



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
OCTOBER 31, 2013, 4:30 P.M.**

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

AGENDA

1) PLANNING COMMISSION

PUBLIC HEARING

1. **ORDINANCE 32-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jannette Schutz for zone change on property at East Old Ashland City Road & Windham Drive from R-5 Residential District to R-1 Single Family Residential District (RPC: Approval/Approval)
2. **RESOLUTION 20-2013-14** Approving abandonment of property at Bellshire Drive & Bellshire Court; request of Goad Construction/Ronnie Goad (RPC: Approval/Approval)

2) CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 21-2013-14** (Second Reading) Amending the FY14 Community Development Budget for consulting fees for the Choice Neighborhoods Program
2. **ORDINANCE 22-2013-14** (Second Reading) Amending the Zoning Ordinance and City Code establishing the R-6 Single Family Residential District
3. **ORDINANCE 25-2013-14** (Second 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

4. **ORDINANCE 26-2013-14** (Second 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
5. Approval of Minutes: September 26, October 3, October 10, October 14
6. Approval of board appointments:

Two Rivers Company: Geno Grubbs (reappointment) – November 2013 through October 2016

3) COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

5) FINANCE COMMITTEE
Joel Wallace, Chair

6) GAS & WATER COMMITTEE
Jeff Burkhart, Chair

1. **ORDINANCE 28-2013-14** (First Reading) Amending the Official Code relative to waiver of Gas-Water-Sewer fees (*Gas & Water Committee meets Oct. 31*)

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

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

1. **ORDINANCE 29-2013-14** (First Reading) Amending the FY14 Clarksville Fire & Rescue budget for Station 1 concrete repair (*Public Safety meets Oct. 31*)
2. **ORDINANCE 30-2013-14** (First Reading) Amending the FY14 Clarksville Fire & Rescue budget for generators (*Public Safety meets Oct. 31*)

9) STREET COMMITTEE
James Lewis, Chair

10) TRANSPORTATION COMMITTEE

Marc Harris, Chair

11) NEW BUSINESS

1. **ORDINANCE 33-2013-14** (First Reading) Amending the Official Code relative to the Director of Finance's performance bond (*Councilman Wallace*)

12) MAYOR AND STAFF REPORTS

13) ADJOURNMENT

14) PUBLIC COMMENTS

ORDINANCE 32-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JANNETTE SCHUTZ FOR ZONE CHANGE ON PROPERTY AT EAST OLD ASHLAND CITY ROAD & WINDHAM 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-5 Residential District, as R-1 Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin found in the North Right of Way of East Old Ashland City Road, said pin being located 100+/- feet west of Elk Drive and north of and adjacent to East Old Ashland City Road and being more particularly described as follows. Beginning at an iron pin found in the North Right of Way of East Old Ashland City Road, said pin being located North 41 degrees 40 minutes 48 seconds West for a distance of 73.1 feet from the intersection of the centerlines of elk Drive and East Old Ashland City Road. Thence with said north Right of way North 57 degrees 33 minutes 32 seconds West for a distance of 148.47 feet to an iron pin set at the base of a king post, said point being located at the southeast corner of the Stephen Turned property. Thence leaving said north right of way and with the east line of the turner property, north 19 degrees 04 minutes 32 seconds East for a distance of 418.26 feet to an iron pin fond at the Southeast corner of the Norma Jerles property being Lot # 1 of Rotary Hills Subdivision. Thence with said subdivision the following four courses; North 18 degrees 40 minutes 48 seconds East for a distance Of 232.42 feet to an iron pin found. Thence North 13 degrees 11 minutes 00 seconds East for a distance of 128.13 feet to an iron pin found. Thence North 01 degrees 43 minutes 28 seconds East for a distance of 146.34 feet to an iron pin found, Thence 00 degrees 51 minutes 56 seconds East for a distance Of 311.40 feet to an existing concrete monument at the Southwest corner of the Paul Jerles property. Thence leaving Rotary Hills Subdivision and with the south line of Jerles, South 61 degrees 55 minutes 29 seconds East for a distance of 1050.21 feet to an iron pi found in the west line of the Levi

Simpson property as recorded in ORBV 725, Page 2428 in said Register's Office. Thence with the west line of Simpson, South 04 degrees 43 minutes 59 seconds West for a distance of 881.74 feet to an iron pin found at the northeast corner of the Joseph Gregory property as recorded in ORBV 488, Page 520 in said Register's Office. Thence with the north line of Gregory, North 47 degrees 25 minutes 36 seconds West for a distance of 147.70 feet to an iron pin found at the northeast corner of the Thomas Jarrell property as recorded in ORBV 391, Page 2342 in said register's office. Thence with the north line of Jarrell, North 35 degrees 31 minutes 08 seconds West for a distance of 433.38 feet to an iron pin found. Thence continuing with Jarrell, North 76 degrees 25 minutes 21 seconds West for a distance of 80.95 feet to an iron pin found at the northeast corner of the Secretary of Veteran Affairs property as recorded in ORBV 850, Page 1150 in said register's office. Thence with the Secretary of Veterans Affairs property the following three courses; North 76 degrees 11 minutes 44 seconds West for a distance of 232.19 feet to an iron pin found. Thence North 61 degrees 18 minutes 30 seconds West for a distance of 163.81 feet to an iron pin found. Thence N South 18 degrees 23 minutes 21 seconds West for a distance of 537.68 feet to the point of beginning. (Tax Map 88 Parcel 015.00)

RESOLUTION 20-2013-14

A RESOLUTION APPROVING THE ABANDONMENT OF BELLSHIRE COURT, LOCATED SOUTH OF BELLSHIRE DRIVE; REQUEST OF GOAD CONTRUCTION

WHEREAS, application was made by Goad Construction(Ronnie Goad, agent) for abandonment of Bellshire Court; located south of Bellshire Drive; being approximately 50 +/- feet wide and 118.5 +/- feet long, containing approximately 5,914 +/- sq. ft., shown on Montgomery County tax map 81-G, group H, between parcels 10.00 and 11.00; also shown on the attachments; and

WHEREAS, the application was reviewed according to established procedures by the Regional Planning Commission on October 30th, 2013, and was recommended for approval to the Clarksville City Council, with retention of an easement for storm water and surface drainage, and for public utilities, and construction of the temporary turnaround at the eastern end of Bellshire Drive (as shown on the recorded plat, Bellshire section D);

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

That the above-described portion of a public alleyway is hereby abandoned, with retention of an easement for storm water and surface drainage, and for public utilities and construction of the temporary turnaround at the eastern end of Bellshire Drive (as shown on the recorded plat, Bellshire section D).

Mayor

ATTEST:

City Clerk

PUBLIC HEARING:
ADOPTED:

Property Description
Bellshire Court

Being a tract of land located in the Eleventh Civil District of Montgomery County, Tennessee, said tract being located 125 feet west of the east terminus of Bellshire Drive and south of and adjacent to Bellshire Drive and being more particularly described as follows.

Beginning at an iron pin found, said pin being located at the southeast corner of Lot 90 of Bellshire Section D, said pin also being located at the south terminus of the west right of way of the existing Bellshire Court.

Thence with said west right of way, North 03 degrees 36 minutes 23 seconds East for a distance of 87.14 feet to an iron pin found.

Thence continuing with said west right of way on a curve to the left, said curve having a radius of 25.00 feet, and arc length of 39.05 feet, a chord bearing of North 41 degrees 08 minutes 27 seconds West, and a chord distance of 35.20 feet to an iron pin found in the south right of way of Bellshire Drive.

Thence with said south right of way on a curve to the left, said curve having a radius of 200.00 feet, an arc length of 91.50 feet, a chord bearing of South 87 degrees 11 minutes 55 seconds East, and a chord distance of 91.50 feet to an point.

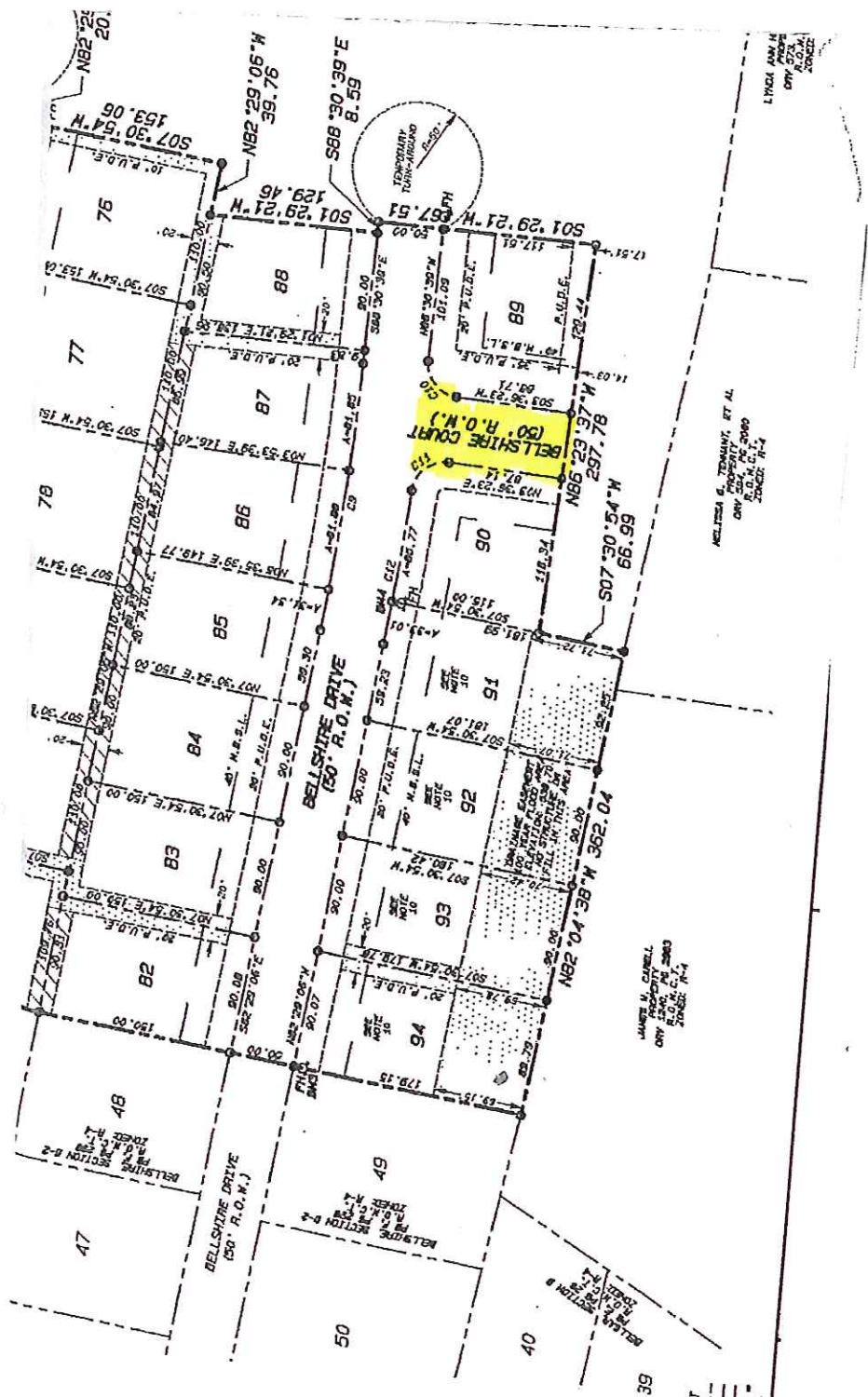
Thence continuing with said south right of way, South 88 degrees 30 minutes 39 seconds East for a distance of 7.37 feet to an iron pin found.

Thence with the existing east right of way of Bellshire Court, on another curve to the left, said curve having a radius of 25.00 feet, an arc length of 38.35 feet, a chord bearing of South 47 degrees 32 minutes 52 seconds West, and a chord distance of 34.70 feet to an iron pin found.

Thence continuing with said east right of way, South 03 degrees 36 minutes 23 seconds West for a distance of 88.71 feet to an iron pin found, said pin being located at the southeast terminus of Bellshire Court.

Thence with the south terminus of Bellshire Court, North 86 degrees 23 minutes 37 seconds West for a distance of 50.00 feet to the point of beginning.

Subject tract contains 5914 square feet more or less.



CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: November 7, 2013. The public hearing will be held on: November 7, 2013.

CITY ORD. #: 32-2013-14 RPC CASE NUMBER: Z-19-2013

Applicant: R C PROPERTIES

Agent: Jannette Schutz

Location: On the north side of East Old Ashland City Road 350+/- feet south east of the East Old Ashland City Road & Windham Drive intersection.

Ward #: 9 / 7

Request: R-5 Residential District
 to
 R-1 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 10/30/2013

CASE NUMBER: Z - 19 - 2013

NAME OF APPLICANT: R.C

Properties

AGENT: Jannette

Schutz

GENERAL INFORMATION

PRESENT ZONING: R-5

PROPOSED ZONING: R-1

EXTENSION OF ZONE

CLASSIFICATION: YES

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

**PROPERTY LOCATION: On the north side of East Old Ashland City Road 350+/- feet south east of the
East Old Ashland City Road & Windham Drive intersection.**

ACREAGE TO BE REZONED: 17.59

**DESCRIPTION OF PROPERTY Wooded parcel with varying steep topography. Surrounded by R-1 Single Family
AND SURROUNDING USES: Residential**

GROWTH PLAN AREA:

CITY TAX PLAT: 088

PARCEL(S): 015.00

CIVIL DISTRICT: 11

CITY COUNCIL WARD: 9//7

COUNTY COMMISSION DISTRICT: 20

PREVIOUS ZONING HISTORY: Z-25-2010 R-1 to R-5

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

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.:

Drainage Will Need To Be Addressed During Development.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5. No Comment(s) Received

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6. No Comment(s) Received

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

6. FIRE DEPT/EMERGENCY MGT.:

7. Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8. No Comment(s) Received

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

8. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:

9. No Comment(s) Received

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

9. SCHOOL SYSTEM:

No Comment(s) Received

ELEMENTARY: EAST MONTGOMERY

MIDDLE SCHOOL: RICHVIEW

HIGH SCHOOL: CLARKSVILLE

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON Increased Traffic Light & Noise
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: EAST OLD ASHLAND CITY ROAD

DRAINAGE:

VARIES, PARCEL IS BISECTED BY A LARGE GULLY THAT RUNS FROM THE NORTHWEST CORNER TO THE SOUTHEAST CORNER OF THE PROPERTY.

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

31

ROAD MILES:

POPULATION:

83

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

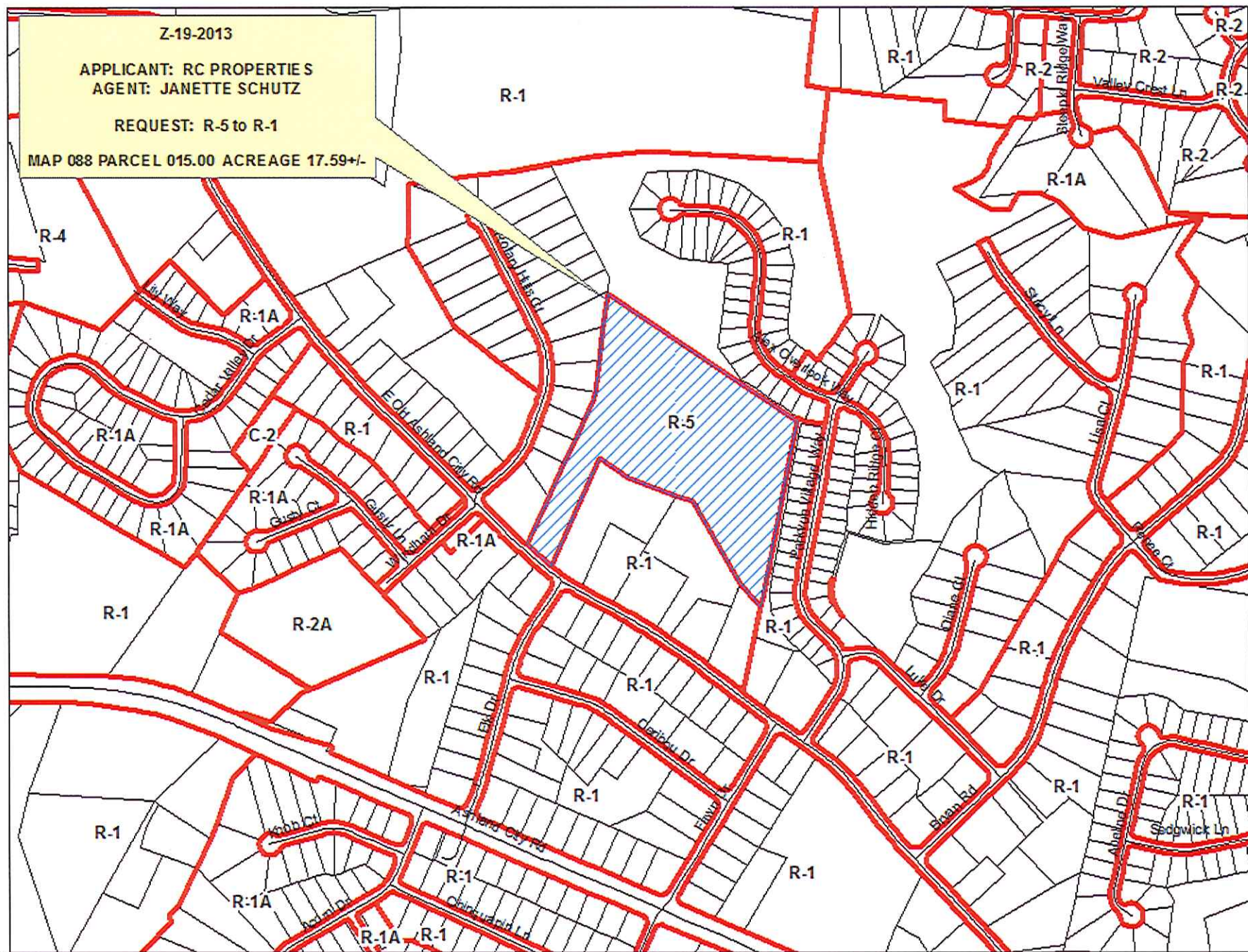
Sango Planning Area: Growth rate for this area is well above the overall county average

STAFF RECOMMENDATION: APPROVAL

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Single family residential is the predominant use in the area and R-1 zoning is in character with properties in the area that are also zoned R-1.
3. Adequate infrastructure serves the site.
4. No adverse environmental issues were identified relative to this request.
- 5.

APPLICANT: RC PROPERTIES
AGENT: JANETTE SCHUTZ

MAP 088 PARCEL 015.00 ACREAGE 17.59+/-



4

CASE NUMBER: Z 19 2013 MEETING DATE 10/30/2013

APPLICANT: R C Properties

PRESENT ZONING R-5 PROPOSED ZONING R-1

TAX PLAT # 088 PARCEL 015.00

GEN. LOCATION On the north side of East Old Ashland City Road 350+/- feet south east of the East
Old Ashland City Road & Windham Drive intersection.

PUBLIC COMMENTS

None received as of 10:45 a.m. on 10.30/2013 (jhb).

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: October 3, 2013

SECOND READING:

EFFECTIVE DATE:

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: October 3, 2013
FIRST READING: October 3, 2013
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: October 3, 2013

FIRST READING: October 3, 2013

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: October 3, 2013

FIRST READING: October 3, 2013

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)



CLARKSVILLE CITY COUNCIL SPECIAL SESSION SEPTEMBER 26, 2013

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, September 26, at 4:05 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

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

ATTENDANCE

PRESENT: 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: David Allen (8)

VACANT: Nick Steward (1) resigned September 5, 2013

WARD VACANCY

ORDINANCE 24-2013-14 (First Reading) Amending the Official Code pertaining to the filling of vacancies on the City Council other than the Mayor

Councilwoman McLaughlin made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. Mayor McMillan reviewed the proposed process for filling a vacancy on the City Council and noted an applicant must receive seven votes to secure an appointment. She said this process would apply to the vacant Ward 1 seat previously held by Nick Steward who resigned September 5, 2013.

The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ADJOURNMENT

The meeting was adjourned at 4:12 p.m.



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
OCTOBER 3, 2013**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, October 3, 2013, at 7:00 p.m. in City Council Chambers, 108 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilman Joel Wallace.

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), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

VACANT: Ward 1

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zoning amendments and zone changes. The motion was seconded by Councilman Redd. There was no objection.

ORDINANCE 22-2013-14 (First Reading) Amending the Zoning Ordinance and City Code establishing the R-6 Single Family Residential District

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

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

Jason Daugherty offered to answer questions on behalf of the applicant. There was no one present to express opposition.

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

Cal Gentry and Sam Gentry offered to answer questions. Roger Gardner said this change would create a potential for additional commercial uses in the immediate area. Kathy Schuler said sufficient opportunities for commercial businesses already existed along Wilma Rudolph Boulevard and Ted Crozier Sr. Boulevard.

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

ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 22-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. Councilwoman McLaughlin opposed allowing this use city-wide and made a motion to refer this ordinance back to the Regional Planning Commission and allow the R-6 zone only in the downtown area. The motion was seconded by Councilman Summers. The following vote was recorded:

AYE: Allen, Guzman, Jones, McLaughlin, Summers

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

The motion to refer this ordinance back to the RPC failed. Councilwoman McLaughlin made a motion to postpone action on this ordinance indefinitely. The motion was seconded by Councilman Summers. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, Summers

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

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

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

NAY: Allen, Guzman, Jones, McLaughlin, Summers

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 25-2013-14**. 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, Lewis, Redd, Summers, Wallace

NAY: Jones, McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 26-2013-14**. 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, Lewis, Redd, Wallace

NAY: Jones, McLaughlin, Summers

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

All items in this portion of the agenda are considered to be routine and non-controversial by the Council and may be approved by one motion; however, a member of the Council may request that an item be removed for separate consideration under the appropriate committee report:

1. **ORDINANCE 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 – October 2013 through June 2016

Councilman Wallace made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Redd. Councilwoman Jones, Councilman Harris, and Councilwoman Guzman voted “nay” on Item #5, **ORDINANCE 14-2013-14**. The following vote on the Consent Agenda, except as noted, was recorded:

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

The motion to adopt the Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said “Operation Serve” recently partnered with Housing & Community Development to assist eight local families with rehabilitation projects.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 20-2013-14 (First Reading) Amending the FY14 Community Development Budget to accept a Continuum of Care Program grant

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 Harris. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 21-2013-14 (First Reading) Amending the FY14 Community Development Budget for consulting fees for the Choice Neighborhoods Program

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 Summers. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 23-2013-14 (First Reading) Amending the FY14 Capital Projects Budget for purchase of property at 808 Riverside Drive

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Summers. Councilman Summers expressed appreciation to Mark Holleman and the current owners of this property for successful negotiations. Councilman Burkhart expressed his intention to abstain from voting on this ordinance because he had previously expressed interest in personally purchasing this property.

Councilman Allen made a motion to use \$325,000 currently budgeted for relocating the McGregor Park excursion boat dock for this purchase. The motion was seconded by Councilwoman McLaughlin. Councilman Allen, Councilwoman Jones, and Councilwoman McLaughlin felt the owners of the excursion boat should provide their own private dock. Councilwoman Guzman supported providing the excursion dock. Councilman Burkhart was concerned that the City had no planned use for the waterworks building. The following vote on the amendment was recorded:

AYE: Allen, Jones, McLaughlin, Summers

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

The amendment to use existing boat dock funds failed. The following vote on the original motion was recorded:

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

NAY: Redd

ABSTAIN: Burkhart

The motion to adopt this ordinance on first reading passed.

RESOLUTION 17-2013-14 Authorizing transition from a fully-insured health and vision benefits plan to a self-insured health and vision benefits plan

Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Harris. Councilwoman Jones objected to this transition due to lack of information and the Mayor's intent to proceed even without City Council authorization. The following vote was recorded:

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

NAY: Jones

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

No report.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

Councilman Redd invited the public to the annual downtown "Fright on Franklin" event scheduled for October 26th.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

Councilman Grubbs reported the following August department statistics: Building & Codes Enforcement Division – 331 cases; Building & Codes Abatement Division – 65 cases; Building & Codes Construction Division – 1,856 inspections; Clarksville Fire & Rescue – 834 emergency responses; Clarksville Police – 12,439 calls.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said the Street Department completed 283 work orders during the month of August.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris said Clarksville Transit System transported 64,043 passengers during the month of August, 13% less than August 2012. He said the Clarksville-Nashville Expressed transported an average of 230 passengers per day for the same month.

BOARD APPOINTMENT

Councilman Redd made a motion to consider an appointment to the Housing Authority. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to consider the appointment passed. Councilman Redd made a motion to approve the appointment of David Riggins to the Housing Authority, October 2013 through September 2018. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to approve the Housing Authority appointment passed.

WARD VACANCY

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

City Attorney Lance Baker requested a non-public session at 8:01 p.m. regarding this ordinance; there was no objection. The Council returned to regular session at 8:17 p.m.

Councilman Redd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Lewis offered an amendment to add language relative to members who had been elected prior to redistricting. The motion was seconded by Councilman Harris. The following vote was recorded:

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

ABSTAIN: Allen, Harris

The amendment passed. The following vote on the ordinance as amended was recorded:

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

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

WARD 1 APPLICANTS

Qualified applicants Michael Kip McNeill and John Leckrone addressed the City Council and expressed their interest in serving as the Ward 1 City Council member. Mayor McMillan said the selection would take place during a special session on October 10th.

MAYOR AND STAFF REPORTS

Mayor McMillan announced the Miss Tennessee and Miss Teen USA pageants were currently underway at Austin Peay State University.

ADJOURNMENT

The meeting was adjourned at 8:39 p.m.



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
OCTOBER 10, 2013**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, October 10, 2013, at 5:00 p.m. in City Council Chambers, 108 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), Bill Summers (10), Kaye Jones (11)

ABSENT: Jeff Burkhart (12)

VACANT: Ward 1

COMMUNITY DEVELOPMENT

ORDINANCE 20-2013-14 (Second Reading) Amending the FY14 Community Development Budget to accept a Continuum of Care Program grant

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

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

The motion to adopt this ordinance on second reading passed.

WARD 1 VACANCY

The City Clerk announced the following names of qualified individuals who expressed interest in filling the unexpired term of Ward 1 Councilman Nick Steward (resigned September 5, 2013) during the regular session on October 3rd:

John Leckrone
Michael K. McNeill

The following first round vote was recorded:

McLaughlin:	McNeill
Lewis:	McNeill
Redd:	McNeill
Guzman:	McNeill
Harris:	McNeill
Grubbs:	McNeill
Allen:	McNeill
Wallace:	McNeill
Summers:	McNeill
Jones:	McNeill
McMillan:	McNeill

Michael “Kip” McNeill received the required seven votes in accordance with the City Code. Mayor McMillan issued the Oath of Office to Councilman McNeill who would serve as the Ward 1 City Council representative effective immediately through December 31, 2014.

ADJOURNMENT

The meeting was adjourned at 5:08 p.m.



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
OCTOBER 14, 2013**

MINUTES

CALL TO ORDER

A special session of the City Council was called to order by Mayor Kim McMillan on Monday, October 14, 2013, at 5:00 p.m. in City Council Chambers, 108 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilman Wallace Redd.

ATTENDANCE

PRESENT: Kip McNeill (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Valerie Guzman (5), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11)

ABSENT: Wallace Redd (4), Marc Harris (6), Jeff Burkhart (12)

PURCHASE OF PROPERTY

ORDINANCE 23-2013-14 (Second Reading) Amending the FY14 Capital Projects Budget for purchase of property at 808 Riverside Drive

Councilwoman McLaughlin made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Grubbs. Councilman Lewis offered an amendment to add language to make this ordinance effective upon passage. The motion was seconded by Councilwoman McLaughlin. City Attorney Lance Baker said this was necessary because the property closing had been scheduled for October 16th which would be prior to a publication date. A voice vote was taken; the amendment passed without objection. The following vote on the original motion as amended was recorded:

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

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

MANUFACTURING COMPANY

RESOLUTION 18-2013-14 Supporting a local incentive for a major manufacturing company

Mr. Baker said the words “and the City of Clarksville” and “a promissory note” should be deleted from the fifth whereas clause. There was no objection. Councilman Grubbs made a motion to adopt this resolution as revised. The motion was seconded by Councilman Lewis.

Without objection, Industrial Development Board Director Mike Evans reviewed general information regarding the proposed development and said the first two phases would be a \$400,000,000 investment. Mr. Evans said in accordance with the Internal Sale Agreement between the City, Montgomery County, and the IDB, the City would receive 90% of the first \$10,000 per acre of industrial park land sold to the manufacturing company, or a total of \$2,951,487. He said Montgomery County would pay this amount to the City over a period of five years beginning in calendar year 2020.

Councilwoman McLaughlin called for the question; there was no objection to ceasing discussion. The following vote was recorded:

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

The motion to adopt this resolution passed.

RESOLUTION 19-2013-14 Approving an interlocal site location and development agreement for a major manufacturing company

Councilwoman McLaughlin made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. Councilwoman McLaughlin called for the question; there was no objection to ceasing discussion. The following vote was recorded:

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

The motion to adopt this resolution passed.

ADJOURNMENT

The meeting was adjourned at 5:16 p.m.

ORDINANCE 28-2013-14

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 13 (UTILITIES AND SERVICE), CHAPTER 3 (GAS, WATER, AND SEWER SERVICE) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE RELATIVE TO WAIVER OF UTILITY FEES

WHEREAS, the City Council has determined that it is appropriate to amend the Official Code of Ordinances of the City of Clarksville relative to waiver of utility fees.

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

(1) That Section 13-302, pertaining to “Waiver of fees, penalties and other charges,” is amended by adding subparagraph (3)

Section 13-302. Waiver of fees, penalties, and other charges.

(3) The General Manager of the Department of Gas and Water, or his designee(s) made in writing, shall have authority to make monetary adjustments to residential customer accounts, and to waive fees and penalties incurred by said customers, which are the result of the customer inadvertently and by whatever means, directing the application of a payment to an account other than the intended account. Provided however that said payment is in an amount sufficient to satisfy all amounts due on customer’s account and further provided that said customer has remained in good standing, to mean no late fees assessed, in the immediately preceding twelve month period. Request for an adjustment must be made within thirty days of the fee or penalty being applied to the account.

(2) That Section 13-312, "Water and sewer rates; basis for charges; surcharges," (2) "Basis for sewer charges," is hereby amended as follows:

Delete the paragraph in its entirety and substitute instead the following:

(2) Basis for sewer charges. The volume of water usage shall be the basis for sewer usage charges unless special metering is installed by the customer, with the prior approval of the Utility Department, to otherwise determine the volume of water that is being discharged to the sewer. The customer shall be responsible for the maintenance and accuracy of said meter. In the event of a discrepancy in the volume of wastewater metered by said device, the combined volume of potable water measured during the billing period shall be used as the basis for the sewer charges.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 29-2013-14

AN ORDINANCE AMENDING THE 2013-14 OPERATING BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE FIRE RESCUE TO INCREASE FUNDING IN THE AMOUNT OF \$17,000

WHEREAS, the concrete pad at Station One is in need of replacement; and

WHEREAS, the concrete pad replacement will be completed in conjunction with the sidewalk replacement along Eight Street; and

WHEREAS, the cost is estimated at \$17,000.

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

That the following Budget Amendments be made:

Fire Rescue Expenditures:

Construction Services	10422003-4450	Increase:	\$17,000
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BE IT FURTHER ORDAINED that the source of funding for this \$17,000 shall be from the fund balance of the General Fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 30-2013-14

AN ORDINANCE AMENDING THE 2013-14 OPERATING BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE FIRE RESCUE TO INCREASE FUNDING IN THE AMOUNT OF \$19,800

WHEREAS, Fire Rescue will relocate the generators at Fire Station 3, Station 4, and Station 5; and

WHEREAS, the cost to construct concrete pads and install the generators is estimated at \$19,800.

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

That the following Budget Amendments be made:

Fire Rescue Expenditures:

Construction Services	10422003-4450	Increase:	\$19,800
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BE IT FURTHER ORDAINED that the source of funding for this \$19,800 shall be from the fund balance of the General Fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 33-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE RELATIVE TO SETTING THE AMOUNT OF THE DIRECTOR OF FINANCE'S PERFORMANCE BOND

WHEREAS, the City Council finds that lowering the performance bond amount for the director of finance from one million dollars (\$1,000,000.00) to one hundred thousand dollars (\$100,000.00) as permitted by the City Charter, will save the City a substantial sum of money; and

WHEREAS, eliminating the requirement for the City to purchase performance bonds for other employees will save the City money, while insurance will adequately protect the City;

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

1. That the Official Code of the City of Clarksville, Tennessee, Title 1 (Administration, Officers, and Personnel), Chapter 5 (Director of Finance), Section 1-505 (Bond Fixed / Fidelity Insurance) is hereby amended by deleting the current language of said Section and substituting therefore the following:

Sec. 1-505. Bond fixed/fidelity insurance.

The amount of the director of finance's faithful performance bond or a fidelity insurance policy is hereby fixed at one hundred thousand dollars (\$100,000.00).

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

Sec. 1-505. Bond fixed/fidelity insurance.

The amount of the director of finance's faithful performance bond or a fidelity insurance policy is hereby fixed at one ~~million~~ hundred thousand dollars ~~(\$1,000,000.00)~~ (\$100,000.00) ~~or such other amount as may be prescribed by the city council. The amount of the deputy director of finance and/or the chief accountant's faithful performance bond or a fidelity insurance policy shall be fixed at five hundred thousand dollars (\$500,000.00) or such other amount as may be prescribed by the city council. Bonds/fidelity insurance limits for all persons handling cash shall not be less than twenty-five thousand dollars (\$25,000.00) each.~~

(Ord. No. 11-2009-10, § 1, 8-6-09)