CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
DECEMBER 3, 2013, 4:30 P.M.

COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE

AGENDA

1) PLANNING COMMISSION

PUBLIC HEARING

1. **ORDINANCE 38-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Regional Planning Commission for zone change at Highway 75 & Highway 41-A South, portions of Bellgar Subdivision and Bellshire Subdivision from R-4 Multiple Family Residential District to R-1A Single Family Residential District and R-2D Two Family Residential District *(RPC: Approval/Approval)*

2. **ORDINANCE 39-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David L. Merrill for zone change on property at Tiny Town Road & Tobacco Road from R-1A Single Family Residential District to C-2 General Commercial District *(RPC: Disapproval/Approval)*

3. **ORDINANCE 40-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jimmy Randolph for zone change on property at S.R. 374 & Evans Road from RM-1 Single Family Mobile Home Residential District to C-5 Highway & Arterial Commercial District *(RPC: Approval/Approval)*

2) CONSENT AGENDA

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

1. **ORDINANCE 28-2013-14** (Second Reading) Amending the Official Code relative to waiver of Gas-Water-Sewer fees

2. **ORDINANCE 29-2013-14** (Second Reading) Amending the FY14 Clarksville Fire & Rescue budget for Station 1 concrete repair

3. **ORDINANCE 30-2013-14** (Second Reading) Amending the FY14 Clarksville Fire & Rescue budget for generators

4. **ORDINANCE 32-2013-14** (Second 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

5. Approval of Minutes: November 7th

6. Approval of board appointments:

   Adjustments & Appeals: Fulton Wilson (replace Coy Baggett-term expired) – December 2013 through June 2017

   Audit Committee: Tim Hurst, Al Irby (reappointments) – January 2014 through December 2015

   Gas & Plumbing Board: Danny Alford (replace Bruce McGaha-term expired), Ted Roberts (replace Jeff Ransdell-term expired) – December 2013 through March 2016

   Board of Zoning Appeals: Mark Kelly – January 2014 through December 2014; Patty Kelly – January 2014 through December 2015; Reid Poland – January 2014 through December 2016; Bobby Powers – January 2014 through December 2017; Bill Powers – January 2014 through December 2018

3) COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

5) FINANCE COMMITTEE
Joel Wallace, Chair

1. **ORDINANCE 31-2013-14** (First Reading) Authorizing transfer of funds to create a new capital project for a new police north precinct *(Finance Committee: Approval)*

2. **ORDINANCE 36-2013-14** (First Reading) Accepting donation of property from Gordon Seay for Fire Station #11 *(Finance Committee: Approval)*

3. **ORDINANCE 37-2013-14** (First Reading) Amending the FY14 Information Technology budget for a video playback system and additional servers *(Finance Committee: Approval)*

6) GAS & WATER COMMITTEE
Jeff Burkhart, Chair

1. **ORDINANCE 34-2013-14** (First Reading) Amending the Official Code relative to backflow prevention testing fees and grease management inspection fees *(Gas & Committee: Approval)*

2. **ORDINANCE 35-2013-14** (First Reading) Authorizing exercise of right of eminent domain for acquisition of easements for the Main Lift Station Gravity Sewer Upgrade Project *(Gas & Water and Finance Committees: Approval)*

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

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

9) STREET COMMITTEE
James Lewis, Chair

10) TRANSPORTATION COMMITTEE
Marc Harris, Chair

11) NEW BUSINESS

1. **ORDINANCE 41-2013-14** (First Reading) Amending the FY14 Garage Operating Budget to transfer funds for purchase of a welder, air compressor motor, and oil separators *(Councilman Wallace)*

12) MAYOR AND STAFF REPORTS

13) ADJOURNMENT

14) PUBLIC COMMENTS

ORDINANCE 38-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PROPERTY IN BELLGAR SUBDIVISION AND BELLSHIRE SUBDIVISION

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, to R-1A Single Family Residential District and R-2D Two Family Residential District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Case Number Z-20-2013 "A" Application of the Regional Planning Commission for a zone change from R-4 (Multiple Family Residential District) to R-1A (Single Family Residential District) on properties located south of Highway 76 and north of Highway 41-A South (portions of Bellgar and Bellshire Subdivisions), 38.16 +/- acres, further identified as County Tax Map and Parcel (s):

081B-A 008.00 – 021.00
081B-B 020.00 – 027.00
081B-C 013.00 – 025.00
081C-A 001.00 – 005.00
081C-B 002.00 – 007.00
081G-C 009.00 - 015.00
081G-F 001.00– 015.00
081G-G 001.00 – 019.00
081G-H 001.00 – 010.00

Case Number Z-20-2013 "B" Application of the Regional Planning Commission for a zone change from R-4 (Multiple Family Residential District) to R-2D (Two Family Residential District) on properties located in the southwest corner of Ballygar Street and Ellsworth Drive intersection (portion of Bellgar Subdivision), 0.71 +/- acres, further identified as County Tax Map 081B-C, Parcels 026.00 and 027.00.

ORDINANCE 39-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF DAVID L. MERRILL FOR ZONE CHANGE ON PROPERTY AT TINY TOWN ROAD & TRENTON 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-1A Single Family Residential District, to C-2 General Commercial District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the southern ROW of Iris Lane, said point also being the northeast corner of the subject tract and the northwest corner of the Donald Warren property thence in a southerly direction with the Warren property line 258 +/- feet to a point said point being in the northern ROW of Tiny Town Rd. thence in a easterly direction 250 +/- feet to a point said point being in the eastern ROW of the Tiny Town Rd. and Tobacco Rd intersection. thence in a northern direction 195 +/- feet to a point said point being in the southern ROW of Iris Lane. at the intersection of Tobacco Rd and Iris Lane, thence in a easterly direction with the Iris Lane ROW 202 +/- feet to the point of beginning. containing 1.3 +/- acres (Tax Map 06-J-B Parcel 17.00)

ORDINANCE 40-2012-13

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JIMMY RANDOLPH FOR ZONE CHANGE ON PROPERTY AT SR 374 & EVANS 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 RM-1 Single Family Mobile Home Residential District to C-5 Highway & Arterial Commercial District.

PUBLIC HEARING:
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the western margin of Evans Rd., said iron pin being at the point where the proposed State Route 374 intersects Evans Rd, thence with the western margin of Evans Rd. South 14 degrees 42 minutes 35 seconds west 60.27 feet to an iron pin in the western margin of Evans Rd.; thence leaving the western margin of Evans Rd., north 78 degrees 29 minutes 11 seconds west 329.53 feet to an iron pin; thence north 07 degrees 35 minutes 54 seconds east 40.03 feet to an iron pin; thence south 86 degrees 16 minutes 00 seconds east 206.27 feet to an iron pin; thence south 75 degrees o8 minutes o3 seconds east 131.48 feet to the point of beginning, containing 0.45 +/- acres. (Tax Map 029-M-A Parcel 27.00)

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on December 5, 2013. The public hearing will be held on: December 5, 2013.

CITY ORD. #: 38-2013-14 RPC CASE NUMBER: Z-20-2013
Applicant: REGIONAL PLANNING COMMISSION
Location: Request is south of Highway 76 and north of Highway 41-A South (portions of Bellgar and Bellshire Subdivisions),
Ward #: 10
Request: R-4 Multiple-Family Residential District
to
R-1A Single-Family Residential District / R-2D Two-Family Residential District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CITY ORD. #: 39-2013-14 RPC CASE NUMBER: Z-21-2013
Applicant: DAVID L. MERRILL
Location: Property located in the northeast quadrant of the Tiny Town Rd. and Tobacco Rd. intersection.
Ward #: 8/1
Request: R-1A Single-Family Residential District
to
C-2 General Commercial District

STAFF RECOMMENDATION: DISAPPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CITY ORD. #: 40-2013-14 RPC CASE NUMBER: Z-22-2013
Applicant: JIMMY RANDOLPH
Location: Property located in the southwest quadrant of the State Route 374 and Evans Rd. intersection.
Ward #: 3
Request: RM-1 Single Family Mobile Home Residential District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 11/26/2013 **CASE NUMBER:** Z - 20 - 2013

NAME OF APPLICANT: Regional Planning Commission

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-4

PROPOSED ZONING: R-1A R-2D

EXTENSION OF ZONE CLASSIFICATION: (Yes - R-1a To The North) (R-2d - No)

APPLICANT'S STATEMENT FOR PROPOSED USE: Bring non-conforming zoning into compliance (due to new R-4 regulations).

PROPERTY LOCATION: Request is south of Highway 76 and north of Highway 41-A South (portions of Bellgar and Bellshire Subdivisions).

ACREAGE TO BE REZONED: 38.33

DESCRIPTION OF PROPERTY AND SURROUNDING USES: R-1A request is composed of Single Family Residential properties. (R-1A North, C-3/C-5 West, R-4 South & East,
R-2D request is composed of 2 duplexes.

GROWTH PLAN AREA: CITY **TAX PLAT:** See attached **PARCEL(S):** See Attached

CIVIL DISTRICT: 11th

CITY COUNCIL WARD: 10 **COUNTY COMMISSION DISTRICT:** 20

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 DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ Other...

1.

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: Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS: Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC: No Comment(s) Received

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

6. FIRE DEPT/EMERGENCY MGT.: Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE: Comments Received From Department And They Had No Concerns.

