



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
MAY 29, 2014, 4:30 P.M.**

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

AGENDA

1) PLANNING COMMISSION

ZONING PUBLIC HEARING

1. **ORDINANCE 82-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Ratilal Gajera, Chris Fielder/DBS Associates-Agent, for zone change on property at Stokes Road and Warfield Boulevard from R-1 Single Family Residential District to O-1 Office District (*RPC: Disapproval/Approval*)
2. **ORDINANCE 83-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Wholesale Investments, Chris Fielder/DBS Associates-Agent, for zone change on property at Edmondson Ferry Road and Ashland City Road from R-1 Single Family Residential District to C-2 General Commercial District (*RPC: Approval/Approval*)
3. **ORDINANCE 84-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Elizabeth Francis Thomison, Cindy Greene-Agent, for zone change on property at the Trenton Road/Timberdale Drive/Stillwood Drive intersection from AG Agricultural District to R-2 Single Family Residential District (*RPC: Approval/Approval*)
4. **ORDINANCE 85-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Capitol Hill Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District and R-2D Two Family Residential District (*RPC: Approval/Approval*)
5. **ORDINANCE 86-2013-14** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Keystone Subdivision from R-3 Three Family Residential District to R-2 Single Family Residential District (*RPC: Approval/Approval*)

ABANDONMENT

1. **RESOLUTION 44-2013-14** Approving abandonment of an unimproved street stub south of Paradise Hill Road; application of Marletta Lilly, Jerry Steele-Agent
(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 67-2013-14** (Second Reading) Accepting a Federal Grant passed through the Tennessee Department of Environment & Conservation for the Clarksville Greenway through Heritage Park to the Pedestrian Bridge
2. **ORDINANCE 68-2013-14** (Second Reading) Amending the Official Code relative to fireworks
3. **ORDINANCE 69-2013-14** (Second Reading) Amending the Official Code relative to Parks & Recreation special revenue accounts
4. **ORDINANCE 70-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Legends Bank/Cindy Nix, Matthew J. Ellis-Agent, for zone change on property at Riverside Drive & Dean Drive from M-1 Light Industrial District to C-2 General Commercial District
5. **ORDINANCE 71-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Cunningham Place Subdivision from R-4 Multiple Family Residential District to R-2A Single Family Residential District and R-2D Single Family Residential District
6. **ORDINANCE 72-2013-14** (Second Reading) Amending the Official Code relative to issuance of permits for beer manufacturers
7. Approval of Minutes: May 1st
8. Approval of Board Appointments:

Power Board: Ron Jackson (replace Bryce Sanders-term expired) and Wayne Wilkinson (reappointment) – July 2014 through June 2017

3) COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

4) FINANCE COMMITTEE

Joel Wallace, Chair

1. **ORDINANCE 74-2013-14** (First Reading) Accepting donation of property from Holly Point, LLC, relating to Clarksville Blueways (*Finance: Approval*)
2. **RESOLUTION 38-2013-14** Authorizing an interlocal agreement with Montgomery County pertaining to division of the 2014 Byrne Justice Assistance Grant fund allocations and administration of such funds (*Finance: Approval*)
3. **RESOLUTION 42-2013-14** Authorizing an interlocal contract with Montgomery County for construction of a fire protection facility and emergency services facility [Special Session] (*Finance: Approval*)
4. **RESOLUTION 43-2013-14** Relative to lighting of the Corman Rail Road Bridge [Special Session] (*Finance: Approval*)

5) GAS & WATER COMMITTEE

Marc Harris

6) PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

7) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

1. **RESOLUTION 39-2013-14** Authorizing the application for a text amendment to the Zoning Ordinance concerning homeless shelters (*Public Safety: Approval to forward to City Council*)
2. **RESOLUTION 41-2013-14** Authorizing the application for a text amendment to the Zoning Ordinance concerning apiculture (honeybee keeping) (*Public Safety: Approval to forward to City Council*)

8) STREET COMMITTEE

James Lewis, Chair

9) TRANSPORTATION COMMITTEE

Marc Harris, Chair

10)PUBLIC ART COMMISSION

Deanna McLaughlin

1. **RESOLUTION 40-2013-14** Approving a new location for the World War II Doughboy Memorial (*Public Art Commission: Approval*)

11) NEW BUSINESS

1. **ORDINANCE 73-2013-14** Rescheduling the July 2014 regular meeting of the City Council [Special Session] (*Mayor McMillan*)
2. Report of Debt Obligation for various public works projects (*No Action Required*)
3. Discussion regarding the RJ Corman Bridge project and the RJ Corman lighting project (*Councilwoman Jones*)

12) FY15 BUDGETS – SECOND READING

1. **ORDINANCE 75-2013-14** FY15 Community Development Budget
2. **ORDINANCE 76-2013-14** FY15 Parking Authority Budget
3. **ORDINANCE 77-2013-14** FY15 Clarksville Transit System Budget
4. **ORDINANCE 78-2013-14** FY15 Department of Electricity Budget
5. **ORDINANCE 79-2013-14** FY15 Gas-Water-Sewer Budget
6. **ORDINANCE 80-2013-14** FY15 Internal Service Fund Budget
7. **ORDINANCE 81-2013-14** FY15 General Government Budget

13) MAYOR AND STAFF REPORTS

14) ADJOURNMENT

15) PUBLIC COMMENTS

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: June 5, 2014. The public hearing will be held on: June 5, 2014.

CITY ORD. #: 82-2013-14 RPC CASE NUMBER: Z-14-2014

Applicant: RATILAL GAJERA

Agent: Chris Fielder, D B S & Associates

Location: fronting on the east side of Stokes Rd. 300 +/- feet south of the intersection of Warfield Blvd. & Stokes Rd.

Ward #: 12/11

Request: R-1 Single-Family Residential District
 to
 O-1 Office District

STAFF RECOMMENDATION: DISAPPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 83-2013-14 RPC CASE NUMBER: Z-17-2014

Applicant: WHOLESALE INVESTMENTS

Agent: Chris Fielder C/o D B S & Associates

Location: Property fronting on the east of Edmondson Ferry Rd, located 450+/- feet northeast of the Ashland City Rd & Edmondson Ferry Rd intersection.

Ward #: 7

Request: R-1 Single-Family Residential District
 to
 C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 84-2013-14 RPC CASE NUMBER: Z-18-2014

Applicant: ELIZABETH FRANCES THOMISON

Agent: Cindy Greene

Location: Property fronting on the east side of Trenton Rd. east of the Timberdale Dr & Trenton Rd intersection and the Stillwood Dr. & Trenton Rd. intersection.

Ward #: 12

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 85-2013-14 RPC CASE NUMBER: Z-19-2014
Applicant: REGIONAL PLANNING COMMISSION (CAPITOL HILL)
Agent:
Location: Parcels fronting on the north and south of Senator Dr. in Capitol Hill Subdivision.
Ward #: 5/1
Request: R-3 Three Family Residential District
 to
 R-2 Single-Family Residential District / R-2D Two-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 86-2013-14 RPC CASE NUMBER: Z-20-2014
Applicant: REGIONAL PLANNING COMMISSION (KEYSTONE)
Agent:
Location: Parcels fronting on Cory Dr. & Derby Dr. portions of Keystone Subdivision.
Ward #: 8/11
Request: R-3 Three Family Residential District
 to
 R-2 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 5/28/2014

CASE NUMBER: Z - 14 - 2014

NAME OF APPLICANT: Ratilal

Gajera

AGENT: Chris

Fielder, D B S & Associates

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: O-1

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT To extend the existing O-1 zoning to adjacent lot in order to join two lots into one
FOR PROPOSED USE: lot.

PROPERTY LOCATION: fronting on the east side of Stokes Rd. 300 +/- feet south of the intersection of
Warfield Blvd. & Stokes Rd.

ACREAGE TO BE REZONED: 0.35

DESCRIPTION OF PROPERTY North-O-1, East-C-2, West & South-R-1
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 041-L-A

PARCEL(S): 14.00

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 12/11

COUNTY COMMISSION DISTRICT: 2

PREVIOUS ZONING HISTORY:

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Water & Sewer Across The Street.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

3.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

4.

3. DRAINAGE COMMENTS:

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.

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:

9.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments Received From Department And They Had No Concerns.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: STOKES RD.

DRAINAGE:
NORTHWEST

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

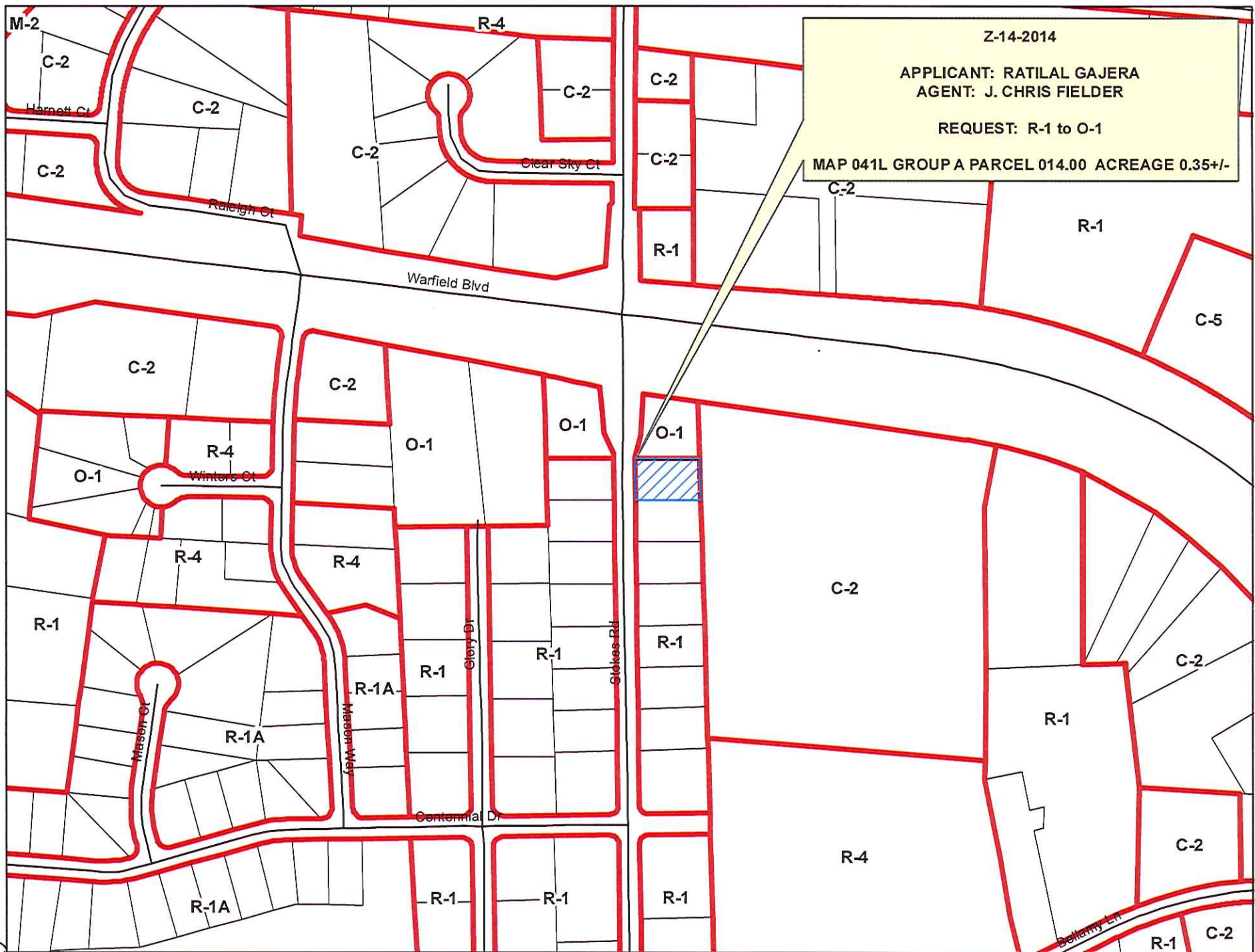
HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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

STAFF RECOMMENDATION: **DISAPPROVAL**

1. The proposed zoning request is inconsistent with Growth Plan (as in the City) and adopted Land Use Plan, being an intrusion into a viable residential neighborhood.
2. The O-1 request intrudes south beyond the established R-1 Single Family block face and would precipitate the erosion of single family homes.
3. No adverse environmental issues were identified relative to this request. However, landscaping will not screen the subject property from the single family use across the street.
- 4.
- 5.



CASE NUMBER: Z 14 2014 MEETING DATE 5/28/2014

APPLICANT: Ratilal Gajera

PRESENT ZONING R-1

PROPOSED ZONING O-1

TAX PLAT # 041-L-A

PARCEL 14.00

GEN. LOCATION fronting on the east side of Stokes Rd. 300 +/- feet south of the intersection of Warfield Blvd. & Stokes Rd.

PUBLIC COMMENTS

4/16/2014- Joe T. Bates- 2229 Stokes Road- Opposed (Attached Email)

Joe T. Bates

2229 Stokes Rd

Clarksville, Tn

Clarksville-Montgomery Co.

Regional Planning Commission

RE: Case No. Z-14-2014

I will not be able to attend the hearing on this matter. Instead I have the following comments and requests.

My property and all other properties south of my house are residential. My house is about 20 feet from the property line. There are two bedrooms on that north side of my house. Because of this rezoning, this will put people, their vehicles, their noise and their trash in very close proximity to my bedrooms.

To date, the applicant/business owner has done nothing to voluntarily abate the noise or trash blowing from that property onto mine. I therefore request that any rezoning approval require more than the minimum 5 ft. buffer zone of trees and shrubs. To maintain the quality of a residential neighborhood, I have the following requests:

- 7 ft. privacy fence be required along the property dividing line;
- 10 to 20 ft. buffer zone of trees and shrubs.

These restrictions should be required as part of the zoning approval, because promises and verbal assurances have a way of not materializing. These requirements are low cost compared to other Non- Specified improvements on the part of the applicant, and would demonstrate an effort to be a good neighbor on the part of the applicant.

I understand that business expansion is good for Clarksville, but, maintaining quality of life in neighborhoods is more important.

Respectfully,

Joe T. Bates

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 5/28/2014

CASE NUMBER: Z - 17 - 2014

NAME OF APPLICANT: Wholesale

Investments

AGENT: Chris

Fielder C/o D B S & Associates

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: C-2

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT To extend the C-2 zoning to combine the lots in order to place a Dollar General
FOR PROPOSED USE: Store on the combined lots.

PROPERTY LOCATION: Property fronting on the east of Edmondson Ferry Rd, located 450+/- feet northeast of the Ashland City Rd & Edmondson Ferry Rd intersection.

ACREAGE TO BE REZONED: 0.64 +/-

DESCRIPTION OF PROPERTY Lot with single family residence surrounded by C-2 commercial on 3 sides.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 79-L-A

PARCEL(S): 037.00

CIVIL DISTRICT: 12th

CITY COUNCIL WARD: 7

COUNTY COMMISSION DISTRICT: 5

PREVIOUS ZONING HISTORY:

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

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.

7. POLICE DEPT/SHERIFF'S OFFICE:

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

9.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

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

9. SCHOOL SYSTEM:

ELEMENTARY: NORMAN SMITH

MIDDLE SCHOOL: MONTGOMERY

HIGH SCHOOL: MONTGOMERY

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11.

11. OTHER COMMENTS:

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: EDMONDSON FERRY RD.

DRAINAGE:
NORTH TO SOUTH

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

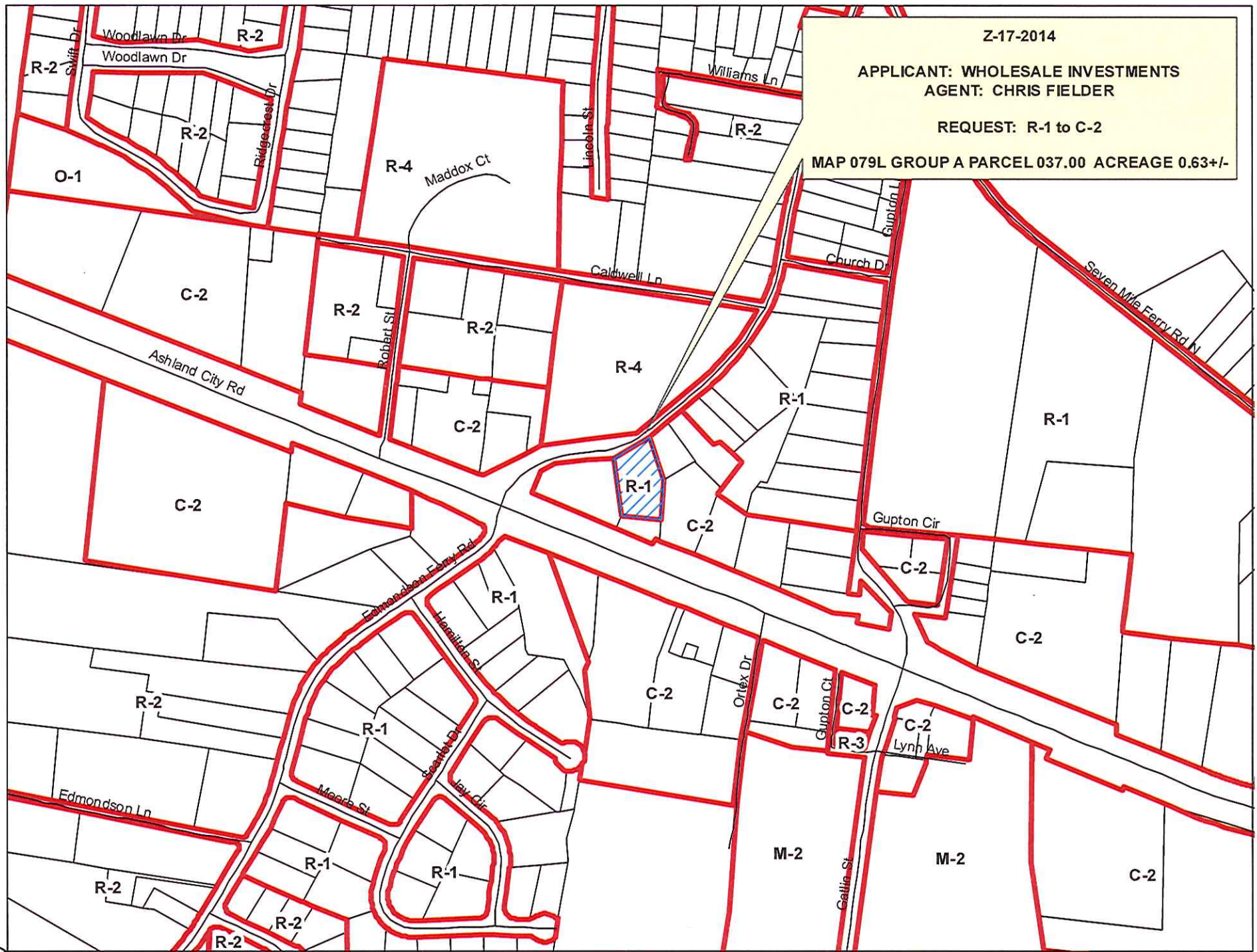
HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

South Clarksville Planning Area - South Clarksville is dominated by residential development but is ringed by commercial and light industrial uses. It is near the core of the city and has a well developed transportation network for destinations within its boundaries and other areas of the city. Sufficient infrastructure to support high density development.

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-2 Zoning to the north east and south.
- 5.



CASE NUMBER: Z 17 2014 MEETING DATE 5/28/2014

APPLICANT: Wholesale Investments

PRESENT ZONING R-1 PROPOSED ZONING C-2

TAX PLAT # 79-L-A PARCEL 037.00

GEN. LOCATION Property fronting on the east of Edmondson Ferry Rd, located 450+/- feet northeast of the Ashland City Rd & Edmondson Ferry Rd intersection.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 5/28/2014 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 5/28/2014

CASE NUMBER: Z - 18 - 2014

NAME OF APPLICANT: Elizabeth Frances Thomison

AGENT: Cindy Greene

GENERAL INFORMATION

PRESENT ZONING: AG

PROPOSED ZONING: R-2

**EXTENSION OF ZONE
CLASSIFICATION:** YES

**APPLICANT'S STATEMENT
FOR PROPOSED USE:** To be developed into residential subdivision.

PROPERTY LOCATION: Property fronting on the east side of Trenton Rd. east of the Timberdale Dr & Trenton Rd intersection and the Stillwood Dr. & Trenton Rd. intersection.

ACREAGE TO BE REZONED: 114.49

**DESCRIPTION OF PROPERTY
AND SURROUNDING USES:** Farmland with varying topography and wooded areas.

GROWTH PLAN AREA: CITY **TAX PLAT:** 17 **PARCEL(S):** 49.00

CIVIL DISTRICT: 2nd

CITY COUNCIL WARD: 12

COUNTY COMMISSION DISTRICT: 1

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and
action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Traffic Assessment Required

3.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

4.

3. DRAINAGE COMMENTS:

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.

No Comment(s) Received

7. POLICE DEPT/SHERIFF'S OFFICE:

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

9.

No Comment(s) Received

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

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

No Comment(s) Received

9. SCHOOL SYSTEM:

10.

ELEMENTARY: ST. B.
MIDDLE SCHOOL: NORTHEAST
HIGH SCHOOL: NORTHEAST

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: TRENTON RD. & KENNEDY LANE

DRAINAGE:
PRIMARILY NORTH TO SOUTH

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

329

ROAD MILES:

POPULATION:

888

ELEMENTARY SCHOOL STUDENTS:

72

MIDDLE SCHOOL STUDENTS:

36

HIGH SCHOOL STUDENTS:

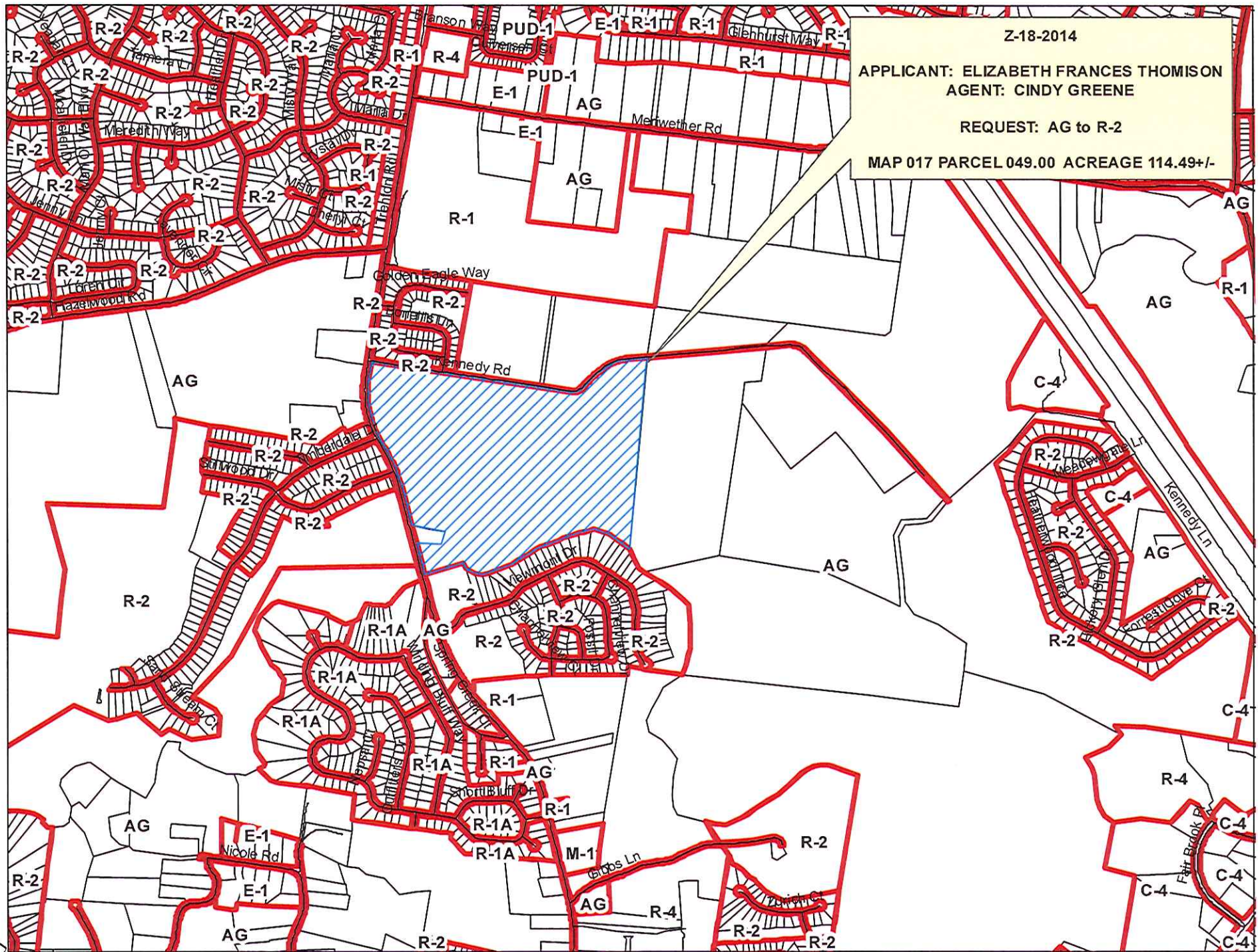
39

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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

STAFF RECOMMENDATION: APPROVAL

1. 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. Single family residential is the predominant use in the area and R-2 zoning is in character with properties in the area that are also zoned R-2.
5. At time of subdivision development, additional right of way for East-West Corridor will be preserved and a traffic impact study will be required to determine turning lane improvements for access to the development off Trenton Rd.



Z-18-2014

Ripple, David

From: Ripple, David
Sent: Tuesday, May 27, 2014 9:38 AM
To: Cowan, Chris; 'Britt Little'
Cc: 'vernon@weakleybrothers.com'; Frazier, Jack; Parker, Brad; Spainhoward, John T; Clemmons, Brent
Subject: RE: Thomison Property Traffic Assessment

Dear Chris Cowan and Britt Little: We will put a copy of this correspondence in the rezoning case file for Z-18-2014. Please send me a copy for the revised traffic impact study for the rezoning case file. Thank you. Sincerely, Dave Ripple

David A. Ripple, PhD, PE, AICP
Director of Planning
Clarksville-Montgomery County
Regional Planning Commission
329 Main Street
Clarksville, TN 37040
Tel: 931-645-7448
Fax: 931-645-7481
E-Mail: david.ripple@cityofclarksville.com

From: Cowan, Chris
Sent: Tuesday, May 27, 2014 9:33 AM
To: 'Britt Little'
Cc: 'vernon@weakleybrothers.com'; Frazier, Jack; Parker, Brad; Spainhoward, John T; Clemmons, Brent; Ripple, David
Subject: RE: Thomison Property Traffic Assessment

I agree with this classification based on the definition in the Highway Capacity Manual Chapter 12.
The difference between Class I and Class II is not based on roadway class but rather driver expectations.

Chris Cowan, P.E.
Traffic Engineer

Clarksville Street Department
199 10th Street
Clarksville, TN 37040

Ph: (931)645-7464

From: Britt Little [<mailto:blittle@weakleybrothers.com>]
Sent: Friday, May 23, 2014 1:06 PM
To: Cowan, Chris
Cc: vernon@weakleybrothers.com
Subject: Thomison Property Traffic Assessment

Chris,

Please find attached a revised traffic assessment for the Thomison property. The reason for the revision is the LOS analysis was originally conducted assuming Trenton Road is a Class I highway. Upon further consideration, I deemed Trenton Road to better conform to the definition of a Class II highway. While Trenton Road is an arterial highway, the lower posted speed limit and rugged terrain along Trenton Road warrant this revised classification. **The revised LOS analysis indicates Trenton Road, as a Class II highway, would operate at a LOS D.** Should you have any questions regarding this revision, please let me know.

Sincerely,

Britt Little, PE
Engineer

Weakley Brothers Engineering
108 Center Pointe Drive
Clarksville, TN 37040

Office: (931) 551-9445
Cell: (615) 655-3059
Fax: (931) 648-9445

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CASE NUMBER: Z 18 2014 MEETING DATE 5/28/2014

APPLICANT: Elizabeth Frances Thomison

PRESENT ZONING AG PROPOSED ZONING R-2

TAX PLAT # 17 PARCEL 49.00

GEN. LOCATION Property fronting on the east side of Trenton Rd. east of the Timberdale Dr &
Trenton Rd intersection and the Stillwood Dr. & Trenton Rd. intersection.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 5/28/2014 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 5/28/2014

CASE NUMBER: Z - 19 - 2014

NAME OF APPLICANT: Regional Planning Commission (Capitol Hill)

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-3

PROPOSED ZONING: R-2 R-2D

**EXTENSION OF ZONE
CLASSIFICATION:** YES

**APPLICANT'S STATEMENT
FOR PROPOSED USE:** Bring non-conforming zoning into compliance (due to new R-3 regulations).

PROPERTY LOCATION: Parcels fronting on the north and south of Senator Dr. in Capitol Hill Subdivision.

ACREAGE TO BE REZONED: R-2 (11.98); R-2D (1.38)

**DESCRIPTION OF PROPERTY
AND SURROUNDING USES:** Developed subdivision with single family homes and duplexes.

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

CIVIL DISTRICT: 3rd

CITY COUNCIL WARD: 5/1

COUNTY COMMISSION DISTRICT: 9

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and
action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☒ UTILITY DISTRICT
- ☐ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

- ☐ ATT
- ☒ FIRE DEPARTMENT
- ☐ 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
- ☐ CHARTER COMM.
- ☐ Other...

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

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.

7. POLICE DEPT/SHERIFF'S OFFICE:

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

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY: RINGGOLD

MIDDLE SCHOOL: KENWOOD

HIGH SCHOOL: KENWOOD

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11.

11. OTHER COMMENTS:

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: SENATOR DR.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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

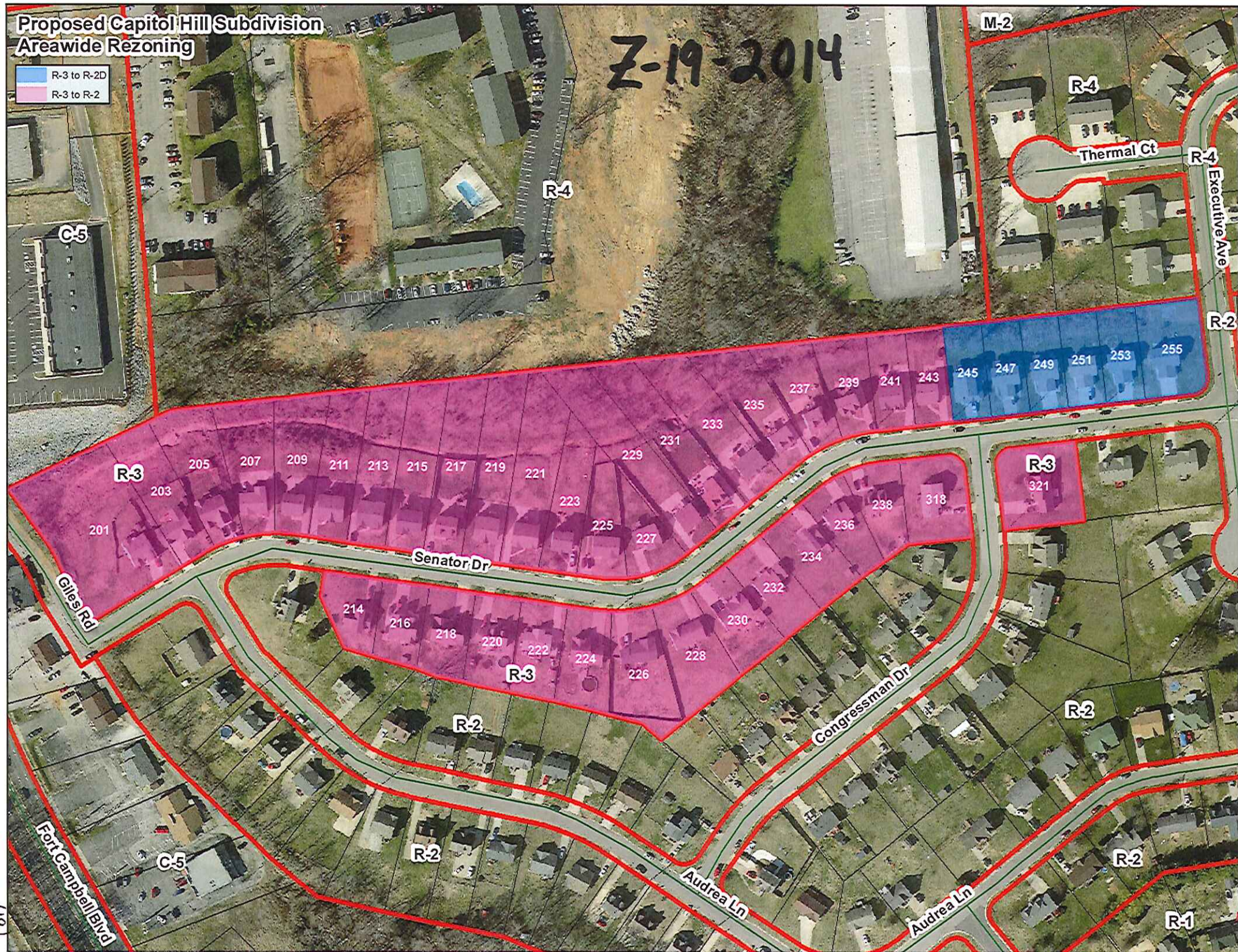
STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Proposed area wide rezoning protects property investments for both the short-term and long-term by verifying that conforming uses fall under the correct zoning classification.
- 5.

Proposed Capitol Hill Subdivision Areawide Rezoning

R-3 to R-2D
R-3 to R-2

Z-19-2014



CASE NUMBER: Z 19 2014 MEETING DATE 5/28/2014
APPLICANT: Regional Planning Commission (Capitol Hill)
PRESENT ZONING R-3 PROPOSED ZONING R-2
TAX PLAT # See Attached Map PARCEL

GEN. LOCATION Parcels fronting on the north and south of Senator Dr. in Capitol Hill Subdivision.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 5/28/2014 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 5/28/2014

CASE NUMBER: Z - 20 - 2014

NAME OF APPLICANT: Regional Planning Commission (Keystone)

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-3

PROPOSED ZONING: R-2

**EXTENSION OF ZONE
CLASSIFICATION:**

**APPLICANT'S STATEMENT
FOR PROPOSED USE:** Bring non-conforming zoning into compliance (due to new R-3 regulations).

PROPERTY LOCATION: Parcels fronting on Cory Dr. & Derby Dr. portions of Keystone Subdivision.

ACREAGE TO BE REZONED: 6.45

**DESCRIPTION OF PROPERTY
AND SURROUNDING USES:** Developed single family subdivision

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

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 8/11

COUNTY COMMISSION DISTRICT: 14

PREVIOUS ZONING HISTORY:
(to include zoning, acreage and
action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- ☒ GAS AND WATER ENG. SUPPORT MGR.
- ☒ GAS AND WATER ENG. SUPPORT COOR.
- ☐ UTILITY DISTRICT
- ☒ JACK FRAZIER
- ☒ CITY STREET DEPT.
- ☒ TRAFFIC ENG. - ST. DEPT.
- ☐ COUNTY HIGHWAY DEPT.
- ☐ CEMC
- ☒ DEPT. OF ELECTRICITY (CDE)

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

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

7.

Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

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

Comments Received From Department And They Had No Concerns.

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: CORY DR. & DERBY DR.

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:

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

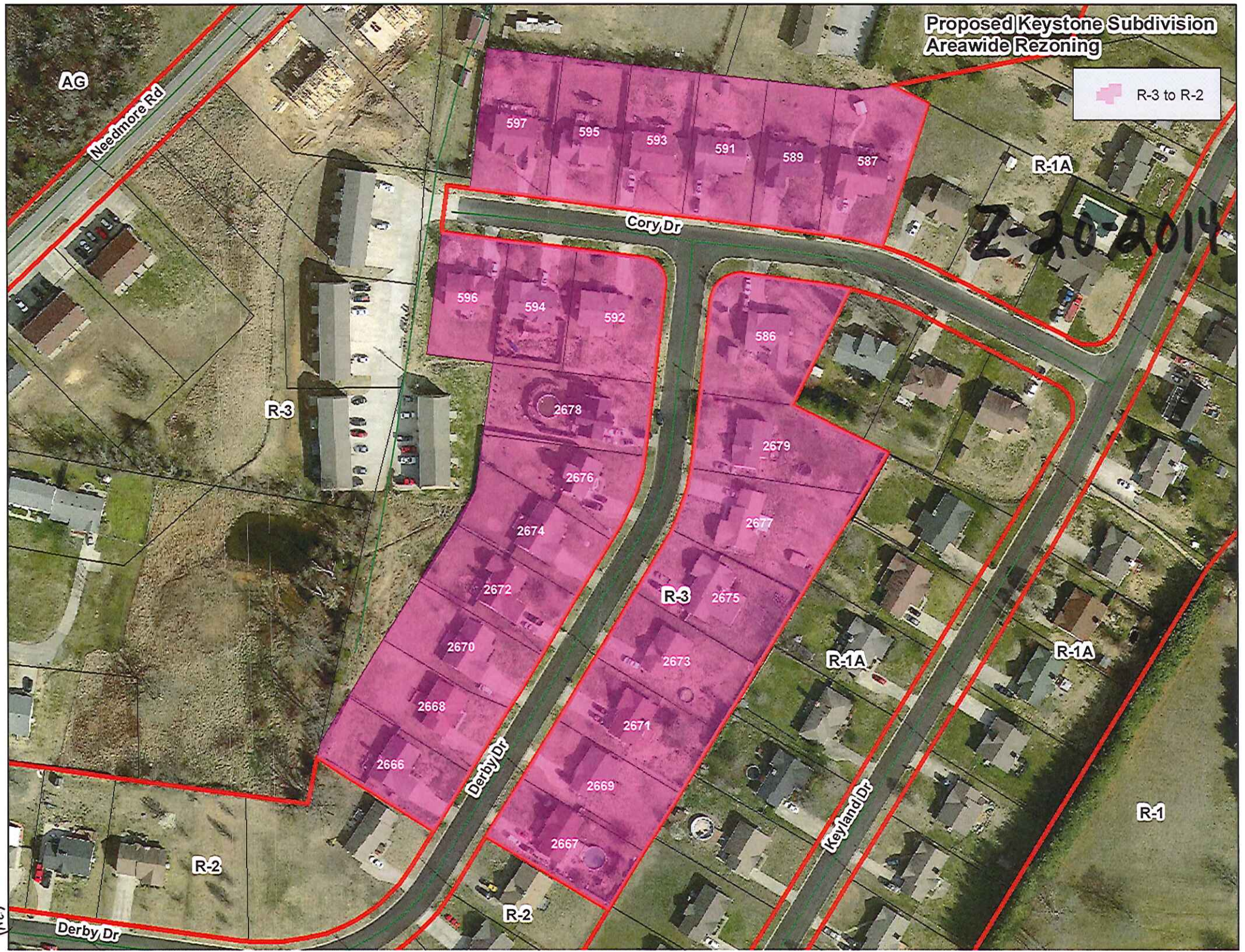
STAFF RECOMMENDATION: **APPROVAL**

1. 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 verifying that conforming uses fall under the correct zoning classification.
- 5.

Proposed Keystone Subdivision
Areawide Rezoning

R-3 to R-2

Z-20-2014



CASE NUMBER: Z 20 2014

MEETING DATE 5/28/2014

APPLICANT: Regional Planning

Commission (Keystone)

PRESENT ZONING R-3

PROPOSED ZONING R-2

TAX PLAT # See Attached Map

PARCEL

GEN. LOCATION Parcels fronting on Cory Dr. & Derby Dr. portions of Keystone Subdivision.

PUBLIC COMMENTS

None received as of 11:00 a.m. on 5/28/2014 (jhb).

ORDINANCE 82-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF RATILAL GAJERA, CHRIS FIELDER/DBS ASSOCIATES-AGENT, FOR ZONE CHANGE ON PROPERTY AT WARFIELD BOULEVARD & STOKES ROAD

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point said point being in a southeasterly direction 346 +/- feet from the centerline of the Warfield Blvd. and Stokes Rd. intersection, said point being in the eastern right of way of Stokes Rd. and the southwest corner of the ARK Properties LLP and the northwest corner of the herein described parcel, thence in an easterly direction with the ARK Properties LLP southern boundary 153 +/- feet to a point in the western boundary of the AJAX Properties LLC, thence in a southerly direction 99 +/- feet with the AJAX Properties LLC boundary to a point, said point being the northeast corner of the Joe Thomas Bates property, thence in a westerly direction 155 +/- feet with the northern boundary of the Joe Thomas Bates property to a point, said point being the northwest corner of the Joe Thomas Bates property and located in the eastern right of way of Stokes Road, thence in a northerly direction 100 +/- feet with the eastern right of way of Stokes Road to the point of beginning, containing 0.35 +/- acres, further identified as Tax map 041-L-A, Parcel 14.00

ORDINANCE 83-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF WHOLESALE INVESTMENTS, CHRIS FIELDER/DBS ASSOCIATES-AGENT, FOR ZONE CHANGE ON PROPERTY AT EDMONDSON FERRY ROAD AND ASHLAND CITY ROAD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as C-2 General Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 368 +/- feet northeast from the centerline of the Ashland City Rd and Edmondson Ferry Rd. intersection and located in the south right of way of Edmondson Ferry Rd. said point also being the northeast corner of the Lester York property thence in a southeasterly direction 172 +/- feet with the York property eastern boundary to a point, said point being the northwest corner of the Wholesale Investments property thence in an easterly direction 120 +/- feet, a northerly direction 114 +/- feet, a northwesterly direction 146 +/- feet with the Wholesale Investments boundaries to a point located in the south right of way of Edmondson Ferry Rd. said point being the northeast corner of the described tract, thence in a southwesterly direction 126 +/- feet with the southern right of way of Edmondson Ferry Rd to the point of beginning, said tract containing 0.46 +/- acres, further identified as Tax Map 79-L-A Parcel 37.00

ORDINANCE 84-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ELIZABETH FRANCES THOMISON, CINDY GREEN-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE TRENTON ROAD/TIMBERDALE DRIVE/STILLWOOD DRIVE INTERSECTION

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point said point being 36 +/- feet southeast of the centerline of the Trenton Rd. and Kennedy Lane intersection, said point also being the northwest corner of the herein described tract, said point being located in the eastern row of Trenton Rd. thence with the eastern boundary of the Trenton Rd. right of way in a southerly direction 1,861 +/- feet to a point, said point being the northeast corner of the Richard Conroy property, thence with the Conroy property boundary 367 +/- feet in a easterly direction to a point, thence southerly direction 137 +/- feet to a point, thence in a westerly direction 278 +/- feet to a point, said point being in the eastern boundary of the Trenton Rd. right of way. thence in a southerly direction 361 +/- feet to a point said point being in the northern bank of the Spring Creek, thence in a easterly direction meandering the northern bank of Spring Creek 2,244 +/- feet to a point, said point being in the western boundary of the the Stephanie Choate property, thence in a northerly direction 2,071 +/- feet with the Choate boundary to a point, said point being in the southern right of way of Kennedy Ln., thence in a westerly direction 3,171 +/- with the southern right of way boundary to the point of beginning. containing 114.49 +/- acres further identified as Tax Map 17 Parcel 49.00

ORDINANCE 85-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF CAPITOL HILL 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-3 Three Family Residential District, as R-2 Single Family Residential District and R-2D Two Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Properties identified as Montgomery County Tax Map and Parcel(s):

Tax Map 019 I-E, parcel 014.00

Tax Map 019 I-F, parcels 016.00 – 029.00

Tax Map 019 I-G, parcels 001.00 – 022.00

ORDINANCE 86-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF KEYSTONE 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-3 Three Family Residential District, as R-2 Single Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Properties located east and west of Derby Drive and north and south of Cory Drive (properties located in Keystone Subdivision), 6.45 +/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 32 P-E, parcels 007.00 – 012.00

Tax Map 032 P-G, parcels 015.00 – 022.00

Tax Map 041 A-A, parcels 001.00 – 010.00

RESOLUTION 44-2013-14

A RESOLUTION APPROVING THE ABANDONMENT OF UNIMPROVED STREET STUB;
LOCATED SOUTH OF PARADISE HILLS ROAD, EAST OF GLENDALE DRIVE AND WEST
OF VISTA LANE

WHEREAS, application was made by Marletta Lilley (Jerry Steele, agent) for abandonment of an unimproved street stub; located south of Paradise Hills Road, east of Glendale Drive and west of Vista Lane; being approximately 50 +/- feet wide and 115 +/- feet long, containing 5,750 +/- square feet; shown on Montgomery County tax map 080-H, group H, south of parcel 009.00 and north of parcel 008.00; also shown on the attachment; and

WHEREAS, the application was reviewed according to established procedures by the Regional Planning Commission on May 28, 2014, and was recommended for approval to the Clarksville City Council, with retention of an easement for storm water and surface drainage, and for public utilities.

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

That the above-described portion of a public right-of-way is hereby abandoned with retention of an easement for storm water and surface drainage, and for public utilities.

PUBLIC HEARING:
ADOPTED:



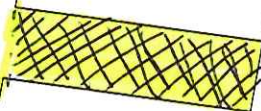
GLENDAL CIR

MCCAN DR

BALTIMORE DR

VISTA LN

GLENDAL DR



AB-2-2014

ORDINANCE 67-2013-14

AN ORDINANCE AMENDING THE 2013-14 GENERAL FUND AND CAPITAL PROJECTS FUND BUDGET (ORDINANCE 91-2012-13) AUTHORIZING THE CITY OF CLARKSVILLE TO ACCEPT A FEDERAL GRANT PASSED THROUGH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION WITH THE CITY OF CLARKSVILLE PROVIDING 20% IN-KIND MATCH FOR THE HERITAGE PARK GREENWAY CONNECTION

WHEREAS, the City of Clarksville has been awarded a grant totaling \$120,000 by the Federal Government passed through the Tennessee Department of Environment and Conservation to construct and extend the Clarksville Greenway through Heritage Park to the Pedestrian Bridge; and

WHEREAS, this project includes developing an approximately 3,500' linear feet by 10' wide trail; and

WHEREAS, the City of Clarksville will provide a 20% in-kind match of \$30,000.

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

That the following budget amendments are hereby authorized:

4041000 33130-95105	Federal Grant Revenue	Increase: \$120,000
4041000 39150	Transfer In from General Fund	Increase: \$ 30,000
40450003-4332-95105	Heritage Park Greenway Connection	Increase: \$ 12,000
40450003-4450-95105	Heritage Park Greenway Connection	Increase: \$108,000
40450003-4610-95105	Heritage Park Greenway Connection	Increase: \$ 30,000
10470003-4914	Transfer to Capital Projects Fund	Increase: \$ 30,000

BE IT FURTHER ORDAINED that the source funding for the \$30,000 shall be from the fund balance of the General Fund.

FIRST READING: May 1, 2014

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 68-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE, TITLE 10 (OFFENSES MISCELLANEOUS), CHAPTER 2 (ENUMERATED) RELATING TO FIREWORKS

WHEREAS, The City Council finds that the public health, safety, and welfare is furthered by amending the City Code pertaining to fireworks;

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

1. That the Official Code of the City of Clarksville, Title 10, Offenses-Miscellaneous Unlawful to Explode, is hereby amended by deleting the entire section and substituting the following:

§ 10-218 Fireworks – Unlawful to Explode

(1) Except as set out below, it shall be unlawful for any person, organization, group, or entity to explode, fire, shoot, or set off at any place within the corporate limits of the City, or allow to be exploded, fired, shot or set off on property owned or leased by same and located within the City, any firecrackers, Roman candles, sparklers, powder-loaded pinwheels, torpedoes, or any other article or material constituting “fireworks.”

(2) Fireworks which may be lawfully purchased inside the corporate limits of the City, as specified in § 10-217 may be exploded, fired, shot, or set off inside the city corporate limits of the city on the following dates and times:

- a. July 1 through July 5, between the hours of 6:00 p.m. and 10:00 p.m.; and
- b. December 28 through December 30, between the hours of 6:00 p.m. and 10:00 p.m.; and
- c. December 31 between the hours of 6:00 p.m. and 12:00 midnight; and
- d. January 1 between the hours of 6:00 p.m. and 10:00 p.m.; and
- e. Such other dates as may be approved by the Fire Chief (or his/her designee) provided that the person, organization, group, or entity;

1. Shall use the services of either a *certified outdoor display operator* or a *licensed exhibitor*, as defined in state law of general application, and obtain prior approval from the Fire Chief (or his/her designee); and

(a.) The *certified outdoor display operator* or a *licensed exhibitor*, shall coordinate and be responsible for all costs associated with securing a City Fire Department fire suppression vehicle and the necessary firefighters, including any overtime compensation, onsite during the time of the fireworks display;

2. Satisfies any such other requirements pertaining to public safety as may be prescribed by the Fire Chief (or his/her designee).

(3) Except for City conducted or sponsored events utilizing a professional pyrotechnics business, it shall be unlawful for any person, organization, group, or entity to possess, use, explode, fire, shoot, or set off any type of fireworks from within any City park, or recreational facility or property.

(4) It shall be unlawful for any person under the age of sixteen (16) years to use, explode, or possess any fireworks within the city limits unless they are under the direct supervision of an adult of at least eighteen (18) years of age.

(5) Any sworn officer of the Clarksville Police Department shall have the authority to issue citations alleging a violation of any part of this section and citing violators to City Court. Upon a finding that a violation has been committed, the City Court shall impose a fine of \$50.00 and court costs.

FIRST READING:

May 1, 2014

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 69-2013-14

AN ORDINANCE AMENDING THE OFFICIAL CODE, TITLE 6 (FINANCE AND TAXATION), CHAPTER 1 (MISCELLANEOUS), SECTION 6-103 (RECREATION SPECIAL REVENUE FUND)

WHEREAS, the City Council finds it appropriate to amend the Official Code of Ordinances, Title 6 (Finance and Taxation), Chapter 1 (Miscellaneous), Section 6-103 (Recreation special revenue fund).

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

(1) That Title 6 (Finance and Taxation), Chapter 1 (Miscellaneous), Section 6-103, pertaining to “Recreation special revenue fund,” is amended by deleting the language of the entire section, and substituting the following language therefore:

Sec. 6-103. Recreation special revenue fund.

(a) The city council hereby authorizes the establishment of a "recreation special revenue fund" to be used for the separate accounting of revenues and expenditures for the recreational activities set forth herein.

(b) All revenues accounted for in the “recreation special revenue fund” must have a specific revenue source to provide for a specific use.

(c) The following revenues shall be credited to said special revenue fund:

(1) Revenues collected through program fees and sponsorships for city operated fitness or other special classes conducted at the community centers that are not accounted for in the general fund

(2) Revenues resulting from fees and sponsorships for city operated dances, socials, or other events held at the community centers that are not accounted for in the general fund.

(3) Revenues collected through program fees and sponsorships for city operated athletic leagues, events and programs not accounted for in the general fund.

(4) Revenues derived from special events sponsored by the City of Clarksville and/or department of parks and recreation through the solicitation of sponsorships, sale of advertising, entry fees, or other revenues directly attributable to the event and not already accounted for in the general fund.

(5) Revenues derived from public and private grants including federal and state pass-through grants which do not require matching funds and have a specifically stated use.

(d) All department of parks and recreation revenues not expressly listed herein for separate accounting under the "recreation special revenue fund" shall be revenues of the general fund.

(e) The above listed "recreation special revenue fund" revenues shall only be expended for the following purposes:

- (1) To pay the costs of operating the athletic, aquatic, recreation programming, community center, and city special event activities which generated the revenues.
- (2) To pay the costs of projects and programs funded by non-matching grants including salaries and benefits, and operating costs.
- (3) To pay costs of projects and activities designated by private donors for donations received by the parks and recreation department.

(f) Revenues derived from the sources listed herein and accounted for through the "recreation special revenue fund" shall not be used to fund the pay or salary for any full-time employee of the department of parks and recreation; nor to fund any activities pertaining to city golf courses.

(g) If the expenditures of the "recreation special revenue fund" shall exceed the revenues of the fund, the "recreation special revenue fund" shall not be subject to further appropriation, disbursement, or expenditure until such deficit is eliminated. All disbursements from the "recreation special revenue fund" account must be from appropriated funds.

(h) This section shall supersede any and all previous ordinances pertaining to the establishment or operation of a "recreation special revenue fund."

(i) The following events are designated as "City Special Events" for purposes of this section:

- (1) Riverfest.
- (2) Movies in the Park
- (3) Clarksville's Christmas Parade
- (4) Chocolate Affair
- (5) Handmade Holidays
- (6) Fun with Fido/Doggiepalooza/Bark in the Park
- (7) New or innovative events approved by the Mayor and not budgeted in general fund.

(j) The following activities are designated as "Athletic activities" for purposes of this section:

- (1) Queen City Road Race
- (2) 50 Plus Olympics (Senior Games)
- (3) Sportsfest
- (4) Youth Triathlon
- (5) Youth Baseball, Softball, and Teeball League
- (6) Youth Basketball League
- (7) New or innovative athletic activities approved by the Mayor and not budgeted in general fund.

(k) The following activities are designated as "Community Center activities" for purposes of this section:

- (1) Quick Silver Socials
- (2) Fitness classes-FIT, Aerobics, Zumba, R&B Step, Tai Chi, Martial Arts, Cardio Boxing
- (3) Specialty classes-Cumberland Arts Experience, Photography, Indoor Soccer, Tumbling/Gymnastics
- (4) New or innovative community center activities approved by the Mayor and not budgeted in general fund.

(2) This Ordinance shall have an effective date of July 1, 2014.

FIRST READING: May 1, 2014

SECOND READING:

PUBLICATION DATE:

EFFECTIVE DATE:

ORDINANCE 70-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF LEGENDS BANK/CINDY NIX, MATTHEW J. ELLIS-AGENT, FOR ZONE CHANGE ON PROPERTY AT RIVERSIDE DRIVE & DEAN 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 M-1 Light Industrial District, as C-2 General Commercial District.

PUBLIC HEARING: May 1, 2014

FIRST READING: May 1, 2014

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the western margin of Riverside Drive, said point of beginning being located north 29 degrees 08 minutes 36 seconds west 56.39 feet from a point with the intersection of the centerlines of Riverside Dr. and Dean Rd, said point of beginning also being the southeast corner of the City of Clarksville property; runs thence with the western margin of Riverside Dr. on a slight curve to the left having a radius of 1472.63 feet, a delta of 06 degrees 08 minutes 46 seconds, a tangent of 79.06 feet, a chord bearing south 14 degrees 16 minutes 45 seconds west, an arc distance of 157.97 feet, a chord distance of 157.89 feet to an iron pin, the northeast corner of the Ben Kimbrough et al property; runs thence leaving said right of way north 78 degrees 47 minutes 48 seconds west 201.19 feet to an iron pin located at the top of the bank of the Cumberland River; thence north 33 degrees 24 minutes 55 seconds east 61.12 feet to an iron pin, thence north 38 degrees 46 minutes 06 seconds east 51.70 feet to an iron pin; thence north 45 degrees 52 minutes 17 seconds east 58.67 feet to an iron pin; thence north 78 degrees 47 minutes 40 seconds east 44.97 feet to an iron pin, thence north 74 degrees 45 minutes 12 seconds east 35.54 feet to an iron pin; thence south 54 degrees 14 minutes 23 seconds east 62.52 feet to the point of beginning, containing 0.67 +/- acres further identified as Tax Map 079, Parcel 008.00.

ORDINANCE 71-2013-14

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THE REGIONAL PLANNING COMMISSION FOR ZONE CHANGE ON PORTIONS OF CUNNINGHAM PLACE 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-2A Single Family Residential District and R-2D Single Family Residential District.

PUBLIC HEARING: May 1, 2014
FIRST READING: May 1, 2014
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Properties located south of Cunningham Lane, north of Cherry Tree Drive and west of Ft. Campbell Boulevard, properties also located and adjacent to Cunningham Place (properties located in Cunningham Place Subdivision), 6.50+/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 043 H-C, Parcels 021.00-028.00, 032.00-035.00, 037.00-043.00, 046.00-054.00, 056.00-060.00

Also properties located south of Cunningham Lane, north of Cherry Tree Drive and west of Ft. Campbell Boulevard, properties also located and adjacent to Cunningham Place (properties located in Cunningham Place Subdivision), 1.76+/- acres, properties further identified as Montgomery County Tax Map and Parcel(s):

Tax Map 043 H-C, Parcels 029.00-031.00, 036.00, 044.00, 045.00 and 055.00

ORDINANCE 72-2013-14

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

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

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

Section 2-1-5. Classes of Permits.

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

(1) *Manufacturers.* A manufacturer's permit to a manufacturer of beer, for the manufacture, possession, storage, sale, distribution, and transportation of the product of the manufacturer which product may be consumed upon the premises of the manufacturer to the extent permitted by state law of general application.

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

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

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

b. No alcoholic beverage shall be consumed in the parking lot of any establishment possessing an on-sale permit, except that, with prior approval of the City's Chief of Police or his / her designee and the Beer Permit Board, for special events no longer than three consecutive calendar days, permittees may allow consumption of alcoholic beverages sold by

the permittee within an area that is roped off or otherwise separated by a continuous fence or other type of barrier from the remaining portion of their parking lot, both ends of which terminate at the permittee's building, deck, porch, patio, or other such attached structure, and provided further, that such permittee provides for an adequate number of private security personnel, which may be employees of the permittee, identified by their clothing as security, to patrol the premises to prevent unlawful use or possession of alcoholic beverages and to enhance public safety.

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

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

FIRST READING: May 1, 2014
SECOND READING:
EFFECTIVE DATE:



**CITY COUNCIL
CLARKSVILLE, TENNESSEE
REGULAR SESSION
MAY 1, 2014**

MINUTES

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, May 1, 2014, at 7:02 p.m. in City Council Chambers, 1-6 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilwoman Kaye Jones; the Pledge of Allegiance was led by Councilman Marc Harris.

ATTENDANCE

PRESENT: Kip McNeill (1), Deanna McLaughlin (2), James Lewis, Mayor Pro Tem (3), Wallace Redd (4), Valerie Guzman (5), Marc Harris (6), Geno Grubbs (7), David Allen (8), Joel Wallace (9; arrived 7:05), Bill Summers (10), Kaye Jones (11), Jeff Burkhardt (12)

SPECIAL RECOGNITIONS

Mayor McMillan, Fire Chief Mike Roberts, and Deputy Fire Chief Buff Albright presented a Mayor's Certificate of Appreciation to Lt. Billy Castle, EMC Michael Rios, Fire Fighter Richard Cayce, and Fire Fighter Jobe Moore for rescuing a victim from a burning house on Evans Road on April 9th.

PUBLIC HEARING

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

ORDINANCE 70-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Legends Bank/Cindy Nix, Matthew J. Ellis-Agent, for zone change on property at Riverside Drive & Dean Drive from M-1 Light Industrial District to C-2 General Commercial District

No one spoke for or against this request.

ORDINANCE 71-2013-14 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Cunningham Place Subdivision from R-4 Multiple Family Residential District to R-2A Single Family Residential District and R-2D Single Family Residential District

No one spoke for or against this request.

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

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 70-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 71-2013-14**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

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

1. **ORDINANCE 58-2013-14** (Second Reading) Amending the FY14 Capital Projects Budget for Fort Defiance Interpretive Center signage
2. **ORDINANCE 59-2013-14** (Second Reading) Amending the FY14 Capital Projects budget to close the Excursion Boat project and create the Red River Trail Phase II project
3. **ORDINANCE 60-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of CBP Properties c/o Christian Black for zone change on property at Crossland Avenue & Perkins Avenue from R-3 Three Family Residential District to R-6 Single Family Residential District

4. **ORDINANCE 61-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Linda Titington, Jane Ondocin-Agent, for zone change on property at Rossview Road & Dunbar Cave Road, from R-1 Single Family Residential District to OP Office-Professional District
5. **ORDINANCE 62-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of David S. Hong, Mike Baggett and Anthony Vaughn-Agents, for zone change on property at Highway 41-A South & Old Excell Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District
6. **ORDINANCE 63-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Dale Terrace Subdivision from R-4 Multiple Family Residential District to R-2 Single Family Residential District
7. **ORDINANCE 64-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Glenstone Subdivision from R-4 Multiple Family Residential District to R-1 Single Family Residential District
8. **ORDINANCE 65-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of the Regional Planning Commission for zone change on portions of Heritage Estates from R-4 Multiple Family Residential District to R-1 Single Family Residential District
9. **ORDINANCE 66-2013-14** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of portions of Creekside Subdivision from R-4 Multiple Family Residential District to R-2 Single Family Residential District
10. Approval of Minutes: April 3rd
11. Approval of Board Appointments:

Senior Citizens Board: Laura Ruizdesparza – May 2014 through April 2015;
Patricia Blair and Annette Shrader – May 2014 through April 2016

Councilwoman McLaughlin made a motion to adopt the Consent Agenda. The motion was seconded by Councilman Harris. A voice vote was taken. Councilwoman McLaughlin registered a “nay” vote on **ORDINANCE 60-2013-14** and **ORDINANCE 61-2013-14**. Councilwoman Jones registered a “nay” vote on **ORDINANCE 59-2013-14** and **ORDINANCE 60-2013-14**. The following vote was recorded:

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

The motion to adopt the Consent Agenda passed.

COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen announced the Office of Housing & Community Development would host the Middle Tennessee Affordable Housing Coalition meeting on May 9th at the Freedom Point Event Center as well as the Mayor's Homeless Solution Forum on May 20th at the Wilma Rudolph Event Center.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 67-2013-14 (First Reading) Accepting a Federal Grant passed through the Tennessee Department of Environment & Conservation for the Clarksville Greenway through Heritage Park to the Pedestrian Bridge

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

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 69-2013-14 (First Reading) Amending the Official Code relative to Parks & Recreation special revenue accounts

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

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 35-2013-14 Authorizing a grant application and approving the FY15 Action Plan and Budget for the Community Development Block Grant and HOME Programs

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

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

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Jeff Burkhart, Chair

Councilman Burkhart said several utility relocation projects were currently underway.

PARKS, RECREATION, GENERAL SERVICES

Wallace Redd, Chair

No report.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire, Police)

Geno Grubbs, Chair

ORDINANCE 68-2013-14 (First Reading) Amending the Official Code relative to fireworks

The recommendation of the Public Safety Committee was for approval of this ordinance. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Harris. Councilman Grubbs made a motion to amend this ordinance by substituting the language presented during Executive Session on April 28, 2014 with new language recommended by the City Attorney. The motion was seconded by Councilman Harris. Assistant City Attorney Ginny Robinson reviewed each recommended change. The following vote was recorded:

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

NAY: Jones

The amendment passed. Councilman Allen made a motion to refer this ordinance back to the Public Safety Committee to consider whether the City Council should have authority to approve additional dates for explosion of fireworks in case of a burn ban during the authorized times. The motion was seconded by Councilman Burkhart. Following discussion regarding the time frame for passage of this ordinance prior to July 1, 2014, Councilman Allen and Councilman Burkhart withdrew their motions. No action was taken on the motion to refer back to the committee.

The following vote on the motion to adopt was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 72-2013-14 (First Reading) Amending the Official Code relative to issuance of permits for beer manufacturers

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

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

NAY: Harris

The motion to adopt this ordinance on first reading passed.

RESOLUTION 36-2013-14 Authorizing a Memorandum of Understanding between the Clarksville Police Department and the United States Secret Service

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

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

The motion to adopt this resolution passed.

Councilman Grubbs shared the following department statistics for the month of April: Clarksville Police Department – 12,666 responses; Clarksville Fire & Rescue – 918 emergency responses; Building & Codes Construction Division – 1,899 inspections; Building & Codes Enforcement Division – 398 cases; Building & Codes Abatement Division – 40 work orders; Building & Codes Administration – 964 permits.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said the Street Department completed 200 work orders during the month of April.

TRANSPORTATION COMMITTEE

Marc Harris, Chair

Councilman Harris said during the month of April the Clarksville Transit System transported 63,490 passengers and the City Garage completed 301 work orders with unleaded fuel at a cost of \$3.45 per gallon and diesel fuel at a cost of \$3.12 per gallon.

NEW BUSINESS

RESOLUTION 37-2013-14 Authorizing and approving Addendum #3 to the Lease with Liberty Park Development, LLC, for construction, installation, operation, maintenance, and professional management of a restaurant at Liberty Park

Mayor McMillan made a motion to adopt this resolution. The motion was seconded by Councilman Harris.

Councilwoman McLaughlin made a motion to postpone action on this resolution indefinitely until the actual cost of sidewalk installation could be determined. The motion was seconded by Councilwoman Jones. The following vote was recorded:

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

The motion to postpone failed.

Councilwoman Jones made a motion to delete lighting (Section 2) and the sidewalk (Section 4) of the Addendum. The motion was seconded by Councilman Summers. Councilwoman Jones, Councilman Allen, Councilman Summers, and Councilwoman McLaughlin felt the sidewalk funding should be spent in city wards and not for the restaurant in Liberty Park. Councilwoman Guzman, Councilman Burkhart, and Councilman Redd said the added sidewalk would improve the property. Following discussion, Councilman Lewis called for the question. The question was seconded by Councilwoman Guzman. The following vote was recorded:

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

NAY: Allen

The motion to cease discussion on Councilwoman Jones' amendment passed. The following vote on Councilwoman Jones' motion was recorded:

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

The motion to delete Section 2 and Section 4 from the Addendum failed.

Councilwoman McLaughlin made a motion to amend the Addendum to require the tenant to pay 50% of the cost of lighting (Section 2), utilities (Section 3), and sidewalks (Section 4). The motion was seconded by Councilwoman Jones. Mayor McMillan said the City had a legal obligation to provide utilities to the restaurant premises in accordance with the original lease. Councilwoman McLaughlin amended her motion to require the tenant to pay 50% of the cost of lighting and sidewalks, but not utilities. The motion was seconded by Councilwoman Jones. A voice vote was taken; the motion to delete utilities from the amendment passed.

Information regarding the costs associated with the lighting and sidewalk was requested from Project Manager Hatem Shah. Councilman Redd made a motion to go out of regular session to obtain the requested information. The motion was seconded by Councilman Harris. A voice vote was taken; with some objection, the motion passed. Mr. Shah said the difference between the original lighting and the upgraded lighting would be approximately \$75,000. The Council returned to regular session.

Councilman Redd called for the question. The question was seconded by Councilman Wallace. A voice vote was taken; the motion to cease discussion on the amendment passed. The following vote on Councilwoman McLaughlin's amendment was recorded:

AYE: Allen, Jones, McLaughlin, McNeill, Summers

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

The motion to amend Section 2 and Section 4 of the Addendum failed.

Councilwoman Jones felt the previous project manager should have addressed the issues of lighting and sidewalks during the design phase of the project. Councilwoman Guzman requested a point of order. Mayor McMillan ruled Councilwoman Jones' comments were out of order because the individual mentioned was no longer employed by the City and that person had no opportunity to respond to the statement.

Councilwoman McLaughlin called for the question. The question was not seconded. Following further discussion, Councilman Redd called for the question. The question was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion to cease discussion on the resolution passed. The following vote on the resolution as presented was recorded:

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

NAY: Allen, Burkhart, Jones, McLaughlin, McNeill

Mayor McMillan ruled the motion to adopt this resolution passed. Councilman Summers thought this vote was on an amendment to the Addendum and requested a new vote. There was no objection. The second vote was recorded:

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

NAY: Allen, Jones, McLaughlin, McNeill, Summers

The motion to adopt this resolution as presented passed.

MAYOR AND STAFF REPORTS

Mayor McMillan presented all members of the Council with a printed copy of Robert's Rules of Order.

With regard to Councilwoman Jones' comment at the end of the April 28th Executive Session claiming the microphones had been turned off prior to adjournment of the April 3rd Regular Session, Mayor McMillan said she, as the Chair, controls the Council microphones, not the Information Technology staff. She said she responds to member's requests to speak and that all meetings are fully recorded and posted on the City website.

ADJOURNMENT

The meeting adjourned at 8:40 p.m.

ORDINANCE 74-2013-14

AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY FROM HOLLY POINT, LLC TO THE CITY OF CLARKSVILLE RELATING TO THE CLARKSVILLE BLUEWAYS

WHEREAS, Holly Point, LLC, a Tennessee Limited Liability Company, has agreed to donate certain real property to the City of Clarksville for extension of the Clarksville Blueways; and

WHEREAS, the Clarksville City Council has determined that it is in the best interests of the City and its residents that the donation from Holly Point, LLC, be accepted with appreciation;

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

1. That the City of Clarksville hereby accepts the donation of certain real property from Holly Point, LLC, being a portion (Tract 1) of the property conveyed to Holly Point, LLC, by deed of record in Official Record Book Volume 1548, Page 1822, in the Register's Office for Montgomery County, Tennessee, and being more particularly described in "Exhibit A," attached hereto.
2. That upon acceptance of transfer documents, the City will assume ownership and responsibility for said property.
3. That this Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

DESCRIPTION OF A PORTION OF THE HOLLY POINT, LLC PROPERTY QUIVER LANE, 6.46+/-AC

Being a parcel of land located in the 11th/5th Civil District of the City of Clarksville, County of Montgomery, TN, said parcel being a portion (Tract 1) of the Holly Point, LLC property as recorded in ORV 1548, Page 1822 ROMCT, and formerly a portion of the David W. Howard III property as recorded in ORV 667, Page 808 ROMCT, Map 58, Parcel 20.02, said parcel being generally described as being located north of Interstate 24, south of Riverhaven Dr., east of and adjacent to Red River, north of and adjacent to Quiver Lane, being more precisely described as follows:

Beginning at a ½" iron pin at the north corner of lot 72 of Deertrail Section 2D as recorded in PB 13, Page 670 ROMCT, lying in the south property line of the Howard property, lying North 00 degrees 33 minutes 39 seconds West for 176.03 feet from the Whitetail Drive cul-de-sac enter;

Thence along the west boundary of Section 2D, South 51 degrees 56 minutes 21 seconds West for 301.96 feet to an ½" iron pin capped "DBS", lying in the east property line of Michael Bradbury property as recorded in ORV 1216, Page 2621 ROMCT;

Thence leaving Section 2D and along the Bradbury east boundary line, North 05 degrees 11 minutes 33 seconds East passing a reference iron pin capped "DBS" at 80.00 feet for a total of 231.00 feet, to a point at the approximate low water mark of the Red River, being the west corner of herein described parcel;

Thence along the west property line of Howards property and meanders with the approximate low water mark of the Red River for the next 8 calls with a witness line of North 41 degrees 04 minutes 49 seconds East for 1,156.65 feet to a point in the centerline of a 200.00 foot easement:

North 58 degrees 32 minutes 50 minutes East for 436.30 feet;

North 58 degrees 16 minutes 26 minutes East for 80.88 feet;

North 52 degrees 08 minutes 59 minutes East for 73.19 feet;

North 52 degrees 19 minutes 41 minutes East for 45.53 feet;

North 22 degrees 21 minutes 33 seconds East for 201.97 feet;

North 20 degrees 57 minutes 57 seconds East for 87.51 feet;

North 29 degrees 25 minutes 07 seconds East for 203.36 feet;

North 11 degrees 39 minutes 58 seconds East for 85.07 feet to the centerline of the TVA 200.00 transmission line easement, also being the north corner of herein described parcel;

Thence on a new severance line along the TVA centerline, South 42 degrees 15 minutes 27 seconds East for 427.69 feet;

Thence leaving TVA centerline on a new severance line, South 55 degrees 09 minutes 51 seconds West for 605.48 feet;

Thence continuing on a new severance line, South 11 degrees 59 minutes 36 seconds West for 291.01 feet to the north boundary of lot 75 of Section 2D, also being the southeast corner of herein described parcel;

Thence along the north property line of the Section 2D, North 83 degrees 27 minutes 57 seconds West for 275.16 feet to the point of beginning.

This parcel contains 6.46 acres (281,431 sqft) more or less acres.

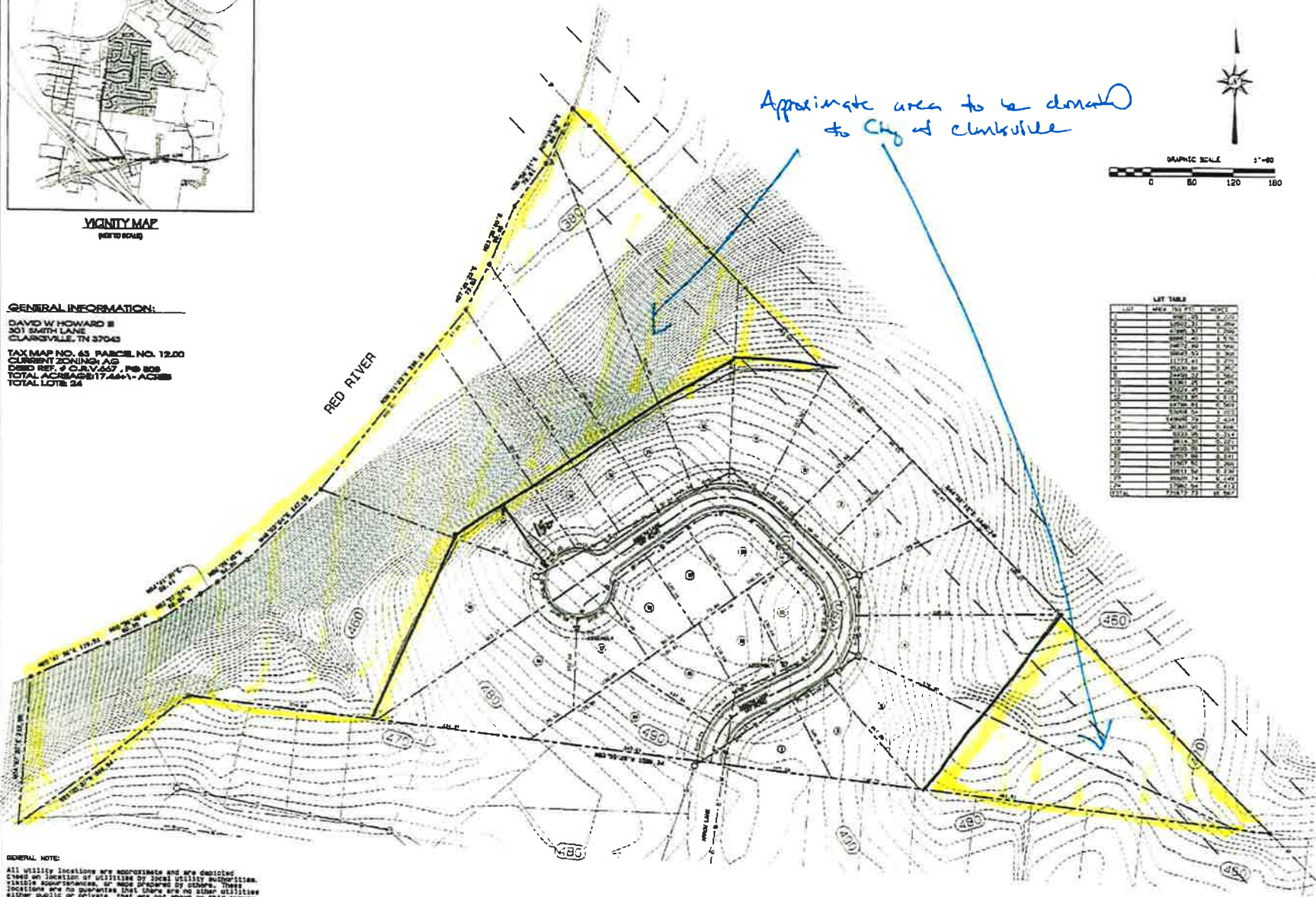
This parcel description being subject to all easements, right of way, conveyances and restrictions of record and not of record.



DAVID W HOWARD III
301 SMITH LANE
CLARKSVILLE, TN 37043

TAX MAP NO. 63 PARCEL NO. 12.00
CURRENT ZONING: AG
DEED REF. # O.R.V. 667, PG 808
TOTAL ACREAGE: 17.44+/- ACRES
TOTAL LOTS: 24

All utility locations are approximate and are decided based on location of utilities by local utility authorities, visible appearances, or maps prepared by others. These locations are no guarantee that there are no other utilities either public or private, that are not shown on this survey.



LET	AREA	PERCENT	PERCENT
1	0.0001	0.0	0.0
2	0.0002	0.2	0.2
3	0.0003	0.3	0.3
4	0.0004	0.4	0.4
5	0.0005	0.5	0.5
6	0.0006	0.6	0.6
7	0.0007	0.7	0.7
8	0.0008	0.8	0.8
9	0.0009	0.9	0.9
10	0.0010	1.0	1.0
11	0.0011	1.1	1.1
12	0.0012	1.2	1.2
13	0.0013	1.3	1.3
14	0.0014	1.4	1.4
15	0.0015	1.5	1.5
16	0.0016	1.6	1.6
17	0.0017	1.7	1.7
18	0.0018	1.8	1.8
19	0.0019	1.9	1.9
20	0.0020	2.0	2.0
21	0.0021	2.1	2.1
22	0.0022	2.2	2.2
23	0.0023	2.3	2.3
24	0.0024	2.4	2.4
25	0.0025	2.5	2.5
26	0.0026	2.6	2.6
27	0.0027	2.7	2.7
28	0.0028	2.8	2.8
29	0.0029	2.9	2.9
30	0.0030	3.0	3.0

**330 North Second Street
P.O. Box 949
Clarksville, TN 37041-0949**
Ph # 615-647-8366
Fax # 615-647-7135 www.dlmcg.com



DAVID HOWARD III PROPERTY
PRELIMINARY SITE LAYOUT
CLARKSVILLE
MONTGOMERY COUNTY, TENNESSEE
APRIL 18, 2012

REVISIONS

000000 000000

WILEY-INTERSCIENCE

PRE 1.00

RESOLUTION 38-2013-14

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE AND MONTGOMERY COUNTY PERTAINING TO THE DIVISION OF 2014 BYRNE JUSTICE ASSISTANCE GRANT FUND ALLOCATIONS AND THE ADMINISTRATION AND USE OF SUCH FUNDS

WHEREAS, a combined, disparate allocation of funds of \$63,734 from the 2014 JAG Program to the City of Clarksville and Montgomery County establishes the need for a joint JAG Program Award Application, and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party: and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the Clarksville City Council finds it to be in the best interest of the City to approve the 2014 Byrne JAG interlocal agreement with Montgomery County.

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

1. That the City of Clarksville agrees to provide Montgomery County \$31,867 from the JAG award for the 2014 Clarksville-Montgomery County Law Enforcement Program, and
2. That Montgomery County will use \$31,867 for the Law Enforcement Program no later than September 30, 2017; and
3. That the City of Clarksville shall be the applicant and fiscal agent for the 2014 Byrne Justice Assistance Grant; and
4. The Clarksville City Council hereby authorizes the interlocal agreement attached hereto as Exhibit A; and
5. That this Resolution shall be in full force and effect from and after its passage and approval.

ADOPTED:

EXHIBIT A

Clarksville-Montgomery County, TN - JAG Application 2014-H1725-TN-DJ

GMS APPLICATION NUMBER 2014-H1725-TN-DJ

INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TN and
THE COUNTY OF MONTGOMERY, TN
REGARDING THE
2014 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

This Agreement is made and entered into this 13th day of May, 2014, by and between The COUNTY of Montgomery acting by and through its governing body, the County Commission, hereinafter referred to as COUNTY, and the CITY of Clarksville acting by and through its governing body, the City Council, hereinafter referred to as CITY, both of Montgomery County, State of Tennessee, witnesseth:

WHEREAS, a combined, disparate allocation of funds of \$63,734 from the JAG Program to the CITY and the COUNTY establishes the need for a joint JAG Program Award Application, and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of both parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this agreement; and

WHEREAS, the CITY agrees to provide the COUNTY \$31,867 from the JAG award for the Law Enforcement Program; and

WHEREAS, the CITY and COUNTY believe it to be in their best interests to reallocate the JAG funds,

NOW THEREFORE, the COUNTY and CITY agree as follows:

Section 1.

CITY agrees to reimburse COUNTY a total of \$31,867 based upon expenditure records.

Section 2.

COUNTY agrees to use \$31,867 for the Law Enforcement Program no later than September 30, 2017.

Section 3.

Nothing in the performance of this Agreement shall impose any liability for claims against COUNTY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

Section 4.

Nothing in the performance of this Agreement shall impose any liability for claims against CITY other than claims for which liability may be imposed by the Tennessee Governmental Tort Liability Act.

GMS APPLICATION NUMBER 2014-H1725-TN-DJ

page 2

Section 5.

The CITY shall serve as Applicant and Fiscal Agent for the 2014 JAG Program Application, shall advise the COUNTY of balance available information on a periodic basis, and shall prepare all reports. The COUNTY shall submit claims/requests for distribution of COUNTY share of funds to the CITY for payment processing and provide such summary information as may be required for periodic reports.

Section 6.

Each party to this agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7.

The parties to this Agreement do not intend for any third party to obtain a right by virtue of this Agreement.

Section 8.

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, this Agreement shall not create any rights in any party not a signatory hereto.

Section 9.

This interlocal agreement will become effective upon adoption of enabling resolutions by the governing bodies of both the County and the City, at which time the applicant shall proceed to accept the JAG grant award.

For the CITY OF CLARKSVILLE, TN:

Kim McMillan
Kim McMillan, Mayor

5/13/14
Date

For the COUNTY OF MONTGOMERY, TN

Carolyn Bowers
Carolyn Bowers, Mayor

5/5/14
Date

RESOLUTION 42-2013-14

A RESOLUTION AUTHORIZING AN INTERLOCAL CONTRACT WITH MONTGOMERY COUNTY FOR CONSTRUCTION OF A FIRE PROTECTION FACILITY AND EMERGENCY MEDICAL SERVICES FACILITY

WHEREAS, pursuant to a site location and development agreement, the City of Clarksville and Montgomery County have previously agreed to build a joint fire rescue and emergency medical services facility upon a suitable site within the Clarksville-Montgomery County Industrial Park.

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

That the Clarksville City Council hereby authorizes an interlocal contract with Montgomery County, attached hereto as Exhibit A, for construction of a fire protection facility and emergency medical services facility for the Clarksville-Montgomery Industrial Park and the City of Clarksville.

ADOPTED:

EXHIBIT A

INTERLOCAL CONTRACT

This interlocal contract is made and entered into this _____ day of _____, 2014 by and between Montgomery County, Tennessee hereinafter referred to as "County" and the City of Clarksville, Tennessee hereinafter referred to as "City".

Pursuant to a site location and development agreement signed between both parties and Hankook Tire Manufacturing TN, L.P. the City and the County agreed to build a joint Fire Rescue and Emergency Medical Service upon a suitable site within the Clarksville-Montgomery County Industrial Park. To effectuate this purpose the parties covenant and agree as follows:

1. Both parties covenant and agree that the site for this project as set out in Exhibit "A" attached hereto shall be deeded from the Industrial Development Board to the parties jointly and equally.
2. Both parties acknowledge that the Industrial Development Board will provide \$600,000.00 in funding which is to be equally distributed between City and County.
3. Both parties agree that the state of Tennessee will provide \$800,000.00 in funding which is to be equally distributed between City and County.
4. All remaining funding for this project shall be provided as is required to construct each agency's facility.
5. All architectural and design fees will be determined and apportioned between County and City by the architect selected for the project.
6. All site preparation costs shall be shared equally between the parties. Elements to be included in the site preparation component shall be determined by the Architect/Engineer during the design stage and agreed upon by both agencies prior to the bid.
7. Both parties agree that County shall establish an escrow account for receipt of all monies necessary to fund the entire project. County shall have sole signatory power on said account and shall pay all invoices when due.
8. County shall be the lead agency on the project and shall ensure that all contracts, bids or other necessary documents are properly procured and executed. City shall have the right to provide its own insight and input as is deemed necessary.
9. One contract and one bid shall be procured both of which shall be comprised of three components:
 - a. Site development.
 - b. Construction of the city fire department building.
 - c. Construction of the emergency medical services building.

Each invoice submitted to County for payment shall be divided so as to itemize specifically each cost contributable to City and County.

10. After construction is complete on the project the site will be partitioned and deeded to each party individually. Both parties agree to jointly construct and maintain an ingress and egress easement to service both facilities.

11. The successful bid for the project shall bifurcate the costs of the Emergency Medical Services building and the Fire Station so that the costs associated thereto can be distributed to each party. County shall be responsible for all costs associated with the Emergency Medical Service building and City shall be responsible for all costs associated with the City Fire Station.
12. For the purpose of the site development within the Clarksville-Montgomery County Industrial Park, Montgomery County Building and Codes, along with its associated adopted building code will be used for the review, inspection, and approval of each facility.

Montgomery County

City of Clarksville

RESOLUTION 43-2013-14

A RESOLUTION AUTHORIZING AN AMENDMENT TO AN INTERLOCAL CONTRACT WITH MONTGOMERY COUNTY FOR LIGHTING OF THE CORMAN RAIL ROAD BRIDGE

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

That the Clarksville City Council hereby authorizes an amendment to an interlocal agreement with Montgomery County for lighting of the R. J. Corman Rail Road bridge.

ADOPTED:

INTERLOCAL CONTRACT
PERTAINING TO FUNDING OF LIGHTING FOR THE R.J. CORMAN RAIL ROAD
BRIDGE RESTORATION PROJECT

Whereas Tennessee Code Annotated Section 12-9-108 authorizes the City of Clarksville and Montgomery County to contract with the other to perform any governmental service, activity or undertaking which each is authorized by law to perform, provided that such contract is authorized by the governing body of each party to the contract; and

Whereas both the City of Clarksville and Montgomery County have previously entered an agreement regarding funding for the lighting portion of the R.J. Corman Rail Road Bridge restoration project; and

Whereas both the City of Clarksville and Montgomery County desire to agree that each shall share equally in the cost of providing electricity for the bridge lighting;

Therefore, the City of Clarksville and Montgomery County, both political subdivisions of the State of Tennessee, do agree to amend their previously agreed upon interlocal contract, to provide that each shall share equally in paying the cost for providing electricity for the bridge lighting.

1. The City of Clarksville and the County of Montgomery, State of Tennessee, each agree to share equally in paying the cost for providing electricity for the bridge lighting for the R.J. Corman Rail Road Bridge located in Clarksville, Montgomery County, Tennessee.

Kim McMillan, Mayor
City of Clarksville

Date

Carolyn P. Bowers, Mayor
Montgomery County

Date

INTERLOCAL CONTRACT

PERTAINING TO FUNDING OF LIGHTING FOR THE R.J. CORMAN RAIL ROAD
BRIDGE RESTORATION PROJECT

Whereas Tennessee Code Annotated Section 12-9-108 authorizes the City of Clarksville and Montgomery County to contract with the other to perform any governmental service, activity or undertaking which each is authorized by law to perform, provided that such contract is authorized by the governing body of each party to the contract; and

Whereas both the City of Clarksville and Montgomery County desire to enter an agreement regarding funding for the lighting portion of the R.J. Corman Rail Road Bridge restoration project;

Therefore, the City of Clarksville and Montgomery County, both political subdivisions of the State of Tennessee, do hereby make and enter into this interlocal contract, for good and valuable consideration, regarding funding amounts to be provided by the City and County for the lighting portion of the R. J. Corman RR Bridge restoration project.

1. The City of Clarksville and the County of Montgomery, State of Tennessee, each agree to fund one-half of the costs for the lighting portion of the R.J. Corman RR Bridge restoration project, with each agreeing to pay FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00).

Kim McMillan

Kim McMillan, Mayor
City of Clarksville

8/14/12

Date

Carolyn P. Bowers

Carolyn P. Bowers, Mayor
Montgomery County

8/20/12

Date

*LB
8/14/12*

RESOLUTION 39-2013-14

A RESOLUTION AUTHORIZING THE APPLICATION FOR A TEXT AMENDMENT TO THE CITY OF CLARKSVILLE ZONING ORDINANCE CONCERNING HOMELESS SHELTERS

WHEREAS, the City Council of Clarksville recognizes the need to provide temporary shelter for those in need; and

WHEREAS, our religious communities are the first to address those in need; and

WHEREAS, the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000 and the Tennessee Religious Freedom Restoration Act of 2009 ensure that homeless shelters sponsored by religious ministries may be located in local communities; and

WHEREAS, the geographic criteria for the location of “homeless shelters” is unduly restrictive; and

WHEREAS, the amendment of the “homeless shelter” separation distance from zoning districts where residential uses are permitted would bring current “homeless shelters” into compliance with the City Zoning Ordinance.

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

That, in accordance with Section 11.4 of the City Zoning Ordinance, the City Council is hereby the applicant for a text amendment to the City Zoning Ordinance as follows:

Under Chapter 5 "Land Use Development Standards and Procedures", Section 2 "Procedure and Standards for Uses Permitted on Review (PR)", Subsection 5 “Standards for Institutional Uses Permitted on Review (PR)”, “Homeless Shelter” Item 2.B. is hereby amended by deleting one thousand (1,000) feet and substituting five hundred (500) feet.

BE IT FURTHER RESOLVED, that the City Council requests the Clarksville-Montgomery County Regional Planning Commission to conduct a public hearing on this text amendment at their next regularly scheduled public hearing and make a recommendation on the text amendment to the City Council.

ADOPTED:

RESOLUTION 41-2013-14

A RESOLUTION AUTHORIZING THE APPLICATION FOR A TEXT AMENDMENT TO THE CITY OF CLARKSVILLE ZONING ORDINANCE CONCERNING APICULTURE (HONEYBEE KEEPING)

- WHEREAS*, the City Council of Clarksville recognizes the need to control the location of honeybee keeping for the safety of its constituents; and
- WHEREAS*, honeybees are important in the pollination of crops and fruit trees for a successful harvest; and
- WHEREAS*, the generation of honey has been a long-standing food source; and
- WHEREAS*, honeybee “colony collapse disorder” is a growing concern in western countries due to the adverse impact on agricultural crop production; and
- WHEREAS*, the Tennessee Apiary Ac of 1995 (Tennessee Code Annotated 44-15-101 through 124) protects apiculture through apiary registration and other standards; and
- WHEREAS*, the Tennessee Apiary Ac of 1995 allows the regulation of the location of honeybee hives only through zoning (TCA 44-15-124); and
- WHEREAS*, a separation between the location of the honeybee hive or hives from the nearest adjacent property line is important to the safety of neighbors and the enjoyment of their property; and
- WHEREAS*, farm animals may be housed no closer than two hundred (200) feet of the nearest property line in all zoning districts under the City Zoning Ordinance.

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

That, in accordance with Section 11.4 of the City Zoning Ordinance, the City Council is hereby the applicant for a text amendment to the City Zoning Ordinance as follows:

1. Under Chapter 2 "Rules of Interpretation and Definitions", Section 2 "Definitions", Definition 11 “Agricultural Uses (Customary)” is hereby amended by adding the word “apiculture” between the words “floriculture” and “forests.”
2. Under Chapter 5 "Land Use Development Standards and Procedures", Section 1 "Standards for Uses Permitted with Conditions (PC)", Subsection 1 “Agricultural Use Permitted with Conditions (PC)”, “Agricultural Uses (Customary)” Item 1 is hereby amended by adding the words “and/or hive” between the words “structure” and “in”, and by adding the words “or honeybees” between the words “animals” and “are”.

3. Under Chapter 5 "Land Use Development Standards and Procedures", Section 3 "Standards for Accessory Uses (A)", Subsection 1 "Agricultural Accessory Uses (A)", "Agricultural Uses (Customary)" Item 1 is hereby amended by adding the words "and/or hive" between the words "structure" and "in", and by adding the words "or honeybees" between the words "animals" and "are".

BE IT FURTHER RESOLVED, that the City Council requests the Clarksville-Montgomery County Regional Planning Commission to conduct a public hearing on this text amendment at their next regularly scheduled public hearing and make a recommendation on the text amendment to the City Council.

ADOPTED:

RESOLUTION 40-2013-14

A RESOLUTION AUTHORIZING THE RELOCATION OF THE WORLD WAR I
“DOUGHBOY” MEMORIAL TO THE MONTGOMERY COUNTY VETERAN’S HOME

WHEREAS, a public memorial to the honored dead who perished in, and to the veterans who served in, World War I from Montgomery County, Tennessee was dedicated on June 9, 1929; and

WHEREAS, said Memorial, commonly known as “The Doughboy” statue, was recently restored to its’ original splendor was re-located to a prominent location on Legion Street in Clarksville, Tennessee, as befitting its’ purpose to honor our fallen dead and past veterans of that great conflict; and

WHEREAS, the Memorial statue has stood vigilant in remembrance of the great sacrifices and bravery of those who served since its’ recent re-dedication; and

WHEREAS, the Memorial was recently damaged again; and

WHEREAS, on April 3, 2014 the Clarksville City Council expressed its’ support and authorization to repair the recent damage inflicted upon the hallowed Memorial statue;

WHEREAS, the Clarksville Public Art Commission has proposed to relocate the memorial to a location where it would be better protected against future vandalism and would be available to the citizens of Clarksville and its visitors;

WHEREAS, the State of Tennessee Veterans Affairs Commission plans to open the newly constructed Montgomery County Tennessee Veteran’s Home at 250 Arrowood Drive in the Spring of 2015;

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

That the “Doughboy” WWI Memorial be relocated to the Montgomery County Tennessee Veterans Home upon completion of the facility in Spring of 2015. Furthermore, the City of Clarksville Parks and Recreation Department will continue to clean and maintain the statue at its new location.

ADOPTED:

ORDINANCE 73-2013-14

AN ORDINANCE RESCHEDULING THE JULY 2014 REGULAR MEETING OF THE CITY COUNCIL

WHEREAS, the regular meeting of the Clarksville City Council is now set, per City Code Section 1-201, for July 3, 2014; and

WHEREAS, the City Council has determined that it is appropriate to reschedule said regular meeting of the City Council to allow city officials, department heads, and employees to attend the annual Independence Day festivities at Liberty Park the evening of July 3rd.

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

(1) Notwithstanding any provision of Section 1-201 of the Official City Code to the contrary, the regular meeting of the City Council scheduled to occur on July 3, 2014, per said City Code provision, is hereby canceled and a new regular meeting date of July 1, 2014, at 7:00 p.m. at the City Council Chambers in City Hall is scheduled instead.

(2) That this ordinance shall be effective upon passage.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

12. Recurring Costs:☐ No Recurring Costs

Remarketing Agent
 Paying Agent / Registrar
 Trustee
 Liquidity / Credit Enhancement
 Escrow Agent
 Sponsorship / Program / Admin
 Other _____

AMOUNT
(Basis points/\$)

\$300

FIRM NAME
(If different from #11)

13. Disclosure Document / Official Statement:☐ None Prepared☒ EMMA link<http://emma.msrb.org/EP809345-EP626812-EP1028574.pdf> or☐ Copy attached**14. Continuing Disclosure Obligations:**

Is there an existing continuing disclosure obligation related to the security for this debt?

☒ Yes☐ No

Is there a continuing disclosure obligation agreement related to this debt?

☒ Yes☐ NoIf yes to either question, date that disclosure is due 1 yr after end of FYName and title of person responsible for compliance Laurie Matta, Chief Financial Officer**15. Written Debt Management Policy:**

Governing Body's approval date of the current version of the written debt management policy

02/02/2012

Is the debt obligation in compliance with and clearly authorized under the policy?

☒ Yes☐ No**16. Written Derivative Management Policy:**☒ No derivative

Governing Body's approval date of the current version of the written derivative management policy _____

Date of Letter of Compliance for derivative _____

Is the derivative in compliance with and clearly authorized under the policy?

☐ Yes☐ No**17. Submission of Report:**

To the Governing Body:

on _____

and presented at public meeting held on _____

Copy to Director to OSF:

on _____

either by:

☒ Mail to:

OR

☐ Email to:

505 Deaderick Street, Suite 1600
 James K. Polk State Office Building
 Nashville, TN 37243-1402

StateAndLocalFinance.PublicDebtForm@cot.tn.gov**18. Signatures:**

AUTHORIZED REPRESENTATIVE

PREPARER

Name

Kim McMillanJeffrey Oldham

Title

MayorMember

Firm

Bass, Berry & Sims PLC

Email

kim.mcmillan@cityofclarksville.comjoldham@bassberry.com

Date

05/07/201405/07/2014

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

1. Public Entity:

Name: City of Clarksville, Tennessee

Address: One Public Square
Clarksville, TN 37040

Debt Issue Name: General Obligation Refunding and Improvement Bonds, Series 2014

If disclosing initially for a program, attach the form specified for updates, indicating the frequency required.

2. Face Amount: \$ 10,425,000.00

Premium/Discount: \$ 405,975.00

3. Interest Cost: 2.7972 % ☒ Tax-exempt ☐ Taxable

☒ TIC ☐ NIC

☐ Variable: Index _____ plus _____ basis points; or

☐ Variable: Remarketing Agent _____

☐ Other: _____

4. Debt Obligation:

☐ TRAN ☐ RAN ☐ CON

☐ BAN ☐ CRAN ☐ GAN

☒ Bond ☐ Loan Agreement ☐ Capital Lease

If any of the notes listed above are issued pursuant to Title 9, Chapter 21, enclose a copy of the executed note with the filing with the Office of State and Local Finance ("OSLF").

5. Ratings:

☐ Unrated

Moody's Aa2 Standard & Poor's _____ Fitch AA

6. Purpose:

		BRIEF DESCRIPTION
<input checked="" type="checkbox"/> General Government	<u>75.44</u> %	<u>Financing of various public works projects of City</u>
<input type="checkbox"/> Education	_____ %	_____
<input type="checkbox"/> Utilities	_____ %	_____
<input type="checkbox"/> Other	_____ %	_____
<input checked="" type="checkbox"/> Refunding/Renewal	<u>24.56</u> %	<u>Refunding of General Imp Rev & Tax Bonds, Series 2002</u>

7. Security:

☒ General Obligation ☐ General Obligation + Revenue/Tax

☐ Revenue ☐ Tax Increment Financing (TIF)

☐ Annual Appropriation (Capital Lease Only) ☐ Other (Describe): _____

8. Type of Sale:

☒ Competitive Public Sale ☐ Interfund Loan _____

☐ Negotiated Sale ☐ Loan Program _____

☐ Informal Bid _____

9. Date:

Dated Date: 05/07/2014 Issue/Closing Date: 05/07/2014

REPORT ON DEBT OBLIGATION

(Pursuant to Tennessee Code Annotated Section 9-21-151)

10. Maturity Dates, Amounts and Interest Rates *:

Year	Amount	Interest Rate	Year	Amount	Interest Rate
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%
	\$	%		\$	%

If more space is needed, attach an additional sheet.

If (1) the debt has a final maturity of 31 or more years from the date of issuance, (2) principal repayment is delayed for two or more years, or (3) debt service payments are not level throughout the retirement period, then a cumulative repayment schedule (grouped in 5 year increments out to 30 years) including this and all other entity debt secured by the same source **MUST BE PREPARED AND ATTACHED**. For purposes of this form, debt secured by an ad valorem tax pledge and debt secured by a dual ad valorem tax and revenue pledge are secured by the same source. Also, debt secured by the same revenue stream, no matter what lien level, is considered secured by the same source.

* This section is not applicable to the Initial Report for a Borrowing Program.

11. Cost of Issuance and Professionals:☐ No costs or professionals

	AMOUNT (Round to nearest \$)	FIRM NAME
Financial Advisor Fees	\$ 21,781	Public Financial Management, Inc.
Legal Fees	\$ 0	
Bond Counsel	\$ 20,000	Bass, Berry & Sims PLC
Issuer's Counsel	\$ 0	
Trustee's Counsel	\$ 0	
Bank Counsel	\$ 0	
Disclosure Counsel	\$ 0	
Paying Agent Fees	\$ 600	U.S. Bank (includes escrow fee)
Registrar Fees	\$ 0	
Trustee Fees	\$ 0	
Remarketing Agent Fees	\$ 0	
Liquidity Fees	\$ 0	
Rating Agency Fees	\$ 28,875	Moody's, Fitch
Credit Enhancement Fees	\$ 0	
Bank Closing Costs	\$ 0	
Underwriter's Discount <u>0.93</u> %		
Take Down	\$ 96,922	Bank of America Merrill Lynch (amt listed is entire U/W fee)
Management Fee	\$ 0	
Risk Premium	\$ 0	
Underwriter's Counsel	\$ 0	
Other expenses	\$ 0	
Printing and Advertising Fees	\$ 2,500	i-Deal, printer
Issuer/Administrator Program Fees	\$ 0	
Real Estate Fees	\$ 0	
Sponsorship/Referral Fee	\$ 0	
Other Costs <u>Misc.</u>	\$ 6,523	Travel and other misc. expenses
TOTAL COSTS	\$ 177,201	

Attachment to State Report on Debt Obligation
City of Clarksville, Tennessee
General Obligation Refunding and Improvement Bonds, Series 2014
May 7, 2014

Maturity Date	Amount	Rate
06/01/2015	535,000	4.000%
06/01/2016	585,000	4.000%
06/01/2017	605,000	4.000%
06/01/2018	630,000	3.000%
06/01/2019	650,000	3.000%
06/01/2020	670,000	3.000%
06/01/2021	690,000	3.000%
06/01/2022	715,000	3.000%
06/01/2023	375,000	3.000%
06/01/2024	385,000	3.000%
06/01/2025	400,000	3.000%
06/01/2026	410,000	3.000%
06/01/2027	425,000	3.000%
06/01/2028	435,000	3.000%
06/01/2029	450,000	3.000%
06/01/2030	465,000	3.125%
06/01/2031	475,000	3.250%
06/01/2032	490,000	3.250%
06/01/2033	510,000	3.375%
06/01/2034	525,000	3.375%