



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
OCTOBER 3, 2013, 7:00 P.M.**

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

AGENDA

- 1) CALL TO ORDER
- 2) PRAYER AND PLEDGE OF ALLEGIANCE
- 3) ATTENDANCE
- 4) PUBLIC HEARING
 1. **ORDINANCE 22-2013-14** (First Reading) Amending the Zoning Ordinance and City Code establishing the R-6 Single Family Residential District (*RPC: Approval/Approval*)
 2. **ORDINANCE 25-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of James R. Hunley and Durrett Investment, Jason Daugherty-Agent, for zone change on property at Peachers Mill Road and Allen Griffey Road from AG Agricultural District and R-4 Multiple Family Residential District to C-2 General Commercial District (*RPC: Approval/Approval*)
 3. **ORDINANCE 26-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of First Advantage Bancorp Attn: Eric Bradley, Cal Gentry/Winners Circle Partners-Agent, on property at Warfield Boulevard and Dunbar Cave Road from R-1 Single Family Residential District to OP Office/Professional District (*RPC: Approval/Approval*)

5) 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 10-2013-14** (Second Reading) Accepting real property from McClardy Road Partnership for Rossview Place Sewer Lift Station
2. **ORDINANCE 11-2013-14** (Second Reading) Annexing territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision; request of D. W. Howard
3. **ORDINANCE 12-2013-14** (Second Reading) Amending the Official Code relative to designation of automated traffic signal revenues
4. **ORDINANCE 13-2013-14** (Second Reading) Amending the Official Code of the City of Clarksville relative to adoption by reference of amended codes of the International Code Council
5. **ORDINANCE 14-2013-14** (Second Reading) Amending the Official Code relative to beer permits for caterers
6. **ORDINANCE 15-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Trenton Road & Lowes Drive from R-4 Multiple Family Residential District to C-5 Highway & Arterial Commercial District
7. **ORDINANCE 16-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay Wilson Properties (Ron Seay), Wade Hadley-Agent, for zone change on property at Trenton Road & Lowes Drive from C-3 Regional Shopping Center District to C-5 Highway & Arterial Commercial District
8. **ORDINANCE 17-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mary Clark, Eddie Burchett-Agent, for zone change on property at Tiny Town Road & Peachers Mill Road from AG Agricultural District to C-5 Highway & Arterial Commercial District
9. **ORDINANCE 18-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joseph Trovato for zone change on property at Madison Street & Carney Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

10. **ORDINANCE 19-2013-14** (Second Reading) Authorizing extension of utilities to property on Garrettsburg Road; request of Sun C. Reed
11. Approval of Minutes: Regular Session September 5th
12. Approval of board appointments:

Tree Board: Karla Kean (replace Steve Lamm-term expired) – October 2013 through June 2016

6) COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

7) FINANCE COMMITTEE
Joel Wallace, Chair

1. **ORDINANCE 20-2013-14** (First Reading) Amending the FY14 Community Development Budget to accept a Continuum of Care Program grant (*Finance Committee: Approval*)
2. **ORDINANCE 21-2013-14** (First Reading) Amending the FY14 Community Development Budget for consulting fees for the Choice Neighborhoods Program (*Finance Committee: Approval*)
3. **ORDINANCE 23-2013-14** (First Reading) Amending the FY14 Capital Projects Budget for purchase of property at 808 Riverside Drive
4. **RESOLUTION 17-2013-14** Authorizing transition from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan

8) GAS & WATER COMMITTEE
Jeff Burkhart, Chair

9) PARKS, RECREATION, GENERAL SERVICES
Wallace Redd, Chair

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

11) STREET COMMITTEE

James Lewis, Chair

12) TRANSPORTATION COMMITTEE

Marc Harris, Chair

13) NEW BUSINESS

1a. Consideration of board appointments – $\frac{3}{4}$ majority approval required (*Mayor McMillan*)

1b. Approval of board appointment:

Housing Authority: David Riggins (replace James Halford-term expired) – October 2013 through September 2018

2. **ORDINANCE 24-2013-14** (Second Reading) Amending the Official Code pertaining to the filling of vacancies on the City Council other than the Mayor (*Mayor McMillan*)

3. Ward 1 Applicant presentations/interviews

14) MAYOR AND STAFF REPORTS

15) ADJOURNMENT

ORDINANCE 22-2013-14

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, TO CREATE THE R-6 SINGLE FAMILY DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE THAT THE FOLLOWING AMENDMENTS ARE HEREBY MADE TO THE CLARKSVILLE CITY ZONING ORDINANCE

- 1.** Amend Chapter 3, Zone Districts, Use Tables, Section 3, Zoning Districts Described, is hereby amended by adding a new subsection “11” as follows and renumber remaining subsections appropriately:

R-6 Single Family District

The purpose of the R-6 Single Family Infill District is to provide for high-density detached residential development. This district should have access to existing infrastructure and other residential-supportive uses such as, mass transit and retail services. All properties, lots, tracts or parcels in this district shall have frontage on a dedicated public right-of-way and access to public sanitary sewers and a public potable water supply. This district is limited to geographical areas within the city of Clarksville where tracts of land exist in areas suitable for redevelopment or have environmental constraints. The district will allow for the protection of surrounding residential uses and residential zoned properties from potential negative impacts the high-density uses create by increasing the vitality of the neighborhood through revitalization and encouraging high quality design and flexibility. This district will allow more housing opportunities and choices, and enhance an area’s unique identity and development potential.

- 2.** Amend Chapter 4, District Bulk Regulations and Explanation, Table 4.4, by adding the following zoning district between R-5 and RM-1:

DISTRICT BULK TABLE

ZONING	R-6*
Minimum/Maximum Area for New Zone District	N/A
Minimum Lot Area	2,500 sq. ft. Not to exceed 16 dwelling units per acre.
Minimum Lot Width (At Front Setback Line)	25 feet
Minimum Frontage Requirements	20 feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)	20
Minimum Side Yard Setbacks (Section 4.1.1 For Exceptions)	5 feet (total of 10’ for both sides)

Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)	20 feet
Accessory Structure	10 feet
Maximum Height of Structures (See Section 4.1.2 for Exceptions)	45 feet
Maximum Lot Coverage	60%
Site Plan Required	No
*Sidewalks along street frontage are mandatory	

3. Amend Land Use Table 3.15 for the R-6 Single Family District:

- Allowable Uses (Permitted)
Single Family Detached
- Allowable Permitted on Review Uses
Home Occupation
Family Day Care
Guest House
- Allowable Accessory Uses
Garage/Carport
Storage Shed
Leasing/Sales Office
Amateur Radio Antenna
Satellite Dish
- Allowable Permitted with Conditions
Tourist Home
Bed and Breakfast

4. Amend Chapter 4 District Bulk Regulations and Explanation, Section 1 Exceptions for District Bulk Regulations, Subsection 1 Building Setback Exceptions, by adding the following after "Central Business District Exceptions":

R-6 Single Family District Additional Exceptions:

Exceptions in addition to those applicable to All Zoning Districts:

- “1. If rear access is provided with two off-street parking spaces, the front yard setback may be reduced to zero (0) provided yard intrusions listed above do not encroach into the sidewalk or public utility and drainage easements.

- “2. Where the intersection is controlled by a stop sign or traffic signal, the City Street Department may reduce the clear sight distance vision triangle requirements for the front yard and street side yard.”

O:\City Zoning Ordinance Amendments\Proposed R-6 District_RPC Board
Recommendation_09_25_2013.docx

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 25-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JAMES R. HUNLEY AND DURRETT INVESTMENT, JASON DAUGHERTY-AGENT, FOR ZONE CHANGE ON PROPERTY AT PEACHERS MILL ROAD AND ALLEN GRIFFEY 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 C-2 General Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the west right of way of Peachers Mill Road, being South 37 degrees 38 minutes 23 seconds West for 98.13 feet from the intersection of the centerline of Peachers Mill Road and Henry Place Blvd.; Thence along the west right of way of Peachers Mill Road, South 07 degrees 25 minutes 18 seconds West for 395.05 feet to an iron pin, being the northeast corner of the James Hunley property as recorded in ORV 1365, Page 1365 ROMCT; Thence continuing along the west right of way, South 07 degrees 25 minutes 18 seconds West for 380.57 feet to an iron pin, being the southeast corner of the Hunley property, also being the northeast corner of the Peachers Mill LLC property as recorded in ORV 1347, Page 1624 ROMCT; Thence leaving west right of way along Hunley south property line, North 80 degrees 39 minutes 16 seconds West for 236.02 feet to an iron pin; Thence continuing along south property line, North 88 degrees 59 minutes 52 seconds West for 91.10 feet to an iron pin, being the southwest corner of the Hunley property; Thence along Peachers Mill LLC north property line, south 87 degrees 19 minutes 58 seconds West for 226.18 feet to an iron pin; Thence continuing along north property line, South 87 degrees 35 minutes 17 seconds West for 20.38 feet, being the southwest corner of herein described parcel; Thence leaving north property line along a new zone line for the next 5 calls: North 08 degrees 19 minutes 56 seconds East for 429.47 feet; North 04 degrees 30 minutes 40 seconds East for 105.12 feet; North 26 degrees 31 minutes 05 seconds East for 242.62 feet; North 09 degrees 24 minutes 45

seconds West for 292.80 feet; North 33 degrees 18 minutes 36 seconds East for 98.19 feet to the south right of way of Henry Place Blvd, also being the northwest corner of herein described parcel; Thence along Henry Place south right of way for the next 5 calls: On a curve to the right having a radius of 365.00 feet, an arc length of 148.22 feet, a delta of 23 degrees 16 minutes 02 seconds, chord bearing of South 45 degrees 03 minutes 23 seconds East for 147.21 feet to an iron pin; South 33 degrees 25 minutes 22 seconds East for 73.48 feet to an iron pin; On a curve to the left having a radius of 335.00 feet, an arc length of 286.71 feet, a delta of 49 degrees 02 minutes 15 seconds, chord bearing of South 57 degrees 56 minutes 29 seconds East for 278.04 feet to an iron pin; South 82 degrees 27 minutes 37 seconds East for 62.80 feet to an iron pin; On a curve to the right having a radius of 50.00 feet, an arc length of 78.44 feet, a delta of 89 degrees 52 minutes 55 seconds, chord bearing of South 37 degrees 31 minutes 09 seconds East for 70.64 feet to the point of beginning. Said parcel containing 11.54 +/- acres, (Tax Map Parcels 035.01 & 035.03 p/o)

ORDINANCE 26-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF FIRST ADVANTAGE BANCORP, ATTENTION: ERIC BRADLEY, CAL GENTRY/WINNERS CIRCLE PARTNERS-AGENT, FOR ZONE CHANGE ON PROPERTY AT WARFIELD BOULEVARD AND DUNBAR CAVE 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 R-1 Single Family Residential District, as OP Office/Professional District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a concrete monument in the north right of way of Dunbar Cave Road, lying North 31 degrees 42 minutes 26 seconds West for 177.13 feet from the intersection of the centerline of Dunbar Cave Road and Warfield Blvd.; Thence along the north right of way of Dunbar Cave Road, North 83 degrees 02 minutes 26 seconds West for 420.75 feet to an iron pin, being the southeast corner of the City of Clarksville (Swan Lake Golf course) property as recorded in ORV 148, Page 546 ROMCT, also being the southwest corner of herein described parcel; Thence leaving the north right of way along golf course east property line, North 09 degrees 25 minutes 37 seconds East for 800.00 feet to an iron pin, being the southwest corner of lot 4 of Huntington Place subdivision as recorded in Plat Book 12, Page 131 ROMCT, also being the northwest corner of herein described parcel; Thence leaving golf course property, along Huntington Place south boundary line, South 77 degrees 21 minutes 05 seconds West for 200.25 feet to an iron pin; Thence continuing along southern boundary line, South 03 degrees 52 minutes 35 seconds West for 222.55 feet to an iron pin; Thence continuing along southern boundary line, North 58 degrees 58 minutes 03 seconds East for 8.81 feet to an iron pin; Thence continuing along southern boundary line, South 23 degrees 33 minutes 58 seconds East for 276.68 feet, being the south corner of Huntington Place, also lying in the west right of way of Warfield Blvd (SR 374); Thence along west right of way, South 07 degrees 51 minutes 27 seconds West for 163.32 feet to a concrete monument; Thence continuing along right of way, South 03 degrees 39 minutes 09 seconds East for 163.77 feet to the point of beginning. Said parcel containing 5.67 +/- acres. (Tax Map 056 Parcel 042.00)

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: October 3, 2013. The public hearing will be held on: October 3, 2013.

CITY ORD. #: 22-2013-14 RPC CASE NUMBER: ZO-3-2013

Applicant: REGIONAL PLANNING COMMISSION

Request: City Zoning Ordinance Amendment - Add R-6 Single Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 25-2013-14 RPC CASE NUMBER: Z-17-2013

Applicant: JAMES R. HUNLEY & DURRETT INVESTMENT

Agent: Jason Daugherty

Location: fronts on the west side of Peachers Mill Rd. 500+/- ft. north of the Peachers Mill Rd. & Allen Griffy Rd. intersection

Ward #: 5

Request: AG Agricultural District / R-4 Multiple-Family Residential District
to
C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 26-2013-14 RPC CASE NUMBER: Z-18-2013

Applicant: FIRST ADVANTAGE BANCORP ATTN: ERIC BRADLEY

Agent: Cal Gentry / Winners Circle Partners

Location: at the northwest quadrant of the Warfield Blvd & Dunbar Cave Rd. intersection.

Ward #: 12

Request: R-1 Single-Family Residential District
to
OP Office/Professional District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

AN ORDINANCE AMENDING THE CITY ZONING ORDINANCE OF THE CITY OF CLARKSVILLE, TENNESSEE, TO CREATE THE R-6 SINGLE FAMILY DISTRICT
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Minimum Frontage Requirements	20 feet
Minimum Front Yard Setbacks (See Section 4.1.1 For Exceptions)	20
Minimum Side Yard Setbacks (Section 4.1.1 For Exceptions)	5 feet (total of 10' for both sides)
Minimum Rear Yard Setbacks (See Section 4.1.1 For Exceptions)	20 feet
Accessory Structure	10 feet
Maximum Height of Structures (See Section 4.1.2 for Exceptions)	45 feet
Maximum Lot Coverage	60%
Site Plan Required	No
*Sidewalks along street frontage are mandatory	

3. Amend Land Use Table 3.15 for the R-6 Single Family District:

- **Allowable Uses (Permitted)**
Single Family Detached
- **Allowable Permitted on Review Uses**
Home Occupation
Family Day Care
Guest House
- **Allowable Accessory Uses**
Garage/Carport
Storage Shed
Leasing/Sales Office
Amateur Radio Antenna
Satellite Dish
- **Allowable Permitted with Conditions**
Tourist Home
Bed and Breakfast

4. Amend Chapter 4 District Bulk Regulations and Explanation, Section 1 Exceptions for District Bulk Regulations, Subsection 1 Building Setback Exceptions, by adding the following after "Central Business District Exceptions":

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- "2. Where the intersection is controlled by a stop sign or traffic signal, the City Street Department may reduce the clear sight distance vision triangle requirements for the front yard and street side yard."

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 9/25/2013

CASE NUMBER: Z - 17 - 2013

NAME OF APPLICANT: James R. Hunley & Durrett Investment

AGENT: Jason

Daugherty

GENERAL INFORMATION

PRESENT ZONING: AG R-4

PROPOSED ZONING: C-2

EXTENSION OF ZONE
CLASSIFICATION: NO

APPLICANT'S STATEMENT To permit a usage of the property commensurate with the current growth pattern
FOR PROPOSED USE: of the surrounding area.

PROPERTY LOCATION: fronts on the west side of Peachers Mill Rd. 500+/- ft. north of the Peachers Mill Rd. & Allen Griffy Rd. intersection

ACREAGE TO BE REZONED: 11.54 +/-

DESCRIPTION OF PROPERTY Gradual sloping lot with a single family house on the property.
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT:** 018 **PARCEL(S):** 035.01 &
035.03p/o

CIVIL DISTRICT: 3rd

CITY COUNCIL WARD: 5

COUNTY COMMISSION DISTRICT: 9

PREVIOUS ZONING HISTORY: Z-1-2011: (Ag to C-2) 2.9 +/- acres Staff Rec.-Disapproval RPC Rec.-
(to include zoning, acreage and Disapproval Council-Disapproved
action by legislative body)

Z-19-2011 (C-1/R-2/R-4 to C-2) 11.14 +/- acres Staff Rec.- Approval RPC Rec.-
Approval Council- Approval

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:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Traffic Assessment Required. Traffic Assessment Submitted And Reviewed By The Clarksville Street Dept. Sufficient Capacity Along Peachers Mill Rd.

3. Exist To Support Tthe Increase Of The Proposed Development.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

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.

No Comment(s) Received

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

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: Additional Traffic, Light & Noise

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: PEACHERS MILL RD.

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:

Airport Planning Area: This Planning area is centered around John H. Outlaw Field. The major north-south axis roads are Ft. Campbell Blvd., Tobacco Rd. and Peachers Mill Rd.. Tiny Town Rd. serves as the major east-west connector here. The planning area has vast amounts of open space that has a long history of agricultural and woodland uses.

STAFF RECOMMENDATION: **APPROVAL**

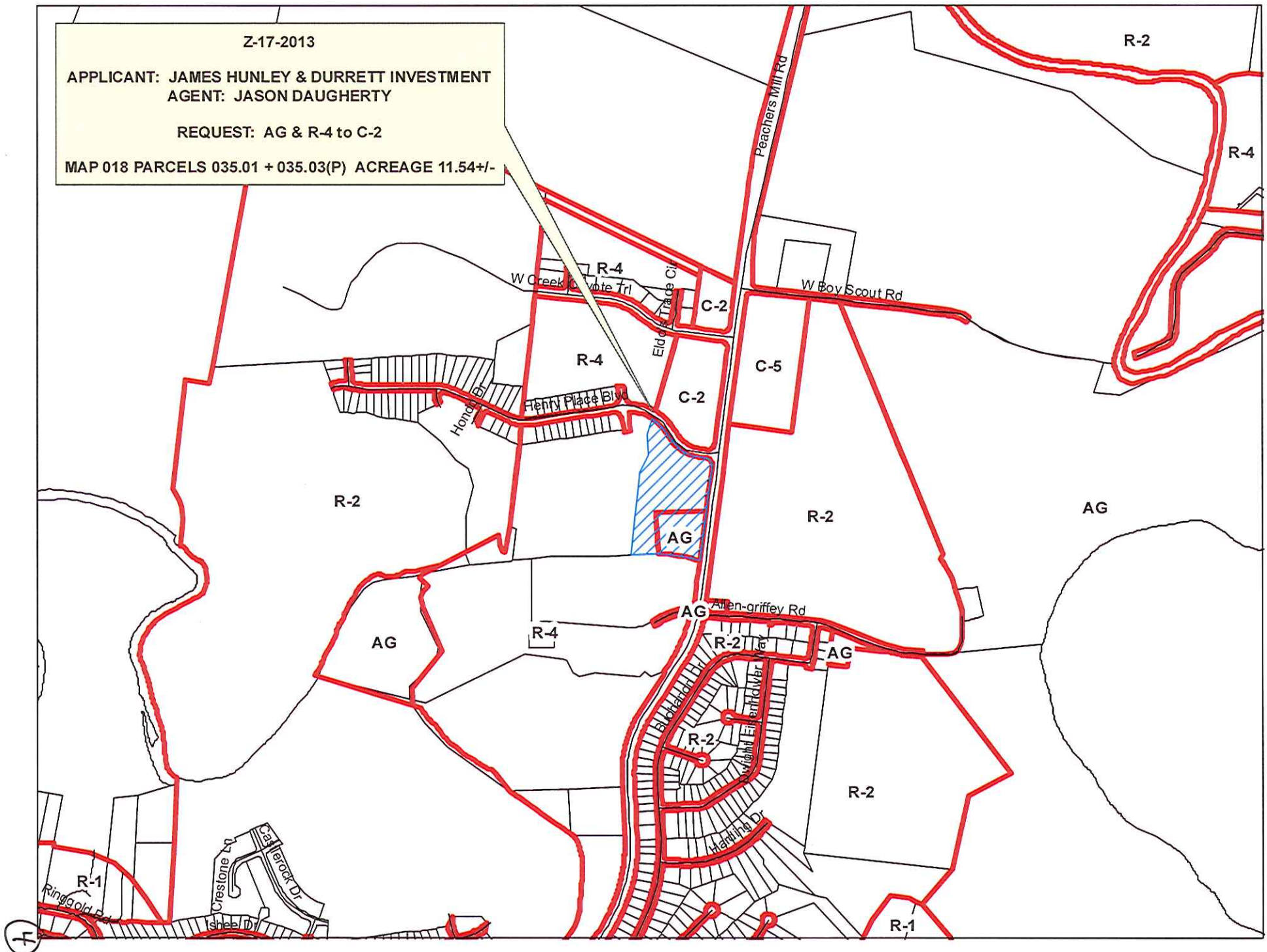
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Property is located at a signalized intersection at the Peachers Mill Rd. & West Creek Coyote Trail intersection.
- 5.

Z-17-2013

APPLICANT: JAMES HUNLEY & DURRETT INVESTMENT
AGENT: JASON DAUGHERTY

REQUEST: AG & R-4 to C-2

MAP 018 PARCELS 035.01 + 035.03(P) ACREAGE 11.54+/-



CASE NUMBER: Z 17 2013 **MEETING DATE** 9/25/2013

APPLICANT: James R. Hunley & Durrett Investment

PRESENT ZONING AG

PROPOSED ZONING C-2

TAX PLAT # 018

PARCEL 035.01 & 035.03p/o

GEN. LOCATION fronts on the west side of Peachers Mill Rd. 500+/- ft. north of the Peachers Mill Rd.
& Allen Griffy Rd. intersection

PUBLIC COMMENTS

None received as of 10:30 a.m. on 9/25/2013 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 9/25/2013

CASE NUMBER: Z - 18 - 2013

NAME OF APPLICANT: First Advantage

Bancorp Attn: Eric Bradley

AGENT: Cal Gentry

Winners Circle Partners

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: OP

EXTENSION OF ZONE

CLASSIFICATION: NO

**APPLICANT'S STATEMENT
FOR PROPOSED USE:**

PROPERTY LOCATION: at the northwest quadrant of the Warfield Blvd & Dunbar Cave Rd. intersection.

ACREAGE TO BE REZONED: 5.67 +/-

DESCRIPTION OF PROPERTY Parcel with existing structure used for social gatherings /events with varying
AND SURROUNDING USES: topography.

GROWTH PLAN AREA:

CITY **TAX PLAT:** 056

PARCEL(S): 042.00

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 12

COUNTY COMMISSION DISTRICT: 2

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
- ☐ INDUSCTIRAL DEV BOARD
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

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 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.

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.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

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:** Additional Traffic, Light & Noise

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: TO SOUTHWEST

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

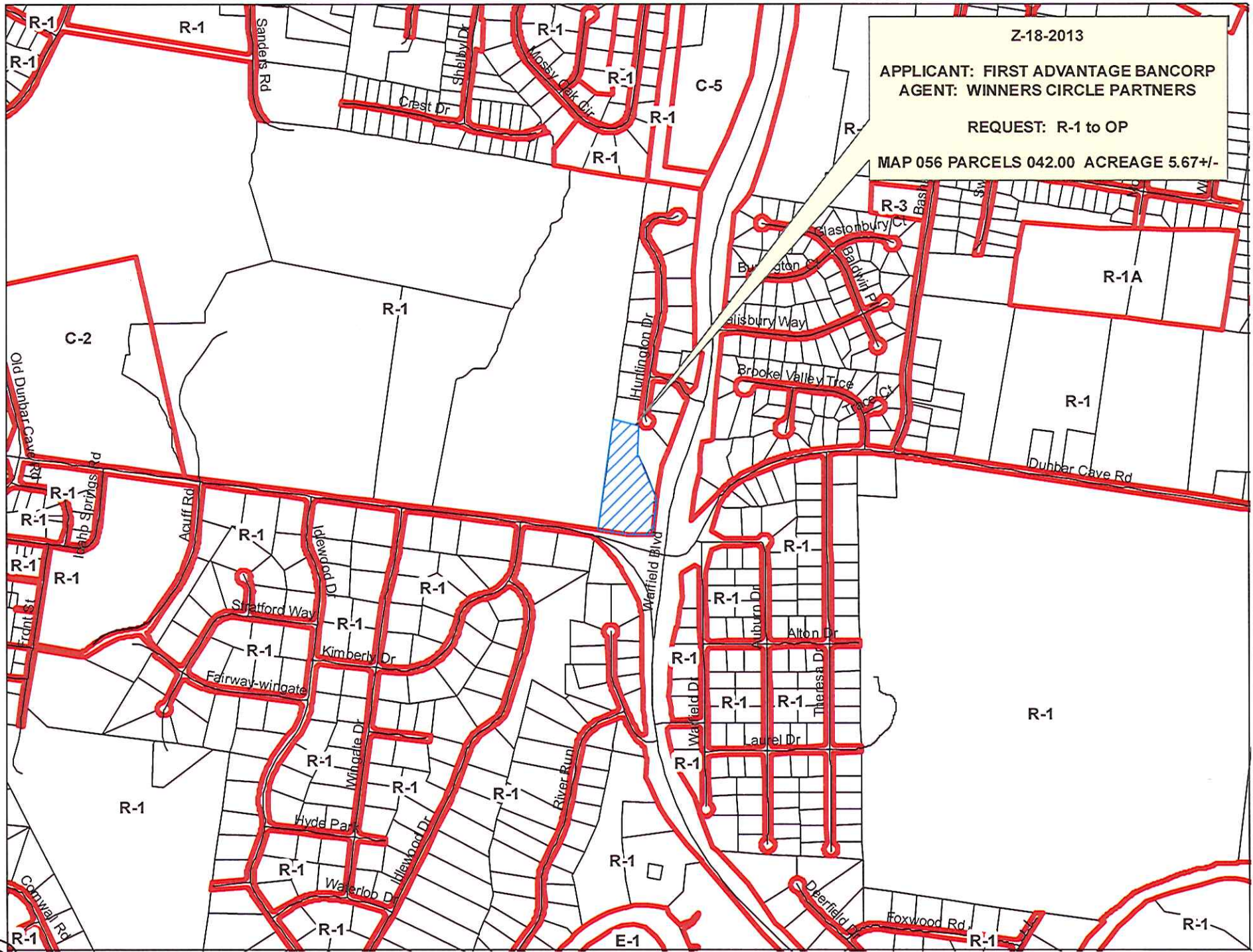
APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Property is located at a high traffic signalized intersection.
- 5.

MAP 056 PARCELS 042.00 ACREAGE 5.67+/-



CASE NUMBER: Z 18 2013 MEETING DATE 9/25/2013
APPLICANT: First Advantage Bancorp Attn: Eric Bradley
PRESENT ZONING R-1 PROPOSED ZONING OP
TAX PLAT # 056 PARCEL 042.00

GEN. LOCATION at the northwest quadrant of the Warfield Blvd & Dunbar Cave Rd. intersection.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 9/25/2013 (jhb).

ORDINANCE 10-2013-14

AN ORDINANCE ACCEPTING REAL PROPERTY FROM McCLARDY ROAD PARTNERSHIP, A TENNESSEE GENERAL PARTNERSHIP, FOR ROSSVIEW PLACE SEWER LIFT STATION

WHEREAS, the City of Clarksville seeks to acquire title to certain real property owned by McClardy Road Partnership, a Tennessee general partnership (being composed of partners Calvin R. McKay and John Hadley) and identified in Exhibit A attached hereto (hereinafter, the “Property”) for the purpose of maintaining and operating the Rossview Place sewer lift station.

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

That the Clarksville City Council hereby authorizes the acquisition of the Property, more fully described in Exhibit A attached hereto, from McClardy Road Partnership, a Tennessee general partnership, being composed of partners Calvin R. McKay and John Hadley.

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

AN ORDINANCE ANNEXING TERRITORY EAST OF RED RIVER, SOUTH OF PASSENGER CREEK AND NORTH AND EAST OF DEERTRAIL SUBDIVISION; REQUEST OF D. W. HOWARD

WHEREAS, the City of Clarksville is considering the request of D. W. Howard for annexation of certain territory east of Red River, south of Passenger Creek and north and east of Deertrail Subdivision; and

WHEREAS, the annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and of the City as a whole.

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

That pursuant to authority conferred by § 6-51-102, *Tennessee Code Annotated*, there is hereby annexed to the City of Clarksville, Tennessee, and incorporated within the same corporate boundaries thereof, the territory described by Exhibit "A" attached, adjoining the present corporate boundaries.

BE IT FURTHER ORDAINED that the territory incorporated herein shall be assigned the zoning classification of R-2, Single Family Residential District.

BE IT FURTHER ORDAINED that this ordinance shall be effective from and after its final passage and publication in accordance with *Article III, Section 6* of the Official Charter of the City of Clarksville, Tennessee.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

PUBLICATION DATE:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point being the southeast corner of lot 273 of Deertrail subdivision, said point being 252+/- feet east of the centerline of Drum Lane, said point also being in the north line of the James Slate property, said point also being the current city limits of Clarksville; thence with the current city limits of Clarksville and the boundary of Deertrail Subdivision, in a generally northerly, northwesterly, southwesterly, northerly, and westerly direction, 5,100+/- feet to a point, said point being in the north line of lot 70 of Deertrail subdivision, said point also being in the east line of the Michael Bradbury property; thence leaving the current city limits of Clarksville and with Bradbury's east line in a northerly direction, 300+/- feet to a point in center of Red River; thence with the centerline of and the meanders of Red River in a generally northeasterly direction, 1481+/- feet to a point in the confluence of Passenger Creek and the Red River; thence with the center of and the meanders of Passenger Creek in a generally southeasterly direction, 5,570+/- feet to a point, said point being in the south line of the Trisha Talbot property, said point also being in the north line of the James Slate property; thence leaving the meanders of Passenger Creek with the north line of Slate in a southerly and westerly direction, 2,075+/- feet to the point of beginning; containing 106.45+/- acres (Tax Map 063, parcel 012.00)

ORDINANCE 13-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TITLE 4 (BUILDING, UTILITY, AND HOUSING CODES) RELATIVE TO AMENDMENTS TO CODES OF THE INTERNATIONAL CODE COUNCIL

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 Official Code of the City of Clarksville to adopt by reference amendments to the 2009 edition of the International Residential Code and the 2009 edition of the International Building Code; and

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

That the Official Code of the City of Clarksville, Tennessee, Title 4, "Building, Utility, and Housing Codes," Chapter 2 "Building Code", Section 4-201, "Building Code adopted," is hereby amended by adopting by reference the International Building Code Amended Tables 2308.9.5(1,2), 2308.9.6 (1,2) 2308.10.2 (1,2) 2308.10.3 (1,2,3,4,5,6) pertaining to Span Charts for SYP Lumber.

BE IT FURTHER ORDAINED That the Official Code of the City of Clarksville, Tennessee, Title 4, "Building, Utility, and Housing Codes," Chapter 8, "Residential Code," Section 4-801, "International Residential Code" is hereby amended by adopting by reference the International Residential Code (for one and two family dwellings) Amended Tables 502.3.1; (1,2), 502.3.3 (1,2) 502.5 (1,2) 802.4 (1,2) 802.5.1 (1,2,3,4,5,6,7,8) pertaining to Span Charts for SYP Lumber.

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 12-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO DESIGNATION OF SPECIAL REVENUE FUND PROCEEDS FOR GREENWAYS AND BLUEWAYS

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

That the Official Code of the City of Clarksville, Tennessee, Title 9 (Motor Vehicles and Traffic), Chapter 2 (Administration and Enforcement), Section 9-232 (Automated Traffic Signal Enforcement) is hereby amended by deleting the current language of subsection (f) (Special Revenue Accounts) thereof and substituting therefore the following:

(f) Special revenue accounts

(1) Civil penalties collected by the city will be deposited into two (2) special revenue accounts:

a. One special revenue account will be identified and utilized for the city police department. Seventy (70) percent of collected penalties will be deposited into the city police department account. Disbursement shall be approved by the mayor and city council.

b. One special revenue account will be identified and utilized for the city parks and recreation department. Thirty (30) percent of collected penalties will be deposited into the city parks and recreation department account and shall be designated for ~~Rails-to~~ **Trails City of Clarksville Greenways and Blueways**. Disbursement shall be approved by the mayor and city council.

(2) Interest payments earned by funds in the special revenue accounts will be deposited within each respective account.

(3) Any fees or administrative costs related to the accounts may be paid from the respective special revenue accounts.

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 14-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO ISSUANCE OF BEER PERMITS FOR CATERERS

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

That the Official Code of the City of Clarksville, Tennessee, Title 2 (Alcoholic Beverages), Chapter 1 (Beer), Section 2-105 (Classes of Permits) is hereby amended by deleting the current language and substituting therefore the following:

Section 2-1-5. Classes of Permits.

There shall be five (5) classes or kinds of permits issued by the beer permit board as follows:

(1) *Manufacturers.* A manufacturer's permit to a manufacturer of beer, for the manufacture, possession, storage, sale, distribution, and transportation of the product of the manufacturer, not to be consumed by the purchaser upon or near the premises of the manufacturer.

(2) *Off-sale.* An "off-sale" permit to any person or legal organization engaged in the sale of beer where it is not to be consumed by the purchaser upon or near the premises of the seller.

(3) *On-sale.* An "on-sale" permit to any person or legal organization engaged in the sale of beer where it is to be consumed by the purchaser or his guests upon the premises of the seller, and provided beer may also be sold in hotel rooms of regularly conducted hotels and in regularly incorporated clubs and lodges upon their obtaining the required permit.

a. Anyone applying for or obtaining an on-sale permit may also sell beer to go so a patron may take beer with him purchased at such place after consuming beer. This will be known as a "joint" permit and shall cost an additional two hundred fifty dollars (\$250.00) at the time the application is made, or at any subsequent time when it is sought to change the type permit.

b. No alcoholic beverage shall be consumed in the parking lot of any establishment possessing an on-sale permit.

(4) *Special events permit.* A "special events" permit is required to be issued to any nonprofit organization engaged in the sale of such beverages where they are

to be consumed by the purchaser or his guests upon the premises of the seller. The special events permit will be issued for the fee of fifty dollars (\$50.00), after approval by the Clarksville police department and the Clarksville beer board. Prior notification must be made in writing ten (10) days prior to the event with the organization holding the event and location where the event is to be held. Each permit will be issued for a specific date and a specific period of time. The specific period of time will not contradict any existing state or city ordinances. Nonprofit organizations may receive no more than four (4) special events permits during a calendar year.

(5) Caterer Permit. A “caterer” permit to any person or legal organization conducting a food and beverage catering business who or which has been previously issued a Liquor by the Drink Certificate from the Tennessee Alcoholic Beverage Commission. The Liquor by the Drink Certificate must be current and not expired or revoked at the time of application for the caterer permit. The caterer permit will be issued for the fee of two hundred and fifty dollars (\$250.00), after approval by the Clarksville Police Department and the Clarksville Beer Board.

FIRST READING: September 5, 2013
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 15-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF EDDIE BURCHETT FOR ZONE CHANGE ON PROPERTY AT TRENTON ROAD & LOWES DRIVE

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-4 Multiple Family Residential District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a the southwest corner of Lot 1 of the Eddie Burchett property as recorded in Plat Book F, Page 952 ROMCT, lying in the east right of way of Trenton Road, thence South 84 degrees 33 minutes 43 seconds East for 629.17 feet to the “True Point of Beginning”; Thence on a new zone line, South 84 degrees 33 minutes 43 seconds East for 630.09 feet to the west property line of Moniqueka Gold property as recorded in ORV 711, page 1202 ROMCT, also being the northeast corner of herein described parcel; Thence along Gold’s west property line, South 06 degrees 28 minutes 49 seconds West for 361.75 feet to the southeast corner of the herein described parcel; Thence leaving Gold property on an existing zone line, North 81 degrees 43 minutes 54 seconds West for 639.50 feet; Thence continuing on existing zone line, North 08 degrees 04 minutes 29 seconds East for 330.46 feet to the “True Point of Beginning”. This parcel contains 5.05 +/- acres (Tax Map 41 Parcel 13.00 p/o)

ORDINANCE 16-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SEAY WILSON PROPERTIES (RON SEAY), WADE HADLEY-AGENT, FOR ZONE CHANGE ON PROPERTY AT TRENTON ROAD & LOWES DRIVE

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 C-3 Regional Shopping Center District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a the southwest corner of Wilson property, lying in the north right of way of Lowes Drive, lying North 81 degrees 06 minutes 07 seconds East for 101.06 feet from the centerline intersection of Lowes Drive and Trenton Road; Thence along the east right of way of Trenton Road, North 08 degrees 14 minutes 14 seconds East for 133.38 feet; Thence continuing along the east right of way, North 06 degrees 45 minutes 18 seconds East for 257.92 feet to the southwest corner of Eddie Burchett property as recorded in ORV 1179, Page 1510 ROMCT, also being the northwest corner of herein described parcel; Thence leaving Trenton Road along Burchett south property line, South 81 degrees 43 minutes 54 seconds East for 1278.79 feet to the southeast corner of Burchett property, also being the northwest corner of lot 143 of Forest Hills Section 8 as recorded in Plat Book 12, Page 30 ROMCT; Thence leaving Burchett south property line along Section 8 west boundary line for the next 6 calls: South 06 degrees 45 minutes 35 seconds West for 352.22 feet; South 07 degrees 18 minutes 55 seconds West for 210.67 feet; South 06 degrees 54 minutes 43 seconds West for 192.37 feet; South 06 degrees 37 minutes 42 seconds West for 185.58 feet, lying in the north right of way of Forest Hills Drive; South 05 degrees 43 minutes 20 seconds West for 50.06 feet, lying in the south right of way of Forest Hills Drive; South 08 degrees 41 minutes 07 seconds West for 202.14 feet, to the southwest corner of lot 124 of Forest Hills Section 7 as recorded in Plat Book 11, Page 58 ROMCT, also

lying in the north property line Fort Campbell Federal Credit Union as recorded in ORV 677, Page 1151 ROMCT, also being the southeast corner of herein described parcel; Thence along the Credit Union north property line, South 45 degrees 25 minutes 07 seconds West for 1.58 feet; Thence continuing along Credit Union north property line, North 80 degrees 20 minutes 39 seconds West for 21.60 feet to the east right of way of Lowes Drive; Thence along the east/north right of way of Lowes Drive for the next 9 calls: On a curve to the left having a radius of 342.00 feet, an arc length of 325.53 feet, a chord bearing of North 25 degrees 20 minutes 23 seconds West for 313.38 feet; North 52 degrees 36 minutes 08 seconds West for 178.58 feet; On a curve to the left having a radius of 410.00 feet, an arc length of 30.44 feet, a chord bearing of North 54 degrees 43 minutes 46 seconds West for 30.44 feet; North 56 degrees 51 minutes 24 seconds West for 113.92 feet; On a curve to the left having a radius of 442.00 feet, an arc length of 149.30 feet, a chord bearing of North 66 degrees 32 minutes 09 seconds West for 148.59 feet; North 76 degrees 12 minutes 52 seconds West for 191.71 feet; On a curve to the right having a radius of 288.00 feet, an arc length of 244.37 feet, a chord bearing of North 51 degrees 54 minutes 24 seconds West for 25.53 feet; North 27 degrees 35 minutes 55 seconds West for 151.83 feet; On a curve to the left having a radius of 227.50 feet, an arc length of 214.54 feet, a chord bearing of North 54 degrees 36 minutes 53 seconds West for 206.68 feet to the point of beginning. This parcel contains 21.91 +/- acres (Tax map 41 Parcel 39.01)

ORDINANCE 17-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF MARY CLARK, EDDIE BURCHETT-AGENT, FOR ZONE CHANGE ON PROPERTY AT TINY TOWN ROAD & PEACHERS MILL 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 C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a the southeast corner of the Clark property, also being the southwest corner of the Blackwell & Blackwell property as recorded in ORV 1174, Page 471 ROMCT, lying in the north right of way of Tiny Town Road, lying North 48 degrees 29 minutes 23 seconds West for 279.27 feet from the centerline intersection of Tiny Town Road and Peachers Mill Road; Thence along the north right of way of Tiny Town Road, North 58 degrees 31 minutes 45 seconds West for 499.93 feet;

Thence continuing along the north right of way, on a curve to the right having a radius of 1,918.74 feet, an arc length of 555.72 feet, a chord bearing of North 50 degrees 13 minutes 58 seconds West for 553.78 feet to the south corner of Plantation Estates Section 1 as recorded in Plat Book 12, Page 199 ROMCT, also being the west corner of herein described parcel; Thence leaving Tiny Town Road along Section 1 south boundary line, North 67 degrees 36 minutes 57 seconds East for 1,039.76 feet; Thence continuing along south boundary line, North 67 degrees 36 minutes 58 seconds East for 283.29 feet to the east corner of Section 1, also lying in the west boundary line of Marymont Section C as recorded in Plat Book 13, Page 138 ROMCT, lying in the center of Big West Fork Creek; Thence along the centerline of Big West Fork Creek, South 20 degrees 27 minutes 33 seconds East for 237.77 feet; Thence continuing along creek centerline, South 36

degrees 27 minutes 50 seconds East for 346.42 feet to the north corner of the City of Clarksville property as recorded in ORV 1366, Page 955 ROMCT, also being the east corner of herein described parcel; Thence leaving creek centerline along the City west property line for the next 6 calls: South 54 degrees 20 minutes 27 seconds West for 162.23 feet; South 51 degrees 24 minutes 37 seconds East for 74.27 feet; South 08 degrees 15 minutes 35 seconds West for 151.41 feet; South 36 degrees 22 minutes 21 seconds West for 85.89 feet; South 51 degrees 58 minutes 18 seconds West for 119.34 feet; South 25 degrees 42 minutes 24 seconds West for 152.88 feet, to the southwest corner of the City property, also lying in the north property line of Hollingsworth Oil property as recorded in ORV 1340, Page 1172 ROMCT, also being the southeast corner of herein described parcel; Thence along the Hollingsworth north property line, North 67 degrees 04 minutes 05 seconds West for 116.03 feet to the northwest corner of Hollingsworth property also being the northeast corner of the Blackwell & Blackwell property as recorded in ORV 1174, Page 471 ROMCT; Thence along Blackwell north property line, North 67 degrees 08 minutes 34 seconds West for 166.05 feet to the northwest corner of Blackwell property; Thence along Blackwell west property line, South 30 degrees 56 minutes 23 seconds West for 182.16 feet to the point of beginning. This parcel contains 21.44 +/- acres (Tax Map 07 Parcel 14,00)

ORDINANCE 18-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JOSEPH TRAVATO FOR ZONE CHANGE ON PROPERTY AT MADISON STREET & CARNEY 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 R-1 Single Family Residential District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: September 5, 2013

FIRST READING: September 5, 2013

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the southern ROW of Madison Street, said point being 210 +/- feet southeast of the Centerline of the Carney Rd. & Madison Street intersection, said point also being the northwest corner of the Glenn Cornett property. thence in a southerly direction 296 +/- feet with the Cornett property to a point, said point being the northeast corner of the Clarence Gudgeon property, thence in a westerly direction, 202 +/- feet to a point said point being in the east ROW of Carney Rd., thence in a northerly direction 288 +/- feet with the east ROW of Carney Rd. to a point said point being in the southern ROW of Madison St. further identified as the northwest corner of the subject tract, thence in an easterly direction 158 +/- feet with the southern ROW of Madison St. to the point of beginning. Containing 1.23 +/- acres (Tax Map 81-K-A Parcels 5.00 & 6.00)

ORDINANCE 19-2013-14

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF SUN C. REED FOR PROPERTY LOCATED ON GARRETTSBURG RD, CMAP 29 PARCEL 12.01.

WHEREAS, proper application has been made by Jimmy Bagwell, PE, Moore Design Services on behalf of Sun C. Reed for extensions of City utility service to property located at Cmap 29, Parcel 12.01 with the property address of Garrettsburg Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the City of Clarksville Gas and Water Department has recommended approval of said application; and

WHEREAS, the Gas, Water and Sewer Committee of the Clarksville City Council has recommended approval of said application; and

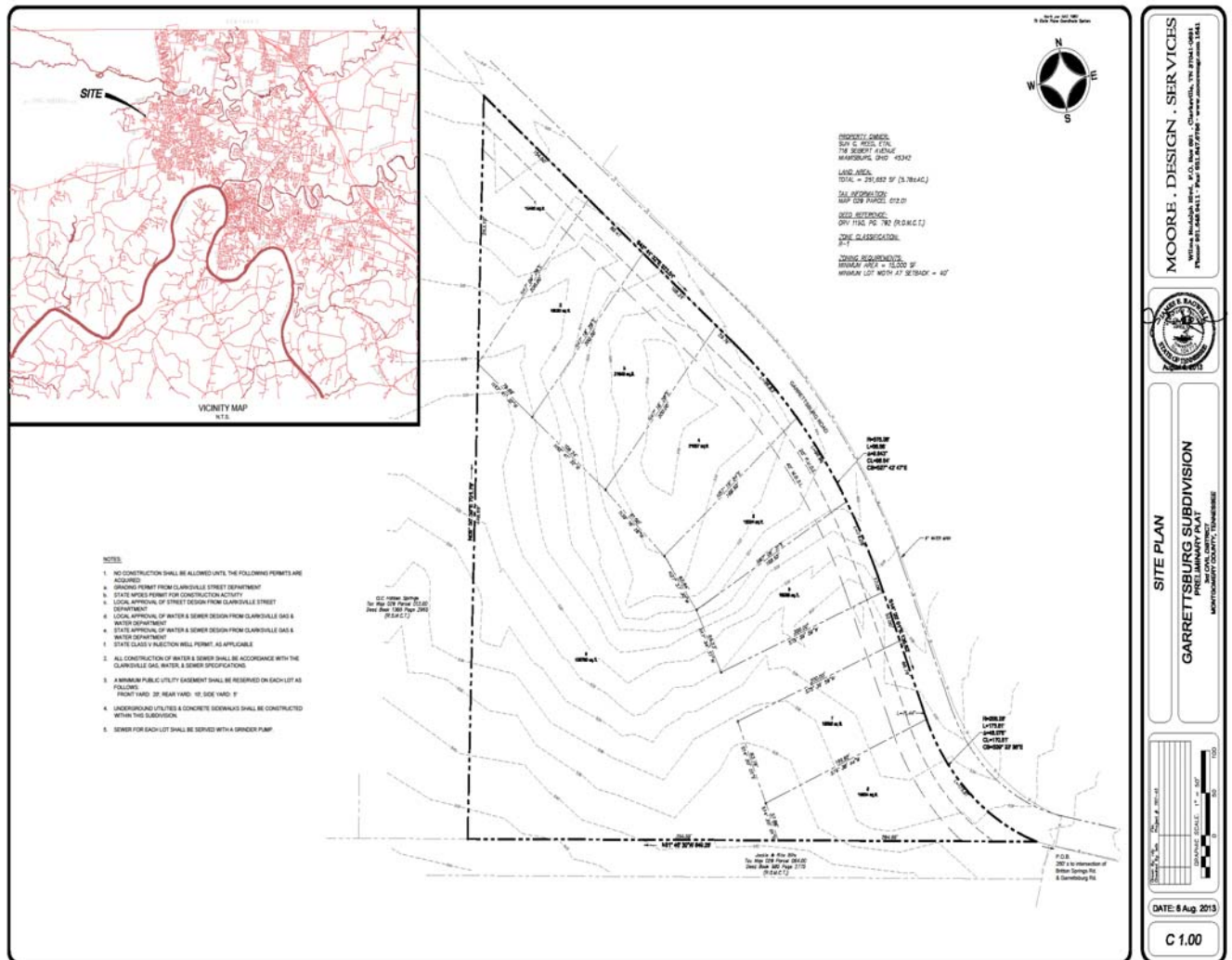
WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

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

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 29, Parcel 12.01 with the property address of Garrettsburg Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: September 5, 2013
SECOND READING: September 5, 2013
EFFECTIVE DATE

EXHIBIT A





CLARKSVILLE CITY COUNCIL REGULAR SESSION SEPTEMBER 5, 2013

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Gregory Wolynech, Conductor and Music Director of the Gateway Chamber Orchestra, gave the Council a brief history and update on the organization's activities.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, September 5, 2013, at 7:01 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 Councilwoman Kaye Jones.

ATTENDANCE

PRESENT: 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), Kaye Jones (11), Jeff Burkhardt (12)

ABSENT: Nick Steward (1), Bill Summers (10)

SPECIAL RECOGNITIONS

Mayor McMillan presented a Certificate of Recognition and Appreciation to Morgan Cozine for calling emergency authorities after witnessing an individual throw a soda bomb in a public park. Police Lt. Steve Warren, Clarksville Homeland Security Officer, presented a certificate to Miss Cozine on behalf of Tennessee Deputy Homeland Security Advisor Rick Shipkowski, designating her as an "Honorary Agent of the Office of Homeland Security." Assistant Police Chief Frankie Gray presented Miss Cozine with a Citizen's Commendation for her heroic action.

Mayor McMillan presented a Certificate of Recognition and Appreciation to Jone Burke for 27 years of teaching in the Clarksville-Montgomery County School System.

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments relative to requests for zone change, annexation, and abandonment of property. The motion seconded by Councilman Harris. A voice vote was taken; the motion passed without opposition.

ORDINANCE 15-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change on property at Trenton Road & Lowes Drive from R-4 Multiple Family Residential District to C-5 Highway & Arterial Commercial District

Eddie Burchett offered to answer questions. There was no opposition.

ORDINANCE 16-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Seay Wilson Properties (Ron Seay), Wade Hadley-Agent, for zone change on property at Trenton Road & Lowes Drive from C-3 Regional Shopping Center District to C-5 Highway & Arterial Commercial District

Wade Hadley offered to answer questions on behalf of the applicant. There was no opposition.

ORDINANCE 17-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mary Clark, Eddie Burchett-Agent, for zone change on property at Tiny Town Road & Peachers Mill Road from AG Agricultural District to C-5 Highway & Arterial Commercial District

Eddie Burchett offered to answer questions on behalf of the applicant. There was no opposition.

ORDINANCE 18-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Joseph Trovato for zone change on property at Madison Street & Carney Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District

There were no comments in support of or in opposition to this request.

ORDINANCE 11-2013-13 (First Reading) Annexing territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision; request of D. W. Howard

Lawson Mabry offered to answer questions on behalf of the applicant. There was no opposition.

RESOLUTION 11-2013-14 Adopting a Plan of Service for annexed territory east of Red River, south of Passenger Creek, and north and east of Deertrail Subdivision (request of D. W. Howard)

Lawson Mabry offered to answer questions on behalf of the applicant. There was no opposition.

RESOLUTION 10-2013-14 Approving abandonment of a public alley south of College Street, north of Main Street, east of N. First Street, and west of N. Second Street; request of City of Clarksville

There were no comments in support of or in opposition to this request.

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

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 15-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 16-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 17-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 18-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ANNEXATION

Councilman Grubbs made a motion to adopt **ORDINANCE 11-2013-14** on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs made a motion to adopt **RESOLUTION 11-2013-14**. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to adopt this resolution passed.

ABANDONMENT

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 10-2013-14**. Councilman Grubbs 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, Lewis, McLaughlin, Redd, Wallace

The motion to adopt this resolution 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 3-2013-14** (Second 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
2. **ORDINANCE 5-2013-14** (Second Reading) Amending the Capital Projects Fund for street light upgrades *[Removed; see Finance Committee]*
3. **ORDINANCE 6-2013-14** (Second Reading) Amending the FY14 Operating Budget to transfer funds from Two Rivers Company to the Legislative Budget
4. **ORDINANCE 8-2013-14** (Second 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

5. **ORDINANCE 9-2013-14** (Second 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 Rossvie Road and Powell Road from AG Agricultural District to R-1 Single Family Residential District
6. Approval of Minutes: Regular Session August 1st
7. Approval of board appointments:

Tree Board: Charlie Rogers – September 2013 through June 2016; Jimmy Weyant and Michael Thompson – September 2013 through June 2015

Councilwoman Jones requested separate consideration of **ORDINANCE 5-2013-14**. Councilman Redd made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Harris. Councilwoman Jones voted “nay” on **ORDINANCE 3-2013-14**. The following vote was recorded:

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

The motion to adopt the amended Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said volunteers from Grace Community Church recently participated in “Operation Save,” a Community Development Block Grant program, by making repairs to eight local residences.

Councilman Allen announced grand opening ceremonies for Concord Garden Apartments on September 11 and Vinings at Greencastle on September 26.

DESIGNATIONS COMMITTEE

Deanna McLaughlin

RESOLUTION 14-2013-14 Designating Pat Head Summitt Legacy Park

The recommendation of the Designations Committee was for approval of this resolution. Councilwoman McLaughlin 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, Lewis, McLaughlin, McMillan, Redd, Wallace

The motion to adopt this resolution passed.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 10-2013-14 (First Reading) Accepting real property from McClardy Road Partnership for Rossview Place Sewer Lift Station

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

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 12-2013-14 (First Reading) Amending the Official Code relative to designation of automated traffic signal revenues

The recommendations of the Finance and Parks & Recreation Committee were for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 14-2013-14 (First Reading) Amending the Official Code relative to beer permits for caterers

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilwoman McLaughlin said this change would allow a Tennessee Alcoholic Beverage Commission permit holder to apply for a local permit to sell alcohol. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 12-2013-14 Authorizing expenses incidental to acquisition of In-Rel Development property for Clarksville Greenway

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 Lewis. The following vote was recorded:

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

The motion to adopt this resolution passed.

RESOLUTION 13-2013-14 Requesting the Tennessee General Assembly enact legislation to allow CDE to provide broadband services in the Industrial Park

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 Lewis. The following vote was recorded:

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

The motion to adopt this resolution passed.

ORDINANCE 5-2013-14 (Second Reading) Amending the Capital Projects Fund for street light upgrades

This ordinance was removed from the original Consent Agenda. Councilman Wallace made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Lewis.

Councilwoman Jones made a motion to postpone second reading on this ordinance indefinitely. The motion was seconded by Councilwoman McLaughlin. Councilwoman Jones said more than one vendor should be considered for this project and a total cost should be determined before proceeding. Councilwoman Jones felt other projects should be given priority. Mayor McMillan said this ordinance would only establish the project and it does not authorize a contract or borrow funds. Councilwoman McLaughlin said this project could eventually increase the City's budget by \$1.4 million.

The following vote was recorded:

AYE: Allen, Jones, McLaughlin

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

The motion to postpone indefinitely failed. Councilwoman Jones made a motion to establish this project and reduce the funding to \$1.00. The motion was seconded by Councilwoman McLaughlin. Mayor McMillan requested input from Finance Director Laurie Matta; Councilman Redd and Councilman Harris objected. The following vote was recorded:

AYE: Allen, Jones, McLaughlin

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

The motion to establish the project and reduce funding failed. Councilman Allen also felt other projects should be given priority. The following vote on the original motion was recorded:

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

NAY: Allen, Jones, McLaughlin, Redd

The motion to adopt this ordinance on second reading passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 19-2013-14 (First Reading) Authorizing extension of utilities to property on Garrettsburg Road; request of Sun C. Reed

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

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

The motion to adopt this ordinance on first reading passed.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

RESOLUTION 15-2013-14 Endorsing and authorizing efforts of the Pat Head Summitt Project Committee

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

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

The motion to adopt this resolution passed.

Councilman Redd recognized Councilwoman McLaughlin who informed the Council that the “9-11 Days of Service” volunteers planned to install a landscaped area in Patriot’s Park with labor and materials donated by several local individuals and businesses.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

ORDINANCE 13-2013-14 (First Reading) Amending the Official Code of the City of Clarksville relative to adoption by reference of amended codes of the International Code Council

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 Redd. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs shared the following department statistics for the month of August: Building & Codes Enforcement Division: 509 cases; Building & Codes Construction Division: 846 inspections; Building & Codes Administration: 84 single-family permits; Fire & Rescue: 552 emergency responses; Police: 13,241 calls.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis reported 199 work orders completed by the Street Department during the month of August.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris said Clarksville Transit System transported 66,191 passengers during the month of August, 17% less than the same month in 2012. He said the Clarksville-Nashville Express transported 5,088 passengers, an average of 228 per day.

RETAIL LIQUOR STORES

RESOLUTION 16-2013-14 Repealing Horace and Amber Heggie and CRM Liquors, LLC (Cal McKay) Certificates of Compliance and approving a new Certificate of Compliance for CRM Liquors, LLC (Cal McKay) at a separate location

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

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

The motion to adopt this resolution passed.

PUBLIC ART COMMISSION

Councilwoman McLaughlin withdrew her request, without objection, and said she would have a report from the Public Art Commission at a later date.

BOARD APPOINTMENTS

Councilman Harris made a motion to consider appointments to the Arts & Heritage Development Council and the Natural Gas Acquisition Corporation. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to consider board appointments passed. Councilman Redd made a motion to approve the following board appointments:

Arts & Heritage Development Council: Dr. Dewey Browder, Gary Ellis, Jr., Dr. Joe Filippo, Jim Marshall – September 2013 through August 2016

Natural Gas Acquisition Corporation: Bob Yates – September 2013 through December 2015

The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to approve the board appointments as presented passed.

MAYOR AND STAFF REPORTS

Mayor McMillan informed the Council that she had accepted the resignation of Ward 1 City Councilman Nick Steward effective September 5, 2013. She said the interviews for a replacement would be conducted during the October 3rd regular session and the appointment would be made during a special session within 14 days following the interviews.

ADJOURNMENT

The meeting was adjourned at 8:33 p.m.

ORDINANCE 20-2013-14

AN ORDINANCE AMENDING THE 2013-2014 OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT BUDGET (ORDINANCE 85-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO CREATE A PROJECT OF \$104,004 TO INCLUDE THE 2012 CONTINUUM OF CARE PROGRAM GRANT

WHEREAS, the Office of Housing and Community of the City of Clarksville has been awarded funding from HUD through the Continuum of Care Program Grant; and

WHEREAS, the grant period is to be effective from May 17, 2013 to May 16, 2014.

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

That the following project be created with the Shelter + Care Fund:

84463003 4810 BV13	Subrecipient: Buffalo Valley 2013	Increase: \$104,004
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BE IT FURTHER ORDAINED:

That the following Shelter + Care Revenue be budgeted:

8446300 33150	Grant Revenue	Increase: \$104,004
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FIRST READING:

SECOND READING:

EFFECTIVE DATE:

OFFICE OF HOUSING

+ COMMUNITY DEVELOPMENT



MEMORANDUM

FOR: Clarksville Finance Committee

FROM: Office of  Housing and Community Development

RE: Shelter + Care Grant

DATE: September 16, 2013

The City of Clarksville has been awarded funding for the Shelter + Care grant through the 2012 Continuum of Care Program. The funding amount for this grant was unknown at the time the budget was passed by the City Council. As such we are requesting an amendment to the Housing and Community Development budget to add the funding for this grant. Attached is a copy of the ordinance that we would like to present to the City Council, as well as the grant agreements with HUD.

On Wednesday September 11, 2013, the Community Development Committee met and voted 3-0 in favor of forwarding the request to the finance committee.

Should you have any further questions or concerns please feel free to contact our office.

Attachments: three (3)

ORDINANCE _____

AN ORDINANCE AMENDING THE 2013-2014 OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT BUDGET (ORDINANCE 85-2012-13) TO INCLUDE THE 2012 CONTINUUM OF CARE PROGRAM GRANT

WHEREAS, the Office of Housing and Community of the City of Clarksville has been awarded funding from HUD through the Continuum of Care Program Grant, and;

WHEREAS, The grant period is to be effective from May 17, 2013 to May 16, 2014;

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

That the 2013-2014 Office of Housing and Community Development Budget and Program of expenditures is hereby amended to include \$104,004 for the 2012 Continuum of Care Program Grant.

ATTEST:

City Clerk

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Project Name: TN-503 – REN -2012 S+C Clarksville
Tax ID #: 62-6000261
Project Location: Scattered site
Grant Number: TN0113L4J031204
DUNS #: 001204275

RECEIVED IN CPD

SEP 03 2013

KNOXVILLE, TN

AMENDMENT TO THE 2012 CONTINUUM OF CARE PROGRAM
GRANT AGREEMENT

This Amendment to Grant Agreement is made by and between the United States Department of Housing and Urban Development (HUD) and the City of Clarksville, (the Recipient), of One Public Square, Clarksville, Tennessee.

RECITALS

1. HUD and the Recipient entered into a Grant Agreement dated July 23, 2013, having Grant No. TN0113L4J031204 (the Grant Agreement).
2. HUD's total funding obligation for the Grant Agreement was listed in Exhibit 1 of the Grant Agreement as \$104,068, but should not have been because the FMRs in the Continuum of Care in which Recipient's project is located decreased since the previous year.
3. The parties are desirous of amending the Grant Agreement to decrease HUD's total funding obligation for the Grant Agreement.

AGREEMENTS

The Grant Agreement is hereby amended by replacing paragraph 3 of Exhibit 1, Scope of Work for FY2012 Competition, with the following:

3. Recipient is not a Unified Funding Agency and was not the only Applicant the Continuum of Care designated to apply for and receive grant funds and is not the only Recipient for the Continuum of Care that designated it. HUD's total funding obligation for this grant is \$104,004 for project number TN0113L4J031204. In accordance with 24 CFR 578.105(b), Recipient is prohibited from moving more than 10% from one budget line item in a project's approved budget to another without a written amendment to this Agreement. The obligation for this project shall be allocated as follows:

- | | |
|----------------------|----------|
| a. Rental Assistance | \$97,200 |
| b. Administration | \$ 6,804 |

This Amendment to Grant Agreement constitutes the entire agreement of the parties as to amendment of the Grant Agreement and will become effective only upon the execution hereof by all parties. The remaining terms of the Grant Agreement remain in full force and effect.

The parties, on the dates set forth below their respective signatures, hereby execute this Amendment to Grant Agreement, as follows:

UNITED STATES OF AMERICA
Department of Housing and Urban Development
By: The Secretary

By: Mary C Wilson
(Signature)

Director CPD
(Title)

9/03/2013
(Date)

RECIPIENT

By: Kim McMillan
(Authorized signatory)

Kim McMillan, Mayor
(Type in name of authorized signatory)

8/26/13
(Date)

Grant Number: TN0113L4J031204
Project Name: TN-503 - REN - 2012 S+C Clarksville
Total Award Amount: \$104,068
Number of Units: 15
Component: SRA
Recipient: City of Clarksville
Contact Person and Title: Keith Lampkin
Telephone Number: (931) 648-6133
Fax Number: (931) 503-3092
E-mail Address: keith.lampkin@cityofclarksville.com
EIN/Tax ID Number: 62-6000261
DUNS Number: 001204275
Effective Date: May 17, 2013
Project Location(s): Scattered site

RECEIVED IN CPD
JUL 23 2013
KNOXVILLE, TN
HUD OFFICE

2012 CONTINUUM OF CARE PROGRAM GRANT AGREEMENT

This Grant Agreement ("this Agreement") is made by and between the United States Department of Housing and Urban Development ("HUD") and (the "Recipient").

This Agreement is governed by title IV of the McKinney-Vento Homeless Assistance Act 42 U.S.C. 11301 et seq. (the "Act") and the Continuum of Care Program regulation (the "Regulation").

The terms "Grant " or "Grant Funds" mean the funds that are provided under this Agreement. The term "Application" means the application submissions on the basis of which the Grant was approved by HUD, including the certifications, assurances, and any information or documentation required to meet any grant award condition. All other terms shall have the meanings given in the Regulation.

The Application is incorporated herein as part of this Agreement, except that only the project listed, and only in the amount listed on the Scope of Work, is funded by this Agreement. In the event of any conflict between any application provision and any provision contained in this Agreement, this Agreement shall control.

Exhibit 1, the FY2012 Scope of Work, is attached hereto and made a part hereof. If appropriations are available for Continuum of Care grants; and if Recipient applies under a Notice of Funds Availability published by HUD; and, if pursuant to the selection criteria in the Notice of Funds Availability, HUD selects Recipient and the project for renewal, then additional exhibits may be attached to this Agreement. Those additional exhibits, when attached, will also become a part hereof.

The effective date of the Agreement shall be the date of execution by HUD and it is the date use of funds under this Agreement may begin. If the project funded by this Agreement is a new project, Recipient and HUD will set an operating start date in LOCCS for the project, which will be used to track expenditures and to determine when the project is eligible for renewal. If this Agreement renews funding for a project, the term of this Agreement shall begin at the end of the Recipient's final operating year for the grant being renewed, and eligible costs incurred

for the project between the end of Recipient's final operating year under the grant being renewed and the execution of this Agreement may be paid with funds from the first operating year of this Agreement.

This Agreement shall remain in effect until termination either 1) by agreement of the parties; 2) by HUD alone, acting under the authority of 24 CFR 578.107; or 3) upon expiration of the final operating year of the project funded under this Agreement.

Recipient agrees:

1. To ensure the operation of the project listed on the Scope of Work in accordance with the provisions of the Act and all requirements of the Regulation;
2. To monitor and report the progress of the project to the Continuum of Care and HUD;
3. To ensure, to the maximum extent practicable, that individuals and families experiencing homelessness are involved, through employment, provision of volunteer services, or otherwise, in constructing, rehabilitating, maintaining, and operating facilities for the project and in providing supportive services for the project;
4. To require certification from any subrecipient that:
 - a. Subrecipient will maintain the confidentiality of records pertaining to any individual or family that was provided family violence prevention or treatment services through the project;
 - b. The address or location of any family violence project assisted with grant funds will not be made public, except with written authorization of the person responsible for the operation of such project;
 - c. Subrecipient will establish policies and practices that are consistent with, and do not restrict, the exercise of rights provided by subtitle B of title VII of the Act and other laws relating to the provision of educational and related services to individuals and families experiencing homelessness;
 - d. In the case of a project that provides housing or services to families, that subrecipient will designate a staff person to be responsible for ensuring that children being served in the program are enrolled in school and connected to appropriate services in the community, including early childhood programs such as Head Start, part C of the Individuals with Disabilities Education Act, and programs authorized under subtitle B of title VII of the Act;
 - e. The subrecipient, its officers, and employees are not debarred or suspended from doing business with the Federal Government; and
 - f. Subrecipient will provide information, such as data and reports, as required by HUD; and
5. To establish such fiscal control and accounting procedures as may be necessary to assure the proper disbursement of, and accounting for grant funds in order to ensure that all financial transactions are conducted, and records maintained in accordance with generally accepted accounting principles, if the Recipient is a Unified Funding Agency;

6. To monitor subrecipient match and report on match to HUD;
7. To take the educational needs of children into account when families are placed in housing and will, to the maximum extent practicable, place families with children as close as possible to their school of origin so as not to disrupt such children's education;
8. To monitor subrecipient at least annually;
9. To use the centralized or coordinated assessment system established by the Continuum of Care as required by §578.7(a)(8). A victim service provider may choose not to use the Continuum of Care's centralized or coordinated assessment system, provided that victim service providers in the area use a centralized or coordinated assessment system that meets HUD's minimum requirements and the victim service provider uses that system instead;
10. To follow the written standards for providing Continuum of Care assistance developed by the Continuum of Care, including the minimum requirements set forth in §578.7(a)(9);
11. Enter into a subrecipient agreement requiring subrecipient to operate the project in accordance with the provisions of this Act and all requirements under 24 CFR 578; and
12. To comply with such other terms and conditions as HUD may have established in the applicable Notice of Funds Availability.

HUD notifications to the Recipient shall be to the address of the Recipient as stated in the Application, unless HUD is otherwise advised in writing. Recipient notifications to HUD shall be to the HUD Field Office executing the Agreement. No right, benefit, or advantage of the Recipient hereunder may be assigned without prior written approval of HUD.

The Agreement constitutes the entire agreement between the parties hereto, and may be amended only in writing executed by HUD and the Recipient.

By signing below, Recipients that are states and units of local government certify that they are following a current HUD approved CHAS (Consolidated Plan).

This agreement is hereby executed on behalf of the parties as follows:

UNITED STATES OF AMERICA,
Secretary of Housing and Urban Development

BY: Mary C. Wilson
(Signature)

Mary C. Wilson, Director CPD
(Typed Name and Title)

July 23, 2013
(Date)

RECIPIENT

City of Clarksville, Tennessee
(Name of Organization)

BY: Kim McMillan
(Signature of Authorized Official)

Kim McMillan
Mayor, City of Clarksville
(Typed Name and Title of Authorized Official)

7/17/13
(Date)

Grant Number: TN0113L4J031204
Project Name: TN-503 - REN - 2012 S+C Clarksville
Total Award Amount: \$104,068
Contact Person and Title: Keith Lampkin
Effective Date: May 17, 2013

EXHIBIT 1
SCOPE OF WORK for FY2012 COMPETITION

1. This Agreement is governed by the Continuum of Care program Interim Rule attached hereto and made a part hereof as Exhibit 1a. Upon publication for effect of a Final Rule for the Continuum of Care program, the Final Rule will govern this Agreement instead of the Interim Rule. The project listed on this Exhibit at 3., below, is also subject to the terms of the FY2012 Notice of Funds Availability.
2. The Continuum that designated Recipient to apply for grant funds is not a high-performing community.
3. Recipient is not a Unified Funding Agency and was not the only Applicant the Continuum of Care designated to apply for and receive grant funds and is not the only Recipient for the Continuum of Care that designated it. HUD's total funding obligation for this grant is **\$104,068** for project number **TN0113L4J031204**. In accordance with 24 CFR 578.105(b), Recipient is prohibited from moving more than 10% from one budget line item in a project's approved budget to another without a written amendment to this Agreement. The obligation for this project shall be allocated as follows:

a. CoC Planning cost	\$
b. Acquisition	\$
c. New construction	\$
d. Rehabilitation	\$
e. Leasing	\$
f. Rental assistance	\$97,200
g. Supportive services	\$
h. Operating costs	\$
i. HMIS	\$
j. Administration	\$ 6,868
4. No funds for new projects may be drawn down by Recipient until HUD has approved site control pursuant to §578.21 and §578.25 and no funds for renewal projects may be drawn down by Recipient before the end date of the project's final operating year under the grant that has been renewed.

ORDINANCE 21-2013-14

AN ORDINANCE AMENDING THE 2013-2014 OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT BUDGET (ORDINANCE 85-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE FUNDING TO THE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT FOR A CONSULTANT TO ASSIST IN PREPARING A CHOICE NEIGHBORHOODS PLANNING GRANT FOR FY 2014 OF \$30,000

WHEREAS, the Office of Housing and Community of the City of Clarksville would like to hire a consultant to assist in preparing a Choice Neighborhoods Planning Grant application and Transformation Plan, and;

WHEREAS, The cost estimate to hire the consultant is \$30,000, and;

WHEREAS, The Choice Neighborhoods Program supports locally driven strategies to address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation;

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

That the following General Fund account be amended:

10470003 4910	Transfers Out	Increase: \$30,000
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BE IT FURTHER ORDAINED:

That the following Community Outreach Fund accounts be amended:

8346300 39150	Transfers In	Increase: \$30,000
83463003 4330 GF13	Other Professional Services	Increase: \$30,000

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

MEMORANDUM

FOR: Clarksville Finance Committee

FROM:  Office of Housing and Community Development

RE: Choice Neighborhoods Planning Grant

DATE: September 12, 2013

Our office would like to hire a qualified consulting firm or individuals to help prepare a Choice Neighborhoods Planning grant for FY 2014. The cost estimate to hire a consultant is \$30,000.00. I am requesting that amount from the city general fund. I have attached an overview of the program and several examples of other cities planning projects.

On Wednesday September 11, 2013, the Community Development Committee met and voted 3-0 in favor of forwarding the request to the finance committee.

On Wednesday August 07, 2013 at the regularly scheduled Clarksville Housing Authority Board meeting, the board voted 6-1 to support our submission of the grant application.

Should you have any further questions or concerns please feel free to contact our office.

Attachments: two (2)

Choice Neighborhoods

Overview

The Choice Neighborhoods program supports locally driven strategies to address struggling neighborhoods with distressed public or HUD-assisted housing through a comprehensive approach to neighborhood transformation. Local leaders, residents, and stakeholders, such as public housing authorities, cities, schools, police, business owners, nonprofits, and private developers, come together to create and implement a plan that transforms distressed HUD housing and addresses the challenges in the surrounding neighborhood. The program is designed to catalyze critical improvements in neighborhood assets, including vacant property, housing, services, and schools.

Choice Neighborhoods is focused on three core goals:

- 1. Housing:** Replace distressed public and assisted housing with high-quality mixed-income housing that is well managed and responsive to the needs of the surrounding neighborhood;
- 2. People:** Improve educational outcomes and intergenerational mobility for youth with services and supports delivered directly to youth and their families; and
- 3. Neighborhood:** Create the conditions necessary for public and private reinvestment in distressed neighborhoods to offer the kinds of amenities and assets, including safety, good schools, and commercial activity, that are important to families' choices about their community.

To achieve these core goals, communities must develop a comprehensive neighborhood revitalization strategy, or Transformation Plan. This Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units, while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families. To successfully implement the Transformation Plan, applicants will need to work with public and private agencies, organizations (including philanthropic organizations), and individuals to gather and leverage resources needed to support the financial sustainability of the plan. These efforts should build community support for and involvement in the development of the plan. Implementation Grants support those communities that have undergone a comprehensive local planning process and are ready to implement their "Transformation Plan" to redevelop the neighborhood.

Planning Grants

Choice Neighborhoods Planning Grants support the development of comprehensive neighborhood revitalization plans, which focused on directing resources to address three core goals: Housing, People, and Neighborhoods. To achieve these core goals, communities must develop and implement a comprehensive neighborhood revitalization strategy, or Transformation Plan. The Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families.

The Clarksville Housing Authority was created in October 1941 within the City of Clarksville Tennessee. The Authority has two Asset Management Projects (AMPs) consisting currently of 508 conventional public housing units located at four sites within the City of Clarksville, Tennessee. All of Clarksville Housing's units were built prior to 1970 with 300 of them being built in the 1950's. The Clarksville Housing Authority has a resident population exceeding 1,230. There are approximately 300 female-headed households with children and 84 elderly households. Persons under eighteen (18) years of age represent 52% or (644) of residents. The average annual income is \$8,200.00.

The units are situated in a city, which due to its varied make-up has all the urban problems of a city much larger. There are 212 units in the Lincoln Homes AMP located directly behind Austin Peay State University, consisting of 10,000 students, a larger university campus.

Potential Planning Partners

- Montgomery County
- City of Clarksville
- Clarksville-Montgomery Schools
- Local and regional foundations/business
- Local non-profits
- Austin Peay State University

Census Tracts that include public housing

	Hsg		
	Vacancy	% unemployed	% unemployed
	Rate	w/less than high school	w/high school
1003	13.11	42.95	33.56
1004	19.79	9.78	20.65
1008	11.79	17.65	20.59
1009	29.77	34.39	26.11

CPD maps Consolidated Plan and Continuum of Care Planning Tool 2012; County vacancy rate 12.63

FY 2010 CHOICE NEIGHBORHOODS PLANNING GRANT AWARD INFORMATION

Jackson, Tennessee

Choice Neighborhoods Grantee: Jackson Housing Authority and Jackson Community Redevelopment

Agency

Target Public Housing Project: Allenton Heights

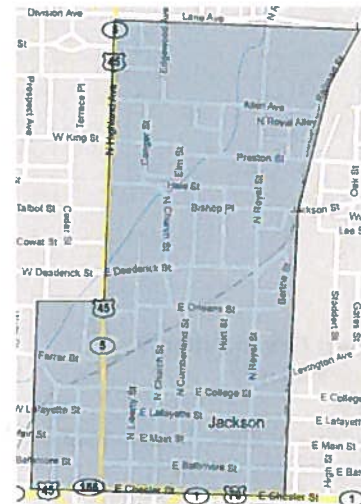
Target Neighborhood: Allenton Heights

Choice Neighborhoods Grant Award: \$167,000

Lead Applicant Contact Information: Mr. Winston Henning,

Executive Director; PH: 731.422.1671; FX: 731.425.4605;

whenning@jacksonha.com



Lead Applicant Organization Type: Public Housing Authority

Key Partners:

Looney Ricks Kiss (Planning Coordinator)

Jackson Police Department

Healthy Community, LLC

JHA Community Development

JMCSS Board of Education

Tennessee Housing Development Corporation

West Tennessee Healthcare

Jackson Madison County Schools

Project Summary:

The Jackson Housing Authority (JHA) and the Jackson Community Redevelopment Agency have partnered with Looney Ricks Kiss (a private developer that will serve as Planning Coordinator) to create a Transformation Plan targeting the Allenton Heights Redevelopment District, a neighborhood that includes the Allenton Heights public housing development, a dense, 100-unit townhouse development that suffers from mold, a lack of insulation, broken sidewalks, inadequate electrical service, insufficient heating/cooling systems and significant site erosion. More than 41 percent of the residents of Allenton are living in poverty and the neighborhood crime rate is over twice the rate of the city as a whole. The JHA is working to improve the neighborhood, since 2003 it has completed four mixed-finance transactions and developed a homeownership initiative in the Jackson area, but improvements are still needed in the targeted neighborhood. The Transformation Planning process will bring together a diverse set of actors including the police department, the board of education, a healthcare provider, and others to assess the neighborhoods' current strengths and weaknesses and develop a plan for improving resident education, employment, health, mobility and safety outcomes. Proposed planning activities include a community needs assessment design workshops, development of replace housing and surveys designed to help improve resident health.

FY2012 CHOICE NEIGHBORHOODS PLANNING GRANT AWARD INFORMATION

Kingsport, TN

Choice Neighborhoods Lead Grantee: Kingsport Housing and Redevelopment Authority

Target Public Housing Project: Robert E. Lee Apartments

Target Neighborhood: Midtown

Choice Neighborhoods Grant Amount: \$300,000



Key Partners:

Urban Collage (Planning Coordinator), City of Kingsport, Greater Kingsport Alliance for Development, Eastern Eight Community Development, Northeast State Community College, Kingsport Boys and Girls Club, Literacy Council of Kingsport, Operation Breakthrough (Head Start), Rural Health Services Consortium, Frontier Health, City of Kingsport Police and Fire Department, Employability Training & Consulting Services, Alliance for Business & Training, Sullivan County Department of Human Services, Eastman Chemical, Domtar, City of Kingsport Economic Development, Kingsport Chamber of Commerce, Kingsport Tomorrow, South Central Kingsport Community Development Corporation, Kingsport Area Transport Service, Wellmont's Holston Valley Medical Center, The Fresh Start Foundation, and United Way of Greater Kingsport.

Project Summary:

In the early 20th century, Midtown Kingsport was a center of the paper products, publishing, textiles, chemicals, glass and cement manufacturing sectors and a regional employment magnet. However, Kingsport could not escape the inner city and downtown deterioration that began in the 1970s and occurred throughout the U.S. as businesses fled the downtown area for the suburbs. Crime and drugs moved in and accelerated the exodus of families outside the city. Living conditions in the Midtown neighborhood spiraled downward the neighborhood became a center for criminal activity. Today, many of the residential and commercial structures are deteriorated. The poverty rate is 40.02 percent and the long-term vacancy rate is 17.88 percent. Lee Apartments' 128 public housing units are highly concentrated and the most distressed housing in the neighborhood.

However, the Midtown neighborhood includes the historic downtown area, where major public and private investments are planned and underway. The Choice Neighborhoods initiative in Kingsport, led by the Kingsport Housing and Redevelopment Authority and Urban Collage as the planning coordinator, will leverage and build upon these existing plans and investments. A stakeholder steering committee will guide planning activities. Focus groups will be formed around critical issues such as health, education, and safety. KHRA, Urban Collage, the stakeholder steering committee and the focus groups will design, administer and implement a four-part transformation planning process over the 24-month grant planning.

period. An independent monitoring and evaluation entity will track progress. The resulting Transformation Plan will provide a roadmap for the revitalization of Midtown with the following objectives: increased access to educational opportunities and training to prepare neighborhood residents for well-paying jobs; access to improved education; shopping and employment; transportation, parks and recreation; housing and neighborhood improvements; and public safety to attract new residents who want to live closer to their employment.

ORDINANCE 23-2013-14

AN ORDINANCE AMENDING THE 2013-14 GENERAL FUND BUDGET AND CAPITAL PROJECTS BUDGET (ORDINANCE 91-2012-13) TO INCREASE FUNDING OF CAPITAL PROJECTS BUDGET IN THE AMOUNT OF \$225,000.00, AND AUTHORIZING PURCHASE OF WATERWORKS BUILDING PROPERTY LOCATED AT 808 SOUTH RIVERSIDE DRIVE FROM G & S CORPORATION

WHEREAS, certain real property known as the Waterworks Building property, located at 808 South Riverside Drive, Clarksville, TN and identified more particularly in Exhibit A attached hereto (hereinafter, the “Property”), lies upon the bank of the Cumberland River and is available for purchase from the owner, G & S Corporation;

WHEREAS, the United States Army Corps of Engineers has announced a project whereby it will stabilize land lying along the Cumberland River bank area;

WHEREAS, in order for the Corps to include the Property as a part of the bank stabilization project, the City of Clarksville must own the Property;

WHEREAS, the City of Clarksville seeks to purchase the Property from G & S Corporation for the purchase price of \$200,000.00, subject to an acceptable environmental report and appraisal; and

WHEREAS, the City estimates the total amount of costs relating to the purchase of the Property to be \$225,000.00, which includes the purchase price, appraisal, survey, environmental study **and other closing costs.**

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

That the following Budget Amendments be made:

Capital Project:

Property Purchase	404100004-4410	Increase:	\$225,000
Transfer from General Fund	4041000-39150	Increase:	\$225,000

General Fund:

Transfer to Capital Projects	10470003-4914	Increase:	\$225,000
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BE IT FURTHER ORDAINED that the source of funding for this \$225,000 shall be from the fund balance of the General Fund.

BE IT FURTHER ORDAINED that the Clarksville City Council hereby authorizes the purchase of the Waterworks Building property, located at 808 South Riverside Drive, Clarksville, TN and more fully described in Exhibit A attached hereto, from G & S Corporation for total sum of \$225,000.00, which includes the purchase price, appraisal, survey, environmental study **and other closing costs.**

Mayor

ATTEST:

City Clerk

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 17-2013-14

A RESOLUTION AUTHORIZING THE CITY OF CLARKSVILLE TO TRANSITION FROM A FULLY-INSURED HEALTH AND VISION BENEFITS PLAN TO A SELF-INSURED HEALTH AND VISION BENEFITS PLAN

- WHEREAS*, the City of Clarksville is fully-insured, maintaining its employee health and vision benefits plan through an independent insurance carrier;
- WHEREAS*, the City has, through a request for proposals and through insurance data analysis, evaluated the possibility and effects of transitioning from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan; and
- WHEREAS*, the City has determined that, due to the advantages arising from such a plan, it is in the City's best interests to transition to a self-insured health and vision benefits plan.

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

That the Clarksville City Council hereby authorizes the City of Clarksville to transition from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan.

ADOPTED:

**2013-2014
City of Clarksville
Summary**

Third Party Administrator		Meritain Health
\$75,000 Specific Stop Loss		YES
TOTAL ANNUAL TPA COST:		\$250,262
Specific Stop Loss Annual Premium:Medical/Rx		\$1,047,883
Aggregate Annual Premium:Medical		\$16,852
Three Year Rate Guarantee:		TPA-Yes for 2 years; 7% Cap in 3rd year; Others- No
Rates Firm/ No Lasers		Yes/No Lasers
TOTAL ANNUAL FIXED COST:		\$1,314,997
Maximum Annual Aggregate Cap:		\$6,963,457
TOTAL ANNUAL FULLY-FUNDED COST:		\$8,278,454
TOTAL ANNUAL FIXED COST:		\$1,314,997
Expected Claims with a 7% Trend:		\$6,284,856
TOTAL ANNUAL COST With Expected Claims plus 7%:		\$7,599,853
Estimated Current Premium Cost for 2013:		\$8,335,241
2014 Renewal IF an 8% increase:		\$9,002,060
Estimate to be Retained by Aetna 2014:		\$2,717,205
Re-Insurance Company:		Aetna
A.M. Best Rating:		A+
Utilization Review Company:		AHH
Preferred Provider Network for TN:		Aetna Choice POS II
Disruption:		None
<u>Medical Plan Claims Re-Pricing Summary from Third Party Actuary</u>		
	Total Claims:	Net Re-Price Claims:
Baseline Claims Data - Current Plan	\$15,424,648	\$5,873,697
Meritain/ Aetna	\$15,424,648	\$5,782,293
North American Administrators - CIGNA	\$15,424,648	\$6,197,488
North American Administrators - PHCS	\$17,536,072	\$11,306,563
Health Care Solutions - CIGNA	\$15,424,648	\$6,197,488
MSC Insurance Agency/CoreSource/CIGNA	\$15,424,648	\$6,197,488
<u>Aetna Statistics 2011-2012</u>		
Premium paid by City 2011:	\$7,879,048.49	
Claims processed by Aetna 2011:	\$6,110,144.00	
Surplus retained by Aetna	\$1,768,904.49	
Premium paid by City 2012:	\$8,014,654.93	
Claims processed by Aetna 2012:	\$5,508,322.00	
Surplus retained by Aetna	\$2,506,332.93	

ORDINANCE 24-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE PERTAINING TO THE FILLING OF VACANCIES ON THE CITY COUNCIL OTHER THAN THE MAYOR

WHEREAS, the City Council finds it to be in the best interest of the City of Clarksville to establish and codify a process for the filling of a vacancy occurring on the City Council, other than for the office of Mayor as addressed elsewhere.

NOW, THEREFOR BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE:

1. That the Official Code of the City of Clarksville, Tennessee, Title 1 (Administration, Officers, and Personnel), Chapter 2 (City Council), Section 1-210 (Procedure to fill vacancy in office of city council), is hereby amended by deleting the current language of said section entirely and substituting therefore the following:

Section 1-210. Procedure to fill vacancy in office of City Council other than Mayor.

a. Candidates applying to fill a vacancy on the City Council, other than Mayor, shall be qualified in accordance with the Official Charter of the City of Clarksville and general state law.

b. The City Clerk shall publish notice of the vacancy, and within sixty (60) days of a vacancy occurring, all qualified applicants shall appear before the City Council at a regularly scheduled meeting to make known their intention to apply to fill the vacancy, and may make a brief statement to the City Council at such meeting concerning: the reasons for their desire to serve on the City Council, their background, education, training, employment, military service, volunteer work, and such other matters as may be appropriate to an evaluation of their application, and may answer questions from City Council members.

c. Within fourteen (14) days of the regularly scheduled meeting of the City Council at which applicants appear to make known their intention to apply for the vacancy, the Mayor, or Mayor Pro Tem in the absence of the Mayor, shall hold a special called meeting of the City Council for the purpose of appointing an applicant to fill the unexpired term of the City Council member whose office is vacant. Only those applicants who appeared at the previous regularly scheduled meeting and made known their intention to apply to fill the vacancy may be considered at the special called meeting for voting on the appointment.

d. During the special called meeting of the City Council, the following voting procedure shall be used to appoint an applicant to fill the unexpired term of the City Council member whose office is vacant:

(1) The appointed applicant shall be appointed only upon receiving a majority vote of the entire membership of the City Council.

(2) Each applicant's name shall be announced by the City Clerk, and thereafter each City Council member may vote for only one applicant by roll call voice vote by stating the name of the applicant they vote for. If any applicant receives a majority vote or more of the entire membership of the City Council, that applicant shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(3) If no applicant receives a majority vote or more of the entire membership of the City Council during the first vote, then a second round of voting shall commence following the same procedure set forth above. At the conclusion of the second round of voting, any applicant who receives a majority vote or more of the entire membership of the City Council shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(4) If no applicant receives a majority vote or more of the entire membership of the City Council during the second vote, then a third round of voting shall commence. During the third round of voting, the City Council shall not consider and no member of the City Council may vote for the applicant having the lowest vote total during the preceding vote.

(a) If after the second round of voting, two or more applicants are tied with the lowest vote totals from the preceding vote, then a separate run-off vote shall first be conducted, prior to the third round vote, between only the tied applicants with the lowest vote totals from the preceding second round vote, or between all applicants if all applicants received an equal number of votes. During this separate run-off vote, all City Council members may vote, but only for one of the tied applicants, except for the Mayor, or the Mayor Pro Tem in the absence of the Mayor, who shall not have a vote in the run-off vote. The applicant with the highest total number of votes in the run-off vote shall continue to the third round of voting for consideration by the City Council. In case of a tie vote during the run-off vote, the Mayor, or the Mayor Pro Tem in the absence of the Mayor, shall break the tie by selecting from among those tied which applicant shall continue to the third round of voting by the City Council.

(b) At the conclusion of the third round of voting, any applicant who receives a majority vote or more of the entire membership of the City Council shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(5) Subsequent voting rounds, to include run-off votes, if necessary, shall be conducted in accordance with the provisions above until such time as an applicant shall have received a majority vote of the entire membership of the City Council.

e. Upon approval and appointment by the City Council, the applicant shall immediately thereafter be sworn by the Mayor, or Mayor Pro Tem in the absence of the Mayor, and shall take their seat and hold office thereafter filling the unexpired term of the vacant member.

2. This ordinance shall be effective immediately upon passage by the City Council.

FIRST READING: September 26, 2013

SECOND READING:

EFFECTIVE DATE: