CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JULY 2, 2015, 7:00 P.M.

COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE

AGENDA

1) CALL TO ORDER

2) PRAYER AND PLEDGE OF ALLEGIANCE

3) ATTENDANCE

4) PUBLIC HEARING: ZONING

NOTE: The following case has been automatically deferred on month at the request of the applicant:

ORDINANCE 5-2015-16 Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jason Lee Senseney for zone change on property at the intersection of Oak Street and Providence Boulevard from C-2 General Commercial District to C-5 Highway & Arterial Commercial District *(RPC: Disapproval/Approval)*

1. **ORDINANCE 4-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Greenspace Partners for zone change on property at the intersection of Ashland City Road and Avondale Drive from R-1 Single Family Residential District to R-4 Multiple Family Residential District and C-2 General Commercial District *(RPC: Approval/Approval)*

2. **ORDINANCE 6-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Harris Trucking, Inc. for zone change on property at the intersection of Needmore Road and Union Hall Road from M-3 Planned Industrial District to C-5 Highway & Arterial Commercial District *(RPC: Approval/Approval)*

3. **ORDINANCE 7-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Habitat For Humanity for zone change on property at the intersection of Ann Drive and Belle Court from RM-1 Single Family Mobile Home Residential District to R-1 Single Family Residential District *(RPC: Approval/Approval)*

4. **ORDINANCE 8-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of O. C. Terrell, Jimmy Bagwell-Agent (Moore Design Services), for zone change on property at Ortex Drive and Gupton Court from C-2 General Commercial District to M-2 General Industrial District *(RPC: Approval/Approval)*

5. **ORDINANCE 9-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of ACI Investment Group for zone change on property at the intersection of North Second Street and Kraft Street from M-1 Light Industrial District to C-2 General Commercial District *(RPC: Approval/Approval)*

5) CONSENT AGENDA

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

1. **ORDINANCE 64-2014-15** (Second Reading) Authorizing purchase of property at 815 Crossland Avenue for Community Development

2. **ORDINANCE 66-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Allen Moser for zone change on property at Reynolds Street and Porters Bluff Road from R-3 Three Family Residential District to R-6 Single Family Residential District

3. **ORDINANCE 67-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Charles W. Hand (CWHFD, LLC), John Hadley-Agent, for zone change on property at Providence Boulevard and Peach Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

4. **ORDINANCE 68-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Camilla Welch, Danell Welch-Agent, for zone change on property at Highway 41A South and Shady Maple Drive from C-5 Highway & Arterial Commercial District and R-2 Single Family Residential District to C-2 General Commercial District

5. Adoption of Minutes: May 26, June 4, June 16

6. Approval of Board Appointments:

   Economic & Community Development Board: Doug Heimbeck – July 2015 through June 2019

   Ethics Commission: Hugh Smith – July 2014 through June 2017; Jimmy Terry, Gene Washer – July 2015 through June 2018

Human Relations Commission: Jeff Burkhart – July 2015 through June 2017; Michael Dale (reappointment), Felecia Johnson, Erin Lee – July 2015 through June 2018

Power Board: Bill Powers – July 2015 through June 2018

Tree Board: Jimmy Weyant – July 2015 through June 2018

6) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

7) FINANCE COMMITTEE
Joel Wallace, Chair

1. **ORDINANCE 1-2015-16** (First Reading) Amending the Official Code relative to the Occupational Safety & Health Program *(Finance Committee: Approval)*

2. **ORDINANCE 2-2015-16** (First Reading) Accepting donation of real property for the Deer Hollow Pump Station *(Finance Committee: Approval)*

8) GAS & WATER COMMITTEE
Wallace Redd, Chair

1. **ORDINANCE 3-2015-16** (First Reading) Authorizing extension of utilities to property on Lafayette Road; request of Lawson Mabry *(Gas & Water Committee: Approval)*

9) PARKS, RECREATION, GENERAL SERVICES
Valerie Guzman, Chair

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

1. **RESOLUTION 1-2015-16** Renewing the interlocal contract with the E911 Communications District *(Public Safety Committee: Approval)*

11)STREET COMMITTEE
James Lewis, Chair

12)TRANSPORTATION COMMITTEE
Deanna McLaughlin, Chair

13) MAYOR AND STAFF REPORTS

14) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: July 2, 2015. The public hearing will be held on: July 2, 2015.

CITY ORD. #: 4-2015-16 RPC CASE NUMBER: Z-8-2015
Applicant: GREENSPACE PARTNERS
Location: Property located on the north frontage of Ashland City Rd. at the Ashland City Rd. & Avondale Dr. intersection.
Ward #: 7
Request: R-1 Single-Family Residential District
to
R-4 Multiple-Family Residential District / C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 5-2015-16 RPC CASE NUMBER: Z-10-2015
Applicant: JASON LEE SENSENEY
Location: fronting on the north frontage of Providence Blvd. 275 +/- feet west of the Oak St. and Providence Blvd. intersection.
Ward #: 4
Request: C-2 General Commercial District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: DISAPPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 6-2015-16 RPC CASE NUMBER: Z-16-2015
Applicant: HARRIS TRUCKING INC
Location: Property located at the northeast corner of the Needmore Rd. & Union Hall Rd. intersection.
Ward #: 11
Request: M-3 Planned Industrial District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 7-2015-16 RPC CASE NUMBER: Z-17-2015
Applicant: HABITAT FOR HUMANITY
Agent:
Location: Property located on the west frontage of Ann Dr. 160 +/- feet north of the Ann Dr. & Belle Ct. intersection.
Ward #: 9
Request: RM-1 Single-Family Mobile Home Residential District
to
R-1 Single-Family Residential District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 8-2015-16 RPC CASE NUMBER: Z-18-2015
Applicant: O. C. TERRELL
Agent: Jimmy Bagwell (Moore Design Services)
Location: Property located between east frontage of Ortex Dr. & the west frontage of Gupton Ct.
Ward #: 7
Request: C-2 General Commercial District
to
M-2 General Industrial District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

****

CITY ORD. #: 9-2015-16 RPC CASE NUMBER: Z-19-2015
Applicant: A C I INVESTMENT GROUP
Location: Property fronting on the north frontage of Kraft St. 400 +/- feet northwest of the centerline of the N. Second St. & Kraft St. intersection.
Ward #: 6
Request: M-1 Light Industrial District
to
C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL
PLANNING COMMISSION RECOMMENDATION: APPROVAL

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CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/24/2015 **CASE NUMBER:** Z - 8 - 2015

NAME OF APPLICANT: Greenspace Partners

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: R-4 C-2

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: To provide a mix of uses to better serve the needs of the area.

PROPERTY LOCATION: Property located on the north frontage of Ashland City Rd. at the Ashland City Rd. & Avondale Dr. intersection.

ACREAGE TO BE REZONED: 22.7 +/-

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Wooded tract with varying steep topography.

GROWTH PLAN AREA: CITY **TAX PLAT:** 079 **PARCEL(S):** 25.03

CIVIL DISTRICT: 12

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

1. **CITY ENGINEER/UTILITY DISTRICT:** Comments Received From Department And They Had No Concerns.

2.

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

2. **STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:** Traffic Assessment Required. (Submitted & Reviewed By The Clks. Street Dept.)

3.

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

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

4.

3a. **DRAINAGE COST:**

5.

4. **CDE/CEMC:**

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

6.

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

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

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

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

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

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

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

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

8. **CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:** Comments Received From Department And They Had No Concerns.

9.

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

9. **SCHOOL SYSTEM:**

ELEMENTARY: NORMAN SMITH
MIDDLE SCHOOL: MONTGOMERY
HIGH SCHOOL: MONTGOMERY

0.

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

10. **FT. CAMPBELL:**

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

11. **OTHER COMMENTS:**

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: TBD

DRAINAGE: VARIES

DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		220
ROAD MILES:		
POPULATION:		594
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

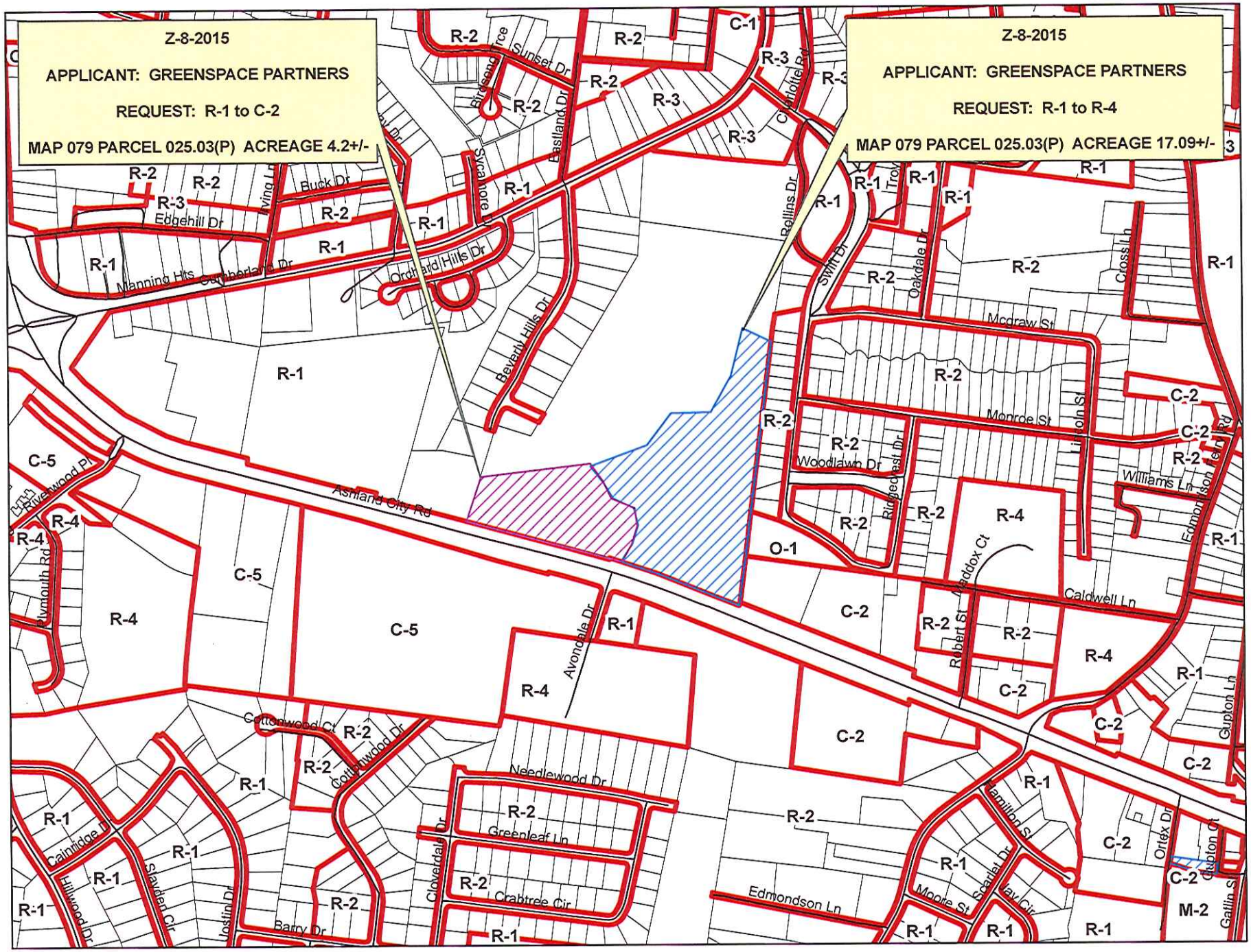
1. The proposed zoning request is consistent with Growth Plan (as in the City) and Land Use Plan which recommends commercial on Future Land Use Opinion Map.

2. The Traffic Impact Study for the proposed development recommends the addition of left-tun lanes into Avondale Apartments and the development, and a separate westbound right-turn lane into the development.

3. The field study of motor vehicle gaps demonstrates that sufficient gaps exist to accommodate left-turns out of the proposed development & Avondale Apartments.

4. The site is wooded with varying steep topography. The Land Use Plan states that areas with excessive slope (15% or more) should remain unimproved or be developed only for the lowest density categories. However, the applicant has provided a supplemental concept plan demonstrating that the steep topography can be avoided in construction.

5. Adequate infrastructure serves the site.


Z-8-2015
APPLICANT: GREENSPACE PARTNERS
REQUEST: R-1 to C-2
MAP 079 PARCEL 025.03(P) ACREAGE 4.2+/-
Z-8-2015
APPLICANT: GREENSPACE PARTNERS
REQUEST: R-1 to R-4
MAP 079 PARCEL 025.03(P) ACREAGE 17.09+/-
Ashland City Rd
Sunset Dr
Birdsong Trce
Eastland Dr
Sycamore Ln
Buck Dr
Irving Ln
Edgehill Dr
Manning Hts
Cumberland Dr
Orchard Hills Dr
Beverly Hills Dr
Rollins Dr
Swift Dr
Oakdale Dr
Mcgraw St
Monroe St
Woodlawn Dr
Ridgecrest Dr
Lincoln St
Williams Ln
Caldwell Ln
Maddox Ct
Robert St
Crossland Rd
Riverwood Pl
Plymouth Rd
Avondale Dr
Cottonwood Ct
Cottonwood Dr
Needlewood Dr
Greenleaf Ln
Crabtree Cir
Cloverdale Dr
Barry Dr
Justin Dr
Slayden Cir
Hillwood Dr
Cainridge Dr
Edmondson Ln
Moore St
Scarlet Dr
Jay Cir
Hamilton St
Ortex Dr
Clopton Ct
Gaitlin St
Guyton Ln
C-1
C-2
C-5
M-2
O-1
R-1
R-2
R-3
R-4

(4)

CASE NUMBER: Z 8 2015 **MEETING DATE** 6/24/2015

APPLICANT: Greenspace Partners

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

TAX PLAT # 079 **PARCEL** 25.03

GEN. LOCATION Property located on the north frontage of Ashland City Rd. at the Ashland City Rd. & Avondale Dr. intersection.

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PUBLIC COMMENTS

None received as of 11:30 a.m. on 6/24/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/24/2015 **CASE NUMBER:** Z - 10 - 2015

NAME OF APPLICANT: Jason Lee Senseney

AGENT:

GENERAL INFORMATION

PRESENT ZONING: C-2

PROPOSED ZONING: C-5

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: When purchased, the property was zoned C-2 to be able to have a car lot. Now car lots must have a C-5 zoning.

PROPERTY LOCATION: fronting on the north frontage of Providence Blvd. 275 +/- feet west of the Oak St. and Providence Blvd. intersection.

ACREAGE TO BE REZONED: 0.22

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Vacant Commercial Parcel.

GROWTH PLAN AREA: CITY **TAX PLAT:** 55-H-H **PARCEL(S):** 24.00

CIVIL DISTRICT: 7th

CITY COUNCIL WARD: 4 **COUNTY COMMISSION DISTRICT:** 13

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.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1.

1. CITY ENGINEER/UTILITY DISTRICT:

May Require Water System Upgrades.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

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:

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments Received From Department And They Had No Concerns.

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: CITY

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:

New Providence Planning Area- made up of a series of mature neighborhoods that center upon U S 41A / Ft. Campbell Blvd.

STAFF RECOMMENDATION: **DISAPPROVAL**

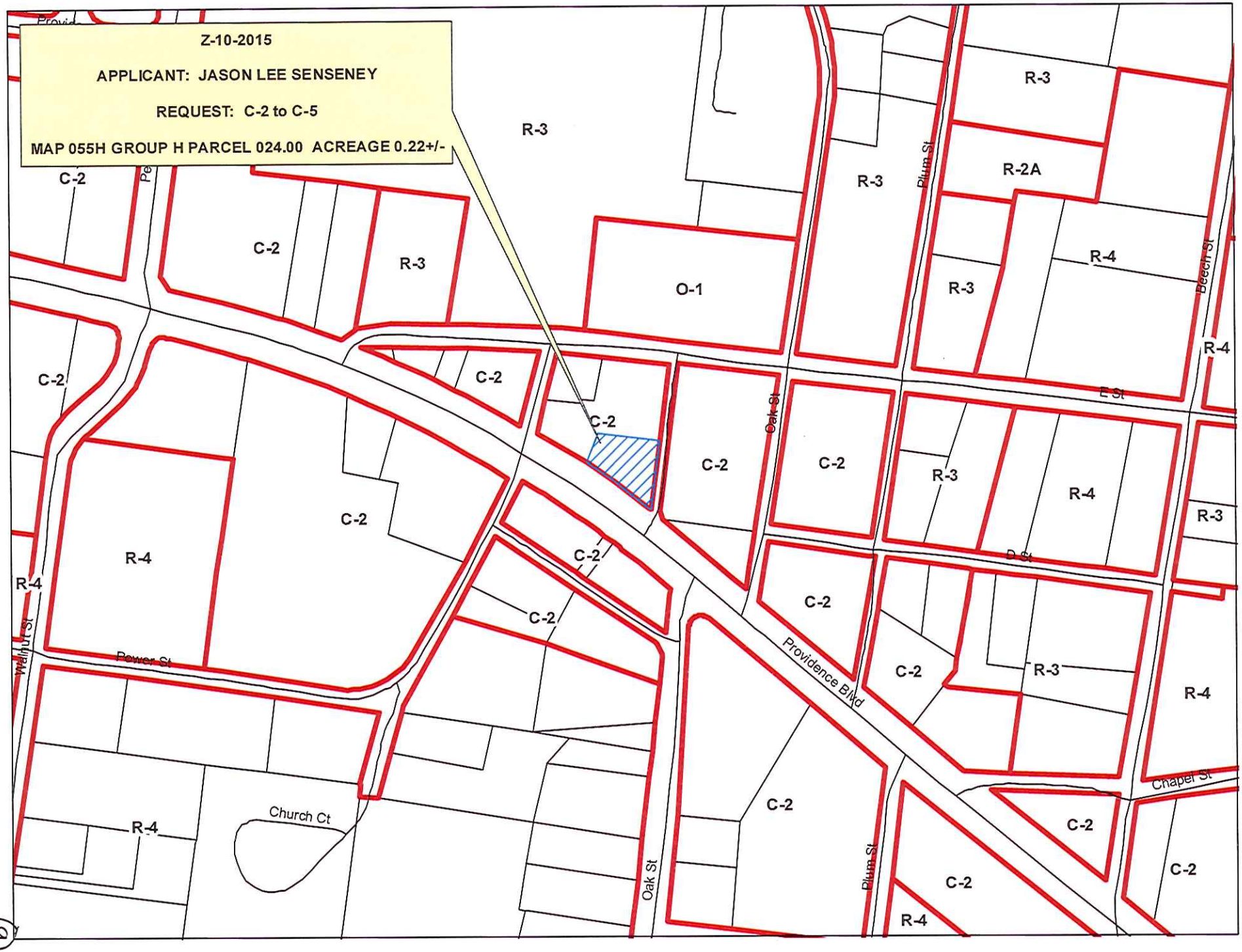
1. The proposed zoning request is consistent with Growth Plan (as in the City) but inconsistent with the adopted Land Use Plan.

2. The adopted Land Use Plan indicates that the present C-2 zoning classification is assumed to be correct unless the proposed zone is more consistent with the land use plan, the parcel was incorrectly zoned in the first place, or major changes of an economic, physical or social nature were not considered in the present plan which have substantially altered the character of the area.

3. All adjacent properties and properties in the immediate area are currently zoned C-2. Barely meeting the minimum lot size threshold for the C-5 District (10,000 sq. ft.) land extensive retail uses of the C-5 District are problematic.

4. No adverse environmental issues were identified relative to this request.

5. The Proposed Use Does Not Support The 2030 Smart Growth Plan. New Providence Goals: "transform Rundown Properties Into Mix Of Residential/commercial Redevelopment.


Z-10-2015
APPLICANT: JASON LEE SENSENEY
REQUEST: C-2 to C-5
MAP 055H GROUP H PARCEL 024.00 ACREAGE 0.22+/-
C-2
R-3
O-1
R-2A
R-4
C-2
Oak St
Plum St
Beech St
E St
D St
Providence Blvd
Chapel St
Walnut St
Power St
Church Ct
Oak St
Plum St
R-4

CASE NUMBER: Z 10 2015 **MEETING DATE** 6/24/2015

APPLICANT: Jason Lee Senseney

PRESENT ZONING C-2 **PROPOSED ZONING** C-5

TAX PLAT # 55-H-H **PARCEL** 24.00

GEN. LOCATION fronting on the north frontage of Providence Blvd. 275 +/- feet west of the Oak St. and Providence Blvd. intersection.

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PUBLIC COMMENTS

None received as of 11:30 a.m. on 6/24/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/24/2015 **CASE NUMBER:** Z - 16 - 2015

NAME OF APPLICANT: Harris Trucking Inc

AGENT:

GENERAL INFORMATION

PRESENT ZONING: M-3

PROPOSED ZONING: C-5

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: Bring property into compliance.

PROPERTY LOCATION: Property located at the northeast corner of the Needmore Rd. & Union Hall Rd. intersection.

ACREAGE TO BE REZONED: 4.98 +/-

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Large gravel lot with established warehousing / trucking facility.

GROWTH PLAN AREA: CITY **TAX PLAT:** 32 **PARCEL(S):** 106.02

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 11 **COUNTY COMMISSION DISTRICT:** 1

PREVIOUS ZONING HISTORY: SR-42-2004
(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.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1.

1. CITY ENGINEER/UTILITY DISTRICT: Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT: Traffic Assessment Required (Submitted & Reviewed By The Clks. Street Dept.)

3.

2a. COST TO STREET/HIGHWAY DEPT.:

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

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

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

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

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

7. POLICE DEPT/SHERIFF'S OFFICE:

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

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: NEEDMORE RD. & UNION HALL RD.

DRAINAGE: VARIES

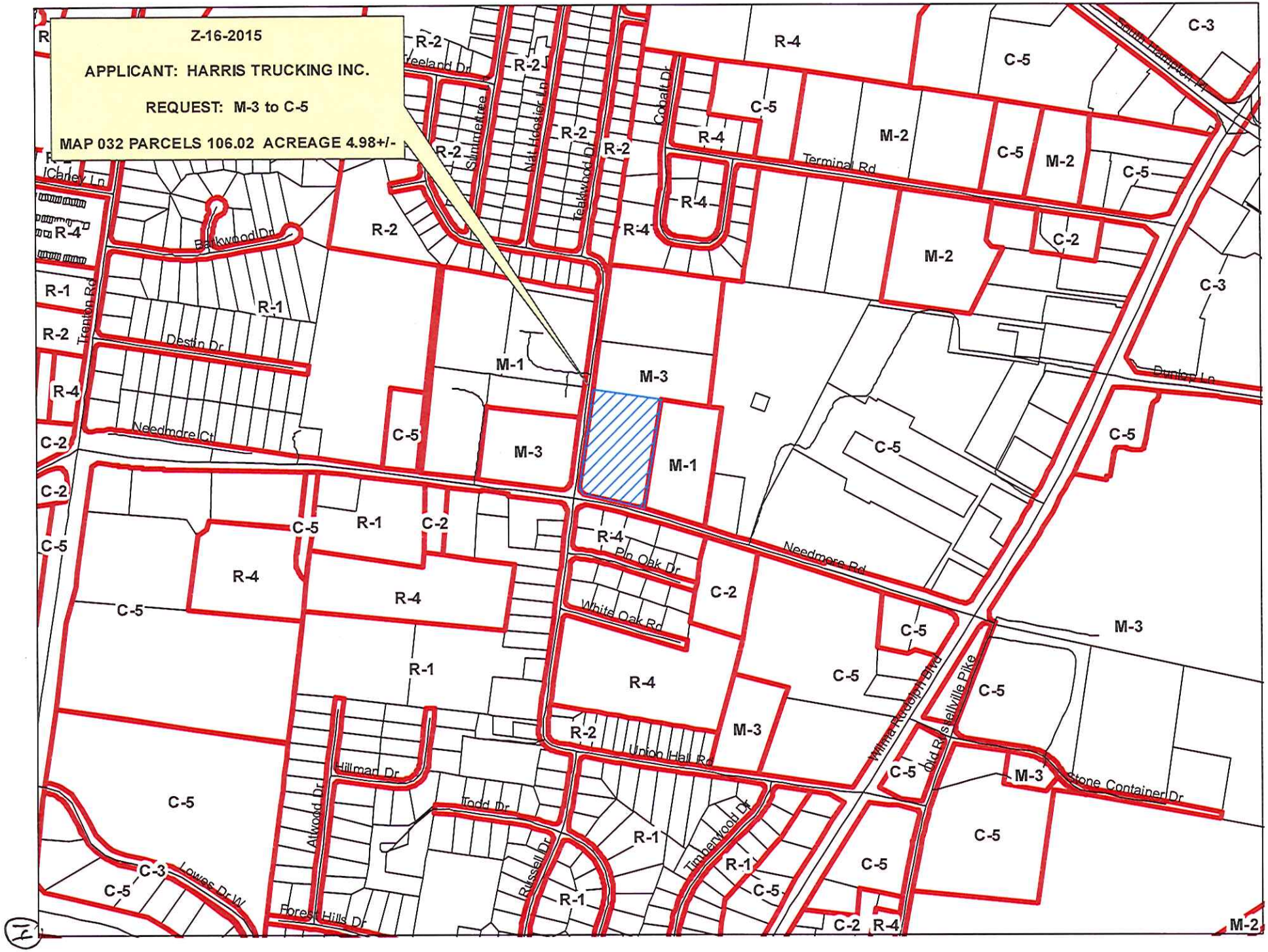
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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 Land Use Plan which recommends commercial on Future Land Use Opinion Map.
2. No adverse environmental issues were identified relative to this request.
3. Request brings existing use into compliance with the zoning ordinance.
4.
5.


Z-16-2015
APPLICANT: HARRIS TRUCKING INC.
REQUEST: M-3 to C-5
MAP 032 PARCELS 106.02 ACREAGE 4.98+/-
Terminal Rd
Needmore Rd
Union Hall Rd
Destin Dr
Trenton Rd
Needmore Ct
Dunlop Ln
Pin Oak Dr
White Oak Rd
Wilma Rudolph Blvd
Old Russellville Pike
Stone Container Dr
Hillman Dr
Todd Dr
Atwood Dr
Russell Dr
Timberwood Dr
Lowes Dr W
Forest Hills Dr
Cobalt Dr
Teakwood Dr
Backwood Dr
Summertree
Natl Hoosier Ln
Smith Hampton Pl
Freeland Dr
Cheney Ln
R-1
R-2
R-4
M-1
M-2
M-3
C-2
C-3
C-5

CASE NUMBER: Z 16 2015 **MEETING DATE** 6/24/2015

APPLICANT: Harris Trucking Inc

PRESENT ZONING M-3 **PROPOSED ZONING** C-5

TAX PLAT # 32 **PARCEL** 106.02

GEN. LOCATION Property located at the northeast corner of the Needmore Rd. & Union Hall Rd. intersection.

****

PUBLIC COMMENTS

None received as of 11:30 a.m. on 6/24/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/24/2015 **CASE NUMBER:** Z - 17 -2015

NAME OF APPLICANT: Habitat For Humanity

AGENT:

GENERAL INFORMATION

PRESENT ZONING: RM-1

PROPOSED ZONING: R-1

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: To provide the ability to build a single family home.

PROPERTY LOCATION: Property located on the west frontage of Ann Dr. 160 +/- feet north of the Ann Dr. & Belle Ct. intersection.

ACREAGE TO BE REZONED: 0.36

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Former mobile home lot.

GROWTH PLAN AREA: CITY **TAX PLAT:** 031-P-C **PARCEL(S):** 35.00

CIVIL DISTRICT: 2nd

CITY COUNCIL WARD: 9 **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 DEPARMENT
- ☐ EMERGENCY MANAGEMENT
- ☒ POLICE DEPARTMENT
- ☐ SHERIFF'S DEPARTMENT
- ☒ CITY BUILDING DEPT.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1.

1. CITY ENGINEER/UTILITY DISTRICT: Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT: Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

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

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

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

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

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

7. POLICE DEPT/SHERIFF'S OFFICE:

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

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: GLENELLEN
MIDDLE SCHOOL: NORTHEAST
HIGH SCHOOL: NORTHEAST

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS: 11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Minimal

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: ANN DRIVE

DRAINAGE: SOUTH TO NORTH

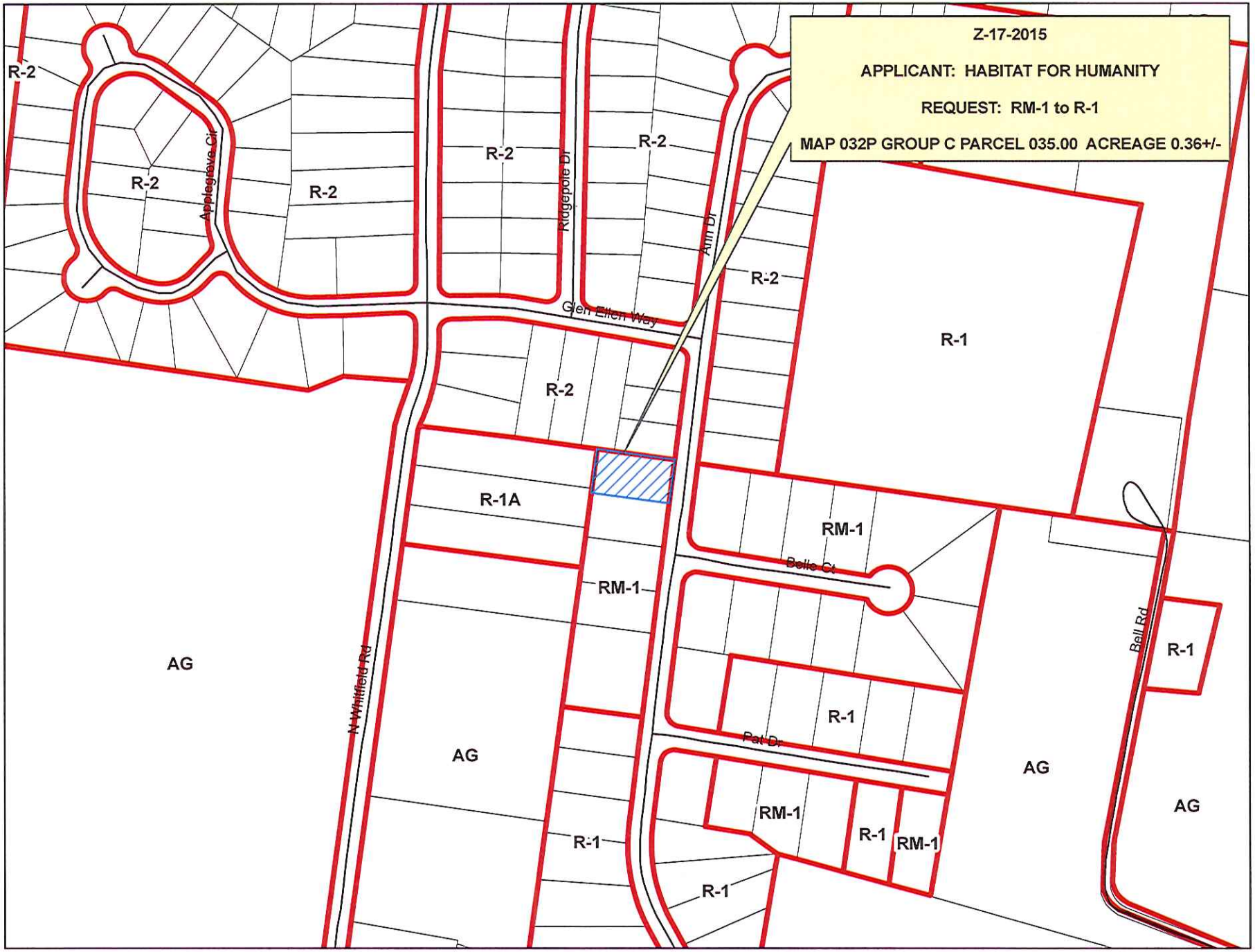
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

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. No adverse environmental issues were identified relative to this request.
3. Single family residential is the predominant use in the area.
4.
5.


Z-17-2015
APPLICANT: HABITAT FOR HUMANITY
REQUEST: RM-1 to R-1
MAP 032P GROUP C PARCEL 035.00 ACREAGE 0.36+/-
R-2
R-2
R-2
R-2
R-2
R-2
R-2
R-1
R-1A
RM-1
RM-1
AG
AG
AG
R-1
R-1
R-1
R-1
RM-1
RM-1
R-1
Applegrove Cir
Ridgepole Dr
Ann Dr
Glen Ellen Way
Belle Ct
Pat Dr
N Whitfield Rd
Bell Rd

CASE NUMBER: Z 17 2015 **MEETING DATE** 6/24/2015

APPLICANT: Habitat For Humanity

PRESENT ZONING RM-1 **PROPOSED ZONING** R-1

TAX PLAT # 031-P-C **PARCEL** 35.00

GEN. LOCATION Property located on the west frontage of Ann Dr. 160 +/- feet north of the Ann Dr. & Belle Ct. intersection.

****

PUBLIC COMMENTS

None received as of 11:30 a.m. on 6/24/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/24/2015 **CASE NUMBER:** Z - 18 -2015

NAME OF APPLICANT: O. C. Terrell

AGENT: Jimmy Bagwell (Moore Design Services)

GENERAL INFORMATION

PRESENT ZONING: C-2

PROPOSED ZONING: M-2

EXTENSION OF ZONE CLASSIFICATION: NO

APPLICANT'S STATEMENT FOR PROPOSED USE: To allow for towing company

PROPERTY LOCATION: Property located between east frontage of Ortex Dr. & the west frontage of Gupton Ct.

ACREAGE TO BE REZONED: 0.31 +/-

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Vacant parcel with heavy vegetation.

GROWTH PLAN AREA: CITY **TAX PLAT:** 079-M-A **PARCEL(S):** 26.00

CIVIL DISTRICT: 12th

CITY COUNCIL WARD: 7 **COUNTY COMMISSION DISTRICT:** 5

PREVIOUS ZONING HISTORY: (to include zoning, acreage and action by legislative body) Z-5-2002 R-3 to C-2 Staff/RPC/City Council-Approved

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.
- ☐ COUNTY BUILDING DEPT.
- ☒ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1.

1. CITY ENGINEER/UTILITY DISTRICT: No Gravity Sewer Available

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT: Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

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

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

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

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

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

7. POLICE DEPT/SHERIFF'S OFFICE:

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

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: Intensity of possible uses increases with M-2 zoning.

INFRASTRUCTURE:

WATER SOURCE: CITY **PIPE SIZE:**

SEWER SOURCE: CITY

ACCESSIBILITY: ORTEX DR. & GUPTON CT.

DRAINAGE: EAST TO WEST

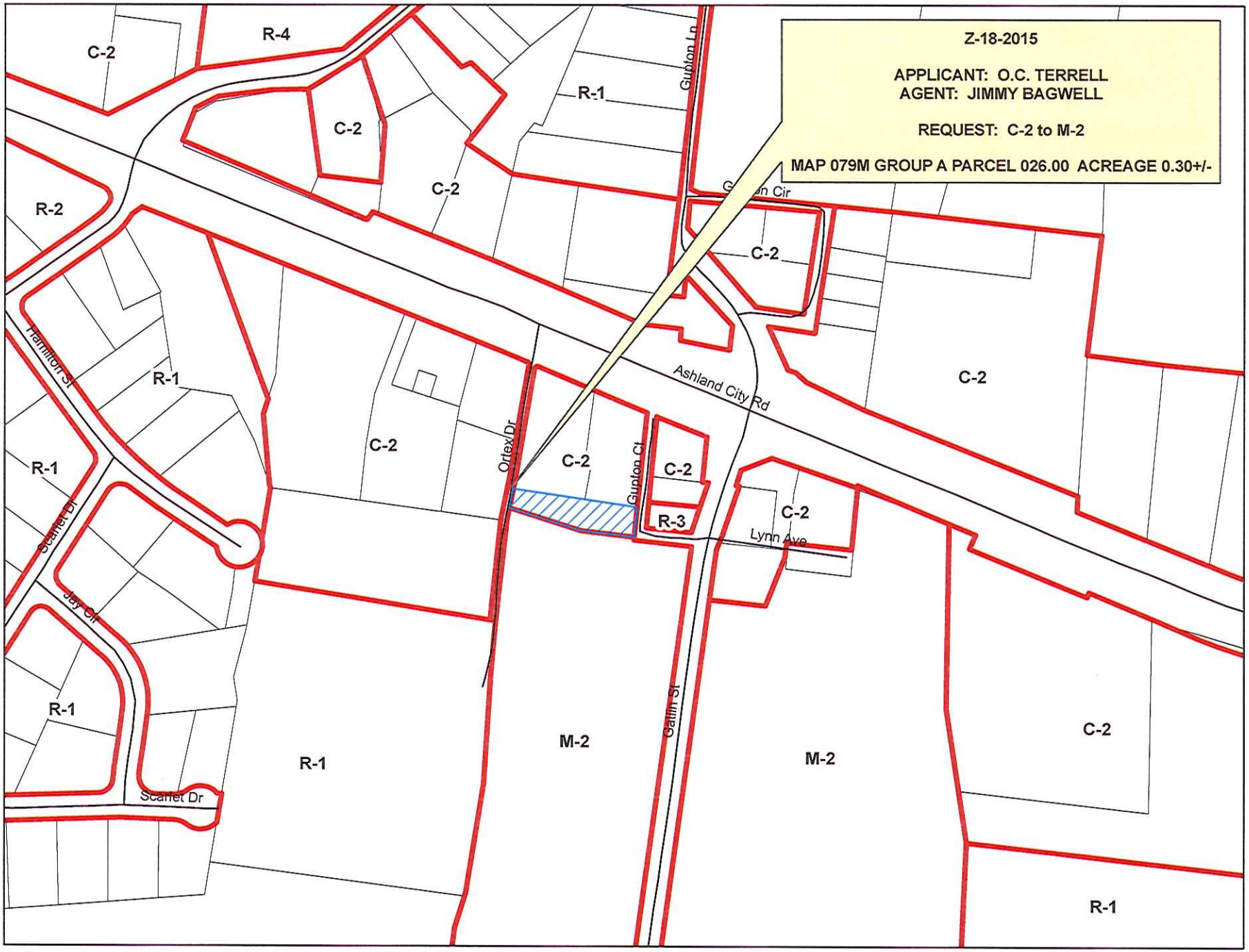
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Southern Hills- Large portions or area are in the Cumberland River flood plain along the western & southern boundaries. Relatively young subdivisions & other developments exist within the planning area. Most infrastructure is in good condition and readily extendable.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. No adverse environmental issues were identified relative to this request.
3. Proposed zoning is an extension of an existing 30 +/- acres of M-2 zoned property.
4.
5.


Z-18-2015
APPLICANT: O.C. TERRELL
AGENT: JIMMY BAGWELL
REQUEST: C-2 to M-2
MAP 079M GROUP A PARCEL 026.00 ACREAGE 0.30+/-
C-2
R-4
R-1
R-2
R-3
M-2
Ashland City Rd
Hamilton St
Scarlet Dr
Jay Cir
Ortex Dr
Guyton Ct
Guyton Ln
Lynn Ave
Gatlin St
Scarlet Dr
R-1

(24)

CASE NUMBER: Z 18 2015 **MEETING DATE** 6/24/2015

APPLICANT: O. C. Terrell

PRESENT ZONING C-2 **PROPOSED ZONING** M-2

TAX PLAT # 079-M-A **PARCEL** 26.00

GEN. LOCATION Property located between east frontage of Ortex Dr. & the west frontage of Gupton Ct.

****

PUBLIC COMMENTS

None received as of 11:30 a.m. on 6/24/2015 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

RPC MEETING DATE: 6/24/2015 **CASE NUMBER:** Z - 19 - 2015

NAME OF APPLICANT: A C I Investment Group

AGENT:

GENERAL INFORMATION

PRESENT ZONING: M-1

PROPOSED ZONING: C-2

EXTENSION OF ZONE CLASSIFICATION: YES TO THE WEST

APPLICANT'S STATEMENT FOR PROPOSED USE: Commercial

PROPERTY LOCATION: Property fronting on the north frontage of Kraft St. 400 +/- feet northwest of the centerline of the N. Second St. & Kraft St. intersection.

ACREAGE TO BE REZONED: 0.58 +/-

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Former restaurant/ diner.

GROWTH PLAN AREA: CITY **TAX PLAT:** 55-O-A **PARCEL(S):** 14.01

CIVIL DISTRICT: 12th

CITY COUNCIL WARD: 6 **COUNTY COMMISSION DISTRICT:** 12

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.
- ☐ COUNTY BUILDING DEPT.
- ☐ SCHOOL SYSTEM OPERATIONS
- ☐ FT. CAMPBELL
- ☐ DIV. OF GROUND WATER
- ☐ HOUSING AUTHORITY
- ☐ INDUSTRIAL DEV BOARD
- ☐ CHARTER COMM.
- ☐ Other...

1.

1. CITY ENGINEER/UTILITY DISTRICT: Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT: Comments Received From Department And They Had No Concerns.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

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

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

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

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

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

7. POLICE DEPT/SHERIFF'S OFFICE:

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

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: KRAFT ST.

DRAINAGE: SOUTH TO NORTH

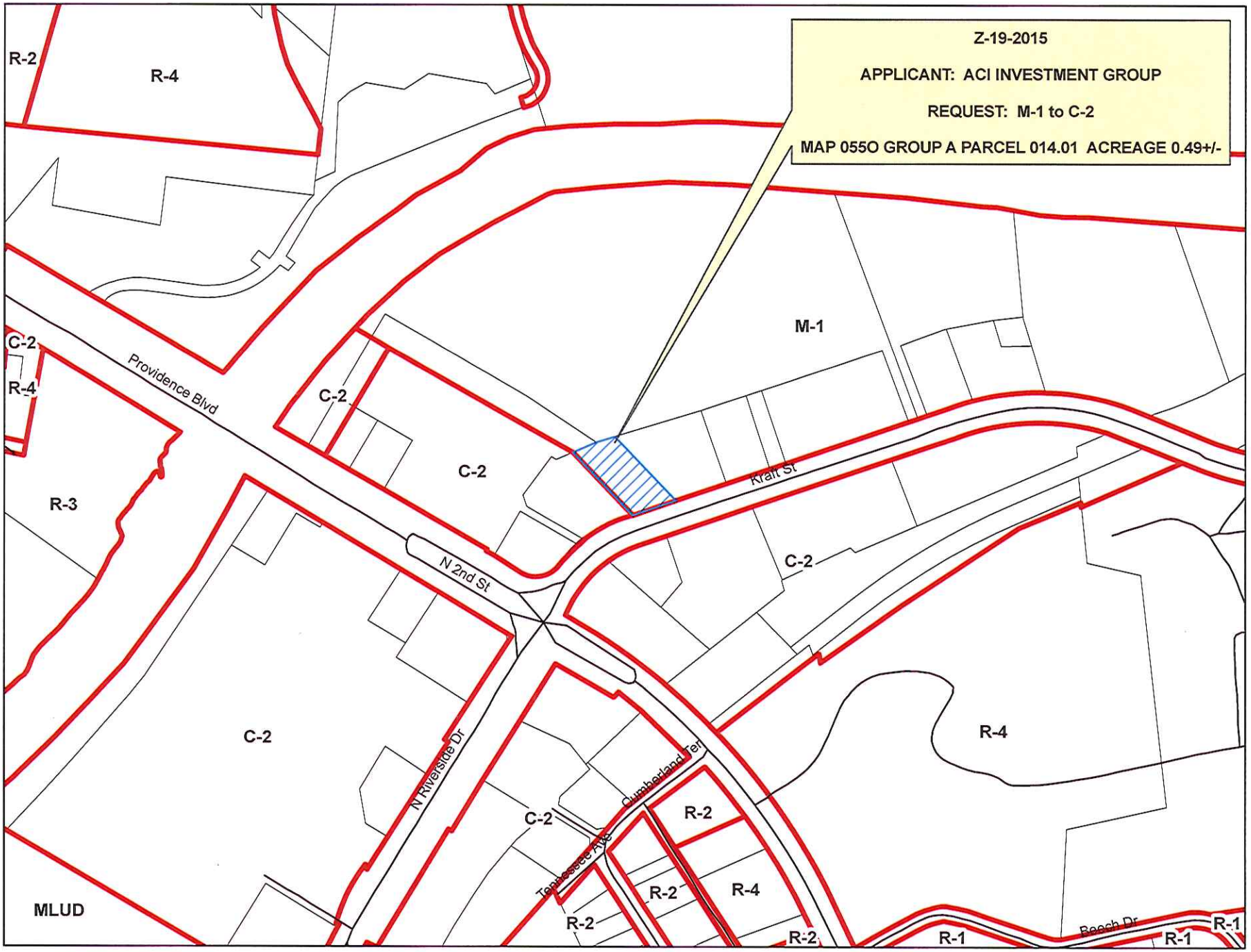
DEVELOPMENT ESTIMATES:	APPLICANT'S ESTIMATES	HISTORICAL ESTIMATES
LOTS/UNITS:		
ROAD MILES:		
POPULATION:		
ELEMENTARY SCHOOL STUDENTS:		
MIDDLE SCHOOL STUDENTS:		
HIGH SCHOOL STUDENTS:		

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. No adverse environmental issues were identified relative to this request.
3. Adequate infrastructure serves the site.
4. Request is an extension of existing C-2 Zoning Classification to the west & south. Approval promotes opportunity for redevelopment of Commercial/Retail uses along high traffic corridor.
5.


Z-19-2015
APPLICANT: ACI INVESTMENT GROUP
REQUEST: M-1 to C-2
MAP 055O GROUP A PARCEL 014.01 ACREAGE 0.49+/-
R-2
R-4
C-2
R-4
Providence Blvd
C-2
M-1
C-2
Kraft St
R-3
N 2nd St
C-2
C-2
N Riverside Dr
Cumberland Ter
C-2
R-2
Tennessee Ave
R-2
R-4
R-2
R-2
R-4
MLUD
R-1
Beech Dr
R-1
R-1

CASE NUMBER: Z 19 2015 **MEETING DATE** 6/24/2015

APPLICANT: A C I Investment Group

PRESENT ZONING M-1 **PROPOSED ZONING** C-2

TAX PLAT # 55-O-A **PARCEL** 14.01

GEN. LOCATION Property fronting on the north frontage of Kraft St. 400 +/- feet northwest of the centerline of the N. Second St. & Kraft St. intersection.

****

PUBLIC COMMENTS

None received as of 11:30 a.m. on 6/24/2015 (jhb).

ORDINANCE 5-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JASON LEE SENSENEY FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF OAK STREET AND PROVIDENCE BOULEVARD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-2 General Commercial District, as C-5 Highway & Arterial Commercial District.

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

EXHIBIT A

Beginning at a point, said point being 109 +/- feet east of the centerline of the intersection of Providence Blvd. & Power St., said point being the southwest corner of the subject tract, further identified as the southeast corner of Forest C. Ratchford III property, thence in northerly direction 53 +/- feet with the Forest C. Ratchford III east property line to a point, said point being in the southern boundary of the Forest C. Ratchford III property, thence in an easterly direction 103 +/- feet to a point said point being in the western ROW margin of an unnamed alley, thence in a southerly direction 116 +/- feet with the unnamed alley to a point said point being in the norther ROW margin of Providence Blvd., thence in a westerly direction 134 +/- feet to the point of beginning, said tract containing 10271 +/- sq. feet, 0.24 +/- acres. further identified as (Tax Map 55-H-H, Parcel 24.00)

ORDINANCE 4-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GREENSPACE PARTNERS FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF ASHLAND CITY ROAD AND AVONDALE DRIVE

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-4 Multiple Family Residential District and C-2 General Commercial District.

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

EXHIBIT A

C-2 Request: Beginning at the southwest corner of the parent tract in the northerly margin of the right-of-way of Highway 41-A Bypass; THENCE leaving said right-of-way the following calls: N 16^50’13” E 253.85 feet, N 82^50’16” E 520.92 feet, S 15^10’46” E 126.26 feet to a point at the beginning of a curve to the left; THENCE along said curve 149.93 feet to a point at the beginning of a curve to the right, said curve having a central angle of 42^57’11”, a radius of 200.00 feet, and a chord of S 36^39’19” E 146.45 feet; THENCE along second curve 249.86 feet, said curve having a central angle of 71^34’49”, a radius of 200.00 feet, and a chord of S 22^20’31” E 233.93 feet; THENCE S 16^26’54” W 62.42 feet to a point in said right-of-way of Highway 41-A Bypass; THENCE along said right-of-way the following calls: N 71^05’52” W 36.87 feet, S 16^42’22” W 9.58 feet to a point at the beginning of a curve to the left; THENCE along said curve 274.12 feet, said curve having a central angle of 2^17’34”, a radius of 6850.09 feet, and a chord of N 73^52’25” W 274.10 feet; THENCE continuing along said right-of-way N 75^01’12” W 501.37 feet to the point of beginning; Containing 5.90+/- acres (Tax map 79, Parcel 25.03 p/o)

R-4 Request: Beginning at the southeast corner of the parent tract in the northerly margin of the right-of-way of Highway 41-A Bypass; THENCE along said right-of-way N 68^17’24” W 236.22 feet to a point at the beginning of a curve to the left; THENCE along said curve 453.98 feet, said curve having a central angle of 2^41’51”, a radius of 9642.25 feet, and a chord of N 69^38’20” W 453.94 feet; THENCE leaving said right-of-way N 16^26’54” E 62.42 feet to a point at the beginning of a curve to the left; THENCE along said curve 249.86 feet to a point at the beginning of a curve to the right, said curve having a central angle of 71^34’49”, a radius of 200.00 feet, and a chord of N 22^20’31” W 233.93 feet; THENCE along said second curve 149.93 feet, said curve having a central angle of 42^57’11”, a radius of 200.00 feet, and a chord of N 36^39’19” W 146.45 feet;

THENCE the following calls: N 15^10’46” W 142.73 feet, N 76^00’39” E 281.03 feet, N 43^51’54” E 242.08 feet, N 75^57’30” E 179.83 feet, N 56^25’36” E 209.39 feet, N 25^55’18” E 203.38 feet, N 84^12’18” E 141.87 feet, S 08^26’09” W 226.36 feet, S 06^13’00” W 59.95 feet, S 07^45’29” W 149.92 feet, S 06^27’40” W 702.08 feet, S 07^37’38” W 230.64 feet, S 16^53’58” W 19.33 feet to the point of beginning; Containing 17.09 +/- acres. (Tax map 79, Parcel 25.03 p/o)

ORDINANCE 6-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HARRIS TRUCKING, INC. FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF NEEDMORE ROAD AND UNION HALL 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 M-3 Planned Industrial District, as C-5 Highway & Arterial Commercial District.

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

EXHIBIT A

Beginning at an iron pin located in the eastern right of way of Union Hall Road, said new iron pin also being located North 24 degrees 59 minutes 06 seconds east 85.65 feet from the centerline intersection of Needmore Road & Union Hall Road; thence along the eastern right of way of Union Hall Road, north 07 degrees 59 minutes 45 seconds east 520.49 feet to a new iron pin located in the southwest corner of the Ryder Truck Rental Property; thence along the southern boundary of the Ryder Truck Rental Property, south 82 degrees 00 minutes 15 seconds east 376.43 feet to an old iron pin located in the northwest corner of the R. Brooks Jarrell Property; thence along the western boundary line of said JarrellProperty south 07 degrees 59 minutes 45 seconds west 600.38 feet to a new iron pin located in the northern right of way of Needmore Road; thence along said right of way of Needmore Road, north 72 degrees 45 minutes 15 seconds west 91.60 feet to a point thence on a curve to the left having a delta of 11 degrees 05 minutes 03 seconds, a radius of 1215.72 feet, a chord of north 78 degrees 17 minutes 46 seconds west 234.82 feet for a length of 235.19 feet to a new iron pin; thence on a curve to the right having a delta of 91 degrees 50 minutes 02 seconds, a radius of 50 feet, a chord of north 37 degrees 55 minutes 16 seconds west 71.83 feet to the point of beginning, containing 4.98 +/- acres. (Tax Map 32, Parcel 106.02)

ORDINANCE 7-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HABITAT FOR HUMANITY FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF ANN DRIVE AND BELLE COURT

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

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

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

EXHIBIT A

Beginning at a point, said point being 110 feet northwest of the centerline of Ann Drive & Belle Court intersection, said point also being the southeast corner of the subject tract and the northeast corner of the John Lemay property, thence in a westerly direction 165 +/- feet with the northern boundary of the Lemay Property to a point, said point being in the eastern boundary of the Charlie Randall Hinkle Property, thence in a northerly direction 94 +/- feet with the Hinkle Property eastern boundary & others to a point, said point being the northeast corner of the Robert Houck Property and in the southern boundary of the Chong H. Choe Property, thence in a easterly direction 165 +/- feet with the southern boundary of the Choe Property and others to a point said point being in the western right of way of Ann Drive, thence a southerly direction 93 feet with the western right of way boundary of Ann Drive to the point of beginning, said tract containing 0.36 +/- acres (Tax Map 31-P-C, Parcel 35.00)

ORDINANCE 8-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF O. C. TERRELL, JIMMY BAGWELL-AGENT (MOORE DESIGN SERVICES) FOR ZONE CHANGE ON PROPERTY AT ORTEX DRIVE AND GUPTON COURT

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

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

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

EXHIBIT A

Beginning at a point, said point being 147 +/- feet west of the centerline of the Gatlin Street and Gupton Court intersection, said point also being the southeast corner of the subject tract and in the northern boundary of the Lui Heimansohn Inc. property, thence in a westerly direction 252 +/- feet with the northern boundary of the Heimansohn property to a point, said point being in the eastern right of way of Ortex Drive, thence in a northerly direction 37 +/- feet with the eastern right or way of Ortex Drive to a point, said point being the southwest corner of the Joe Thomas Claude property, thence in a easterly direction 246 +/- feet with the southern boundary of the Claude property and other to a point, said point being in the western right of way of Gupton Court, thence in a southerly direction 59 +/- feet with the western right of way of Gupton Court to the point of begining, said tract containing 0.31 +/- acres. (Tax Map 79-M-A, Parcel 26.00)

ORDINANCE 9-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ACI INVESTMENT GROUP FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF NORTH SECOND STREET AND KRAFT STREET

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

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

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

EXHIBIT A

Beginning at an iron pin in the north right of way of Kraft Street 0.08 mile from the right of way of US 41-A as measured along said right of way of Kraft Street, being the southeast corner of Manju P. Patel property; thence on a new line North 50 degrees 18 minutes 37 seconds West 220.07 feet; thence North 61 degrees 45 minutes 40 seconds East 48.86 feet to an iron pin; thence North 66 degrees 57 minutes 51 seconds East 63.35 feet to an iron pin, the northwest corner of the realty conveyed to Burcon Properties, Inc. by deed of record; thence with the Burcon Properties Inc., South 46 degrees 59 minutes, 54 seconds East 218.49 feet to an iron pin in the North margin of Kraft Street; thence with said right of way South 66 degrees 45 minutes 02 seconds West 99.91 feet to the point of beginning, containing 0.49 +/- acres. (Tax Map 55-O-A, Parcel 14.01)

ORDINANCE 64-2014-15

AN ORDINANCE AUTHORIZING PURCHASE OF PROPERTY ON CROSSLAND AVENUE FOR COMMUNITY DEVELOPMENT

WHEREAS, Community Development Block Grants help communities provide decent housing, a suitable living environment, expanded economic opportunities, principally for persons of low and moderate income; and

WHEREAS, Housing and Urban Development awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development and providing improved community facilities and services; and

WHEREAS, the Office of Housing and Community Development proposes to purchase property located at 815 Crossland Avenue (Map, Group and Parcel 066K, K 025.00) for the purpose of donating it to a non-profit organization for use as a "Transitional Outreach Facility"; and

WHEREAS, providing assistance for low-income individuals and families are consistent with the goals and objectives of the Community Development Block Grant program.

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

That the office of Housing and Community Development is hereby authorized to purchase the property known as 815 Crossland Avenue for the purpose of donating it to a non-profit organization for use as a "Transitional Outreach Facility".

FIRST READING: June 4, 2015
SECOND READING:
EFFECTIVE DATE:

Tract 1:

Beginning at an iron pin on the North side of Crossland Avenue, said point being 297 feet East of the intersection of the North line of Crossland Avenue with the East line of Martin Street, and running thence parallel with Martin Street, North 3 ½ East 100 feet to an iron pin; thence parallel with Crossland Avenue East 100 feet to an iron pin; thence South 3 ½ West 100 feet to an iron pin on the North side of Crossland Avenue; thence with the North side of Crossland West 100 feet to the beginning.

Tract 2:

Beginning at the corner of Berry and Hanley property being 100 feet North from Crossland Avenue as measured along Berry's Easterly boundary line; thence Northwardly 15 feet to a point; thence Westwardly 100 feet to a point in the East boundary of property conveyed to Norfleet; thence in a Southern direction 15 feet to a point; thence in a Easterly direction 100 feet to the point of beginning being a rectangular tract 15 feet wide and 100 feet long, according to survey furnished by Walter Weakley.

The property is subject to building setback lines, utility and drainage easements and all other matters as shown of record in the Register's Office for Montgomery County, Tennessee.

This legal description being taken from Deed of record in ORBV 1341, Page 1825, ROMCT.

ORDINANCE 66-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ALLEN MOSER FOR ZONE CHANGE ON PROPERTY AT REYNOLDS STREET AND PORTERS BLUFF 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-3 Three Family Residential District, as R-6 Single Family Residential District.

PUBLIC HEARING: June 4, 2015
FIRST READING: June 4, 2015
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin set in the eastern ROW of Reynolds Street, said iron pin being the northwest corner of lot 82, Carney & Savage Addition No. 2 to Clarksville, of record in Plat Book 1, Page 25, Plat 22, the Register's Office of Montgomery County, TN and the southwest of the Patrick J. Shaut property of record in the Official Record Book Volume 892, Page 2411, in the Register's Office of Montgomery County, TN, said iron pin also being North 7 degrees 45 minutes 13 seconds East 196.50 feet from the centerline intersection of Reynolds St. & Commerce St.; thence leaving the ROW South 86 degrees 59 minutes 24 seconds East 149.54 feet to an iron pin; thence South 87 degrees 03 minutes 32 seconds East 49.58 feet to an iron pin; thence South 87 degrees 25 minutes 06 seconds East 79.87 feet to an iron pin; thence South 81 degrees 59 minutes 06 seconds East 27.29 feet to an iron pin; thence South 03 degrees 25 minutes 34 seconds West 14.94 feet to an iron pin; thence South 16 degrees 33 minutes 19 seconds East 171.19 feet to an iron pin set in the northern ROW of Commerce St. ; thence along said ROW North 87 degrees 08 minutes 27 seconds West 335.35 feet to a point in the northern ROW of Commerce St.; thence along said ROW on a curve along the ROW of Reynolds St., said Radius = 25, Arc = 38.85 feet, Chord bearing North 42 degrees 37 minutes 08 seconds West, Chord = 35.06, Delta = 89 degrees 02 minutes 38 seconds to a point in the eastern ROW of Reynolds St.; thence along said ROW North 01 degrees 54 minutes 11 seconds East 154.37 feet to the point of beginning, containing 1.35 +/-acres further identified as (Tax Map 66-E-M, Parcel(s)17.02 thru 17.08)

ORDINANCE 67-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF CHARLES W. HAND (CWHFD, LLC), JOHN HADLEY-AGENT, FOR ZONE CHANGE ON PROPERTY AT PROVIDENCE BOULEVARD AND PEACH STREET

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-2 General Commercial District, to C-5 Highway & Arterial Commercial District.

PUBLIC HEARING: June 4, 2015
FIRST READING: June 4, 2015
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 55+/- feet southeast of the centerline of the Providence Blvd. & Peach St. intersection, said point being located in the southern ROW of Providence Blvd., thence in an easterly direction 287 +/- feet with the Providence Blvd. southern ROW margin to a point, said point being the northwest corner of the AREC 10 LLC property, thence in a southerly direction 150 +/- with western boundary of the AREC 10 LLC property to a point, said point being the northeastern corner of the Mr. & Mrs. Joe Martin property, thence in an easterly direction 150 +/- feet with Mr. & Mrs. Joe Martin property to a point said point being the northwest corner the Mr. & Mrs. Joe Martin property, thence in a southerly direction 90 +/- feet with the western boundary of Mr. & Mrs. Joe Martin property to a point said point being the northeast corner of the Joe Martin thence in a westerly direction 146 +/- feet with the northern boundary of the Joe Martin property, to a point, said point being in the eastern ROW margin of Peach St. thence in a northerly direction 235 +/- feet with the eastern ROW margin of Peach St. to the point of beginning, said tract(s) containing 1.31 +/- acres, further identified as (Tax Map 54-E-D 6.00 & 7.00)

ORDINANCE 68-2014-15

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF CAMILLA WELCH, DANELL WELCH-AGENT, FOR ZONE CHANGE ON PROPERTY AT HIGHWAY 41A SOUTH AND SHADY MAPLE DRIVE

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned C-5 Highway & Arterial Commercial District and R-2 Single Family Residential District, to C-2 General Commercial District.

PUBLIC HEARING: June 4, 2015
FIRST READING: June 4, 2015
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 162 +/- feet southeast of the centerline of the 41-A Highway South & Shady Maple Dr. intersection said point being the northwest corner of the subject tract and located in the southern ROW margin of Highway 41-A South, thence in an easterly direction 550 +/- feet, to a point, said point being the northwest corner of the Diane Proctor Jackson property, thence in a southerly direction 241 +/- feet to a point, said point being in the northern boundary of the Joy M. Daniel property, thence in a westerly direction 123 +/- feet with Joy M. Daniel property to a point, said point being the northwest corner of the Lou Ann Bruce property, thence in a southerly direction 120 +/- feet to a point, said point being the northeast corner of the Ronnie J. Denton property, thence in a westerly direction 331 +/- feet with the Ronnie J. Denton northern boundary and others to a point, said point being in the eastern boundary of the James W. Fitch property, thence in a northerly direction 377 +/- feet with the Ronnie J. Fitch property eastern boundary and others to the point of beginning, said tract(s) containing 3.87 +/- acres further identified as (Tax Map 81, Parcel(s) 162, 163 & 164.01)

CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
MAY 26, 2015

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, May 26, 2015, at 4:30 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Richard Garrett; the Pledge of Allegiance was led by Councilman Mike Alexander.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

ABSENT: James Lewis (Ward 3), Wallace Redd (Ward 4), David Allen (Ward 8)

REVIEW AND DISCUSSION OF FY16 BUDGET

There were no objections to allowing department heads to respond to questions. Inquiries included the proposed 3% pay increase for employees of the Department of Electricity, improvements to the intersection of Warfield Boulevard and Stokes Road, and improvements to Cardinal Lane. Information was offered regarding the requested $3.8 million addition to the Senior Citizens Center as well as discussion regarding the location of Fire Station 12.

ADJOURNMENT

The meeting was adjourned at 5:30 p.m.

CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JUNE 4, 2015

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Debbie Johnson shared information regarding the Smith-Trahern Mansion.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 4, 2015, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilwoman Valerie Guzman.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Geno Grubbs (Ward 7), David Allen (Ward 8), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

ABSENT: Wanda Smith (Ward 6), Joel Wallace, Mayor Pro Tem (Ward 9)

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to allow public comments regarding requests for rezoning. The motion was seconded by Councilman Redd. There was no objection.

ORDINANCE 66-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Allen Moser for zone change on property at Reynolds Street and Porters Bluff Road from R-3 Three Family Residential District to R-6 Single Family Residential District

Allen Moser said there were six homes adjacent to this property and noted the Regional Planning Commission recommended disapproval by only one vote. No one spoke in opposition to this request.

ORDINANCE 67-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Charles W. Hand (CWHFD, LLC), John Hadley-Agent, for zone change on property at Providence Boulevard and Peach Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

John Hadley spoke on behalf of the applicant and said the property was currently a non-conforming car lot. No one spoke in opposition to this request.

ORDINANCE 68-2014-15 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Camilla Welch, Danell Welch-Agent, for zone change on property at Highway 41A South and Shady Maple Drive from C-5 Highway & Arterial Commercial District and R-2 Single Family Residential District to C-2 General Commercial District

Danell Welch offered to answer questions. No one spoke in opposition to this request.

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

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 66-2014-15**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Guzman, Powers, Redd

NAY: Grubbs, Lewis, McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 67-2014-16**; the recommendation of the Regional Planning Commission was for approval. 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: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 68-2014-15.** 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: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

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 55-2014-15** (Second Reading) Authorizing right of eminent domain to obtain easements and rights-of-way for intersection improvements at Needmore Road & Trenton Road and Edmondson Ferry Road & Ashland City Road (41A Bypass) and installation of downtown sidewalks

2. **ORDINANCE 56-2014-15** (Second Reading) Amending the Official Code relative to keeping backyard chickens

3. **ORDINANCE 58-2014-15** (Second Reading) Authorizing extension of city utilities to property on Charles Bell Road; request of Terry Weakley

4. **ORDINANCE 59-2014-15** (Second Reading) Authorizing extension of city utilities to property on Dunlop Lane; request of William Francis Wooton

5. **ORDINANCE 61-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of John C. Fletcher for zone change on property located at Ft. Campbell Blvd. and Dover Crossing from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

6. **ORDINANCE 62-2014-15** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Bud E. Leavell, Edward C. Burchett-Agent, for zone change on property located at McCormick Lane and Trophy Trace from R-1 Single Family Residential District to R-4 Multiple Family Residential District and R-2A Single Family Residential District

7. **ORDINANCE 63-2014-15** (Second Reading) Amending the FY15 Parks & Recreation Budget to accept donation of $118,000 from Clarksville Academy for two B-Cycle bicycle rental stations

8. **RESOLUTION 33-2014-15** Approving a retail liquor store Certificate of Compliance for Ashok K. Bhagchand (Favorite Liquors, Inc., 2570B Madison Street)

9. **RESOLUTION 40-2014-15** Approving a Certificate of Compliance for Todd Morris (Elite Wine & Spirits, 1875 Madison Street)

10. Adoption of Minutes: May 7, May 21, May 26

11. Approval of Board Appointments:

    Adjustments & Appeals Board: Herb Baggett - July 2015 through June 2018; Rex Hawkins, Rick Reda, Josh Wright – July 2015 through June 2019

Economic Development Council: Bill Powers – July 2015 through June 2017

Tree Board: Mike Borske, Tracy Jackson – July 2015 through June 2018

Arts and Heritage Development Council: Bettye Holte, Mandy Smith – July 2015 through June 2017; Sheila Bryant, Chris Crow, Marlon Crow, Jim Diehr, Ellen Taylor – July 2015 through June 2018

A motion was made and seconded to adopt the Consent Agenda. Councilman Burkhart abstained from voting on **RESOLUTION 33-2014-15** because of a business relationship with the licensee. Councilman Lewis and Councilwoman McLaughlin voted "nay" on **ORDINANCE 56-2014-15.** Councilman Powers abstained from voting on his appointment to the Economic Development Council. A voice vote was taken on the motion to adopt the Consent Agenda with notations. The motion passed.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

No report.

FINANCE COMMITTEE
James Lewis

ORDINANCE 64-2014-15 (First Reading) Authorizing purchase of property at 815 Crossland Avenue

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this ordinance on first reading passed.

RESOLUTION 37-2014-15 Establishing the Fleet Management Policy & Procedures

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this resolution passed.

RESOLUTION 38-2014-15 Authorizing reallocation of appropriated funds for Two Rivers Company

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this resolution passed.

RESOLUTION 39-2014-15 Authorizing an interlocal agreement with Montgomery County relative to the 2015 Byrne Justice Assistant Grant

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

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE
Wallace Redd, Chair

No report.

PARKS, RECREATION, GENERAL SERVICES
Valerie Guzman, Chair

Councilwoman Guzman shared information regarding the upcoming fishing rodeo, Movies in the Park, and the Summer Youth Program. She said the Maintenance Department completed 235 work orders during the month of May.

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

Councilman Grubbs reported the following department statistics for the month of May: Building & Codes Construction Division – 1,663 inspections; Building & Codes Enforcement Division – 563 cases; Building & Codes Abatement Division – 119 work orders; Building & Codes Administration – 63 single-family permits; Police – 14,277 calls; Fire & Rescue – 1,079 emergency responses.

STREET COMMITTEE
James Lewis, Chair

Councilman Lewis said the Street Department completed 252 work orders during the month of May and announced the sidewalk on Arrowood Drive at the Veterans Center had been completed.

TRANSPORTATION COMMITTEE
Deanna McLaughlin, Chair

Councilman McLaughlin said Clarksville Transit System transported 54,922 passengers and the Nashville-Clarksville Express transported 4,986 passengers during May. The City Garage completed 301 work orders.

Councilwoman McLaughlin announced "free fare Saturdays" during the month of June in celebration of CTS' birthday.

NEW BUSINESS

BANK OF AMERICA PROPERTY

ORDINANCE 57-2014-15 (First Reading; Postponed May 7th) Authorizing purchase of the downtown Bank of America property

Councilman Allen made a motion to postpone action on this ordinance to the next meeting. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to postpone action on this ordinance passed.

TWO RIVERS COMPANY BOARD OF DIRECTORS

ORDINANCE 60-2014-15 (First Reading; Postponed May 7th) Amending the Official Code relative to membership of the Central Business Improvement District Management Corporation (Two Rivers Company)

Councilwoman McLaughlin made a motion to postpone action on this ordinance to the next meeting. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to postpone action on this ordinance passed.

CODE OF ETHICS

ORDINANCE 65-2014-15 Amending the Official Code relative to the Code of Ethics

Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Garrett, a real estate agent, said he would like to be able to assist homebuyers who need federal funding assistance. City Attorney Lance Baker informed the Council of the Code of Federal Regulations that would conflict with this amendment. Following discussion, Councilman Redd made a motion to postpone action on this ordinance indefinitely. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Burkhart, Grubbs, Guzman, Lewis, Powers, Redd

NAY: Allen, Garrett, McLaughlin

The motion to postpone indefinitely passed.

CHARTER REVISIONS

RESOLUTION 36-2014-15 (Postponed May 7th) Ratification of Tennessee General Assembly Private Chapter __ of the Private Acts of 2015 relative to comprehensive amendments to the Official Charter of the City of Clarksville

Mayor McMillan said the Charter bill had been passed by the Tennessee General Assembly and signed by the Governor, but it had not been processed by the Secretary of State. Mayor McMillan made a motion to postpone action on this resolution to the next meeting. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to postpone action on this resolution passed.

AFTER HOURS ESTABLISHMENT BOARD

Councilman Allen made a motion to consider an appointment to the After Hours Establishment Board. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed without objection.

Councilman Allen made a motion to appoint Charlie Keene, Jr. to the After Hours Establishment Board (replacing Marc Harris who was recently appointed, then was determined to be ineligible) for a term June 2015 through April 2016. The motion was seconded by Councilman Powers. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd

The motion to approve the appointment passed.

MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

ADJOURNMENT

The meeting was adjourned at 8:18 p.m.

CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JUNE 16, 2015

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, June 16, 2015, at 4:35 p.m.

A prayer was offered by Councilman Wallace Redd; the Pledge of Allegiance was led by Councilman Bill Powers.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), James Lewis (Ward 3), Wallace Redd (Ward 4), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8; arrived 4:40 p.m.), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12; arrived 6:45 p.m.)

CHARTER RATIFICATION

RESOLUTION 36-2014-15 (Postponed June 4th) Ratification of Tennessee General Assembly Private Chapter 24 of the Private Acts of 2015 relative to comprehensive amendments to the Official Charter of the City of Clarksville

Mayor McMillan made a motion to adopt this resolution. The motion was seconded by Councilwoman Guzman. The following vote was recorded:

AYE: Alexander, Garrett, Grubbs, Guzman, Lewis, McMillan, Powers, Redd, Smith, Wallace

NAY: McLaughlin

NOTE: Councilman Allen and Councilman Burkhart were not present for this vote.

BANK OF AMERICA PROPERTY

ORDINANCE 57-2014-15 (First Reading; Postponed June 4th) Authorizing purchase of the downtown Bank of America property

Councilman Wallace made a motion to postpone action on this ordinance to the next regular session. The motion was seconded by Councilman Alexander. Following discussion, the motion and second were withdrawn. Councilman Wallace made a motion to table this ordinance. The motion was seconded by Councilwoman McLaughlin. A voice vote was taken; the motion passed.

Following adoption of **ORDINANCE 60-2014-15**, Councilman Wallace made a motion to remove **ORDINANCE 57-2014-15** from the table. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion passed. Councilman Allen made a motion to postpone this ordinance indefinitely. The motion was seconded by Councilman Alexander. Councilman Allen asked that the preliminary studies on the property be shared with the City Council. The following vote was recorded:

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Wallace

NAY: Smith

NOTE: Councilman Burkhart was not present for this vote.

The motion to postpone **ORDINANCE 57-2014-15** indefinitely passed.

TWO RIVERS COMPANY BOARD MEMBERSHIP

ORDINANCE 60-2014-15 (First Reading; Postponed June 4th) Amending the Official Code relative to membership of the Central Business Improvement District Management Corporation (Two Rivers Company)

Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. Councilman Wallace made a motion to amend this ordinance by changing the language to allow the county and city mayors to serve as ex-officio members and to appoint certain members to the board. Councilman Wallace said his proposal would create a board with eleven voting members and ten ex-officio non-voting members, five of which would be district stakeholders. The motion was seconded by Councilman Alexander.

Mayor McMillan made a motion to amend Councilman Wallace's amendment by changing the language to keep the city and county mayors as voting members, require seven of the thirteen to be district stakeholders, one at-large member appointed by each mayor, and a resident member jointly appointed by both mayors. The motion was seconded by Councilman Redd. She said the mayors' designees would be one individual and the designees would not change.

Councilman Wallace and Councilwoman McLaughlin withdrew their motions for the first amendment. The following vote on Mayor McMillan's motion was recorded:

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

NOTE: Councilman Burkhart was not present for this vote.

Mayor McMillan's amendment passed. The following vote on the motion as amended was recorded:

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

NOTE: Councilman Burkhart was not present for this vote.

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

FY16 BUDGET PUBLIC HEARING

Mayor McMillan made a motion to conduct a public hearing to receive comments regarding the FY16 budgets. The motion was seconded by Councilman Garrett. A voice vote was taken; the motion passed without objection.

Jaqueline Beaty asked for support of the proposed funding for the Mayor's Fitness Council and the Clarkswell program.

The public hearing was closed without objection and the Council reverted to Regular Session.

FY16 COMMUNITY DEVELOPMENT BUDGET

ORDINANCE 69-2014-15 (First Reading) Amending the FY15 Budget and approving the FY15-20 Consolidated Plan and the FY16 Annual Action Plan and Budget and authorizing application for Community Development Block Grant and HOME Investment Partnership Funds

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Alexander, Allen, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

ABSTAIN: Garrett

NOTE: Councilman Burkhart was not present for this vote.

The motion to adopt the FY15-20 Consolidated Plan and the FY16 Community Development Block Grant and HOME budgets passed.

TAX RATE

Councilwoman McLaughlin asked to consider the proposed property tax rate separate from the FY16 General Government budget. Mayor McMillan stated the tax rate would be established as part of the General Government budget ordinance.

BUDGET QUESTIONS

Mayor McMillan made a motion to allow Finance Director Laurie Matta to answer questions during the budget discussions. The motion was seconded by Councilman Lewis. Councilman Allen offered an amendment to allow Ms. Matta and any Department Heads to answer questions. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Allen, Garrett, McLaughlin, Powers, Smith, Wallace

NAY: Alexander, Grubbs, Guzman, Lewis, McMillan, Redd

NOTE: Councilman Burkhart was not present for this vote.

The motion to allow Department Heads to answer questions failed. The vote on the original motion was recorded:

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

NOTE: Councilman Burkhart was not present for this vote.

The motion to allow the Finance Director to answer questions passed.

Ms. Matta reviewed changes made to the proposed budget since it was initially presented to the City Council.

FY16 PARKING AUTHORITY BUDGET

ORDINANCE 70-2014-15 (First Reading) Amending the FY15 Budget and adopting the FY16 Operating Budget for the Clarksville Parking Authority

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

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

NOTE: Councilman Burkhart was not present for this vote.

The motion to adopt the FY16 Parking Authority budget unanimously passed.

In response to Councilwoman McLaughlin's question, Mayor McMillan said the ratified Charter did not contain legislation creating the Parking Authority, but the department would continue to operate as usual until a City Code amendment is adopted.

FY16 CLARKSVILLE TRANSIT SYSTEM BUDGET

ORDINANCE 71-2014-15 (First Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for Clarksville Transit System

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

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Smith, Wallace

NAY: Redd

NOTE: Councilman Burkhart was not present for this vote.

The motion to adopt the FY16 Clarksville Transit System budget passed.

FY16 CDE LIGHTBAND BUDGET

ORDINANCE 72-2014-15 (First Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for CDE Lightband

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman.

Councilwoman McLaughlin offered a motion to amend this ordinance by changing the proposed 3% employee pay increase to 1%. The motion was seconded by Councilman Redd. Councilwoman McLaughlin said she supports a merit-based pay plan. City Attorney Lance Baker said the City Code prohibits the City Council from amending the department's budget which had been approved by the Power Board. The motion and second were withdrawn.

Councilwoman McLaughlin made a motion to consider this ordinance at the end of the agenda following the vote on the General Government budget. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Garrett, McLaughlin, Powers, Redd

NAY: Alexander, Grubbs, Guzman, Lewis, McMillan, Smith, Wallace

NOTE: Councilman Burkhart was not present for this vote.

The motion to move this ordinance to the end of the agenda failed. Councilwoman asked that this budget be sent back to the Power Board to reconsider the pay increase. Councilman Redd called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion passed. The following vote on the original motion was recorded:

AYE: Alexander, Alleen, Grubbs, Guzman, Lewis, McMillan, Powers, Wallace

NAY: Garrett, McLaughlin, Redd, Smith

NOTE: Councilman Burkhart was not present for this vote.

The motion to adopt the FY16 CDE Lightband budget passed.

FY16 GAS & WATER DEPARTMENT BUDGET

ORDINANCE 73-2014-15 (First Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital Budgets for the Clarksville Gas & Water Department

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. Councilwoman McLaughlin stated her objection to the 3% pay increase for city employees.

Councilman Redd offered an amendment to reduce the proposed pay increase for Gas & Water Department employees from 3% to 1%. The motion was seconded by Councilman Garrett. The following vote was recorded:

AYE: Allen, Garrett, Redd, Smith

NAY: Alexander, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Wallace

NOTE: Councilman Burkhart was not present for this vote.

The amendment failed. The following vote on the original motion was recorded:

AYE: Alexander, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Smith, Wallace

NAY: Allen, Redd

NOTE: Councilman Burkhart was not present for this vote.

The motion to adopt the FY16 Gas & Water budget on first reading passed.

FY16 INTERNAL SERVICE FUNDS BUDGET

ORDINANCE 74-2014-15 (First Reading) Amending the FY15 Operating Budget and adopting the FY16 Operating Budget for the Internal Service Funds

Councilman Lewis made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Alexander, Allen, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Powers, Redd, Smith, Wallace

NOTE: Councilman Burkhart was not present for this vote.

The motion to adopt the FY16 Internal Services Funds budget on first reading passed.

FY16 GENERAL GOVERNMENT BUDGET

ORDINANCE 75-2014-15 (First Reading) Amending the FY15 Operating and Capital Budgets and adopting the FY16 Operating and Capital budgets for the City of Clarksville Governmental Funds and adopting the Tax Rate beginning July 1, 2015 and ending June 30, 2016

MAYOR'S STATEMENT

Mayor McMillan said she was presenting a balanced budget which included a fund balance with $2,000,000 more than required $18,000,000 and an increase in debt service payments for Liberty Park and Clarksville Marina. She said the City boasts one of the lowest crime rates in the State of Tennessee and the Clarksville Fire Department had been upgraded to a Class 2 ISO rating. Mayor McMillan said she was recommending a tax rate of $1.36 ($.18 increase) because necessary public safety services, including a 14 new police officers and equipment to staff the new north precinct, and 39 new fire personnel and equipment to staff Station 11 and Station 12, could not be provided without additional resources.

Mayor McMillan made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander.

EMPLOYEE PAY INCREASE (Amendment 1)

Councilman Redd made a motion to reduce the proposed employee pay increase from 3% to 1%. The motion was not seconded.

MISCELLANEOUS AGENCIES (Amendment 2)

Councilman Redd made a motion to delete $125,000 for Miscellaneous Agency Funding. The motion was seconded by Councilwoman McLaughlin. Councilman Garrett stated his intent to abstain from voting on this amendment because of his relationship with the LEAP organization. Councilman Grubbs said his wife was employed at Community Action Agency, but they do not receive City funds. The following vote was recorded:

AYE: McLaughlin, Redd

NAY: Alexander, Allen, Grubbs, Guzman, Lewis, McMillan, Powers, Smith, Wallace

ABSTAIN: Garrett

NOTE: Councilman Burkhart was not present for this vote.

The amendment to delete $125,000 for Miscellaneous Agencies failed.

BANK OF AMERICA PROPERTY (Amendment 3)

Councilman Wallace made a motion to increase the Capital Projects Fund by adding $1,000,000 for purchase of the downtown Bank of America property. The motion was seconded by Councilwoman McLaughlin. Councilman Wallace said this property offered good potential for greenspace and for a public/private development. Councilman Redd felt this funding would be better spent on streets and drainage. The following vote was recorded:

AYE: Alexander, Allen, Garrett, Guzman, McLaughlin, McMillan, Powers, Smith, Wallace

NAY: Grubbs, Lewis, Redd

NOTE: Councilman Burkhart was not present for this vote.

The amendment to add $1,000,000 for purchase of the downtown Bank of America property passed.

LEGISLATIVE ADVERTISING (Amendment 4)

Councilwoman McLaughlin made a motion to delete $55,000 from Legislative Budget advertising. The motion was seconded by Councilman Redd. The following vote was recorded:

AYE: Allen, Garrett, Lewis, McLaughlin, Redd, Smith

NAY: Alexander, Grubbs, Guzman, McMillan, Powers, Wallace

The amendment to delete $55,000 from Legislative advertising failed due to lack of a majority.

COUNCILWOMAN SMITH COMMENT

Councilwoman Smith expressed her opposition to an increased tax rate.

BEL AIR POOL (Amendment 5)

Councilwoman McLaughlin made a motion to delete $13,000 from the Parks & Recreation Budget for Bel Air pool maintenance supplies. The motion was seconded by Councilman Redd. ***BEL AIR POOL CLOSED ????*** The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

NAY: Grubbs

The amendment to delete $13,000 for Bel Air pool maintenance supplies passed.

ATHLETIC COMPLEX (Amendment 6)

Councilwoman McLaughlin made a motion to delete $100,000 for geotechnical and related surveys for the proposed athletic complex. The motion was seconded by Councilman Redd. Councilman Allen offered an amendment to focus studies on the Exit 1 location and not the Exit 8 location, but later withdrew his motion. Mayor McMillan said both sites were being considered. Councilman Redd called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion passed. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Guzman, McLaughlin, Redd, Smith

NAY: Grubbs, Lewis, Powers, Wallace

The amendment to delete $100,000 for athletic complex studies passed.

FIRE & RESCUE (Amendment 7)

Councilwoman McLaughlin made a motion to delete $940,000 for a new fire maintenance facility ($250,000), Station 1 expansion ($650,000), and demolition of the building at 112 Eighth Street ($40,000). The motion was seconded by Councilman Redd.

Councilwoman Guzman offered an amendment to retain $40,000 for the building demolition. The motion was seconded by Councilman Garrett. The following vote on the second amendment was recorded:

AYE: Alexander, Burkhart, Garrett, Guzman, McLaughlin, Powers, Smith, Wallace

NAY: Allen, Grubbs, Lewis, McMillan, Redd

The amendment to retain $40,000 for building demolition passed. Councilman Alexander made a motion to allow Fire Chief Mike Roberts to answer questions. The motion was seconded by Councilman Redd. A voice vote was taken; the motion passed. Chief Roberts said Station 1 (Main Street) needed expansion to allow for storage of firefighter gear away from vehicle diesel fumes and for a vehicle maintenance facility. There was no objection to reverting to regular session.

After discussion, Councilman Redd called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion passed. The following vote on the amended motion was recorded:

AYE: Burkhart, Garrett, Guzman, McLaughlin, Redd

NAY: Alexander, Allen, Grubbs, Lewis, Powers, Smith, Wallace

The amendment to delete $900,000 for the new fire maintenance facility and Station 1 expansion failed.

CONFLICT OF INTEREST STATEMENTS

Councilwoman said that her husband was an employee of the Police Department; Councilman Grubbs said his son-in-law was employed by Clarksville Fire & Rescue; Councilwoman Guzman said her brother was employed by the Police Department. All three members said their vote on the General Government budget would not be for personal gain.

CARDINAL LANE (Amendment 8)

Councilman Allen made a motion to delete $6,750,000 for extension of Cardinal Lane. The motion was seconded by Councilman Redd. Following discussion, Councilman Redd called for the question. The question was seconded by Councilman Alexander. A voice vote was taken; the motion to cease discussion passed. The following vote on the amendment was recorded:

AYE: Allen, Burkhart, Garrett, Guzman, McLaughlin, Redd, Smith

NAY: Alexander, Grubbs, Lewis, Powers, Wallace

The amendment to delete $6,750,000 for Cardinal Lane extension passed.

HAND PEDESTRIAN BRIDGE (Amendment 9)

Councilman Allen made a motion to add $40,000 for maintenance of the Hand Pedestrian Bridge. The motion was seconded by Councilwoman Smith. Following discussion, Councilman Redd called for the question. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion to cease discussion passed. The following vote on the amendment was recorded:

AYE: Alexander, Allen, Garrett, McLaughlin, Smith

NAY: Burkhart, Grubbs, Guzman, Lewis, Powers, Redd

NOTE: Councilman Wallace was not present for this vote.

The amendment to add $40,000 for Hand Bridge maintenance failed.

PROPERTY TAX RATE

Councilman Redd, Councilman Burkhart, Councilwoman McLaughlin, and Councilman Allen stated their opposition to a property tax increase. Finance Director Laurie Matta said a $1.36 tax rate would be sufficient to stabilize the City's budget for two years.

RECESS

The Council recessed at 7:53 p.m. and reconvened at 8:06 p.m.

PROERTY TAX RATE

In response to Councilman Garrett's question, Ms. Matta said a tax rate of $1.32 would eliminate the proposed 3% pay increase for city employees. Councilman Redd called for the question. The question was seconded by Councilman Lewis. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Powers, Redd, Smith, Wallace

The motion to cease discussion on this ordinance passed.

ADOPTION OF FY16 GENERAL GOVERNMENT BUDGET

The following vote on the original motion was recorded:

AYE: Alexander, Grubbs, Lewis, McMillan, Powers, Wallace

NAY: Allen, Burkhart, Garrett, Guzman, McLaughlin, Redd, Smith

The motion to adopt the FY16 General Government Budget on first reading failed.

ADJOURNMENT

The meeting was adjourned at 8:19 p.m.

ORDINANCE 1-2015-16

AN ORDINANCE AMENDING THE OFFICIAL CODE, TITLE 1, "ADMINISTRATION, OFFICERS, AND PERSONNEL," CHAPTER 15, "OCCUPATIONAL SAFETY AND HEALTH PROGRAM"

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

That Title 1, Chapter 15, of the Official Code of the City of Clarksville, Tennessee is hereby amended by deleting the chapter in its entirety and by substituting instead the following:

Chapter 15 - OCCUPATIONAL SAFETY AND HEALTH PROGRAM

Sec. 1-1501. - Authority and title.

This chapter shall provide authority for establishing and administering the occupational safety and health program for the employees of the City of Clarksville.
(1963 Code, § 9-31)

Sec. 1-1502. - Purpose.

The City of Clarksville, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

(1) Provide a safe and healthful place and condition of employment by

   a. Engaging Top Management Commitment and Employee Involvement;
   b. Continually analyzing the worksite to identify all hazards and potential hazards;
   c. Developing and maintaining methods for preventing or controlling existing or potential hazards; and
   d. Training managers, supervisors, and employees to understand and deal with worksite hazards.

(2) Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.

(3) Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational accidents and personal injuries for proper evaluation and necessary corrective action as required.

(4) Consult with the Commissioner of Labor and Workforce Development, or its designated representative with regard to the adequacy of the form and content of records.

(5) Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.

(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program.

(1963 Code, § 9-32)

Sec. 1-1503. - Definitions.

For the purpose of the program established pursuant to this chapter:

(1) Appointing authority means any city official or group of officials having legally designated powers of appointment, employment, or removal for a specific department, commission, board, division, or other agency of the city.

(2) Commissioner of Labor and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.

(3) Health and Safety Manager means the chief executive officer designated by the city to perform duties or to exercise powers assigned so as to plan, develop, and administer the city's occupational safety and health program.

(4) Employee means any person performing services for the city as listed on city payrolls either as part-time, seasonal, or permanent, full-time employees; provided, however, that such definition shall not include independent contractors, their agents, servants, and employees.

(5) Employer means the city, and shall include each administrative department, commission, board, division, or other agency of the city.

(6) Establishment or workplace means a single physical location under the control of the employer where business is conducted or where services or industrial operations are performed.

(7) Imminent danger means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal enforcement procedures.

(8) Inspector means each individual(s) appointed and designated by the Health and Safety Manager to conduct inspections provided for herein. If no such compliance inspector is appointed, the inspections shall be conducted by the Health and Safety Manager.

(9) Person means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(10) Standard means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations or processes necessary or appropriate to provide safe and healthful employment and places of employment.

(1963 Code, § 9-33)

Sec. 1-1504. - Coverage.

The provisions of the program shall apply to employees of each administrative department, commission, board, division, or other agency of the city.

(1963 Code, § 9-34)

Sec. 1-1505. - Employer's rights and duties.

Rights and duties of the employer shall include but are not limited to the following provisions:

(1) Employer shall furnish to each of his employees conditions of employment and a place of employment free from known and recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

(2) Employer shall comply with occupational safety and health standards or regulations promulgated pursuant to the Section 6 of the Tennessee Occupational Safety and Health Act of 1972.

(3) Employer shall refrain from any unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.

(4) Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearings on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.

(5) Employer is entitled to request an order granting a variance from an occupational safety and health standard.

(6) Employer shall inspect all installations, departments, bureaus, and offices to ensure the provisions of this program are complied with and carried out.

(7) Employer shall notify and inform any employee, who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard, of corrective action being taken by the city.

(8) Employer is entitled to protection of its legally privileged communications.
(1963 Code, § 9-35)

Sec. 1-1506. - Employees' rights and duties.

Rights and duties of the employees shall include but are not limited to the following provisions:

(1) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this program which are applicable to his or her own actions and conduct.

(2) Each employee shall be notified by the placing upon bulletin boards, or other places of common passage, of any application for a temporary order granting a variance from any standard or regulation.

(3) Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

(4) Any employee may bring to the attention of the person in charge of the program any violation or suspected violation of the standards or other health or safety hazard.

(5) Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and the corrective action being taken.

(6) Subject to regulations issued pursuant to this program, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Health and Safety Manager or inspector at the time of the physical inspection of the worksite.

(7) No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any inspection under or relating to this program. Any such charges of discrimination are subject to investigation by the Commissioner of Labor and Workforce Development.

(8) Nothing in this section or any other provision of this program shall be deemed to authorize or require medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others, and except when such medical examination is reasonably required for performance of a specified job.

(1963 Code, § 9-36)

Sec. 1-1507. - Standards authorized.

The standards adopted by the City of Clarksville are the State of Tennessee safety and health standards developed under Section 6 of the State Occupational Safety and Health Act of 1972.

(1963 Code, § 9-37)

Sec. 1-1508. - Variances from standards authorized.

The City of Clarksville may, upon written application to the Commissioner of Labor and Workforce Development, request an order granting a temporary variance from any approved standards. Prior to requesting such temporary variance, the employer shall notify or serve notice to employees or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the city or the city's website shall be deemed sufficient notice to employees.

(1963 Code, § 9-38)

Sec. 1-1509. - Abatement.

The program will provide for administrative procedures for abating hazard.

(1963 Code, § 9-39)

Sec. 1-1510. - Inspection.

(1) In order to carry out the purposes of this program resolution, the Health and Safety Manager and any inspectors are authorized:

(a) To enter at any reasonable time any establishment, construction site, plant, or other area, workplace, or environment where work is performed by an employee of the City of Clarksville and,

(b) To inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.

(2) The City of Clarksville shall establish and maintain a system for collecting, maintaining, and reporting safety and health data.

(3) The program shall comply with the record keeping regulations and reporting requirements for occupational illness and injury pursuant to the Tennessee Occupational Safety and Health Act of 1972.

(1963 Code, § 9-40)

Sec. 1-1511. - Administration.

For the purpose of this chapter, the mayor has the authority to designate the Health and Safety Manager to perform duties or to exercise powers assigned to plan, develop, and administer the city's occupational safety and health program.

(1963 Code, § 9-41)

Sec. 1-1512. - Funding the program.

Sufficient funds for administering the program pursuant to this chapter shall be made available as authorized by the budgeting authority.

(1963 Code, § 9-42)

Sec. 1-1513. - Compliance with other laws, etc.

(1) Compliance with any other law, statute, or city ordinance which regulates safety and health in employment and places of employment shall not excuse the city or any city employee or any other person from compliance with the provisions of this program.

(2) Compliance with any provisions of the program pursuant to this chapter or any standard or regulation promulgated pursuant to this program shall not excuse the city or any city employee or any other person from compliance with any state law or city ordinance regulating and promoting safety and health unless such law or ordinance is specifically repealed.

(1963 Code, § 9-43)

Cross reference— Public employees to obey traffic regulations, § 9-102.

FIRST READING:
SECOND READING:
EFFECTIVE DATE:

Chapter 15 - OCCUPATIONAL SAFETY AND HEALTH PROGRAM

Sec. 1-1501. - Authority and title.

This chapter shall provide authority for establishing and administering the occupational safety and health program for the employees of the City of Clarksville.

(1963 Code, § 9-31)

Sec. 1-1502. - Purpose.

The City of Clarksville, in electing to establish and maintain an effective occupational safety and health program for its employees, shall:

(1) Provide a safe and healthful place and condition of employment by.

a. Engaging Top Management Commitment and Employee Involvement;

b. Continually analyzinge the worksite to identify all hazards and potential hazards;

c. Developing and maintaining methods for preventing or controlling existing or potential hazards; and

(1)d. Training managers, supervisors, and employees to understand and deal with worksite hazards.

(2) Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.

(3) MakeRecord, keep, preserve, and make available to the state cCommissioner of lLabor and Workforce Development, or persons within the Department of Labor and Workforce Development to his designated representative or persons within the agency to whom such responsibilities have been delegated, adequate records of all occupational accidents and personal injuries for proper evaluation and necessary corrective action as required.

(4) Consult with the state Ccommissioner of lLabor and Workforce Development, or his its designated representative with regard to the adequacy of the form and content of records.

(5) Consult with the state cCommissioner of Llabor and Workforce Development or the state commissioner of public health, as appropriate, regarding safety and health problems of the agency which are considered to be unusual or peculiar to the city and are such that they cannot be achieved under a standard promulgated by the stateState.

(6) Make an annual report to the state commissioner of labor to show accomplishments and progress of the total occupational safety and health program.

(7)(6) Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.

(8)(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this program.

(1963 Code, § 9-32)

Sec. 1-1503. - Definitions.

For the purpose of the program established pursuant to this chapter:

(1) *Appointing authority* means any city official or group of officials having legally designated powers of appointment, employment, or removal for a specific department, commission, board, division, or other agency of the city.

(2) *Commissioner of L~~l~~abor and Workforce Development* means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the C~~c~~ommissioner of ~~l~~Labor and Workforce Development.

~~((3) *Commissioner of public health* means the chief executive officer of the Tennessee Department of Public Health. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the commissioner of public health.~~

(~~4~~3) ~~*Director of safety and health*~~*Health and Safety Manager* means the chief executive officer designated by the city to perform duties or to exercise powers assigned so as to plan, develop, and administer the city's occupational safety and health program.

(~~5~~4) *Employee* means any person performing services for the city as listed on city payrolls either as part-time, seasonal, or permanent, full-time employees; provided, however, that such definition shall not include independent contractors, their agents, servants, and employees.

(~~6~~5) *Employer* means the city, and shall include each administrative department, commission, board, division, or other agency of the city.

(~~7~~6) *Establishment or workplace* means a single physical location under the control of the employer where business is conducted or where services or industrial operations are performed.

(~~8~~7) *Imminent danger* means any conditions or practices in any place of employment which are such that a ~~danger~~ hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such ~~danger~~ hazard can be eliminated through normal enforcement procedures.

(~~9~~8) *Inspector* means each individual(s) appointed and designated by the ~~director of safety and health~~Health and Safety Manager to conduct inspections provided for herein. If no such compliance inspector is appointed, the inspections shall be conducted by the ~~director of safety and health~~Health and Safety Manager.

(~~10~~9) *Person* means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

(~~11~~10) *Standard* means an occupational safety and health standard promulgated by the ~~Tennessee State~~ Commissioner of Labor and Workforce Development in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 which ~~or the state commissioner of public health which~~ requires conditions or the adoption or the use of one or more practices, means, methods, operations or processes necessary or appropriate to provide safe and healthful employment and places of employment.

(1963 Code, § 9-33)

Sec. 1-1504. - Coverage.

The provisions of the program shall apply to employees of each administrative department, commission, board, division, or other agency of the city.

(1963 Code, § 9-34)

Sec. 1-1505. - Employer's rights and duties.

Rights and duties of the employer shall include but are not limited to the following provisions:

(1) Employer shall furnish to each of his employees conditions of employment and a place of employment free from known and recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

(2) Employer shall comply with occupational safety and health standards or regulations promulgated pursuant to the ~~State~~ Section 6 of the Tennessee Occupational Safety and Health Act of 1972.

(3) ~~Employer shall assist the state commissioner of labor and state commissioner of public health in the performance of their monitoring duties by supplying necessary information to the commissioners or to their respective assistants or deputies.~~Employer shall refrain from any unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.

(4) Employer is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearings on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.

(5) Employer is entitled to request an order granting a variance from an occupational safety and health standard.

(6) Employer shall inspect all installations, departments, bureaus, and offices to ~~insure~~ ensure the provisions of this program are complied with and carried out.

(7) Employer shall notify and inform any employee, who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard, of corrective action being taken by the city.

(8) Employer is entitled to protection of its legally privileged communications.

(1963 Code, § 9-35)

Sec. 1-1506. - Employees' rights and duties.

Rights and duties of the employees shall include but are not limited to the following provisions:

(1) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this program which are applicable to his or her own actions and conduct.

(2) Each employee shall be notified by the placing upon bulletin boards, or other places of common passage, of any application for a temporary order granting a variance from any standard or regulation.

(3) Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

(4) Any employee may bring to the attention of the person in charge of the program any violation or suspected violation of the standards or other health or safety hazard.

(5) Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and the corrective action being taken.

(6) Subject to regulations issued pursuant to this program, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with

the Health and Safety Manager or inspector at the time of the physical inspection of the worksite.

(7) No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any inspection under or relating to this program. Any such charges of discrimination are subject to investigation by the Ccommissioner of lLabor and Workforce Development.

(8) Nothing in this section or any other provision of this program shall be deemed to authorize or require medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others, and except when such medical examination is reasonably required for performance of a specified job.

(1963 Code, § 9-36)

Sec. 1-1507. - Standards authorized.

The standards adopted by the City of Clarksville are the State of Tennessee safety and health standards developed under Section 6 of the State Occupational Safety and Health Act of 1972.

(1963 Code, § 9-37)

Sec. 1-1508. - Variances from standards authorized.

The City of Clarksville may, upon written application to the ~~state c~~Commissioner of lLabor and Workforce Development, ~~or the state commissioner of public health,~~ request an order granting a temporary variance from any approved standards. Prior to requesting such temporary variance, the employer shall notify or serve notice to employees or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board as designated by the city or the city's website shall be deemed sufficient notice to employees.

(1963 Code, § 9-38)

Sec. 1-1509. - Abatement.

The program will provide for administrative procedures for abating hazard.

(1963 Code, § 9-39)

Sec. 1-1510. - Inspection.

(1) In order to carry out the purposes of this program resolution, the ~~safety and health~~Health and Safety Manager and any inspectors are authorized:

(a) To enter at any reasonable time any establishment, construction site, plant, or other area, workplace, or environment where work is performed by an employee of the City of Clarksville and,

(b) To inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.

(2) The City of Clarksville shall establish and maintain a system for collecting, maintaining, and reporting safety and health data.

(3) The program shall comply with the record keeping regulations and reporting requirements for occupational illness and injury pursuant to the Tennessee Occupational ~~and~~ Safety and Health Act of 1972.

~~(4) The City of Clarksville, shall report occupational injuries and illnesses in accordance with federal regulation 29 CFR 1904. within forty-eight (48) hours, either orally or in writing, to the commissioner of labor any accident which is fatal to one or more employees or which results in the hospitalization of five (5) or more employees.~~

(1963 Code, § 9-40)

Sec. 1-1511. - Administration.

For the purpose of this chapter, the mayor has the authority to designate the ~~director of the safety and health~~Health and Safety Manager ~~program~~ to perform duties or to exercise powers assigned ~~so as~~ to plan, develop, and administer the city's occupational safety and health program.

(1963 Code, § 9-41)

Sec. 1-1512. - Funding the program.

Sufficient funds for administering the program pursuant to this chapter shall be made available as authorized by the budgeting authority.

(1963 Code, § 9-42)

Sec. 1-1513. - Compliance with other laws, etc.

(1) Compliance with any other law, statute, or city ordinance which regulates safety and health in employment and places of employment shall not excuse the city or any city employee or any other person from compliance with the provisions of this program.

(2) Compliance with any provisions of the program pursuant to this chapter or any standard or regulation promulgated pursuant to this program shall not excuse the city or any city employee or any other person from compliance with any state law or city ordinance regulating and promoting safety and health unless such law or ordinance is specifically repealed.

(1963 Code, § 9-43)

Cross reference— Public employees to obey traffic regulations, § 9-102.

ORDINANCE 2-2015-16

AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY FROM DHE PARTNERS TO THE CITY OF CLARKSVILLE FOR THE PURPOSE OF A SANITARY SEWER PUMP STATION KNOWN AS THE DEER HOLLOW PUMP STATION

WHEREAS, DHE PARTNERS, a Tennessee General Partnership, has agreed to donate certain real property to the City of Clarksville for the placement and operation of a sanitary sewer pump station within Deer Hollow Estates, known as the Deer Hollow Pump Station; 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 DHE PARTNERS 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 DHE PARTNERS, a Tennessee General Partnership, being a portion of the property conveyed to donor, by deed of record in Official Record Book Volume 1490, Page 1333, 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

DHE Partners property
1885 Red Fox Trail
0.28 acres

Map 29O, parcel D 2.01
Recorded in Volume 1490, pg 1333 R.O.M.C.T.
Civil District 3rd

Being the triangular parcel joining Lot 2 on the recorded replat of Deer Hollow Estates, Section 1 in Plat Book G, page 188 ROMCT shown as "Dedicated to City of Clarksville for utility uses".

Also described as follows:

Beginning at a new iron pin in the north margin of Dewberry Road, 25' from centerline, said iron pin being the southwest corner of Lot 2, Deer Hollow Estates, Section 1 replat (recorded in Plat Book G, page 188) and also being North 71 Degrees 17 Minutes 50 Seconds West 54.99 feet the centerline intersection of from Red Fox Trail and Dewberry Road; thence with a curve turning to the right with an arc length of 36.90', with a radius of 25.00', with a chord bearing of North 39 Degrees 22 Minutes 18 Seconds West , with a chord length of 33.64' to a point on the east margin of Red Fox Trail; thence along said margin on a reverse curve turning to the left with an arc length of 149.74', with a radius of 237.73', with a chord bearing of North 15 Degrees 07 Minutes 39 Seconds West , with a chord length of 147.28' to a new iron pin; thence along the Anne Cunningham property (recorded in volume 20, page 357) and Hazel Lou Swinford property (recorded in volume 449, page 457) South 79 Degrees 56 Minutes 36 Seconds East 157.16 feet to a new iron pin the northwest corner of Lot 2, Deer Hollow Estates, Section 1 replat (recorded in Plat Book G, page 188); thence along the west property line of Lot 2 South 34 Degrees 00 Minutes 38 Seconds West 169.78 feet to the point of beginning having an area of 0.28 acres as surveyed by Ben R. Weakley, RLS 1457 of Weakley Brothers Engineering on February 26, 2014, Job Number 10181.

ORDINANCE 3-2015-16

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF LAWSON MABRY FOR PROPERTY LOCATED AT LAFAYETTE ROAD

WHEREAS, proper application has been made by Cal McKay, DBS Engineering, on behalf of Lawson Mabry, for extensions of City utility service to property located at Cmap 44, Parcel 19.00 with the property address of Lafayette Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

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

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

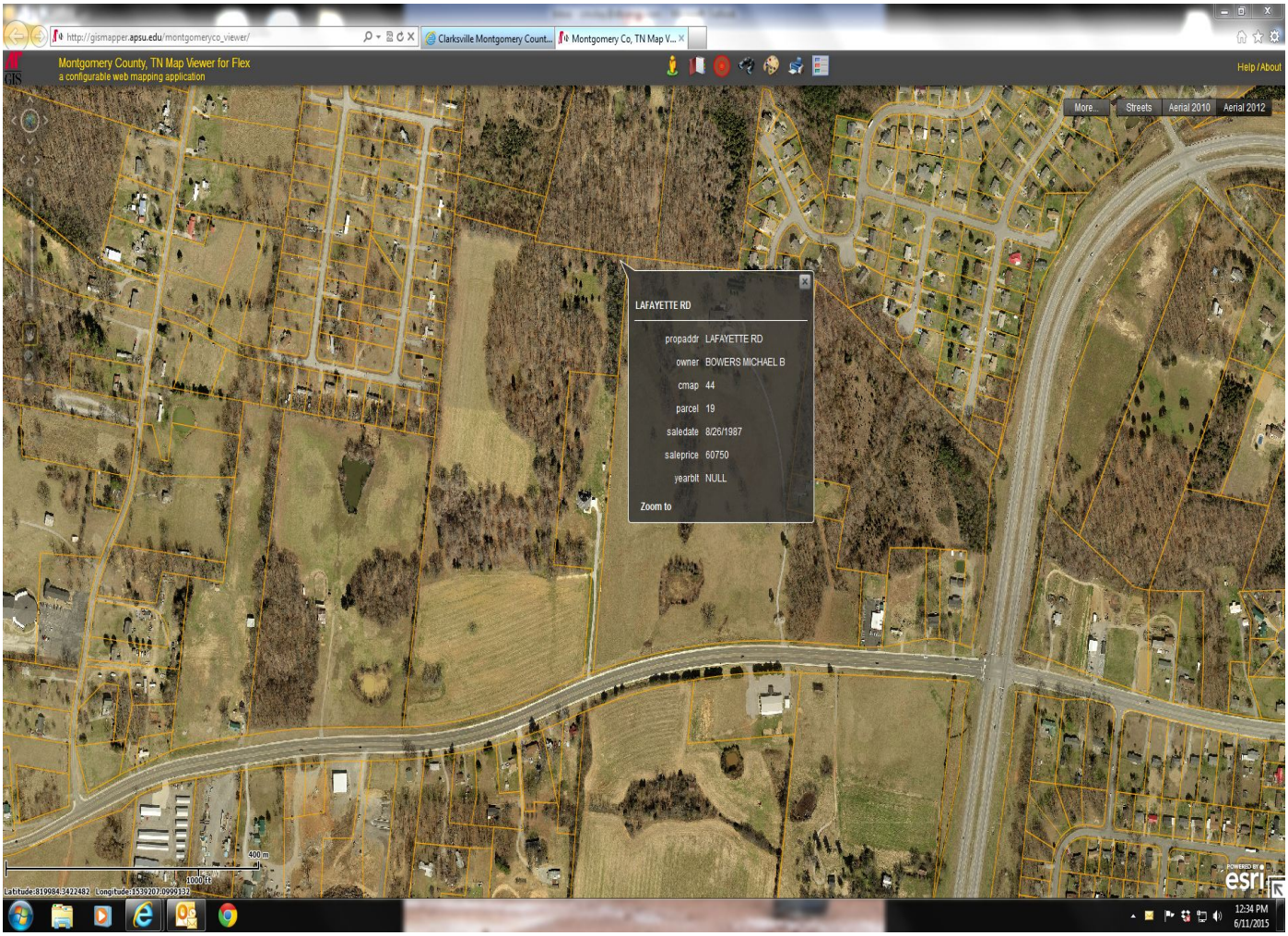
WHEREAS, the Clarksville City Council finds that all of the requirements of City Code Section 13-405 have been or are satisfied and the extension of water and sewer service to property as described in Exhibit A will be in the best interest of the City.

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

That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 44, Parcel 19.00, with the property address of Lafayette Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING:
SECOND READING:
EFFECTIVE DATE

EXHIBIT A


http://gismapper.apsu.edu/montgomeryco_viewer/
Clarksville Montgomery Count...
Montgomery Co, TN Map V...
Montgomery County, TN Map Viewer for Flex
a configurable web mapping application
Help / About
More...
Streets
Aerial 2010
Aerial 2012
LAFAYETTE RD
propaddr LAFAYETTE RD
owner BOWERS MICHAEL B
cmap 44
parcel 19
saledate 8/26/1987
saleprice 60750
yearblt NULL
Zoom to
400 m
1000 ft
Latitude:819984.3422482 Longitude:1539207.0990132
esri
12:34 PM
6/11/2015

RESOLUTION 1-2015-16

A RESOLUTION RENEWING THE INTERLOCAL CONTRACT WITH E-911 COMMUNICATIONS DISTRICT

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

That the Clarksville City Council hereby authorizes renewal of the Interlocal Contract with the E-911 Communications District attached hereto as “Exhibit A.”

ADOPTED:

INTERLOCAL CONTRACT BETWEEN THE CITY OF CLARKSVILLE, TENNESSEE, AND THE E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY COUNTY, TENNESSEE

This agreement is made and entered into between the City of Clarksville, Tennessee, a political subdivision of the State of Tennessee (hereinafter referred to as "the City"), and the E911 Emergency Communication District of Montgomery County, Tennessee, a corporate body politic organized pursuant to the provisions of Tennessee Code Annotated § 7-86-105 (hereinafter referred to as "the District").

In consideration of the mutual covenants and promises contained in this agreement, the parties agree as follows:

1. The term of this agreement is July 1, 2015, through June 30, 2016.
2. During the term of this agreement, the District agrees to provide sufficient personnel to answer incoming emergency/non-emergency calls twenty-four hours a day, seven days a week, for the entire duration of this agreement. The District call takers will then forward these calls via the Computer Aided Dispatch terminals (CAD) to the City of Clarksville Public Safety Police / Fire Dispatchers who will dispatch and handle all radio traffic for the Clarksville Police Department and Clarksville Fire Rescue.
3. The parties further agree that the purpose of this interlocal agreement is to comply with E911 Revenue Standard Number 21 adopted by the Tennessee Emergency Communication Board pursuant to the authority granted it by Tennessee Code Annotated § 7-86-306 (9) and to comply with the

provisions of Tennessee Code Annotated § 12-9-101 et seq., regarding interlocal agreements between local governmental units.

4. The District will provide twenty-four (24) hour, toll-free voice and TDD telephone access or an equivalent system for emergency call service; develop and maintain written procedures and telephone numbers for procuring other emergency services (EMS, Fire Rescue, Ambulance, etc.) to assist the City Police Department; provide immediate playback of recorded telephone while maintaining a continuous recording of emergency telephone conversations within the communications center; develop and maintain written procedures for the prompt handling and appropriate routing of misdirected emergency calls; issue emergency first-aid instructions over the telephone to each caller using approved emergency medical guidelines or materials; maintain backup electrical power to ensure continuous operations in the event of primary power failure; and maintain a telephone system designed to separate emergency from non-emergency calls.

IN WITNESS WHEREOF, each party has caused this interlocal agreement to be executed by an authorized person on the date indicated by his or her name.

CITY OF CLARKSVILLE

Date:_____ BY:_____

KIM McMILLAN
Its: City Mayor

AKA

E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY

Date:_____

BY:_____

LIZ HENLEY

Its: Chair