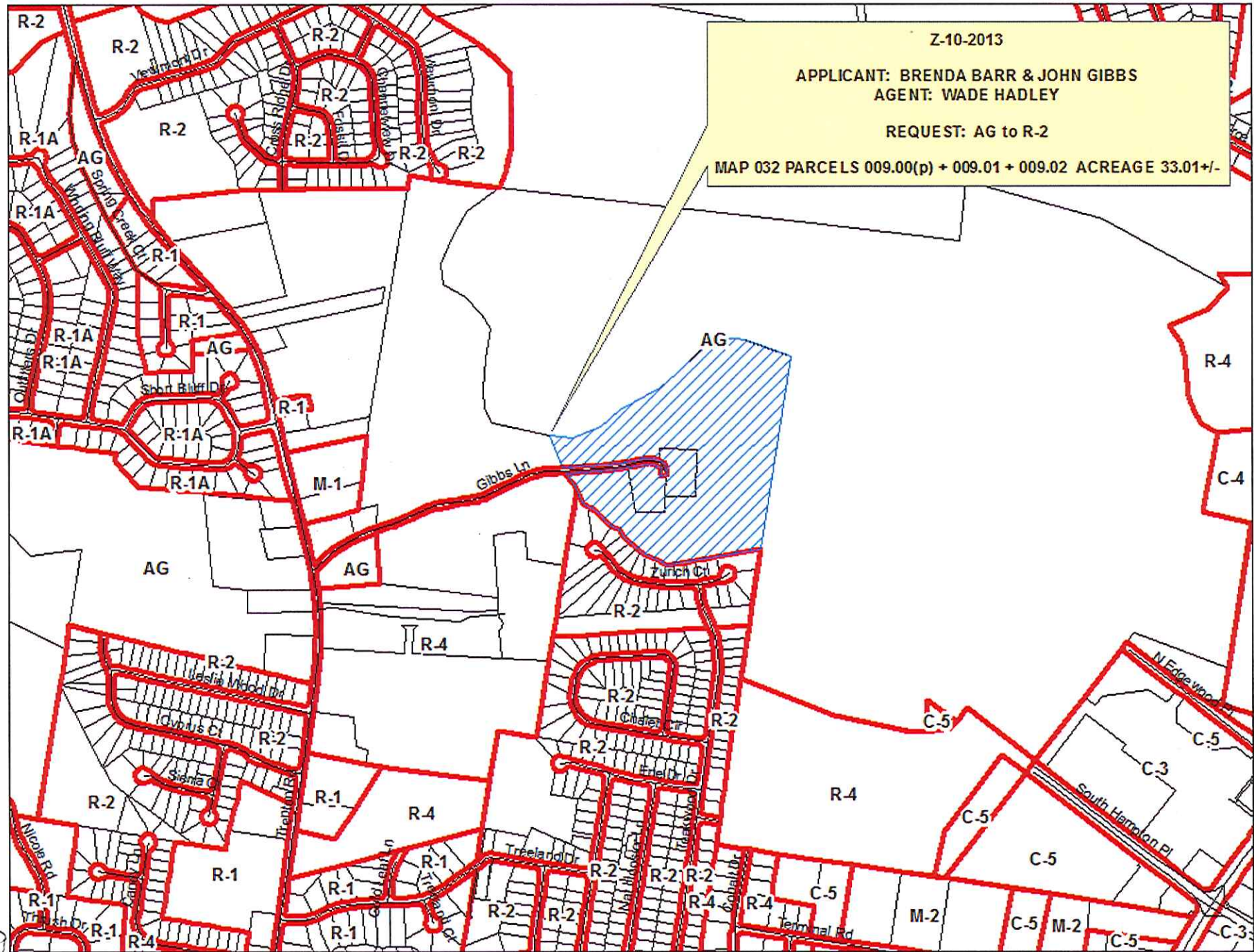


Z-10-2013

APPLICANT: BRENDA BARR & JOHN GIBBS  
AGENT: WADE HADLEY

REQUEST: AG to R-2

MAP 032 PARCELS 009.00(p) + 009.01 + 009.02 ACREAGE 33.01+/-





CASE NUMBER: Z 10 2013 MEETING DATE 7/24/2013

APPLICANT: Brenda Barr /

PRESENT ZONING AG

PROPOSED ZONING R-2

TAX PLAT # 032

PARCEL 009.00, 09.01, 009.02

GEN. LOCATION at the terminus of Gibbs Lane fronting on the North & South of Gibbs Lane and following the south bank of Spring Creek.

\*\*\*\*\*

PUBLIC COMMENTS

None received as of 10:15 a.m. on 7/24/2013 (jhb).

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**

**STAFF REVIEW - ZONING**

**RPC MEETING DATE:** 7/24/2013

**CASE NUMBER:** Z - 12 - 2013

**NAME OF APPLICANT:** Kevin

Finley

**AGENT:** Chris

Sutton

---

**GENERAL INFORMATION**

**PRESENT ZONING:** AG

**PROPOSED ZONING:** R-1

**EXTENSION OF ZONE**

**CLASSIFICATION:** NO

**APPLICANT'S STATEMENT** To allow highest and best use of property.  
**FOR PROPOSED USE:**

**PROPERTY LOCATION:** Property fronting on the east side of Powell Rd. 3,275+/- feet south of the  
Rossvie Rd. & Powell Rd. intersection.

**ACREAGE TO BE REZONED:** 5.00

**DESCRIPTION OF PROPERTY** Agricultural field  
**AND SURROUNDING USES:**

**GROWTH PLAN AREA:**

CITY **TAX PLAT:** 057

**PARCEL(S):** 109.05

**CIVIL DISTRICT:** 6th

**CITY COUNCIL WARD:** 10

**COUNTY COMMISSION DISTRICT:** 2

**PREVIOUS ZONING HISTORY:** None  
(to include zoning, acreage and  
action by legislative body)

# CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

## STAFF REVIEW - ZONING

### DEPARTMENT COMMENTS

- ☒ CITY ENGINEER
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)
- ☒ CHARTER COMM.

- ☒ BELL SOUTH
- ☒ FIRE DEPARTMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- 1. ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL

- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

No Gravity Sewer Available At This Time.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

One Access To Powell Rd. Allowed.

2. STREET DEPARTMENT/  
COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Property Drains To Offsite Sinkhole.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELL SOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

No Comment(s) Received

7a. COST TO POLICE DEPT./SHERIFF'S DEPT:

8. CITY BUILDING DEPARTMENT/  
COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

8a. COST TO CITY/COUNTY BLDG. & CODES:

9. SCHOOL SYSTEM:

No Comment(s) Received

ELEMENTARY: ROSSVIEW

MIDDLE SCHOOL: ROSSVIEW

HIGH SCHOOL: ROSSVIEW

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

**CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION**  
**STAFF REVIEW - ZONING**

**PLANNING STAFF'S STUDY AND RECOMMENDATION**

IMPACT OF PROPOSED USE ON Minimal  
SURROUNDING DEVELOPMENT:

**INFRASTRUCTURE:**

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: POWELL RD.

DRAINAGE:

NORTH TO SOUTH TO OFFSITE SINKHOLE

**DEVELOPMENT ESTIMATES:**

**APPLICANT'S ESTIMATES**

**HISTORICAL ESTIMATES**

LOTS/UNITS:

12

9

ROAD MILES:

POPULATION:

24

ELEMENTARY SCHOOL STUDENTS:

1

MIDDLE SCHOOL STUDENTS:

1

HIGH SCHOOL STUDENTS:

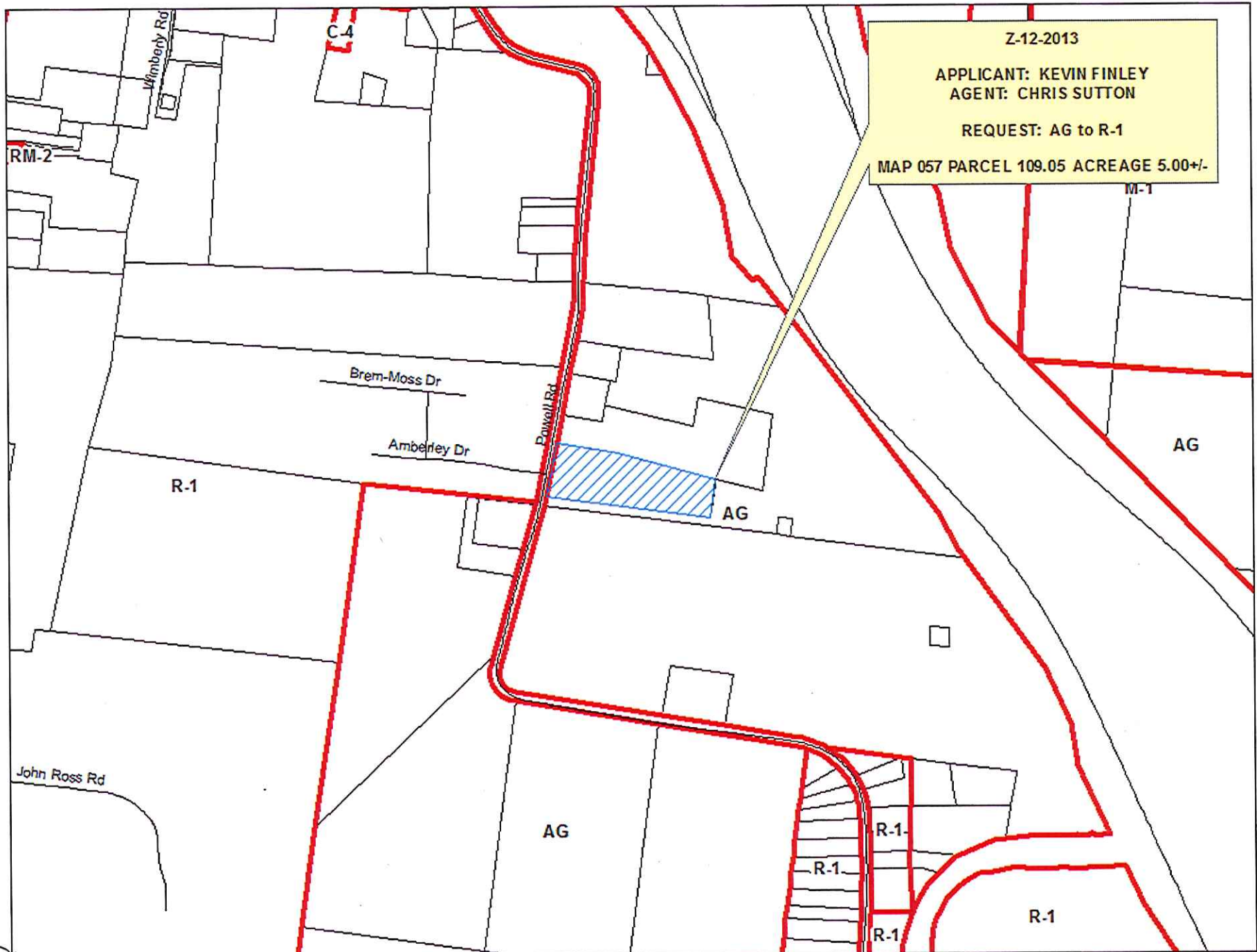
1

**APPLICABLE COMPREHENSIVE PLAN ELEMENTS:**

Rossvie Road Planning Area - One of the most diversified areas of the county in terms of land use. It has the best remaining agricultural land. One of the fastest growing sectors of Montgomery County. Factors affecting growth all average to above average.

**STAFF RECOMMENDATION: APPROVAL**

1. Proposed development is consistent with Growth Plan (as in the City) and Land Use Plan Opinion Map which shows single family residential in the area.
2. R-1 single family is compatible with the surrounding land uses and is an extension of the existing R-1 development to the south.
3. No adverse environmental issues were identified relative to this request.
- 4.
- 5.



CASE NUMBER: Z 12 2013 MEETING DATE 7/24/2013

APPLICANT: Kevin Finley

PRESENT ZONING AG

PROPOSED ZONING R-1

TAX PLAT # 057

PARCEL 109.05

GEN. LOCATION Property fronting on the east side of Powell Rd. 3,275+/- feet south of the Rossvie  
Rd. & Powell Rd. intersection.

\*\*\*\*\*

PUBLIC COMMENTS

None received as of 10:15 a.m. on 7/24/2013 (jhb).

ORDINANCE 98-2012-13

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 2 (ALCOHOLIC BEVERAGES), CHAPTER 1 (BEER) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE RELATIVE TO SPECIAL EVENT BEER PERMITS

*WHEREAS*, the City Council has determined that it is appropriate to amend the Official Code of Ordinances of the City of Clarksville;

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

(1) That **Section 2-105**, pertaining to beer “classes of permits,” is amended by deleting the last sentence of said section and substituting therefore the following:

**Section 2-105. Classes of permits.**

- (1)
- (2)
- (3)
- (4) *Special events permit.*
- ...

Non-profit organizations may receive no more than four (4) special events permits during a calendar year.

*FIRST READING:* June 6, 2013

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 1-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE,  
TENNESSEE RELATIVE TO ADOPTION OF THE INTERNATIONAL FIRE CODE

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Official Code of the City of Clarksville, Tennessee, Title 7, "Fire Protection, Fireworks, and Explosives," Chapter 2, "Fire Code," Section 7-201, "Fire code adopted," is hereby amended by deleting the existing language as follows:

In accordance with the authority granted by the provisions of Article III, Section 2, of the Charter of the City of Clarksville, Tennessee, the National Fire Codes, 2006 Edition, comprised of fifteen (15) volumes, published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269, are hereby adopted by reference.

And by substituting instead the following new language:

In accordance with the authority granted by the provisions of Article III, Section 2, of the Charter of the City of Clarksville, Tennessee, the International Fire Code, 2012 Edition, published by the International Code Council, Birmingham, Alabama 35213. The Life Safety Code 2012 Edition, (except Chapter 24: One and Two Family Dwellings) published by the National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts, 02269, and any codes referenced by the International Fire Code and Life Safety Code are hereby adopted by reference.

*FIRST READING:*                      July 2, 2013  
*SECOND READING:*  
*EFFECTIVE DATE:*



ORDINANCE 4-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GEORGE M. MILTON, GAINES SHEARON-AGENT, FOR ZONE CHANGE ON PROPERTY AT TRACY LANE AND BLACK JACK WAY

*BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-4 Multiple Family Residential District.

*PUBLIC HEARING:* July 2, 2013

*FIRST READING:* July 2, 2013

*SECOND READING:*

*EFFECTIVE DATE:*

EXHIBIT A

Beginning at an iron pin between a pipe and a pole, said iron pin being located in the Southern ROW line of Tracy Lane and being 0.3 miles east of Whitfield Road, thence with the ROW line of said Tracy Lane South 78 degrees 00 minutes East 124.78 feet to an iron pin, thence leaving the ROW line of said Tracy Lane and with a fence South 1 degree 54 minutes 30 seconds west 149.58 feet to an iron pin, thence north 81 degrees 36 minutes 30 seconds west 137.57 feet to an iron pin located in the Smithson's line, thence with the Smithson's line north 6 degrees 59 minutes east 156.53 feet to the point of beginning. containing 0.46 +/- acres (Tax Map 041 Parcel 045.01)



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
JUNE 27, 2013**

**MINUTES**

**CALL TO ORDER**

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 27, 2013, at 5:10 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilwoman Kaye Jones; the Pledge of Allegiance was led by Councilwoman Valerie Guzman.

**ATTENDANCE**

**PRESENT:** Nick Steward (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

**FIREWORKS**

**ORDINANCE 99-2012-13** (Second Reading) Amending the Official Code relative to fireworks

Councilman Redd made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Steward.

City Attorney Lance Baker explained several proposed amendments. Councilman Steward made a motion to amend the ordinance by replacing existing language with amendments proposed by Mr. Baker. The motion was seconded by Councilman Summers. The following vote was recorded:

**AYE:** Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The amendments passed. The following vote on the original motion was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

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

#### REGULAR SESSION MEETING DATES

**ORDINANCE 84-2012-13** (Second Reading) Amending the Official Code relative to time and place of regular sessions of the City Council

Councilman Wallace made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this ordinance on second reading passed.

**ORDINANCE 94-2012-13** (Second Reading) Rescheduling the July 2013 regular session of the City Council

Councilwoman McLaughlin made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this ordinance on second reading passed.

#### QEC BOND PROGRAM

**RESOLUTION 60-2012-13** Expressing intent to participate in the Qualified Energy Conservation Bond program

Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The motion to adopt this resolution passed.

## FY14 HOUSING & COMMUNITY DEVELOPMENT BUDGET

**ORDINANCE 85-2012-13** (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Housing & Community Development

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Grubbs. There was no discussion. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Steward, Summers, Wallace

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

## FY14 PARKING AUTHORITY BUDGET

**ORDINANCE 86-2012-13** (Second Reading ) Amending the FY13 Budget and establishing the FY14 Budget for the Clarksville Parking Authority

Councilman Redd made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Grubbs. Councilman Redd made a motion to increase the Transfer Out Management Fee to \$350,594 (add \$12,494 for signage, data costs, marketing, and repair and maintenance of facilities; include \$32,505 for debit/credit parking meter mechanisms, installation of water at Cumberland Parking Garage, improvements to the Franklin Street lot and signage improvements). The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

The amendment to increase the Transfer Out Management Fee to \$350,594 passed. The following vote on the original motion was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Steward, Summers, Wallace

The motion to adopt the FY14 Community Development Budget on second reading unanimously passed.

## FY14 TRANSIT BUDGET

### **ORDINANCE 87-2012-13** (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Clarksville Transit System

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was adopted by Councilman Lewis.

Councilwoman McLaughlin made a motion to delete \$11,400 for Wellness Center funding for employees who opted out of the Aetna health insurance. The motion was seconded by Councilman Summers. There was a lengthy discussion regarding the Wellness Center which included objections to the \$50 incentive for employee participation and objections to not requiring use of sick leave for visits to the center. The following vote on Councilwoman McLaughlin's amendment was recorded:

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$11,400 for Wellness Center funding failed. Councilman Redd called for the question. The call was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Steward, Summers, Wallace

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

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Steward, Summers, Wallace

NAY: Redd

The motion to adopt the FY14 Transit Budget on second reading passed.

## FY14 DEPARTMENT OF ELECTRICITY BUDGET

### **ORDINANCE 88-2012-13** (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Clarksville Department of Electricity

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Steward. There was no discussion. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Steward, Summers, Wallace

The motion to adopt the FY14 Clarksville Department of Electricity Budget on second reading unanimously passed.

#### FY14 GAS & WATER BUDGET

**ORDINANCE 89-2012-14** (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for Clarksville Gas & Water Department

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Lewis.

Councilwoman McLaughlin made a motion to delete \$12,000 for Wellness Center funding for employees who opted out of the Aetna health insurance. The motion was seconded by Councilman Steward. Following discussion, The motion and second were withdrawn without objection.

The following vote on the original motion was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Steward, Summers, Wallace

NAY: Redd

The motion to adopt the FY14 Gas & Water Department Budget on second reading passed.

#### FY14 INTERNAL SERVICE FUND BUDGET

**ORDINANCE 90-2012-13** (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for the City of Clarksville Internal Service Fund

Councilman Harris made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Redd. There was no discussion. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Steward, Summers, Wallace

The motion to adopt the FY14 Internal Service Fund Budget on second reading unanimously passed.

## FY14 GENERAL GOVERNMENT BUDGET

### **ORDINANCE 91-2012-13** (Second Reading) Amending the FY13 Budget and establishing the FY14 Budget for the City of Clarksville General Government

Councilman Redd made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Grubbs.

### GENERAL AMENDMENTS (AMENDMENT # 1)

Councilman Wallace made a motion to adopt amendments to the FY13 and FY14 General Government Budgets as recommended by Interim Director of Finance Debbie Frazier. The motion was seconded by Councilman Grubbs.

#### FY13:

- Move Interior Repair of Council Chambers from FY13 to FY14 \$10,300
- Move Restroom Upgrades of Council Chambers from FY13 to FY14 \$13,022
- Correction: Transfer to Capital Projects Fund (Ord.54-2012-13) Clarksville River Trail – not shown \$156,590 FY13 amended
- Correction: Transfer to Capital Projects Fund (Ord.30-2012-13) RJ Corman Railroad Bridge – not shown \$188,693 FY13 amended
- External audit charges for FY13 audited financials incurred prior to 6-30-13, originally budgeted in FY14 - Move \$13,000 from FY14 Internal Audit budget to FY13 Internal Audit Budget
- Move \$3,000 from Information Technology FY13 budget to FY14 to cover greater than anticipated charge for FY14 maintenance agreement
- Move from FY13 budget to FY14 budget \$2,000 grant revenue and \$3,000 contributions and \$5,000 professional service expenditures from Parks Special Revenue Fund for balance of new design guidelines for the City of Clarksville's Historic District

#### FY14:

- Move Interior Repair of Council Chambers from FY13 to FY14 \$10,300
- Move Restroom Upgrades of Council Chambers from FY13 to FY14 \$13,022
- External audit charges for FY13 audited financials incurred prior to 6-30-13, originally budgeted in FY14 - Move \$13,000 from FY14 Internal Audit budget to FY13 Internal Aud. Budget
- Reduce City Court budget \$487 due to decrease in salary for City Judge – based on April CPI – Originally estimated using February CPI which was 1.9% - April is .9%

- Move \$3,000 from Information Technology FY13 budget to FY14 to cover greater than anticipated charge for FY14 maintenance agreement
- Move from FY13 budget to FY14 budget \$2,000 grant revenue and \$3,000 contributions and \$5,000 professional service expenditures from Parks Special Revenue Fund for balance of new design guidelines for the City of Clarksville's Historic District

The original list of amendments included transfer of funds for the Green Certification Program. There was no objection to Councilman Redd's request to consider these transfers separately (see below). The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, McMillan, Redd, Steward, Summers, Wallace

The motion to adopt the recommended general amendments passed.

#### GREEN CERTIFICATION PROGRAM (AMENDMENT #2)

Councilman Wallace made a motion to approve the following transfer of funds for the green Certification Program from FY13 to FY14. The motion was seconded by Councilman Steward.

- Move from FY13 budget to FY14 budget \$8,500 to allow for payment of benefits & taxes for the Green Certification Program employee
- Move from FY13 budget to FY14 budget \$8,500 to allow for payment of benefits & taxes for the Green Certification Program employee

Councilman Harris disclosed that his wife is the Montgomery County employee of the program and that he is not covered by her county insurance. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Jones, Lewis, McLaughlin, McMillan, Steward, Summers, Wallace

NAY: Redd

ABSTAIN: Harris

The motion to approve transfer of Green Certification Program funds passed.



#### GREATER NASHVILLE REGIONAL COUNCIL (AMENDMENT #3)

Councilman Wallace made a motion to add \$27,916 to the Mayor's Office budget for Greater Nashville Regional Council dues. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Burkhardt, Grubbs, Guzman, Harris, Lewis, McMillan, Steward, Wallace

NAY: Allen, Jones, McLaughlin, Redd, Summers

The motion to add \$27,916 for GNRC dues passed.

#### PERSONNEL SAVINGS TO TWO RIVERS COMPANY (AMENDMENT #4)

Councilman Summers made a motion to direct personnel cost savings not to exceed \$350,000 from the FY14 budget for city general positions that are vacant or unfilled to the Two Rivers Company. The motion was seconded by Councilman Steward. Following discussion, Councilman Redd called for the question. The call was seconded by Councilman Summers. The following vote was recorded:

AYE: Allen, Burkhardt, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

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

AYE: Allen, Grubbs, Guzman, Jones, Lewis, McLaughlin, Steward, Summers, Wallace

NAY: Burkhardt, Harris, Redd

The motion to direct personnel savings up to \$350,000 to the Two Rivers Company passed.

#### WILMA RUDOLPH EVENT CENTER LIGHTING (AMENDMENT #5)

Councilwoman McLaughlin made a motion to transfer \$100,000 from the Debt Service Fund (salary savings) to the capital project budget for Wilma Rudolph Event Center lighting improvements. The motion was seconded by Councilman Allen. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Steward, Summers, Wallace

NAY: Burkhardt, Grubbs, Guzman, Harris, Lewis, McMillan, Redd

The motion to transfer \$100,000 for WREC lighting improvements failed.

#### PARKS PART-TIME COMPENSATION (AMENDMENT #6)

Councilman Allen made a motion to add \$9,792 to the Parks budget for a \$.25 per hour pay increase for part-time employees. The motion was seconded by Councilman Steward. Following discussion, Councilman Redd called for the question. The call was seconded by Councilman Steward. The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd, Summers, Wallace

NAY: Allen, Jones, McLaughlin, Steward

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

AYE: Allen, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, Redd, Wallace

The motion to add \$9,792 for a Parks part-time employee pay increase failed.

#### RECESS

The Council recessed at 7:39 p.m., then reconvened at 8:00 p.m.

#### FLOOD MITIGATION PROGRAM (AMENDMENT #7)

Councilman Summers made a motion to transfer \$300,000 from the Debt Service Fund (salary savings) to the Municipal Properties budget for development of a flood hazard mitigation program. The motion was seconded by Councilman Summers. Following discussion, Councilman Lewis called for the question. The call was seconded by Councilwoman Guzman. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

NAY: Guzman

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

AYE: Allen, Jones, McLaughlin, Steward, Summers, Wallace

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd

The motion to add \$300,000 for a flood hazard mitigation program failed.

#### PARKS MAINTENANCE (AMENDMENT #8)

Councilwoman Jones made a motion to transfer \$250,000 from the Exit 1 Fire Station project if the land is donated, and \$60,500 from the general fund balance to the Parks & Recreation budget for city-wide park maintenance. The motion was seconded by Councilman Steward. The following vote was recorded:

AYE: Allen, Harris, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Lewis, McMillan, Redd, Wallace

The motion to transfer \$310,500 for park maintenance failed.

#### CHRISTMAS ON THE CUMBERLAND (AMENDMENT #9)

Councilman Summers made a motion to transfer \$50,000 from the Capital Project Revenue District fund to the Parks budget for new light displays for Christmas on the Cumberland. The motion was seconded by Councilman Steward. The following vote was recorded:

AYE: Allen, Guzman, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Harris, Lewis, McMillan, Redd, Wallace

The motion to add \$50,000 for Christmas on the Cumberland failed.

#### WELLNESS CENTER REQUIRED SICK LEAVE (AMENDMENT #10)

Councilwoman McLaughlin made a motion to require employees to use sick leave when visiting the Wellness center. The motion was seconded by Councilman Allen. Human Resources Director Will Wyatt said not requiring employees to use sick leave would be part of the effort to get employees in the center and back to work in less time. Following discussion, Councilman Redd called for the question. The call was seconded by Councilman Wallace. The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Jones, Lewis,  
McLaughlin, Redd, Steward, Summers, Wallace

NAY: Allen

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

AYE: Allen, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, Redd, Wallace

The motion to require use of sick leave for Wellness Center visits failed.

#### PARKING AUTHORITY (AMENDMENT #11)

Councilman Redd made a motion to add \$12,494 to the Parking Authority budget for signage, data costs, marketing, and repair and maintenance of facilities, and to increase the Transfer In revenue of the General Fund by \$12,494 from the Parking Authority. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis,  
McLaughlin, Redd, Steward, Summers, Wallace

The motion to add \$12,494 to the Parking Authority budget passed.

#### BLUEWAYS (AMENDMENT #12)

Councilman Redd made a motion to transfer \$107,575 that had previously been transferred at first reading (from FY13 to FY14) for the Blueways Project back to the FY13 Parks Special Revenue Fund budget, and transfer \$19,500 from the unobligated Parks Special Revenue Fund to the FY14 budget. The motion was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis,  
McLaughlin, Redd, Steward, Summers, Wallace

The motion to transfer Blueways funds passed.

#### COURTESY BOAT DOCK (AMENDMENT #13)

Councilman Allen made a motion to delete \$325,000 for relocating the McGregor Park courtesy boat dock. The motion was seconded by Councilman Redd. Following discussion regarding relocation of the existing dock to provide an area for an excursion boat, Councilman Redd called for the question. The call was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Summers, Wallace

NAY: Steward

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

AYE: Allen, Jones, McLaughlin, Redd, Steward, Summers

NAY: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Wallace

The motion to delete \$325,000 for courtesy dock relocation failed.

#### FIREFIGHTERS (AMENDMENT #14)

Councilman Summers made a motion to transfer \$39,231 from the Debt Service Fund to the Fire Department budget for three new firefighters beginning in the fourth quarter of FY14. The motion was seconded by Councilman Steward. Councilman Summers said these positions would be the first three of fifteen needed for a new fire station. Following discussion, Councilman Burkhart called for the question. The call was seconded by Councilman Lewis. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, Lewis, McLaughlin, Redd, Steward, Summers, Wallace

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

AYE: Allen, Guzman, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Harris, Lewis, McMillan, Redd, Wallace

The motion to add \$39,231 for three firefighters failed.

## CALL FOR THE ORIGINAL MOTION

Councilman Redd called for the question on the original motion. The call was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, Redd, Wallace

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to cease discussion on the General Government Budget failed due to lack of 2/3 majority.

## POLICE OFFICERS (AMENDMENT #15)

Councilman Summers made a motion to add \$115,070 for four new police officers beginning in the fourth quarter of FY14. The motion was seconded by Councilman Steward. Councilman Redd called for the question; the call was seconded by Councilman Lewis. The following vote was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, Redd, Wallace

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to cease discussion failed due to lack of 2/3 majority.

Councilman Redd made a motion to go out of regular session to hear comments from Police Chief Al Ansley. The motion was seconded by Councilman Summers. A voice vote was taken. With some objection, the motion passed. In response to Councilman Grubbs' question, Chief Ansley said the department had a plan for hiring new officers. Councilman Redd made a motion to revert to regular session. The motion was seconded by Councilman Harris. A voice vote was taken; the motion passed without objection. The following vote on the amendment was recorded:

AYE: Allen, Guzman, Jones, McLaughlin, Steward, Summers

NAY: Burkhart, Grubbs, Harris, Lewis, McMillan, Redd, Wallace

The motion to add \$115,070 for four police officers failed.

#### CALL FOR THE ORIGINAL MOTION

Councilman Redd called for the question on the original motion. The call was seconded by Councilman Wallace. A voice vote was taken; the motion passed without objection.

#### GENERAL GOVERNMENT BUDGET SECOND READING

The following disclosures were made: Councilwoman Guzman's brother was an employee of the Clarksville Police Department; Councilman Burkhart and Councilman Grubbs were covered under the City's health insurance program; Councilman Harris' wife was the Montgomery County employee for the Green Certification Program.

The following vote on the original motion was recorded:

AYE: Burkhart, Grubbs, Guzman, Harris, Lewis, McMillan, Redd, Wallace

NAY: Allen, Jones, McLaughlin, Steward, Summers

The motion to adopt the FY14 General Government Budget passed.

#### ADJOURNMENT

The meeting was adjourned at 9:28 p.m.



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
JULY 1, 2013**

**MINUTES**

**CALL TO ORDER**

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Monday, July 1, 2013, at 4:32 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilman Geno Grubbs

**ATTENDANCE**

**PRESENT:** Wallace Redd (4), Marc Harris (6), Geno Grubbs (7), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

**ABSENT:** Nick Steward (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Valerie Guzman (5), David Allen (8)

**WATER & SEWER RATES**

**ORDINANCE 82-2012-13** (Second Reading) Amending the Official Code relative to water and sewer rates

Councilman Burkhart made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Redd. The following vote was recorded:

**AYE:** Burkhart, Grubbs, Harris, Jones, Redd, Summers, Wallace

The motion to adopt this ordinance on second reading passed.

**ADJOURNMENT**

The meeting was adjourned at 4:34 p.m.





# CLARKSVILLE CITY COUNCIL REGULAR SESSION JULY 2, 2013

## MINUTES

### CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, July 2, 2013, at 7:01 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee. This regular meeting was rescheduled from the first Thursday in July by the adoption of **ORDINANCE 94-2012-13** on June 27, 2013.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilwoman Deanna McLaughlin.

### ATTENDANCE

**PRESENT:** Nick Steward (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

**ABSENT:** Nick Steward (1), James Lewis, Mayor Pro Tem (3)

### 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 Harris. A voice vote was taken; the motion passed without objection.

**ORDINANCE 3-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hettie Hutchinson for zone change on property at the terminus of Vine Street and Cedar Street from R-3 Three Family Residential District to C-1 Neighborhood Commercial District

Ramona Rudolph, the applicant's daughter, asked that action be postponed one month. There was no voiced opposition.

**ORDINANCE 4-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of George M. Milton, Gaines Shearon-Agent, for zone change on property at Tracy Lane and Black Jack Way from R-1 Single Family Residential District to R-4 Multiple Family District

There was no voiced support for or opposition to this request.

Councilman Grubbs made a motion to revert to regular session. The motion was seconded by Councilman Allen. A voice vote was taken; the motion passed without objection.

## ZONING

The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 3-2013-14**. Councilman Harris made a motion to postpone action on this ordinance to the next regular meeting. The motion was seconded by Councilman Wallace. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, Wallace

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

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 4-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Allen. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, 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 81-2012-13** (Second Reading) Authorizing acquisition of property on Tylertown Road for area drainage improvements (*Removed; see below consent agenda*)
2. **ORDINANCE 82-2012-13** (Third Reading) Amending the Official Code relative to water and sewer rates
3. **ORDINANCE 83-2012-13** (Second Reading) Authorizing partial release of sanitary sewer line easement on property owned by Governor's Square Company
4. **ORDINANCE 92-2012-13** (Second Reading) Approving extension of utilities to 3301 Highway 41-A; request of Danell Welch

5. **ORDINANCE 93-2012-13** (Second Reading) Approving extension of utilities to property on Ashland City Road; request of David Welch
6. **ORDINANCE 95-2012-13** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay/Wilson Properties, Wade Hadley-Agent, for zone change on property at the intersection of 101<sup>st</sup> Airborne Division Parkway & Trenton Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District
7. **ORDINANCE 96-2012-13** (Second Reading) Amending the Zoning Ordinance and the Official Code of the City of Clarksville relative to cluster option and other text amendments
8. Approval of Minutes: May 13, May 16, June 6, June 18

Councilwoman Jones requested separate consideration of **ORDINANCE 81-2012-13**. The following vote to adopt the Consent Agenda as amended was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, Wallace

The vote to adopt the Consent Agenda as amended passed.

**ORDINANCE 81-2012-13** (Second Reading) Authorizing acquisition of property on Tylertown Road for area drainage improvements

This ordinance was removed from the original Consent Agenda. Councilwoman Jones made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman McLaughlin. Councilwoman Jones felt assistance should also be given to other areas of the city that experience flooding issues. Councilman Burkhart said he would abstain from voting on this ordinance. The following vote was recorded:

AYE: Allen, Grubbs, Guzman, Harris, McLaughlin, Summers, Wallace

NAY: Jones, Redd

ABSTAIN: Burkhart

The motion to adopt this ordinance on second reading passed.

#### SPECIAL RECOGNITIONS

Mayor McMillan recognized Boy Scout Troop 516 and expressed appreciation to their sponsorship of displaying American Flags on the Riverside Drive Pedestrian Overpass.

## COMMUNITY DEVELOPMENT COMMITTEE

*David Allen, Chair*

Councilman Allen said the Living Hope Baptist Church assisted with two household repair projects through the Community Outreach Partnership Program totaling \$10,000 in materials and volunteer hours.

## FINANCE COMMITTEE

*Joel Wallace, Chair*

**RESOLUTION 1-2013-14** Adopting an interlocal agreement with Montgomery County pertaining to the 2013 Byrne Justice Assistance Grant

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, Wallace

The motion to adopt this resolution passed.

**RESOLUTION 2-2013-14** Renewing the interlocal contract with the E911 Emergency Communication District of Montgomery County

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, Wallace

The motion to adopt this resolution passed.

## GAS & WATER COMMITTEE

*Jeff Burkhart, Chair*

**ORDINANCE 2-2013-14 (First Reading)** Authorizing extension of utilities to South Woodson Road; request of Bill Mace Homes

The recommendation of the Gas & Water Committee was to postpone action to allow time for processing housekeeping issues. Councilman Burkhart made a motion to postpone action indefinitely. The motion was seconded by Councilman Harris. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, Wallace

The motion to postpone action on this ordinance indefinitely passed.

## PARKS, RECREATION, GENERAL SERVICES

*Wallace Redd, Chair*

Councilman Redd said participation in the Summer Night Lights events had increased. He invited the public to attend the Independence Day celebration at Liberty Park on July 3<sup>rd</sup>.

## PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

*Geno Grubbs, Chair*

**ORDINANCE 1-2013-14** (First Reading) Amending the Official Code relative to adoption of the International Fire Code

The recommendation of the Public Safety Committee was for approval of this ordinance. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Summers. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman, Harris, Jones, McLaughlin, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs shared the following monthly department statistics: Clarksville Fire & Rescue – 812 emergency responses; Building & Codes Enforcement Division – 504 cases; Building & Codes Construction Division – 1894 cases; Clarksville Police Department – 13,306 calls for assistance.

## STREET COMMITTEE

*Deanna McLaughlin*

In the absence of Chairman James Lewis, Councilwoman McLaughlin said the Street Department completed 238 work orders including installation of American Flags along major routes.

Councilwoman McLaughlin said Boy Scout Troop 516 was attending as part of their effort to earn a citizenship badge. She thanked them for assisting the Combat Motorcyclists Association in placing 613 American Flags in Patriot's Park in honor of fallen soldiers.

Councilwoman McLaughlin thanked volunteers who supported the Third Annual Warrior Week Car, Truck and Bike Show.

## TRANSPORTATION COMMITTEE

*Marc Harris, Chair*

Councilman Harris said Clarksville Transit System transported 63,009 passengers during the month of June, a 21% decrease in ridership over June 2012, and a 2/3% decrease for the year. The City Garage completed 358 work orders during the same month.

## ETHICS COMMISSION

Appointments to the Ethics Commission: Robert T. Bateman, Ellen Kanervo – July 2013 through June 2016; Gene Washer, Willie J. Freeman – July 2013 through June 2015; Hubert G. Smith – July 2013 through June 2014

Councilman Redd made a motion to approve these appointments. The motion was seconded by Councilman Harris.

Councilwoman Jones offered an amendment to consider each candidate separately. . The motion was seconded by Councilman Summers. Councilwoman Jones felt three candidates who had contributed to Mayor Kim McMillan's campaign would have a conflict of interest. In response to Councilwoman McLaughlin's question, Deputy City Attorney Jeff Goodson said the ethics code provides an exception for a member who may be associated with and benefit from a non-profit agency who receives funding from the City. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Summers

NAY: Burkhardt, Grubbs, Guzman, Harris, Redd, Wallace

The motion to consider appointments separately failed. The following vote on the original motion was recorded:

AYE: Burkhardt, Grubbs, Guzman, Harris, McMillan, Redd, Wallace

NAY: Allen, Jones

ABSTAIN: McLaughlin, Summers

The motion to approve the appointments to the Ethics Commission passed.

## REPORT ON DEBT OBLIGATION

Mayor McMillan presented the Report on Debt Obligation (\$50,000,000) for wastewater treatment plant reconstruction. This report was presented for informational purposes in accordance with state law; no vote was required.

## ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

ORDINANCE 5-2013-14

AN ORDINANCE AMENDING THE 2013-14 CAPITAL PROJECT FUND BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO CREATE A CAPITAL PROJECT OF \$1,241,344 TO UPGRADE STREET LIGHTS TO ENERGY EFFICIENT LED LIGHTING

*WHEREAS*, the City of Clarksville qualifies for \$1,241,344 in bonds issued by the State of Tennessee under a Qualified Energy Conservation Bond Fund Program, and;

*WHEREAS*, the State of Tennessee may allocate an additional QECB allotment to the City of Clarksville in the future, and;

*WHEREAS*, these Qualified Energy Conservation Bonds (QECB's) are low interest bonds for qualified energy projects and the United States Treasury subsidizes up to 70% of the interest cost, and;

*WHEREAS*, the City of Clarksville wishes to create a new Capital Project to upgrade street lights within the City to energy efficient street lights that will generate energy savings of more than 20% therefore allowing us to secure funding for this project using Qualified Energy Conservation Bonds, and;

*WHEREAS*, the energy savings realized by this project can be used to fund projects to provide other energy savings in the future.

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the following capital project be created within the Capital Projects Fund:

4031003	4450	14306	Street Lighting Upgrade Project	Increase: \$ 1,241,344
---------	------	-------	---------------------------------	------------------------

*BE IT FURTHER ORDAINED:*

That the following Capital Project Revenue be budgeted:

4041000	39340	Qualified Energy Conservation Bonds	Increase: \$ 1,241,344
---------	-------	-------------------------------------	------------------------

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

LED Lights with AMI Radio Control

				HPS							LED							
Light Type	Watt	Bulb	Nos. of Light Considered	Light KWH Charge d by CDE	Total KWH	KWH Rate	KWH charges Monthly	Facility Charge per light (maintenance)	Total Facility Charge (Maintenance)	Total current cost of HPS lights per month	Proposed LED Usage KWH	KWH Rate	LED KWH charges monthly	Proposed maintenance cost LED (1.00 Per light)	Total Proposed LED KWH monthly cost	Total Monthly saving/Yearly	Installation cost (\$1621.00 per light) with AMI radio control	Recovery Time in Years
CH	250	HPS	728	109	79352	\$0.0655	\$ 5,197.56	\$ 3.00	\$2,184.00	\$ 7,381.56	15703	\$0.0655	\$ 1,028.55	\$ 728.00	\$ 1,756.55	\$ 5,625.01	\$ 1,180,088.00	17.48
CH	1000	HPS	37	390	14430	\$0.0655	\$ 945.31	\$ 3.00	\$ 111.00	\$ 1,056.31	1425	\$0.0655	\$ 93.00	\$ 37.00	\$ 130.00	\$ 926.31	\$ 59,977.00	5.4
Total			765		93782		\$ 6,142.87		\$2,295.00	\$ 8,437.87	17128		\$ 1,121.55	\$ 765.00	\$ 1,886.55	\$ 6,551.32	\$ 1,240,065.00	15.7 Av.
																\$78,615.84		

HPS

LED

**Note:** Street Department's preference is to replace 1000 Watt and 250 Watt HPS lights.

Yearly cost saving \$78,616.00

Energy Saving about 81%

8 Years free maintenance



## Qualified Energy Conservation Bonds (QECB)

QECBs were originally structured as tax credit bonds. In 2010 QECBS were changed from tax credit bonds to direct subsidy bonds similar to Build America Bonds (BABs), making them more appealing to potential investors.

The project eligible for capital expenditure using QECB is the City –owned building, Street lights with a minimum saving of energy consumption by 20%. Expected time of recovery of investment with interest is 15-22 years. The City of Clarksville was allocated \$1,241,344.00 for upgrading the City facilities.

Based on the data gathered from initial assessment it was determined by the consultant that the best opportunity for energy savings beneficial improvements to the City's infrastructure would be to replace the existing street lighting with new energy efficient LED and/or Induction fixtures.

Street Department of the City Clarksville is operating 10,110 different types of lights all over the City. Existing 37 fixtures of 1000 watt and 728 fixtures out of 1439 fixtures of 250 watt were selected for the phase 1 installation.

Phase I will reduce the energy consumption of about 81% and will save the City about \$78,616.00 per year. The City is expected to recover the investment with interest within 15-16 years. A spread sheet showing energy saving for the existing fixtures and LED fixtures and also period of recovery of fund is attached.

If you have any question please let me know.

Thanks,  
Hatem

RESOLUTION 4-2013-14

A RESOLUTION DECLARING THE INTENT OF THE CITY OF CLARKSVILLE TO REIMBURSE ITSELF FOR CERTAIN EXPENDITURES RELATING TO PUBLIC WORKS PROJECTS WITH THE PROCEEDS OF BONDS OR OTHER DEBT OBLIGATIONS TO BE ISSUED BY THE CITY OF CLARKSVILLE IN A NOT TO EXCEED AMOUNT OF \$1,241,344.

WHEREAS, it is the intention of the City Council of the City of Clarksville, Tennessee (the "Municipality") to provide funds for the (i) installation, improvement, upgrade, modification and equipping of public street lights within the Municipality; (ii) payment of legal, fiscal, administrative and professional services costs incident to any of the foregoing (collectively, the "Projects"); and (iii) payment of costs incident to the issuance and sale of such obligations; and

WHEREAS, it is the intention of the City Council of the Municipality to pay all or a portion of the costs associated with said activities by the sale of bonds, in one or more emissions, or other debt obligations of the Municipality; and

WHEREAS, it is anticipated that it will be necessary to make expenditures in payment of said costs prior to the issuance of said bonds or debt obligations; and

WHEREAS, the City Council of the Municipality wishes to state its intentions with respect to reimbursements for said expenditures in accordance with the requirements of final regulations applicable thereto promulgated by the United States Department of the Treasury.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clarksville, Tennessee, as follows:

Section 1. It is reasonably expected that the Municipality will reimburse itself for certain expenditures in a maximum amount of \$1,241,344 made by the Municipality in connection with the activities hereinabove described. The Municipality intends to reimburse all such expenditures by issuing its qualified energy conservation bonds (as such term is defined in Section 54D of the Internal Revenue Code of 1986, as amended) or, if impractical or impossible to be reimbursed by issuing qualified energy conservation bonds, by issuing tax-exempt bonds or other debt obligations of the Municipality. The expenditures made prior to the issuance of said bonds or other debt obligations are expected to be paid from the Municipality's General Fund and reimbursement shall be made to said fund. Debt service on the qualified energy conservation bonds (or, if applicable, tax-exempt bonds or other debt obligations) is expected to be paid from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality.

Section 2. The maximum principal amount of bonds or other debt obligations expected to be issued to finance the activities hereinabove described is \$1,241,344.

Section 3. This resolution shall be placed in the minutes of the City Council and shall be made available for inspection by the general public at the office of the City Clerk.

Section 4. It is the Municipality's reasonable expectation that it will reimburse the original expenditures from the proceeds of bonds or other debt obligations.

Section 5. This resolution constitutes a declaration of official intent under Treas. Reg. §1.150-2.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed, and this resolution shall be in immediate effect from and after its adoption.

*ADOPTED:*

ORDINANCE 6-2013-14

AN ORDINANCE AMENDING THE 2013-14 GENERAL FUND OPERATING BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE LEGISLATIVE BUDGET BY \$98,944 AND DELETING THE TWO RIVERS COMPANY LINE ITEM OF \$98,944 TO ALLOW FOR THE TWO RIVERS COMPANY DIRECTOR TO BE A CITY EMPLOYEE.

*WHEREAS,* the City of Clarksville has appropriated \$98,944 for the Two Rivers Company to hire a full-time Director, and;

*WHEREAS,* it is the wish of the Two Rivers Company Board and the Clarksville City Council for that Director to be a City employee.

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the following Budget Amendments be made:

Legislative Expenditures:

Salary/Benefit line items	10411001-xxxx	Increase:	\$98,944
---------------------------	---------------	-----------	----------

Two Rivers Company	10462003 4874	Decrease:	\$98,944
--------------------	---------------	-----------	----------

*BE IT FURTHER ORDAINED* that the Two Rivers Director will be a City employee.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

## RESOLUTION 5-2013-14

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED EIGHT MILLION FIFTY THOUSAND DOLLARS (\$8,050,000) GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF CLARKSVILLE, TENNESSEE

*BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE, AS FOLLOWS:*

Section 1. Purpose and Basic Terms. For the purpose of financing (a) all or a portion of the costs of the acquisition of land for and the planning, design, development, construction, renovation, modification, improvement, upgrade, expansion, repair, maintenance, rehabilitation, equipping and/or acquisition of the following public works projects (as defined in Section 9-21-105, Tennessee Code Annotated): (i) roads, including sidewalks, signage, signalization and drainage improvements; (ii) public buildings; (iii) parks, greenways, trails, open space areas and other recreation areas; (iv) docks and dock facilities and (v) fire trucks; (b) acquisition of all property, real and personal, appurtenant to the foregoing; (c) legal, fiscal, administrative, architectural and engineering costs incident to all the foregoing (collectively, the "Projects"); (d) reimbursement to the Municipality for funds previously expended for the Projects and (e) payment of the costs related to the issuance and sale of the bonds authorized herein, the City Council (the "Council") of the City of Clarksville, Tennessee (the "Municipality") hereby determines to issue bonds, in one or more emissions, of said Municipality in the aggregate principal amount of not to exceed \$8,050,000, which shall bear interest at a rate or rates not to exceed the maximum rate permitted under applicable law, and which shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the Municipality.

Section 2. Publication of Resolution. The City Clerk of the Municipality is hereby directed and instructed to cause the foregoing initial resolution relative to the issuance of not to exceed \$8,050,000 general obligation public improvement bonds to be published in full in a newspaper having a general circulation in the Municipality, for one issue of said paper, followed by the statutory notice, to-wit:

### NOTICE

The foregoing resolution has been adopted. Unless within twenty (20) days from the date of publication hereof a petition signed by at least ten percent (10%) of the registered voters of the Municipality shall have been filed with the City Clerk of the Municipality protesting the issuance of the bonds, such bonds will be issued as proposed.

Sylvia Skinner, City Clerk

Section 3. Reimbursement. It is reasonably expected that the Municipality will reimburse itself for certain expenditures made by it in connection with the Projects by issuing the bonds authorized herein. This resolution shall be placed in the minutes of the Council and shall be made available for inspection by the general public at the office of the Council. This resolution constitutes a declaration of official intent under Treas. Reg. §1.150-2.

*ADOPTED:*

## FY2013-2014 CAPITAL PROJECTS FUND REQUESTS

PROJECT DESCRIPTION	ESTIMATED COST	
<b>STREET DEPT.</b>		
Edmondson Ferry Rd./41-A Bypass Intersection Improvements	\$	140,000.00
Allen Rd./Trenton Rd. Traffic Signal Improvements	\$	180,000.00
Trenton Rd./Tylertown Rd. Traffic Signal Improvements	\$	180,000.00
ADA Compliance Sidewalks Project	\$	3,500,000.00
Rossvie Rd./Dunbar Cave Rd./Cardinal Ln. Intersection Improvements	\$	800,000.00
Veteran's Home Sidewalk Improvements Project (Allenwood Dr.)	\$	63,000.00
<b>PARKS &amp; REC</b>		
Clarksville "Blueway" Additions (Land Acquisitions)	\$	340,000.00
Excursion Boat Project	\$	325,000.00
<b>GENERAL GOV'T.</b>		
Cumberland Region Tomorrow - Implementation Strategy Openspaces/Greenspaces	\$	100,000.00
Greenway/Trail/Bicycling/Blueway Development Master Plan	\$	85,000.00
Customs House Museum Roof repair & Window replacement/repair	\$	301,501.00
<b>FIRE RESCUE</b>		
Fire Truck	\$	290,000.00
Fire Station #11	\$	1,440,000.00
Fire Truck for Fire Station #11	\$	<u>290,000.00</u>
<b>TOTAL</b>	\$	8,034,501.00
<hr/>		
Bond Funding	\$	7,883,735.00
General Fund Funding (Museum window replacement/repair)	\$	150,766.00

RESOLUTION 3-2013-14

A RESOLUTION AUTHORIZING AND APPROVING ADDENDUM #2 TO THE LEASE WITH CUMBERLAND TAVERN, LLC FOR CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, AND PROFESSIONAL MANAGEMENT OF A RESTAURANT AT LIBERTY PARK

*WHEREAS,* the Clarksville City Council has previously found that the public good will be served by the construction, installation, and professional operation of a public restaurant at Liberty Park, which will increase the tax base of surrounding properties, generate additional sales tax, and provide additional employment opportunities, and generally increase the utility and attractiveness of Liberty Park; and

*WHEREAS,* the Clarksville City Council has previously determined that the public good will be served by entering into a long term ground lease with a private developer for the purpose of developing a restaurant at Liberty Park; and

*WHEREAS,* the City and Liberty Park Grill, LLC (formerly Cumberland Tavern, LLC), have previously entered into a long term ground lease which was authorized and approved by the Clarksville City Council by adoption of RESOLUTION 32-2011-12 on December 20, 2011, and approval of Addendum #1 by adoption of RESOLUTION 8-2012-13 adopted on August 2, 2012; and

*WHEREAS,* the parties to the original lease now desire to amend same regarding a schedule for obtaining financing by the restaurateur (Liberty Park Grill, LLC [formerly Cumberland Tavern, LLC] and its' owners), and to amend same regarding the proposed construction schedule.

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That a second addendum to the lease between the City of Clarksville and Liberty Park Grill, LLC (formerly Cumberland Tavern, LLC), for the construction, installation, and professional operation of a public restaurant at Liberty Park is hereby authorized and approved, said contract addendum being attached hereto as Exhibit A.

*ADOPTED:*

## EXHIBIT A

### **ADDENDUM TWO (2) TO LEASE AGREEMENT FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE AND PROFESSIONAL MANAGEMENT OF A RESTAURANT AT LIBERTY PARK**

This Addendum Two (2) (the "Addendum") to a Lease Agreement is made and entered into as of the \_\_\_\_ day of July, 2013, by and between THE CITY OF CLARKSVILLE, TENNESSEE (hereafter referred to as "City" or "Lessor") and LIBERTY PARK GRILL, LLC (formerly, Cumberland Tavern, LLC) (hereafter referred to as "Lessee"), (together sometimes hereafter referred to as the "parties"). This Addendum is an Addendum to the original LEASE AGREEMENT FOR THE CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE, AND PROFESSIONAL MANAGEMENT OF A RESTAURANT AT LIBERTY PARK entered into as of December 20, 2011, as amended by Addendum One entered into as of August 14, 2012 (the "Lease Agreement").

#### **RECITALS:**

WHEREAS, the parties entered into the Lease Agreement;

WHEREAS, the legal name of Lessee was changed to Liberty Park Grill, LLC; and

WHEREAS, through continued discussions, the parties have concluded it is of mutual benefit to amend or supplement the terms of the Lease Agreement as specifically described in this Addendum.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The date referenced in Section 14.5 of the Lease Agreement (as amended by Addendum One (1)) shall be deleted and replaced with December 30, 2013, it being the intent of the parties to extend the time for Lessee to obtain financing and provide evidence of the same to the City. Further, Lessee shall commence construction by December 30, 2013.

2. The date January 1, 2012, referenced in Section 2.6 **Operating Year** and Section 4.1 **Initial Term** as the commencement of the first Operating Year and the Initial Term shall be deleted and replaced with January 1, 2014.

3. The Proposed Schedule set forth in Exhibit B to the Lease Agreement shall be amended to state that initial construction is scheduled to start on or before December 30, 2013. The Restaurant is planned to be completed on or before May 31, 2014.

4. Except as otherwise specifically stated herein, the terms and provisions of the Lease Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to be effective as of the date first written above.

THE CITY OF CLARKSVILLE, TENNESSEE  
(Lessor)

LIBERTY PARK GRILL, LLC  
(Lessee)

---

Kim McMillan  
Mayor, City of Clarksville, Tennessee

---

By:  
Its:

Attest:

Attest:

---

By:  
Title:

---

By:  
Title:



RESOLUTION 6-2013-14

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE LEASE CONTRACT BETWEEN THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION, CAPTAIN WILLIAM EDMISTON CHAPTER, AND THE CITY OF CLARKSVILLE, FOR LEASE OF THE "POST HOUSE" AND TERMINATION OF SAID LEASE.

*WHEREAS;* the City of Clarksville has previously leased the "Post House," located along Highway 41A / Fort Campbell Blvd., from the National Society of the Daughters of the American Revolution ("DAR"), Captain William Edmiston Chapter, on or about May 31, 1984; and

*WHEREAS;* the term of said lease was for a period of 99 years; and

*WHEREAS;* the lease contains no provision regarding termination of said lease prior to the expiration of said term; and

*WHEREAS;* the parties to said lease desire to amend same to add a provision allowing for termination of said lease by either party upon written notice to the other; and

*WHEREAS;* the CPT William Edmiston Chapter, DAR, desire to regain possession of the Post House and to end the lease of same to the City; and

*WHEREAS;* the City Council finds it to be in the best interests of the City of Clarksville to amend the lease and to terminate the lease of the Post House and return possession of same to the CPT William Edmiston Chapter, DAR, as requested by same entity.

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

That the lease agreement between the National Society of the Daughters of the American Revolution ("DAR"), Captain William Edmiston Chapter, and the City of Clarksville, for lease of the "Post House," should be amended, and the City Council hereby approves said amendment, attached hereto as Exhibit A, and further approves the termination of said lease, to be effective upon written notice of termination by either party to the other party.

*ADOPTED:*

## EXHIBIT A

### **ADDENDUM ONE (1) TO LEASE AGREEMENT BETWEEN THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION, CAPTAIN WILLIAM EDMISTON CHAPTER, AND THE CITY OF CLARKSVILLE PERTAINING TO THE "POST HOUSE"**

This Addendum One (1) (the "Addendum") to a Lease agreement is made and entered into as of the \_\_\_\_ day of \_\_\_\_, 2013, by and between THE NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION, CAPTAIN WILLIAM EDMISTON CHAPTER (hereafter referred to as "DAR" or "Lessor") and THE CITY OF CLARKSVILLE, TENNESSEE (hereafter referred to as "City" or "Lessee"), (together sometimes hereafter referred to as the "parties"). This Addendum is an Addendum to the original LEASE agreement entered into as of May 31, 1984.

#### **RECITALS:**

WHEREAS, the parties have previously entered into a Lease agreement for lease of the Post House, located along Highway 41A / Fort Campbell Blvd; and

WHEREAS, the Lease was for a term of 99 years; and

WHEREAS, the Lease did not provide any terms for termination of said lease prior to the expiration of said 99 year Lease; and

WHEREAS, the parties desire to amend said Lease to provide that either party may terminate said Lease prior to the expiration of the Lease term by providing written notice of termination to the other party.

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. That the Lease is amended to add a new paragraph eight (8), which shall state as follows:

8. Either party may terminate this Lease prior to the expiration of the Lease term by providing written notice to the other party of its intention to terminate said Lease.

2. Except as otherwise specifically stated herein, the terms and provisions of the Lease agreement otherwise remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Addendum to be effective as of the date first written above.

THE CITY OF CLARKSVILLE, TENNESSEE  
(Lessee)

DAR, CPT Edmiston Chapter  
(Lessor)

\_\_\_\_\_  
\_\_\_\_\_  
Kim McMillan  
Mayor, City of Clarksville, Tennessee

By:  
Its:

Attest:

Attest:

\_\_\_\_\_  
\_\_\_\_\_  
By:  
Title:

By:  
Title:

ORDINANCE 7-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TITLE 1 (ADMINISTRATION, OFFICERS AND PERSONNEL), CHAPTER 6 (CODE OF ETHICS), TO DELETE SECTION 1-623 OF THE ETHICS CODE RELATIVE TO THE REQUIREMENT FOR NOMINATED CITIZEN VOLUNTEERS TO COMPLETE A WRITTEN QUESTIONNAIRE PRIOR TO CITY COUNCIL VOTE ON APPROVAL OF THEIR NOMINATION

*WHEREAS,* the Clarksville City Council has determined that it is in the best interest of the City of Clarksville and its citizens to amend the City Ethics Code to amend the ethics code to delete the requirement for citizen volunteers appointed by the Mayor to the Ethics Commission to complete a written questionnaire prior to the City Council voting on approval of their nomination;

*NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:*

1. That the Official Code of the City of Clarksville, Tennessee, Title 1 (Administration, Officers and Personnel), Chapter 6 (Code of Ethics), Section 1-623 (Ethics Commission Member Questionnaire) is hereby amended by deleting said section in its entirety.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

RESOLUTION 7-2013-14

A RESOLUTION REQUESTING THE TENNESSEE GENERAL ASSEMBLY ENACT APPROPRIATE LEGISLATION TO AMEND THE OFFICIAL CHARTER OF THE CITY OF CLARKSVILLE RELATIVE TO VOTING ON ORDINANCES BY THE CITY COUNCIL

*WHEREAS*, Article II Section 12 of the Official Charter of the City of Clarksville currently provides as follows:

**Section 12. Voting.**

Except as otherwise provided in this Charter, a majority vote of the member of the city council present, shall decide the action of the council at that meeting, but the enactment, amendment or rescission of ordinances shall be by majority vote of the entire membership of the city council. Each ordinance passed by the city council shall be signed by the presiding officer and the city clerk. Ordinances shall not take effect until after their final passage and publication in the newspaper or in pamphlet or book form unless otherwise provided in such ordinances.

*WHEREAS*, the City Council finds that the enactment, amendment, or rescission (repeal) of ordinances would best be accomplished through a majority vote of the members present, instead of majority vote of the entire membership of the City Council;

*NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE, THAT:*

That the Clarksville City Council hereby requests the Tennessee General Assembly to enact legislation to amend the Official Charter of the City of Clarksville, Tennessee, as follows:

Section 1. That Article II, Section 12, of the Official Charter of the City of Clarksville is hereby amended by deleting the current language of Section 12 in its entirety and substituting the following in its place:

**Section 12. Voting.**

Except as otherwise provided in this Charter, a majority vote of the members of the city council present, shall decide the action of the council at that meeting, to include the enactment, amendment or repeal of ordinances or resolutions. Each ordinance or resolution passed by the city council shall be signed by the presiding officer and the city clerk. Ordinances shall not take effect until after their final passage and publication in the newspaper or in pamphlet or book form unless otherwise provided in such ordinances.

*ADOPTED:*

*RATIFIED:*