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT: No Comment(s) Received

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY: BARKSDALE
MIDDLE SCHOOL: RICHVIEW
HIGH SCHOOL: CLARKSVILLE

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS: 11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY:

DRAINAGE: VARIES

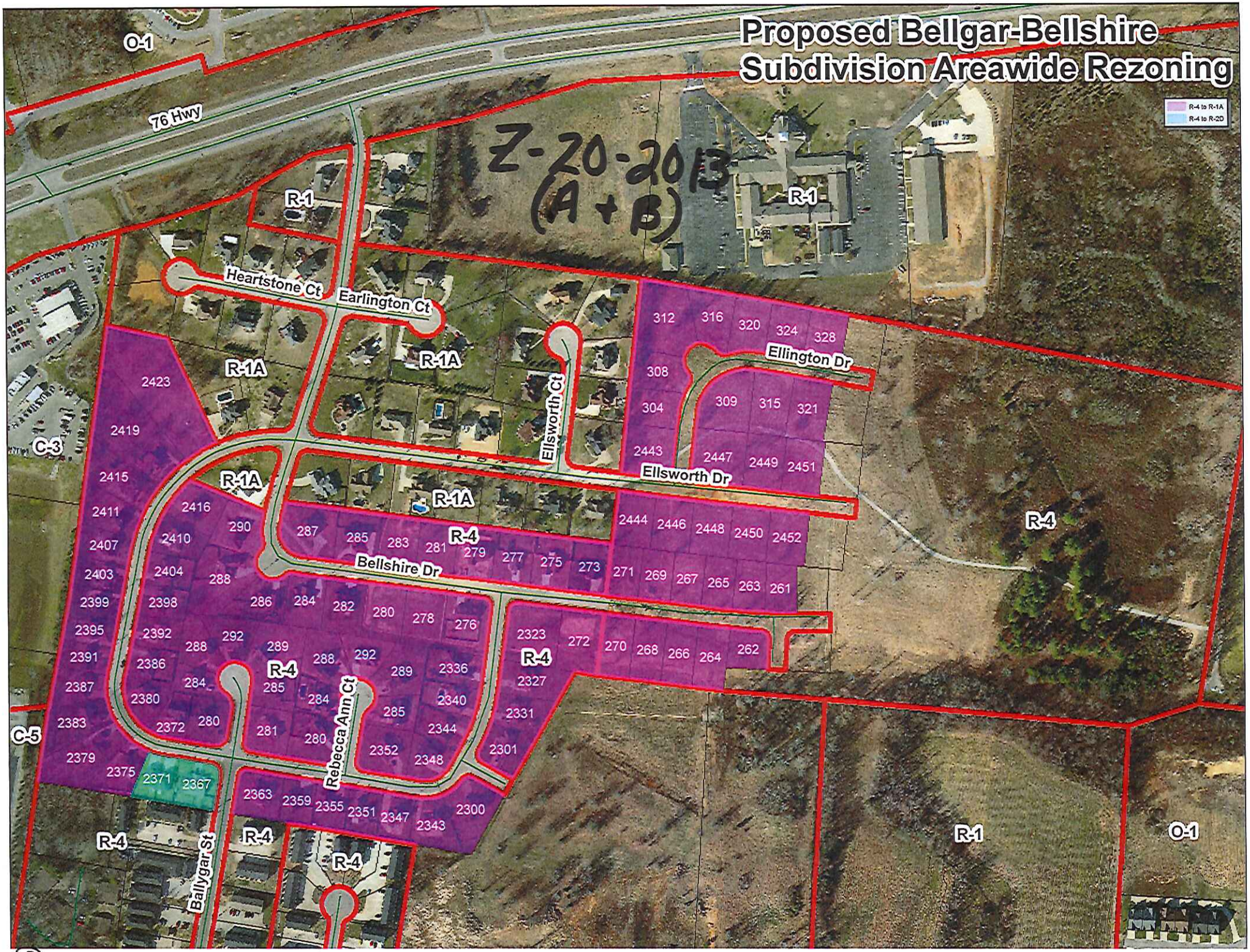
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Proposed area wide rezoning protects property investments for both the short-term and long-term by verifing that conforming uses fall under the correct zoning classification.
5.


Proposed Bellgar-Bellshire Subdivision Areawide Rezoning
R-4 to R-1A
R-4 to R-2D
Z-20-2013 (A+B)
O-1
76 Hwy
R-1
R-1
Heartstone Ct
Earlington Ct
R-1A
R-1A
Ellsworth Ct
Ellington Dr
312 316 320 324 328
308
304
309 315 321
2443 2447 2449 2451
Ellsworth Dr
R-1A
R-1A
R-4
R-4
2444 2446 2448 2450 2452
Bellshire Dr
271 269 267 265 263 261
2423
2419
2415
2411
2407
2403
2399
2395
2391
2387
2383
2379
2375
2371 2367
C-3
C-5
2416
2410
2404
2398
2392
2386
2380
2372
290
288
286 284 282 280 278 276
288 292 289
284 285 284 281 280
R-4
R-4
287 285 283 281 279 277 275 273
2323 272
2327
2331
2301
270 268 266 264 262
288 292 289
285 284 285 281 280
2336
2340
2344
2352 2348
Rebecca Ann Ct
2363 2359 2355 2351 2347 2343 2300
Ballygar St
R-4
R-4
R-4
R-1
O-1

A. Case Number Z-20-2013. Application of the Regional Planning Commission for a zone change from R-4 (Multiple Family Residential District) to R-1A (Single Family Residential District) on properties located south of Highway 76 and north of Highway 41-A South (portions of Bellgar and Bellshire Subdivisions), ?? +/- acres, further identified as County Tax Map and Parcel (s)

081B-A 008.00 – 021.00;

081B-B 020.00 – 027.00;

081B-C 013.00 – 025.00;

081C-A 001.00 – 005.00;

081C-B 002.00 – 007.00;

081G-C 009.00 - 015.00;

081G-F 001.00– 015.00;

081G-G 001.00 – 019.00;

081G-H 001.00 – 010.00

B. Case Number Z-20-2013. Application of the Regional Planning Commission for a zone change from R-4 (Multiple Family Residential District) to R-2D (Two Family Residential District) on properties located in the southwest corner of Ballygar Street and Ellsworth Drive intersection (portion of Bellgar Subdivision), ?? +/- acres, further identified as County Tax Map 081B-C, Parcels 026.00 and 027.00.

CASE NUMBER: Z 20 2013 **MEETING DATE** 11/26/2013

APPLICANT: Regional Planning Commission

PRESENT ZONING R-4 **PROPOSED ZONING** R-1A

TAX PLAT # See attached **PARCEL** See Attached

GEN. LOCATION Request is south of Highway 76 and north of Highway 41-A South (portions of Bellgar and Bellshire Subdivisions),

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PUBLIC COMMENTS

No comments received as of 11:30 a.m. on 11/26/2013 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 11/26/2013 **CASE NUMBER:** Z - 21 - 2013

NAME OF APPLICANT: David L. Merrill

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-1A

PROPOSED ZONING: C-2

EXTENSION OF ZONE CLASSIFICATION: To The South

APPLICANT'S STATEMENT FOR PROPOSED USE: Commercial - This property will bring significantly more revenue to the city than it is now.

PROPERTY LOCATION: Property located in the northeast quadrant of the Tiny Town Rd. and Tobacco Rd. intersection.

ACREAGE TO BE REZONED: 1.3

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Corner lot with single family home with single-family homes to the north, east, west. C-2 commercial is to the south.

GROWTH PLAN AREA: CITY **TAX PLAT:** 006-J-B **PARCEL(S):** 017.00

CIVIL DISTRICT: 3rd

CITY COUNCIL WARD: 8/1 **COUNTY COMMISSION DISTRICT:** 18

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 DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ 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: No Access To Tiny Town Rd. If Redeveloped.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS: Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

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

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

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

7. POLICE DEPT/SHERIFF'S OFFICE:

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT: No Comment(s) Received

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY: BARKERS MILL
MIDDLE SCHOOL: WEST CREEK
HIGH SCHOOL: WEST CREEK

0.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS: 11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: TINY TOWN RD & TOBACCO RD.

DRAINAGE: VARIES

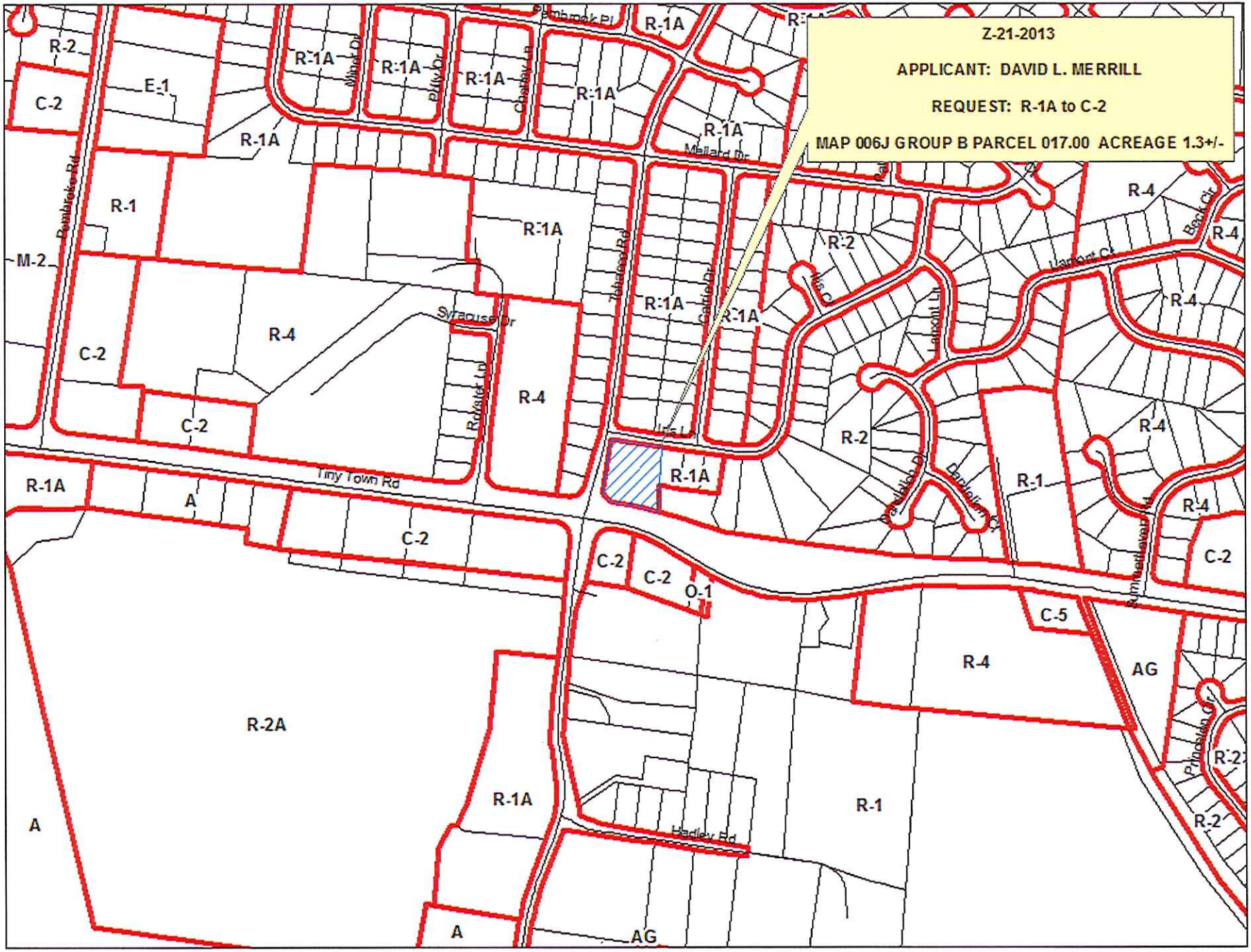
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

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: **DISAPPROVAL**

1. The request is not consistent with the goals and objectives of the Adopted Land Use Plan.
2. The property is surrounded by R-1A Single family residential zoning on the North, East, West and the proposed C-2 zoning classification permits uses that may be incompatible with the surrounding residential properties.
3. No adverse environmental issues were identified relative to this request.
4.
5.


Z-21-2013
APPLICANT: DAVID L. MERRILL
REQUEST: R-1A to C-2
MAP 006J GROUP B PARCEL 017.00 ACREAGE 1.3+/-
Pembroke Rd
Tiny Town Rd
Mallard Dr
Hadley Rd
Syracuse Dr
Tobacco Rd
Cattle Dr
Rumbleseat Rd
Pinebluff Dr
Beach Dr
Harbort Ct
Laraont Ln
Parkview Dr
Dandelion Ct
Una Ln
R-1A
R-2
C-2
E-1
R-1
M-2
R-4
A
R-2A
O-1
C-5
AG

(a)

CASE NUMBER: Z 21 2013 **MEETING DATE** 11/26/2013

APPLICANT: David L. Merrill

PRESENT ZONING R-1A **PROPOSED ZONING** C-2

TAX PLAT # 006-J-B **PARCEL** 017.00

GEN. LOCATION Property located in the northeast quadrant of the Tiny Town Rd. and Tobacco Rd. intersection.

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PUBLIC COMMENTS

No comments received as of 11:30 a.m. on 11/26/2013 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 11/26/2013 **CASE NUMBER:** Z - 22 - 2013

NAME OF APPLICANT: Jimmy Randolph

AGENT:

GENERAL INFORMATION

PRESENT ZONING: RM-1

PROPOSED ZONING: C-5

EXTENSION OF ZONE CLASSIFICATION: Yes To The South

APPLICANT'S STATEMENT FOR PROPOSED USE: Future expansion of our family-owned business, R & R Self Storage, located adjacent to this site.

PROPERTY LOCATION: Property located in the southwest quadrant of the State Route 374 and Evans Rd. intersection.

ACREAGE TO BE REZONED: 0.45

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Narrow tract adjacent to SR 374 that has been clear cut of trees for future development.

GROWTH PLAN AREA: CITY **TAX PLAT:** 029-M-A **PARCEL(S):** 027.00

CIVIL DISTRICT: 3rd

CITY COUNCIL WARD: 3 **COUNTY COMMISSION DISTRICT:** 10

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 DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ Other...

1.

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: No Access To 101st Parkway State Route 374.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS: Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

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

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

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

7. POLICE DEPT/SHERIFF'S OFFICE:

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT: No Comment(s) Received

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY: MINGLEWOOD

MIDDLE SCHOOL: NEW PROVIDENCE

HIGH SCHOOL: NORTHWEST

0.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS: 11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: EVANS RD.

DRAINAGE: NORTH TO SOUTH

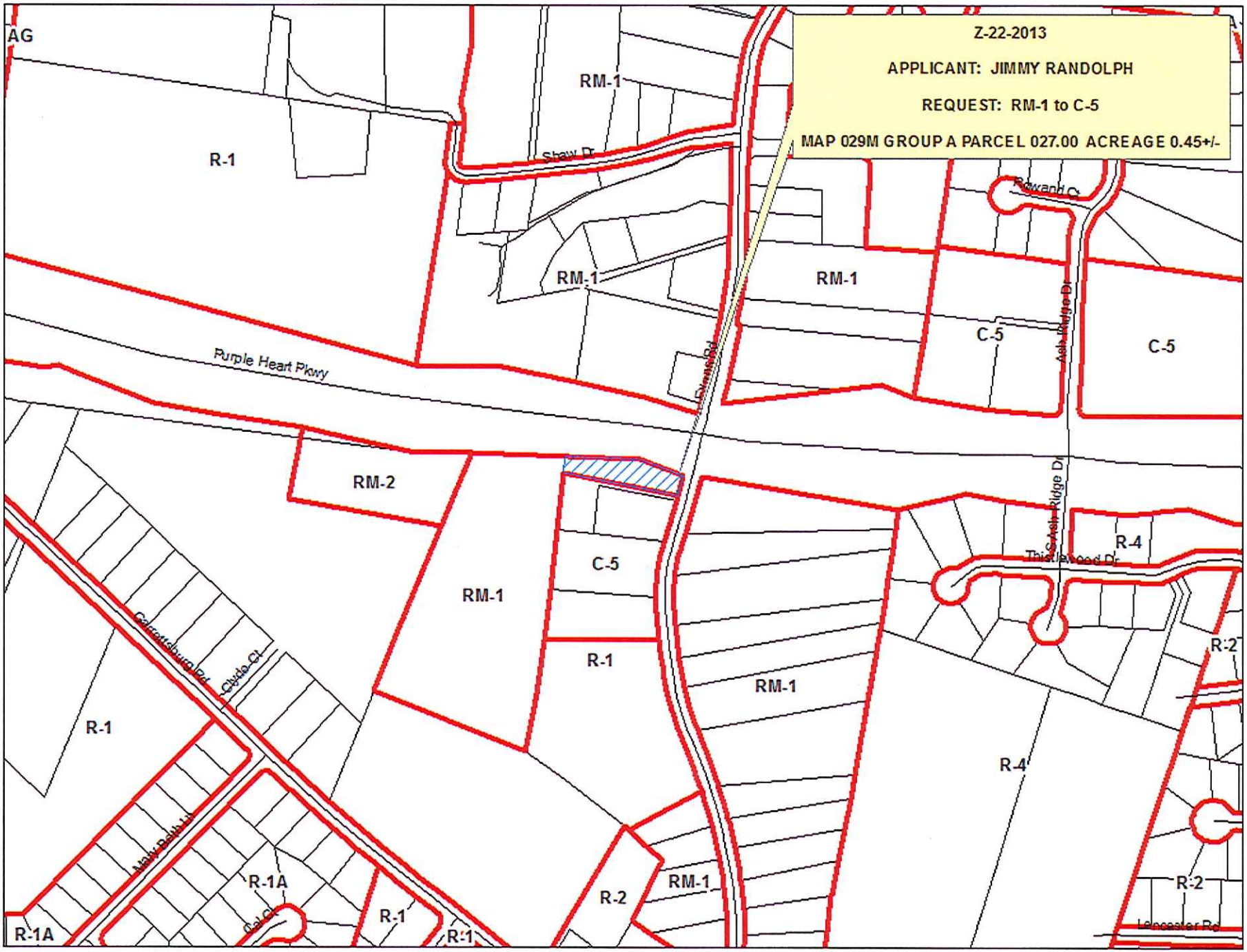
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Lafayette Road Planning Area - There is considerable room for expansion here with SR 374 (Purple Heart Highway) as a target for residential growth

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. Request is an extension of the existing C-5 zoning.
5. Driveway access will be required to be shared with property to the south (Under same ownership) during development phase.


Z-22-2013
APPLICANT: JIMMY RANDOLPH
REQUEST: RM-1 to C-5
MAP 029M GROUP A PARCEL 027.00 ACREAGE 0.45+/-
AG
R-1
RM-1
Shaw Dr
Rowanhl Ct
RM-1
RM-1
C-5
Ash Ridge Dr
C-5
Purple Heart Pkwy
Dennis Rd
RM-2
RM-1
C-5
R-1
Ash Ridge Dr
R-4
Thistlewood Dr
R-2
RM-1
R-1
Carrollsburg Rd
Clyde Ct
R-4
R-1A
Holly Bluff Trl
R-1A
Oak Ct
R-1
R-1
R-2
RM-1
R-2
Lancaster Rd

(51)

CASE NUMBER: Z 22 2013 **MEETING DATE** 11/26/2013

APPLICANT: Jimmy Randolph

PRESENT ZONING RM-1 **PROPOSED ZONING** C-5

TAX PLAT # 029-M-A **PARCEL** 027.00

GEN. LOCATION Property located in the southwest quadrant of the State Route 374 and Evans Rd. intersection.

****

PUBLIC COMMENTS

No comments received as of 11:30 a.m. on 11/26/2013 (jhb).

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: November 7, 2013
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

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: November 7, 2013
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

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: November 7, 2013
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 32-2013-14

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: November 7, 2013
FIRST READING: November 7, 2013
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 0f 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 0f 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)

CLARKSVILLE CITY COUNCIL
REGULAR SESSION
NOVEMBER 7, 2013

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Jerry Holt asked for resolution of flooding problems on Montery Place. Mike Evans, Director of the Clarksville-Montgomery County Industrial Development Board, thanked the Council for supporting the recent negotiations with Hankook Tire Company.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, November 7, 2013, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilman Kip McNeill.

ATTENDANCE

PRESENT: Kip McNeill (1), Deanna McLaughlin (2), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9), Bill Summers (10), Kaye Jones (11), Jeff Burkhart (12)

ABSENT: James Lewis, Mayor Pro Tem (3)

SPECIAL RECOGNITIONS

Mayor McMillan thanked the Information Technology staff for successfully producing live streaming video of this meeting and future meetings of the City Council.

Mayor McMillan congratulated Councilman Burkhart for being elected Vice President of the Homebuilders of Tennessee.

Mayor McMillan congratulated Daniel Binkley for recently obtaining his professional architect license.

Mayor McMillan introduced newly appointed Staff Attorneys Roman Hankins and Ginny Robinson.

Mayor McMillan welcomed members of the Mayor's Youth Council.

Mayor McMillan wished a speedy recovery to Building & Codes Enforcement Officer Robert Ely who recently suffered a pit bull attack while on duty.

Mayor McMillan and Transportation Director Jimmy Smith presented a Certificate of Appreciation to CTS employees for their recognitions during the 2013 Tennessee Public Transportation Association's Statewide Bus Rodeo: Justin Jones for placing first in the 30' Bus Category; Delwin Guess for placing third in the Conversion Van Category; Arthur Bing, Deputy Transportation Director, for being selected the Tennessee Public Transportation Association's 2013 Urban Executive/Manager of the Year.

PUBLIC HEARING

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

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

Erin Phillips said she hoped to purchase this property if rezoned and build a single-family home on the land.

RESOLUTION 20-2013-14 Approving abandonment of property at Bellshire Drive & Bellshire Court; request of Goad Construction/Ronnie Goad

No one spoke for or against 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 objection.

ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 32-2013-14**. 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, McLaughlin, McMillan, McNeill, Redd, Summers, Wallace

The motion to adopt this ordinance on first reading passed.

ABANDONMENT

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 20-2013-14**. 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, McLaughlin, McMillan, McNeill, Redd, Summers, 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 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 *{Removed; see end of Consent Agenda]*

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: Earl 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 – November 2013 through October 2016

Councilwoman Jones requested separate consideration of **ORDINANCE 22-2013-14**. Councilman Burkhart made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt the Consent Agenda as amended passed.

R-6 DISTRICT

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

This ordinance was removed from the original Consent Agenda. Councilwoman Jones made a motion to refer this ordinance back to the Regional Planning Commission for consideration of restrictions on where the R-6 zone classification would be allowed. The motion was seconded by Councilwoman McLaughlin. There was no objection to hearing comments from Regional Planning Commission Director David Ripple who said a request for an R-6 zone classification would go through the same process as a request for any other zone change and the City Council would have the final decision of whether to approve any R-6 zoning request. Following discussion, Councilwoman Guzman called for the question. The question was seconded by Councilman Harris. The following vote was recorded:

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

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

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

The motion to refer this ordinance back to the Regional Planning Commission failed.

Councilwoman Jones called for the question. The question was seconded by Councilwoman Jones. A voice vote was taken; the motion to cease discussion passed without objection. The following vote to adopt this ordinance on second reading was recorded:

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to adopt this ordinance on second reading passed.

COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

Councilman Allen said the Greenwood Court drainage project has been completed. He reported rehabilitation projects currently underway on Chesterfield Drive, Rosewood Drive, and Mississippi Avenue. Councilman Allen said homeowners on Roselawn, Roman Street, and Sewell Court were receiving emergency HVAC repair assistance.

FINANCE COMMITTEE
Joel Wallace, Chair

No report.

GAS & WATER COMMITTEE
Jeff Burkhart, Chair

ORDINANCE 28-2013-14 (First Reading) Amending the Official Code relative to waiver of Gas-Water-Sewer fees

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 Councilman Grubbs. The following vote was recorded:

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

PARKS, RECREATION, GENERAL SERVICES
Wallace Redd, Chair

Councilman Redd said the committee approved the department's application for a TDOT grant for the next phase of the Clarksville greenway to connect to the Red River and Fort Defiance trails.

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

ORDINANCE 29-2013-14 (First Reading) Amending the FY14 Clarksville Fire & Rescue budget for Station 1 concrete repair

The recommendation of the Parks & Recreation 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 Burkhart. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 30-2013-14 (First Reading) Amending the FY14 Clarksville Fire & Rescue budget for generators

The recommendation of the Parks & Recreation 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 Burkhart. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

Councilman Grubbs reported the following department statistics for October: Building & Codes Construction Division - 2,068 cases; Building & Codes Abatement Division – 86 cases; Clarksville Fire & Rescue – 853 emergency responses; Clarksville Police Department – 12,480 calls.

STREET COMMITTEE
Geno Grubbs

Councilman Grubbs reported 260 work orders completed by the Street Department during October.

TRANSPORTATION COMMITTEE
Marc Harris, Chair

Councilman Harris shared the following October department statistics: 68,410 passengers transported by Clarksville Transit System; 5,234 passengers transported by the Clarksville-Nashville Express; 292 work orders completed by the City Garage; unleaded fuel at a cost of $2.92 and diesel fuel at a cost of $3.12.

FINANCE DIRECTOR PERFORMANCE BOND

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

Councilman Wallace made a motion to postpone action on this ordinance to allow the Risk Manager to obtain additional statistics and information. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to postpone passed.

BOARD APPOINTMENTS

Councilman Redd made a motion to consider additional board appointments. The motion was seconded by Councilman Grubbs. A voice vote was taken; the motion passed without objection.

Economic Development Council – Joel Wallace (Replace Jeff Burkhart-term expired) – November 2013 through June 2015

Two Rivers Company Board of Directors – Sammy Stuard (replace Dan Hanley-resigned) – November 2013 through October 2015

The following vote to approve the noted appointments was recorded:

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

The additional appointments were approved without objection.

MAYOR AND STAFF REPORTS

Councilman Summers recognized members of Boy Scout Troop 500 who were in attendance to earn their citizenship badge.

ADJOURNMENT

The meeting adjourned at 8:22 p.m.

ORDINANCE 31-2013-14

AN ORDINANCE AUTHORIZING A BUDGET TRANSFER OF $250,000.00 IN THE CAPITAL PROJECTS FUND TO CREATE A NEW CAPITAL PROJECT FOR A NEW NORTH POLICE PRECINCT

WHEREAS, funding for the construction of Fire Station 11 has been authorized pursuant to the FY13 capital projects budget (Ord. 100-2011-12) to include funding for purchase of land; and

WHEREAS, a parcel of land has been identified and the property is being donated to the City of Clarksville for Fire Station 11; and

WHEREAS, the Clarksville Police Department has identified the need for a new Police Precinct in North Clarksville; and

WHEREAS, the Clarksville-Montgomery County School System has recently identified and approved a long-term lease to the City of Clarksville for a parcel of land at their Minglewood Elementary School Campus for a new Police Precinct.

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

That the Clarksville City Council hereby authorizes the creation of a new capital project for a North Police Precinct and transfer $250,000.00 for the Design Phase of the new project.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Minutes
Clarksville-Montgomery County
Board of Education

August 13, 2013

The Clarksville-Montgomery County Board of Education met Tuesday, August 13, 2013, in the Board room, central administration offices, 621 Gracey Avenue, Clarksville, TN. The meeting was called to order at 7:00 p.m. Members present were: Horace Murphy, Jr., Josh Baggett, Jimmie Garland, George Giles, Stephanie Lobdell, and Anne Murtha. Also present were: Dr. B. J. Worthington, Director of Schools; Sean Impeartrice, Chief Academic Officer; Danny Grant, Chief Financial Officer; Jeanine Chester, Chief Human Resources Officer; David Holman, Chief Technology Officer; Jill Ayers, Board Attorney; and Teresa Rawls, Secretary, who kept the minutes of the meeting. The following members of the County Commission School Liaison Committee were present: Robert Gibbs, Ron Sokol, Tommy Vallejos, Joe Creek, and John Gannon.

Director of Schools Annual Evaluation

Board Attorney Jill Ayers reminded Board members that the Director's evaluation is comprised of policy monitoring reports, strategic goal reports, ends policy reports, and information from the End of Year review. An Annual Evaluation concluded that the Director is in compliance with Board expectations and that his focus should continue with the next steps as outlined in the End of Year Review. Mr. Baggett made a motion for the Board to approve the Director's Annual Evaluation for the year. The motion was seconded by Mr. Garland and passed 6-0.

Consideration of Director of Schools' Contract

Ms. Ayers noted that the Director's original contract was for a three-year period and one year had passed. Ms. Ayers noted that the Board needed to decide whether or not to renew the contract which would then be for a term through July 31, 2016. Mr. Garland made a motion to renew the contract through 2016. Mr. Baggett seconded the motion which carried unanimously.

Point of Pride

Middle School Director Mary Gist presented Whitney Joyner, PASS teacher at Northeast Middle School, for a Point of Pride award. Ms. Joyner was named as one of two Patricia Behring Teachers of the Year from Tennessee. This award recognizes outstanding history teachers nationally. Instructor Polly Kopp was recognized as well for her work with Ms. Joyner.

High School Director Rosalyn Evans recognized NEHS students Lily Joiner, Katelyn Mitchell, and Keya Patel from CHS. These students participated in a national competition sponsored by the World War II Museum. They were awarded Best Entry on a World War II topic for their drama, "From Frills and Frocks to Zoot Suits and Parachutes: The WASPs of WWII". This was one of 36 entries based on the theme: *Turning Points in History: People, Ideas, Events*.

West Creek High School student Emily Reeve was recognized with a Point of Pride Award for placing second in the nation in the HOSA Future Health Professionals competition. Her teacher is Lisa Heflin.

Clarksville High School freshman Preston Albertia has been elected Civitan's Valley District Junior Governor. The Valley District consists of 24 middle and high schools in Tennessee, Kentucky, and Mississippi.

The Clarksville High School Girls Softball Team was recognized for being in the final four teams competing in the State tournament. The CHS team had a 38 win school record; won a second consecutive district title; and finished number three in the state. Team members include Audreyanne Guthrie, Brooke Knight, Rachael Mann, Keke Patterson, Alyssa Reed, Tiffany Freeman, Clare Grade, Tiana Gray, Demi McKernan, Heather Norris, Brianna Soden, Haley Bearden, Mary-Megan Miller, Morgan Sheppard, Bailey Smith, Hannah Thompson, Haley Yawn, Katelyn Devers, Isabel Langlois, and Rebecca Mann.

The CHS Varsity Skeet Team won the state championship. Team members were Noah King, Richard Hansrote, Nicholson McGaha, Wade Vickery, Tyler Raikes, Chance Wilson, Nicholas Cunningham, and Hayden Welch. Coaches are Bruce McGaha and John Waddle, school sponsor is Rick Barnes.

Public Conversation

There were no requests to address the Board at this session.

Approval of Consent Agenda

Mr. Giles made a motion to approve the Consent Agenda items. The motion was seconded by Mr. Garland. Board members Mr. Giles and Mrs. Lobdell stated their votes were representative of the best interests of the school system while noting they each have relatives employed by the district. The Consent Agenda was approved 6-0. Items on the Consent Agenda were:

- July 9, 2013 regular session minutes
- July 23, 2013 special session minutes
- Form for Director's Evaluations, first reading July 23, 2013
- Insurance Option for 2017 Retirees, first reading August 6, 2013
- Request by Clarksville Police Department to establish a precinct at Minglewood Elementary School, first reading August 6, 2013

Reports

Goal 6 – Pilot individualized learning plans for teachers

Dr. Susan Jones presented the report for this goal. She commented that the district is committed to meeting teachers' growth and professional development needs by providing a broad continuum of professional learning activities. Activities are designed to meet teachers where they are and help them improve in order to support student achievement. This goal allows teachers to align their professional activities with their growth needs. Administrators and teachers work together to design an ILP (individualized learning plan). Administrator feedback and teacher evaluations will be used to determine the effectiveness of the plans.

One school at each level is piloting the program and developing the process and procedures to be used in the future. At the end of this year, pilot results will be reviewed to determine if the program will be implemented further.

Goal 13 – Share district success stories with stakeholders

Chief Communications Officer Elise Shelton presented this report. Ms. Shelton noted that an NSPRA Communications Audit had been conducted at the beginning of last school year and the audit finding noted CMCSS needed to do a better job of sharing its stories. After receiving the NSPRA audit results, the district began working on how to better communicate successes and determining what important facts about the district need to be shared with the community. Department leaders began to identify the successes for their departments. These highlights were shared with various communication groups and were used to develop several videos. These videos, along with other information, have been shared in various community organization meetings. Dr. Worthington and others have met with civic organizations and the community consortium group. Information has been shared with local media. The parent calendar was developed which highlights twelve stories about the school system. Back-to-school presentations were held at feeder locations for all employees. Plans for this year are to keep telling a consistent story through Focus videos, communication groups, community meetings, and via website.

Board Member Comments

Mr. Giles commented that the year appears to be off to a great start. The only complaint he had received had to do with the lack of sidewalks. Mr. Baggett thanked Dr. Worthington and congratulated him on a great first year as Director and noted he is looking forward to what is next. Mr. Murphy also congratulated Dr. Worthington on his first successful year. Mr. Murphy noted that Pisgah Elementary Open House was coming up on August 25. Mr. Murphy shared his concerns about emergency vehicle access on Needmore Road, the need for the fence to be replaced around the baseball field at NWHS, and the need for the city to maintain Stokes Field properly and enforce City codes. He commended the work that had been done at NWHS on the tennis courts.

Director of Schools Report

Dr. Worthington reported that school opening had gone smoothly. As of today, we had 30,909 students. Kindergarten opened with 72 students less than the previous year. Dr. Worthington presented to the Board an NSPRA Award of Excellence for the 2012-2013 school calendar. The district has received this recognition seventeen times in previous years. Dr. Worthington commented that the AMO data would be released by the State and the Board would be hearing a report at the next Board meeting. He thanked the County Commission for approving the budget amendments. He thanked the Board for their confidence in him.

The agenda having been concluded, the meeting adjourned at 7:46 p.m.

Horace Murphy, Jr.
Board Chair

B. J. Worthington
Director of Schools

Teresa A. Rawls
Board Secretary

ORDINANCE 36-2013-14

AN ORDINANCE AUTHORIZING ACCEPTANCE OF LAND DONATION OF PORTION OF GORDON SEAY PROPERTY FOR FIRE STATION 11

WHEREAS, funding for the construction of Fire Station 11 has been authorized pursuant to the FY13 Capital Projects Budget (Ord. 100-2011-12); and

WHEREAS, a portion of certain real property known as the Gordon Seay Property and identified more particularly in Exhibit A attached hereto (hereinafter, the "Property") is suitable for construction and in the general vicinity of the much needed Fire Station 11; and

WHEREAS, the City of Clarksville recently amended the Zoning Ordinance and Map of the City of Clarksville, Tennessee pursuant to Ordinance 46-2012-13; and

WHEREAS, Gordon Seay has agreed to donate the Property to the City of Clarksville.

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 donor/grantor Gordon Seay.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Land Description of a
Portion of the Gordon Seay Property
2.00 Acres +/-

Being a parcel of land in the 2nd Civil District of Montgomery County, Tennessee, said parcel being a portion of the Gordon Seay property as recorded in Official Record Volume (ORV) 1409, page 1364 Register's Office Montgomery County Tennessee (ROMCT), said parcel also being designated as a portion of Tax Map 008, Parcel 004.00, said parcel also being generally described as north of and adjacent to Tylertown Road, east of Waterford Way, and west of Parade Drive, said parcel being more particularly described as follows:

Beginning at an iron pin set, (a ½" rebar capped DBS & Associates), said pin being South 83 degrees 26 minutes 41 seconds East for a distance of 657.7 feet from the intersection of Tylertown Road and Samantha Lane, said pin also bearing Tennessee State Plane Coordinates with a northing of 839293.6893 and an easting of 1586363.2556 North American Datum 83/Grid North, said pin also being on the northern right of way of said Tylertown Road, said pin also being the southwestern corner of the herein described parcel;

Thence leaving said right of way on a new severance line, North 8 degrees 49 minutes 46 seconds East for a distance of 250.00 feet to an iron pin set, (a ½" rebar capped DBS & Associates), said pin bearing Tennessee State Plane coordinates with a northing of 839540.7268 and an easting of 1586401.6285 North American Datum 83/ Grid North, said pin being the northwestern corner of herein described parcel;

Thence continuing with the new severance line, South 81 degrees 10 minutes 14 seconds East a distance of 349.00 feet to an iron pin set (a ½" rebar capped DBS & Associates), said pin bearing Tennessee State Plane coordinates with a northing of 839487.1577 and an easting of 1586746.4966 North American Datum 83/ Grid North, said pin being the northeastern corner of herein described parcel;

Thence continuing with new severance line, South 8 degrees 49 minutes 46 seconds West a distance of 250.00 feet to an iron pin set (a ½" rebar capped DBS & Associates), said pin bearing Tennessee State Plane coordinates with a northing of 839240.1202 and an easting of 1586708.1237 North American Datum 83/ Grid North, said pin also being northern right of way of Tylertown Road, said pin also being the southeastern corner of herein described parcel;

Thence with said northern right of way, North 81 degrees 10 minutes 14 seconds West a distance of 349.00 feet to the point of beginning, said parcel containing 87250.0 Square Feet or 2.00 Acres, more or less.

Together with and subject to all right of ways, easements, covenants, and conveyances or record and not of record.

ORDINANCE 37-2013-14

AN ORDINANCE AMENDING THE 2013-14 OPERATING BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE INFORMATION TECHNOLOGY DEPARTMENT TO TRANSFER FUNDING IN THE AMOUNT OF $15,000 FOR A VIDEO PLAYBACK SYSTEM AND ADDITIONAL SERVERS

WHEREAS, the IT Department has savings from the purchase of the SAN Storage system in the FY2013-14 budget in the amount of $15,371

WHEREAS, the current video playback system used in the council chambers is no longer functioning properly after numerous repairs

WHEREAS, the estimated cost to replace the current system with a new video playback system and software shall not exceed $9,000

WHEREAS, the IT Department is in need of three additional servers for General Fund data storage

WHEREAS, the estimated cost for three new servers shall not exceed $6,000

WHEREAS, the savings from the SAN Storage system will be used to purchase the video playback system/software and additional servers needed at this time

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

That the following Budget Amendments be made:

Information Technology Expenditures:

Machinery & Equipment	10419204-4743	Decrease:	$15,371
Machinery & Equipment	10419204-4743	Increase:	$15,000

BE IT FURTHER ORDAINED that the General Fund FY2013-14 expenditures be decreased in the amount of $371.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 34-2013-14

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 13 (UTILITIES AND SERVICES), CHAPTER 3 (GAS WATER AND SEWER SERVICE) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE RELATIVE TO BACKFLOW PREVENTION TESTING FEES AND GREASE MANAGEMENT INSPECTION FEES

WHEREAS, the City Council has determined that is appropriate to amend the Official Code of Ordinances of the City of Clarksville relative to backflow prevention testing fees and grease management inspection fees.

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

(1) That Sec. 13-312 (8) Water and sewer rates; basis for charges; surcharges is hereby amended as follows:

Delete the paragraph in its entirety and substitute the following:

(8) Backflow prevention testing fee. Each commercial, industrial and residential customer who is required under section 8-407 to install and maintain a backflow prevention device shall be charged a backflow prevention testing fee per device that recovers the costs incurred by the department in conducting the tests. This fee will apply to new and annual backflow prevention tests. The first re-inspection of failed backflow tests will be at no charge to the customer. Fees incurred will be added to the customer's water and sewer bill.

(2) That Sec. 13-312 (9) Water and sewer rates; basis for charges; surcharges is hereby amended as follows:

Delete the paragraph in its entirety and substitute the following:

(9) Grease management inspection fee. Each customer who is required under section 13-702 to install and maintain a grease trap and/or inceptor shall be charged a grease management inspection fee per device that recovers the costs incurred by the department in conducting the tests. This fee will apply to new, semi-annual and annual inspection. The first re-inspection of a failed inspection will be at no charge to the customer. Fees incurred will be added to the customer's water and sewer bill.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 35-2013-14

AN ORDINANCE AUTHORIZING EXERCISE OF RIGHT OF EMINENT DOMAIN FOR ACQUISITION OF EASEMENTS FOR THE MAIN LIFT STATION GRAVITY SEWER UPGRADE PROJECT

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements affecting certain real properties as described in Collective Exhibit A attached hereto (hereinafter, the "Properties") for the purpose of construction of the Main Lift Station Gravity Sewer Upgrade Project.

WHEREAS, it may not be possible to effectively negotiate timely easement acquisitions with the affected owners of the Properties for the required construction of the Main Lift Station Gravity Sewer Upgrade Project.

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

That, if negotiation efforts are not timely or effective, the City of Clarksville, Tennessee is hereby authorized to exercise the right of eminent domain and institute condemnation actions in the appropriate court for acquisition of any and all necessary property rights from affected owners of the Properties described specifically in Collective Exhibit A attached hereto for construction of the Main Lift Station Gravity Sewer Upgrade Project.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Collective Exhibit A

Wyatt-Johnson Buick Pontiac GMC Truck, Inc Property
Map 055O Group A Parcel 025.00

SMITH DEVELOPMENT COMPANY
(A Tennessee
General Partnership)

TO: QUITCLAIM DEED

WYATT-JOHNSON BUICK,
PONTIAC, GMC TRUCK, INC.

This Instrument Prepared By:
THOMAS N. BATEMAN, Attorney of the Law Offices of Thomas N. Bateman, P.C., 221 South Third Street, Clarksville, TN 37040
From Information Furnished By:
Grantor

THIS INDENTURE made this 22nd day of February, 1988, by and between SMITH DEVELOPMENT COMPANY, a Tennessee General Partnership, Grantor, and WYATT-JOHNSON BUICK, PONTIAC, GMC TRUCK, INC., a Tennessee Corporation, with principal offices in Clarksville, Tennessee, Grantee, WITNESSETH:

For a good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor has bargained, sold, remised, released and quitclaimed, and does hereby bargain, sell, remise, release and quitclaim unto the Grantee the following described premises, located in the Twelfth (12th) Civil District of Montgomery County, Tennessee, to-wit:

> BEGINNING at an iron pin in the south right of way line of Kraft Street, northeast corner of property retained by Grantors herein; thence with the south right of way of said Kraft Street, north 66 degrees 45 minutes east 244.35 feet to an iron pin; thence on a curve to the right, having a central angle of 40 degrees 19 minutes, a radius of 493.64 feet, a distance of 347.35 feet to an iron pin; thence south 73 degrees 03 minutes east 8.55 feet to an iron pin in the north right of way of the Tennessee Central Railroad; thence with the said Railroad's right of way, south 60 degrees 51 minutes west 586.30 feet to a pole, the southeast corner of property retained by Grantors; thence with the east boundary line of Grantors' remaining property, north 26 degrees 26 minutes west 180.33 feet to an iron pin, the point of beginning, according to survey of King Engineers, dated November 29, 1965.
>
> This being the same realty conveyed to the Grantor herein by Sidney M. Johnson and wife, Louise W. Johnson, by deed of record in Official Record Book Volume 268, Page 402, in the Register's Office for Montgomery County, Tennessee.

And all the estate, right, title and interest of the Grantors therein, with the hereditaments and appurtenances thereto appertaining, hereby releasing all claim to homestead, dower, elective share, and any and all other rights therein.

IN WITNESS WHEREOF, the Grantor has hereunto affixed its signature the day and date first above written.

SMITH DEVELOPMENT COMPANY

By: James H. Smith

Partner

By: Douglass B. Smith

Partner

By: Frank L. Smith, Jr.

Partner

STATE OF TENNESSEE

COUNTY OF MONTGOMERY

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, James G. Smith, Douglass B. Smith & Frank L. Smith, Jr., with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained, and who further acknowledged that they are General Partners of the maker, SMITH DEVELOPMENT COMPANY, and they are authorized by the maker execute this instrument on behalf of the maker.

WITNESS my hand and seal, at office, this the 22nd day of February, 1988.

Juanita H. Jackson
NOTARY PUBLIC

My Commission Expires: 9-21-91.



Name and Address of Property Owner:

855 Kraft St.
City

Name and Address of Person or Entity Responsible for Payment of Real Property Taxes:

C.O. HARRISON, REG.
MONTGOMERY, CO. TN.
'88 FEB 22 PM 3 49
NB A19 PAGE 178
SATX ____ CF ____
SBTX ____ CF ____
REC FU 1.00 REC ____

Cecil D. Radford Property
Map 055O Group A Parcel 006.00

STATE OF TENNESSEE, MONTGOMERY COUNTY
I, or we, hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is $ 16,520.00, which amount is equal to or greater than the amount which the property transferred would command at a fair voluntary sale.

Cecil D. Radford
Affiant

Subscribed and sworn to before me this 17 day of June 1977

N. Wayne Rose
My Commission Expires Sept. 15, 1980

JACKIE W. GOAD and PATRICK H. MCCUTCHEN

TO:

CECIL D. RADFORD, ET UX

THIS DEED OF REALTY executed as of the date mentioned below by the Grantors, JACKIE W. GOAD and PATRICK H. MCCUTCHEN, to the Grantees, CECIL D. RADFORD and wife, ANNA M. RADFORD,

W I T N E S S E T H :

THE GRANTORS have this day bargained and sold and do hereby transfer and convey unto the Grantees, to have and to hold to them as tenants by the entirety, and to their heirs and assigns forever, the following described real estate situated in the Twelfth Civil District of Montgomery County, Tennessee, to-wit:

BEGINNING at a point in the north margin of Kraft Street, said point of beginning being 75 feet east of the southeast corner of McDowell property, and 601.5 feet west of the intersection of the north line of Kraft Street and the west line of The Tennessee Central Railroad right of way, both measurements being along the northerly margin of Kraft Street, and runs thence south 23 degrees 15 minutes east 170 feet to a point; thence eastwardly and parallel to the north margin of Kraft Street 125 feet; thence north 23 degrees 15 minutes west 170 feet to a point in the north margin of Kraft Street; thence with said right of way westwardly 125 feet to the point of beginning.

A RIGHT OF WAY for ingress and egress over a certain parcel of realty fronting 75 feet on the north side of Kraft Street and to the west of and adjacent to the above described realty.

SUCH PARCEL fronting 75 feet on the north side of Kraft Street and running northwardly the full depth of the above described realty.

THIS IS the same realty conveyed to Jackie W. Goad and Patrick H. McCutchen from Turner Homes Inc. by deed of record in Volume 199, Page 390, of The Register's Office for Montgomery County, Tennessee.

TO HAVE AND TO HOLD said real estate unto the Grantees, their heirs and assigns forever.

STATE TAX $42.40 PROBATE FEE $.50, TOTAL $43.40
PAID June 17 19 77 CHARLES O. HARRISON, REG.
RECEIPT NO. 31540 DEP. LL

Prepared by:
JOHN H. GASAWAY
at McCutchen and Gasaway
115 South Third Street
Clarksville, Tennessee 37040

248

Florence G Thompson Revocable Trust Property
Map 055O Group A Parcel 005.00
Tract VII

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A FULL TITLE EXAMINATION AND NO LIABILITY IS ASSUMED FOR ANY STATUS IN TITLE OR MATTERS WHICH WOULD BE DISCLOSED BY SUCH TITLE EXAMINATION.

FLORENCE L. THOMPSON
aka Florence G. Thompson

TO: QUITCLAIM DEED

THE FLORENCE G. THOMPSON REVOCABLE TRUST

THIS QUITCLAIM DEED OF REALTY, executed as of the 19 day of September, 2007, by Grantor, **FLORENCE L. THOMPSON [AKA FLORENCE G. THOMPSON]**, to Grantee, **THE FLORENCE G. THOMPSON REVOCABLE TRUST**, Witnesseth:

That Grantor does hereby quitclaim and convey unto Grantee, all of Grantor's right, title and interest, in and to certain realty situated in Montgomery County, Tennessee, and being bounded and described as follows:

TRACT I: 2238 Roanoke Road, Clarksville, TN 37043: Situated in the Sixth (6th) Civil District of Montgomery County, Tennessee, to-wit: BEING Lot No. 21, on the Plan of Virginia Hills Subdivision, Section One, as shown by plat of record in Plat Book 13, Page 36 and 36A, Plat 36, in the Register's Office for Montgomery County, Tennessee, and being designated as Map and Parcel No. 40-P-D-8, on the Maps of the Assessor of Property for Montgomery County, Tennessee. This description is taken from the aforementioned plat of record.

This is the same realty conveyed to Vernon R. Thompson and wife, Florence L. Thompson, as tenants by the entirety, by deed of record in Official Record Book Volume 510, Page 887, in the Register's Office for Montgomery County, Tennessee. The said Vernon R. Thompson is now deceased leaving his widow, Florence L. Thompson, vested with the entire fee simple title as the surviving tenant by the entirety.

TRACT II: 728 Courtland Ave., Clarksville, TN 37043: Situated in the Sixth (6th) Civil District of Montgomery County, Tennessee, to-wit: BEING Lot No. 2, of Monticello, Section One, A Planned Unit Development, as shown by plat of record in Plat Book 13, Page 950, Plat 950, in the Register's Office for Montgomery County, Tennessee, and being designated as Map and Parcel No. 40-P-E-19, on the Maps of the Assessor of Property for Montgomery County, Tennessee. This legal description was obtained from the aforementioned plat.

Prepared by:
Jill B Nolan
BATSON, NOLAN,
WILLIAMSON, PEARSON & MILLER
121 South Third Street
Clarksville, TN 37040

This being the same realty conveyed to Florence L. Thompson, a widow, by deed of record in Official Record Book Volume 729, Page 392, as corrected by Official Record Book Volume 729, Page 402, in the Register's Office for Montgomery County, Tennessee.

TRACT III: 718 Courtland Ave., Clarksville, TN 37043: Situated in the Sixth (6th) Civil District of Montgomery County, Tennessee, to-wit: BEING LOT NO. 7 ON THE PLAN OF MONTICELLO, SECTION ONE, as shown by Plat Book 13, Page Number(s) 950, Plat Number(s) 950 and replatted in Plat E, Page 3, Register's Office for Montgomery County, Tennessee, to which reference is made for a complete description. The map, group and parcel number assigned to the above described real estate by the Assessor of Property for Montgomery County, Tennessee, is 40P-E-24.

This being real estate conveyed to Florence L. Thompson by deed of record in ORBV 1075, Page 2354, in the Register's Office for Montgomery County, Tennessee.

TRACT IV: 717 Courtland Ave., Clarksville, TN 37043: Situated in the Sixth (6th) Civil District of Montgomery County, Tennessee, to-wit: BEING LOT NO. 20, ON THE PLAN OF MONTICELLO, SECTION ONE, as shown by Plat Book 13, Page Number(s) 950, Plat Numbers(s) 950, Register's Office for Montgomery County, Tennessee, to which reference is made for a complete description. The map, group and parcel number assigned to the above described real estate by the Assessor of Property for Montgomery County, Tennessee, is 40-P-E-36.

This being a portion of the real estate conveyed to Florence L. Thompson, an unmarried person, by deed of record in ORBV 1072, Page 1615, in the Register's Office for Montgomery County, Tennessee.

TRACT V: 411 Country Club Court, Clarksville, TN 37043: Situated in the Eleventh (11th) Civil District of Montgomery County, Tennessee, to-wit: BEING UNIT NO. 6, BUILDING 2, OF CANTERBURY CONDOMINIUMS, a Horizontal Property Regime created pursuant to the provisions of Section 66-27-101, et seq. by recordation of a Master Deed dated May 21, 1987, and recorded in ORBV 390, Page 611, as amended in ORBV 390, Page 2282, Register's Office for Montgomery County, Tennessee, reference to such Master Deed is hereby made: said Unit No. 6, Building 2, is more particularly described in Exhibit B, to the Master Deed of CANTERBURY CONDOMINIUMS, of record in Official Record Book Volume 390, Page 611, as amended in ORBV 390, Page 2282, and the plat of record in Plat Book 12, Page 134, Plat 134, in the Register's Office for Montgomery County, Tennessee.

TOGETHER with the appurtenant undivided interest in the Common Elements provided for under the terms and provisions of the Master Deed, in the percentages now set, or as may be hereinafter in accordance therewith.

TOGETHER with the exclusive use of the Limited Common Elements designated as appurtenant to Unit No. 6, Building 2, in the Master Deed above described. The map, group and parcel number assigned to the above described real estate by the Assessor of Property for Montgomery County, Tennessee, is 64I-B-12C.

This being the same real estate conveyed to Florence L. Thompson by deed of record in ORBV 962, Page 2031, in the Register's Office for Montgomery County, Tennessee.

TRACT VI: 779 Hayden Drive, Clarksville, TN 37043: Situated in the Twelfth (12th) Civil District of Montgomery County, Tennessee, to-wit: BEING LOT NO. 14, ON THE PLAN OF COUNTRY CLUB ESTATES, as shown by Plat Book 8, Page Number 80, Plat Number 80, Register's Office for Montgomery County, Tennessee, to which reference is made for a complete description. The map, group and parcel number assigned to the above described real estate by the Assessor of Property for Montgomery County, Tennessee, is 80A-E-32.

This being the same real estate conveyed to Florence L. Thompson, Joann Gilbert and Jimmie Van Hooser, as tenants in common, by deed of record in ORBV 1181, Page 2301, ROMCT.

TRACT VII: 808 Kraft Street, Clarksville, TN 37040: Situated in the Twelfth (12th) Civil District of Montgomery County, Tennessee, to-wit: Beginning at a point in the north margin of Kraft Street, said point of beginning being 200 feet east of the southeast corner of the McDowell property, and 476.5 feet west of the intersection of the north line of Kraft Street and the west line of the Tennessee Central Railroad right of way, both measurements being along the northerly margin of Kraft Street; thence north 23 degrees 15 minutes west 170 feet to a point; thence along a curve, the delta of which is 40 degrees 19 minutes, the radius of which is 273.64 feet, the tangent of which is 284.01 feet for a distance of 143.29 feet to a point; thence south 12 degrees 07 minutes east 75 feet to a point; thence eastwardly 75 feet to a point; thence south 12 degrees 07 minutes east 101.75 feet to a iron pin in the north margin of Kraft Street; thence along the north margin of Kraft Street 179.37 feet to the point of beginning.

A right of way for ingress and egress over a certain parcel of realty footing 75 feet on the north side of Kraft Street and to the west of and adjacent to a parcel of land heretofore conveyed to Jackie W. Goad and Patrick H. McCutchen by deed of record in Official Record Book Volume 199, Page 390, in the Register's Office for Montgomery County, Tennessee. Said parcel fronting 75 feet on the north side of Kraft Street and running northwardly 200 feet.

Map and Parcel No. 55O-A-5

This being the same real estate conveyed to Vernon R. Thompson and wife, Florence L. Thompson, as tenants by the entirety, by deed of record in Official Record Book Volume 425, Page 1679, in the Register's Office for Montgomery County, Tennessee. The said Vernon R. Thompson is now deceased leaving his widow, Florence L. Thompson, vested with the entire fee simple title as the surviving tenant by the entirety.

TRACT VIII: 211 Chapel Street, Clarksville, TN 37042: Situated in the Seventh (7th) Civil District of Montgomery County, Tennessee, to wit: The south 150 feet of Lot Nos. 1 and 2 of the Burress Subdivision of the Mehigan Property as shown on plat thereof numbered 55, on Page 69, of Plat Book 2, of the Register's Office of said County and further described as beginning at the intersection of the north line of Church Street with the east line of the street on the east side of the Walker, Stokes, Pressler and Moss properties said street being about 465 feet west of the Odd Fellows Home property; running thence along said north line north 88-1/2 east 175 feet, more or less, to the southwest corner of the residence lot, as shown on said plat; running

thence along the west line of that lot north 1 east 150 feet, more or less, to a stake; thence westwardly parallel with said north line 175 feet, more or less, to the east line of said north and south street; thence southwardly along that line 150 feet, more or less, to the beginning, and being designated as Map and Map and Parcel No. 55-H-F-7, on the Maps of the Assessor of Property for Montgomery County, Tennessee. This description is taken from the deed of record in Official Record Book Volume 400, Page 2263, in the Register's Office for Montgomery County, Tennessee.

This is the same realty conveyed to Vernon Ray Thompson and Paul F. Burkhart by deed of record in Official Record Book Volume 497, Page 732, in the Register's Office for Montgomery County, Tennessee. The said Ray Thompson a/k/a Vernon Ray Thompson died testate on May 4, 1996. By his will of record in Will Book 22, Page 182, in the Chancery Court for Montgomery County, Tennessee, Docket No. P96-07-002, he devised the above-described realty to his widow, Florence G. Thompson a/k/a Pat Thompson and Florence L. Thompson.

The above legal descriptions were obtained from the referenced deeds of record in said Register's Office.

The purpose of this quitclaim deed is to convey any and all interest in and to the above described properties from Florence L. Thompson aka Florence G. Thompson, individually, to The Florence G. Thompson Revocable Trust.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed of realty as of the date written first herein.

Florence L. Thompson

FLORENCE L. THOMPSON

GRANTOR

STATE OF TENNESSEE)
)
COUNTY OF MONTGOMERY)

Personally appeared before me, the undersigned, a Notary Public in and for the State and County aforesaid, **FLORENCE L. THOMPSON**, the within named bargainor, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

Witness my hand and seal at office this the 19 day of September, 2007.

My Commission Expires:

8-12-09.

Jill B. McCan

Notary Public

JILL B. ROLAN
STATE OF TENNESSEE NOTARY PUBLIC
MONTGOMERY COUNTY

Property Owners Name
and Address:

THE FLORENCE G. THOMPSON REVOCABLE TRUST
728 Courtland Ave.
Clarksville, TN 37043

Person or Entity Responsible for
Payment of Property Taxes:

SAME / OWNER

STATE OF TENNESSEE, MONTGOMERY COUNTY

The actual consideration given for this conveyance is **$ - 0 -**.

Florence Thompson
Affiant

Subscribed and sworn to before me this the 19 day of September, 2007.

Notary Public (Register of Deeds
Montgomery County, Tennessee)

My Commission Expires:
8-12 09.

JILL B. NOLAN
STATE OF TENNESSEE NOTARY PUBLIC
MONTGOMERY COUNTY

Connie W. Bell, Register
Montgomery County Tennessee

Rec #:	156365
Rec'd:	25.00
State:	0.00
Clerk:	0.00
EDP:	2.00
Total:	27.00

Instrument #: 761257
Recorded
9/25/2007 at 3:22 PM
in Volume
1196
Pgs 2148-2152

This instrument was prepared by Albert P. Marks of Marks, Shell & Maness, Dunbar Park, 233-A Dunbar Cave Road, P.O. Box 1149, Clarksville, TN 37041-1149.

Vanessa Hollis Properties
Map 055O Group A Parcel 007.01
Map 055O Group A Parcel 003.00
Tract 1, 2 and 3

NAME & ADDRESS OF PROPERTY OWNER:
Vanessa Hollis, et al
c/o Vanessa Hollis
2703 Trelawny Drive
Clarksville, TN 37043

PERSON OR ENTITY RESPONSIBLE FOR THE PAYMENT OF THE REAL PROPERTY TAXES:
Same as above.

JUDY H. WEAKLEY, CO-TRUSTEE

TO: QUITCLAIM DEED

JUDY H. WEAKLEY, KERRI E. HOLLIS PERRY, AND JAMIE H. RAYBURN

PURSUANT TO Item III of the Last Will and Testament of Guy E. Hollis, and pursuant to an Order for Termination of Trust and Transfer of Trust Assets entered on the 4th day of January, 2012, in the Chancery Court for Montgomery County, Tennessee, Probate Division, in the cause of In Re: Estate of Guy E. Hollis, Case No. P2000-02-017, **JUDY H. WEAKLEY, CO-TRUSTEE OF THE UNIFIED CREDIT BYPASS TRUST CREATED UNDER ITEM III OF THE LAST WILL AND TESTAMENT OF GUY E. HOLLIS**, as GRANTOR, does hereby transfer and convey, remise, release and forever quitclaim unto GRANTEES, **JUDY H. WEAKLEY, an undivided one-fourth (1/4) interest**, her heirs and assigns forever, and **KERRI E. HOLLIS PERRY and JAMIE H. RAYBURN, an undivided one-fourth (1/4) interest**, as equal tenants in common, their heirs and assigns forever, all of the trust's right, title and interest in and to the following described tracts of real estate situated in the 12th Civil District of Montgomery County, Tennessee, being designated as Tax Map & Parcel Nos. 55O-A-7.01 (TRACTS 1 & 2) and 55O-A-3 (TRACT 3) as shown on the maps of the Assessor of Property for Montgomery County, Tennessee, to-wit:

TRACT 1: BEGINNING at a point in the southerly bank of the Red River, said point of beginning being further described as the northeast corner of the property conveyed to James E. Rollins and wife, by deed of record in Volume 192, page 422; thence north 89 degrees 06 minutes west 167.25 feet to a point; thence south 85 degrees 54 minutes west 200.69 feet to a point; thence north 87 degrees 25 minutes west 90 feet, more or less, to a point along the southern boundary of the Red River; thence leaving the southern boundary of the Red River south 23 degrees 15 minutes east 420 feet to a point; thence north 66 degrees 45 minutes east 123 feet to a point; thence 245.69 feet along a curve, the delta of which is 40 degrees 19 minutes, the radius of which is 773.64 feet and the tangent of which is 284.01 feet; thence north 12 degrees 7 minutes west 297.91 feet to the point of beginning.

Further, GRANTOR does grant to GRANTEES, their heirs and assigns forever, an easement of right of way from Kraft Street to the property herein conveyed. It is the understanding of the parties that said right of way will be used by GRANTEES, customers and etc. Said easement is further described as being 37 ½ feet on each side of a center line from a point in the northerly margin of Kraft Street, said point begin 649 feet from the northerly margin of the right of way of the Tennessee Central Railroad as measured along Kraft Street; thence north 23 degrees 15 minutes west 200 feet; thence said easement shall be reduced in size to 50 feet and shall run from the end of the above described easement and along the westerly margin of the property herein conveyed a total width of 50 feet to the bank of the Red River.

Subject to flowage easements to the United States of America, reference being made to Deed Book 175, page 1, of said Register's Office, and utility easements touching said property.

GRANTOR further conveys to GRANTEES any right they may have in any Corps of Engineers permits allowing them to dredge on the property herein conveyed.

TRACT 2: BEGINNING at a point in the northerly right of way of Kraft Street; said point being 40 feet from the center line of Kraft Street, said point further described as being 601.50 feet from the northerly right of way of the Tennessee Central Railroad (said point in the easterly margin of a 75 foot road); thence with the northerly right of way of Kraft Street south 66 degrees 45 minutes west, a distance of 75 feet to a point; thence leaving the northerly right of way of Kraft Street north 23 degrees 15 minutes west, along the western margin of said road a distance of 200 feet to a point; thence north 66 degrees 45 minutes east 173 feet to an iron pin; thence along a curve, the delta of which is 40 degrees 19 minutes, the radius of which is 773.64 feet, the tangent of which is 284.01 feet, 245.29 feet to an iron pin in the westerly margin of the Pressler property; thence along the westerly margin of the Pressler property south 12 degrees 07 minutes east 30 feet to a point; thence along a curve, the delta of which is 40 degrees 19 minutes, the radius of which is 773.64 feet, and the tangent of which is 284.01 feet, 245.29 feet to an iron pin; thence south 66 degrees 45 minutes west 98 feet to a point; thence in a new direction south 23 degrees 15 minutes east 200 feet to the point of beginning.

This being shown on the Assessor's map as a 30 foot easement beginning from the southerly right of way of Kraft St.; thence in a northerly direction to the southern boundary of 55O-A-7.01 in an eastward direction to the easement termination.

The above two (2) tracts are the same conveyed to Montgomery Co. Paving, Inc., by deed of record in Official Record Book Volume 578, page 305, and as corrected in Official Record Book Volume 602, page 6, both of the Register's Office, Montgomery County, Tennessee.

TRACT 3: Certain realty situated north of Kraft Street and described as beginning at a point in Vernon R. Thompson's southeast corner where it intersects the northern margin of Kraft Street, runs thence with Thompson's east boundary approximately 101 feet more or less to a point in Kenneth V. Harb's southeast corner, thence with Harb's east boundary 75 feet more or less to a 30-foot ingress and egress easement, thence with the eastern margin of said ingress easement to the southeast corner of Victor J. Harb's property, thence with Victor J. Harb's east boundary 297.71 feet more or less to the southerly bank of the Red River, thence with the southerly bank of Red River in a generally east direction, 386.13 feet more or less to a point in the northwest corner of the City of Clarksville property, thence with the western margin of the City of Clarksville property in a generally south direction 480.96 feet to a point in the northern right of way of the abandoned Tennessee Central Railroad, and runs thence with the northern margin of said railroad right of way in a westerly direction 199.19 feet to a point in the northern margin of Kraft Street, thence with the northerly margin of Kraft Street in a generally west or northwesterly direction 296.13 feet to the point of beginning, containing 4.5 acres, more or less.

The above tracts of real estate are the same conveyed to Vanessa Hollis, an undivided one-half (1/2) interest, and Rebecca K. Hollis and Judy H. Weakley, Co-Trustees of the Guy E. Holllis Unified Credit Bypass Trust (created in Item III of the Last Will and Testament of Guy E. Hollis), an undivided one-half (1/2) interest, by deed of record in Volume 1193, page 350, Register's Office, Montgomery County, Tennessee. Rebecca K. Hollis is deceased, having died on October 30, 2011.

IN TESTIMONY WHEREOF, GRANTOR has hereunto executed this instrument as of the 5th day of January, 2012.

Judy H Weakley

JUDY H. WEAKLEY, CO-TRUSTEE of the Unified Credit Bypass Trust created under Item III of the Last Will and Testament of Guy E. Hollis

GRANTOR

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, JUDY H. WEAKLEY, CO-TRUSTEE OF THE UNIFIED CREDIT BYPASS TRUST CREATED UNDER ITEM III OF THE LAST WILL AND TESTAMENT OF GUY E. HOLLIS, the within named bargainors, with whom I am personally acquainted, (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal, at office, on this the 5th day of January, 2012.

Carol L. Wilson
NOTARY PUBLIC

CAROL L. WILSON
STATE OF TENNESSEE NOTARY PUBLIC
MONTGOMERY COUNTY

My Commission Expires: 2/12/14

STATE OF TENNESSEE
COUNTY OF MONTGOMERY

The actual consideration for this conveyance is ~~$ -0-~~.

Judy H. Weakley
AFFIANT

Sworn and subscribed to before me on this the 5th day of January, 2012.

Carol L. Wilson
NOTARY PUBLIC

CAROL L. WILSON
STATE OF TENNESSEE NOTARY PUBLIC
MONTGOMERY COUNTY

My Commission Expires: 2/12/14

Connie W. Bell, Register
Montgomery County Tennessee

Rec #:	247656
Rec'd:	15.00
State:	0.00
Clerk:	0.00
Other:	2.00
Total:	17.00

Instrument #: 914852
Recorded
1/6/2012 at 8:00 AM
in Volume
1421
Pgs 1476-1478

CITY OF CLARKSVILLE TENNESSEE
FOUNDED 1784

2215 MADISON STREET
P.O. BOX 387
CLARKSVILLE, TN 37043
931-645-7418 FAX. 931-648-5983

CLARKSVILLE
TENNESSEE'S TECH CENTER

CLARKSVILLE GAS & WATER DEPT
MAIN LIFT STATION
GRAVITY SEWER UPGRADE
SEPTEMBER 2013
PLAN / PROFILE SHEET
PROJECT NO: 412-14805

DESIGNED BY:	Y.HANNA C. PEREZ-ORTIZ, P.E.
DRAWN BY:	CHARLIE STEIDINGER
DATE:	SEPTEMBER 2013
H. SCALE:	1" = 60'
V. SCALE:	1" = 6'

C 1.0

ORDINANCE 41-2013-14

AN ORDINANCE AMENDING THE 2013-14 OPERATING BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE GARAGE DEPARTMENT TO TRANSFER FUNDING IN THE AMOUNT OF $5,112.18 FOR PURCHASE OF A WELDER, AIR COMPRESSOR MOTOR, AND OIL SEPARATORS

WHEREAS, the Garage Department has savings in the FY2013-14 budget from Curbing for the Fuel Center in the amount of $6,595; and

WHEREAS, certain equipment is reaching the end of its useful life causing equipment failures; and

WHEREAS, the wire feed motor burned out on the current welder. It has been in operation for over twelve years and internal parts are not available. The cost to replace the current Mig Welder is $2,152.13; and

WHEREAS, the air compressor motor has failed. This item was an emergency purchase. The cost to replace the motor is $1,264.21; and

WHEREAS, Safety Kleen separators are necessary to keep tank oil from entering the storm water drains. The cost to purchase is $1,695.84.

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

That the following Budget Amendments be made:

Garage Expenditures:

Improvements Non-Buildings	10419604-4730	Decrease:	$6,595.00
Other Equipment Purchases	10419603-4650	Increase:	$5,112.18

BE IT FURTHER ORDAINED that the General Fund FY2013-14 expenditures be decreased in the amount of $1,482.82.

FIRST READING:
SECOND READING:
EFFECTIVE DATE: