



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
AUGUST 27, 2015, 4:30 P.M.**

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

AGENDA

1) PLANNING COMMISSION

ZONING: PUBLIC HEARING

1. **ORDINANCE 24-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Steve Slate and Bill Blackwell for zone change on property at the intersection of Tiny Town Road and Sand Piper Drive from R-2 Single Family Residential District to C-5 Highway & Arterial Commercial District (*RPC: Approval/Approval*)
2. **ORDINANCE 25-2015-16** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Purvis & Beck Partnership for zone change on property at the intersection of Union Hall Road and Needmore Road from M-3 Planned Industrial District to M-1 Light Industrial District (*RPC: Approval/Approval*)

2) CONSENT AGENDA

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

1. **ORDINANCE 5-2015-16** (Second Reading) 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

2. **ORDINANCE 12-2015-16** (Second Reading) Amending the FY16 Internal Audit Budget for a HIPPA Assessment
3. **ORDINANCE 13-2015-16** (Second Reading) Accepting donation of property from Clarksville Capital Corporation for an access easement for the Upland Trail
4. **ORDINANCE 14-2015-16** (Second Reading) Amending the Official Code to establish the Parking Commission
5. **ORDINANCE 15-2015-16** (Second Reading) Authorizing extension of utilities to property on International Boulevard; request of WEB Development
6. **ORDINANCE 17-2015-16** (Second Reading) Amending the Official Code relative to public property designations
7. **ORDINANCE 18-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Syd Hedrick for zone change on property at the intersection of Greenwood Avenue and Clark Street from R-3 Three Family Residential District to R-6 Single Family Residential District
8. **ORDINANCE 19-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Action Properties, John Kreaske-Agent, for zone change on property at the intersection of Kraft Street and Providence Boulevard from M-1 Light Industrial District to C-2 General Commercial District
9. **ORDINANCE 20-2015-16** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Honeycutt Properties, LP, for zone change on property at the intersection of Warfield Boulevard and Stokes Road from R-1 Single Family Residential District to C-2 General Commercial District
10. Adoption of Minutes: Special Session August 6, Regular Session August 6, Special Session August 17
11. Approval of board appointments:

Parking Commission: Ted Crozier, Charlsie Lankford – September 2015 through August 2016; Bill Powers, Mitch Robinson, Linda Shepherd – September 2015 through August 2017

3) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

4) FINANCE COMMITTEE

Joel Wallace, Chair

1. **ORDINANCE 21-2015-16** (First Reading) Authorizing donation of property on Providence Court to Buffalo Valley for Community Development (*Finance Committee: Approval*)
2. **RESOLUTION 8-2015-16** Accepting the Tennessee Department of Transportation's proposal for a Park & Ride facility at the intersection of SR76 and South Gateway Plaza Boulevard (*Finance Committee: Approval*)
3. **RESOLUTION 9-2015-16** Accepting the Tennessee Department of Transportation's proposal for the Tylertown Road intersection (*Finance Committee: Approval*)

5) GAS & WATER COMMITTEE

Wallace Redd, Chair

1. **ORDINANCE 22-2015-16** (First Reading) Amending the Official Code relative to utility connection fees

6) PARKS, RECREATION, GENERAL SERVICES

Valerie Guzman, Chair

7) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

8) STREET COMMITTEE

James Lewis, Chair

9) TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

10) NEW BUSINESS

1. **ORDINANCE 16-2015-16** (First Reading; Postponed August 6th) Authorizing purchase of real property located at 215 Legion Street (*Councilman Allen*)
2. **ORDINANCE 23-2015-16** Authorizing an interlocal agreement with Montgomery and authorizing purchase of property for creation of a civic square plaza (*Councilman Wallace*)

3. RTA Presentation: Northwest Corridor Transit Study

11) MAYOR AND STAFF REPORTS

12) ADJOURNMENT

13) PUBLIC COMMENTS

ORDINANCE 24-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF STEVE SLATE AND BILL BLACKWELL FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF TINY TOWN ROAD AND SAND PIPER 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-2 Single Family Residential 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 176 +/- feet northwest of the centerline of the Tiny Town Rd. & Sand Piper Dr. intersection, further identified as the southeast corner of the Jeffery Stanfill property and the southwest corner of the herein described parcel, thence in a northerly direction 130 +/- feet with the western boundary of the Stanfill property to a point, said point being in the southern boundary of the Daniel E. Wackerhagen, Jr. property, further identified as the northwest corner of the herein described parcel, thence in a easterly direction 109 +/- feet with the southern boundary of the Wackerhagen property to a point, said point being in the western margin of the Sand Piper Drive ROW, thence in a southerly direction 132 +/- feet with the western margin of Sand Piper Dr. ROW to a point said point being in the northern margin of the Tiny Town Road ROW, thence in a westerly direction 124 +/- with the northern margin of the Tiny Town Road ROW to the point of beginning, said parcel containing 0.39 +/- acres, further identified as (Tax Map 08-P-A, Parcel 2.00)

ORDINANCE 25-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF PURVIS & BECK PARTNERSHIP FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF UNION HALL ROAD AND NEEDMORE 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 to M-1 Light Industrial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the eastern ROW of Thompson Lane, said point being 834+/- feet, as measured along the eastern ROW of Thompson Lane from the northern ROW of said Needmore Road, said point also being the southwestern corner of the herein described parcel; thence leaving said point and with the said eastern ROW, North 00 degrees 18 minutes 30 seconds East for a distance of 252.89 feet to an iron pin old, said rod being the corner of the Bell Creek, L.P. property as recorded in the ORV 501, page 1135 ROMCT; thence leaving said ROW and with the eastern boundary of the said Bell Creek, L.P. property, North 01 degrees 11 minutes 43 seconds East for a distance of 166.04 feet to an iron rod old, said rod being a corner of the Riggs L. Hayes, Sr. property as recorded in ORV 291, page 70 ROMCT, said rod also being the northwestern corner of the herein in described parcel; thence leaving the said eastern boundary and with the southern boundary line of the Riggs L. Hayes, Sr. property, South 89 degrees 42 minutes 27 seconds East for a distance of 619.98 feet to an iron rod old, said rod being a corner of the Tennessee Investment Properties as recorded in ORV 376, page 511 ROMCT, said rod also being the northeastern corner of the the herein described parcel; thence leaving said southern boundary line and with the western boundary line of said Tennessee Investment Properties, South 00 degrees 14 minutes 00 seconds West for a distance of 418.60 feet to a point, said point being the southeastern corner of the herein described parcel, thence leaving said western boundary line on a new severance line, North 89 degrees 44 minutes 09 seconds West for a distance of 623.10 to the point of beginning, said parcel containing 5.98 +/- acres. further identified as (Tax Map 32, Parcel 106.01)

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: September 3, 2015. The public hearing will be held on: September 3, 2015.

CITY ORD. #: 24-2015-16 RPC CASE NUMBER: Z-23-2015

Applicant: STEVEN SLATE & BILL BLACKWELL

Location: Property is located at the northwest corner of the Tiny Town Road & Sand Piper Dr. intersection

Ward #: 8

Request: R-2 Single-Family Residential District
 to
 C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 25-2015-16 RPC CASE NUMBER: Z-24-2015

Applicant: PURVIS & BECK PARTNERSHIP

Location: Property fronting on the east frontage of Union Hall Rd. 1,080 +/- feet north of the Union Hall Rd. & Needmore Rd. intersection.

Ward #: 11

Request: M-3 Planned Industrial District
 to
 M-1 Light Industrial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/26/2015

CASE NUMBER: Z - 23 - 2015

NAME OF APPLICANT: Steven Slate & Bill Blackwell

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-2

PROPOSED ZONING: C-5

EXTENSION OF ZONE
CLASSIFICATION: YES

APPLICANT'S STATEMENT
FOR PROPOSED USE:

PROPERTY LOCATION: Property is located at the northwest corner of the Tiny Town Road & Sand Piper Dr. intersection

ACREAGE TO BE REZONED: 0.43

DESCRIPTION OF PROPERTY Vacant corner lot of Hunters Point Subdivision,
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT:** 08-P-A **PARCEL(S):** 2.00

CIVIL DISTRICT: 2nd

CITY COUNCIL WARD: 8

COUNTY COMMISSION DISTRICT: 18

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

No Traffic Assessment Required. No Access To Tiny Town Rd. Unless Shared Access Arrangement Approved With Parcel To The West.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

No Comment(s) Received

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

Comments Received From Department And They Had No Concerns.

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

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

9. SCHOOL SYSTEM:

ELEMENTARY: HAZELWOOD

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: Increased traffic & light & noise.

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: SAND PIPER DR.

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:

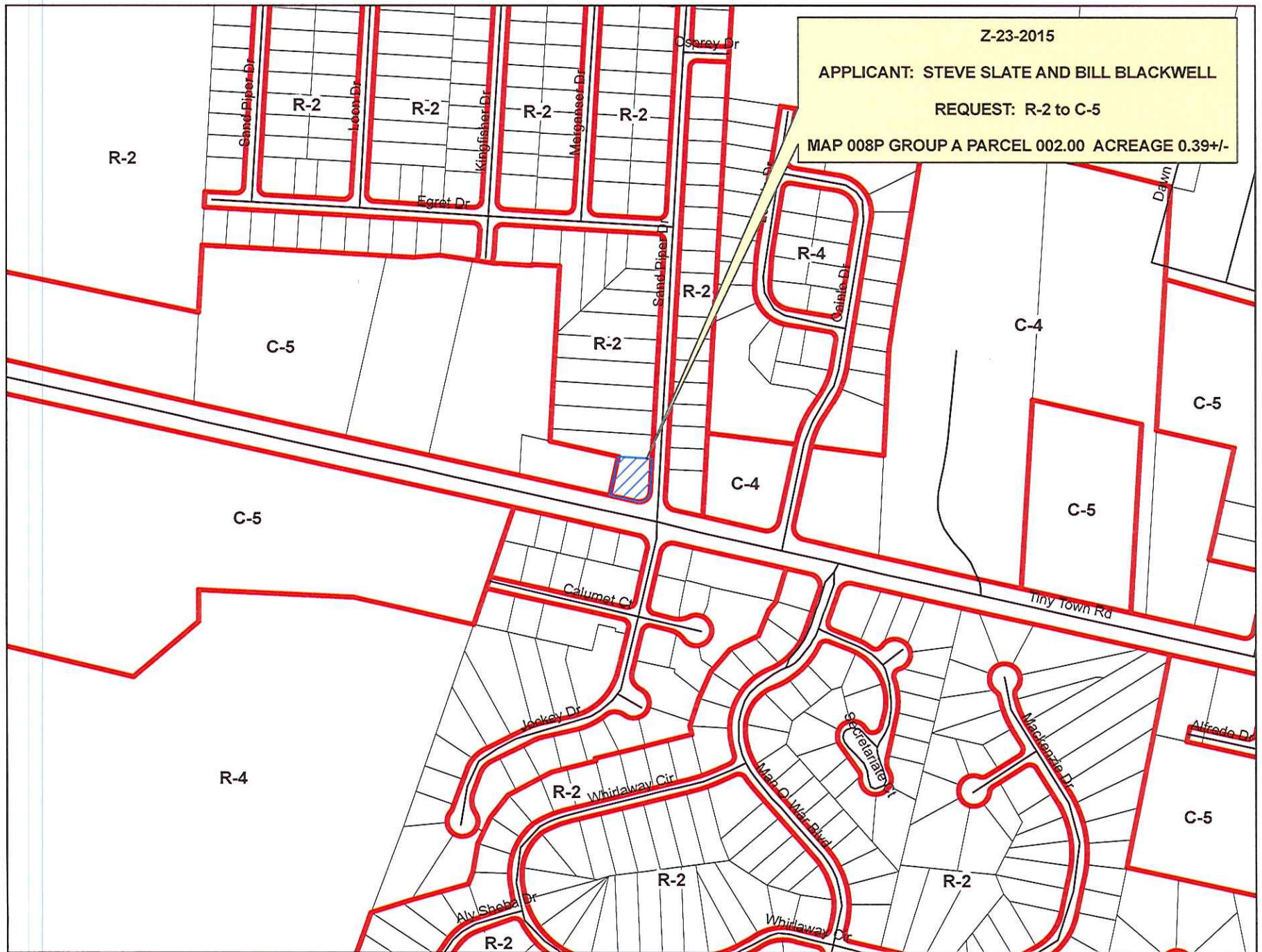
Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

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. Request is an extension of C-5 zoning to the west.
- 4.

5.

Z-23-2015
APPLICANT: STEVE SLATE AND BILL BLACKWELL
REQUEST: R-2 to C-5
MAP 008P GROUP A PARCEL 002.00 ACREAGE 0.39+/-



Spainhoward, John T

Z-23-2015

From: Dan Wackerhagen <Dan.Wackerhagen@jacobi.net>
Sent: Tuesday, August 25, 2015 12:08 PM
To: Spainhoward, John T
Subject: Case #: Z-23-2-15 (Wackehagen)
Attachments: Planning Commission.docx

John,

As per our discussion last week I have attached a letter for the Planning Commission stating my position. Thank you for your assistance and advice last week. I hope to hear a favorable decision.

Sincerely,
Dan

DAN WACKERHAGEN | Sales Manager
Jacobi Carbons, Inc.
432 McCormick Blvd. | Columbus, OH 43213 | United States
Mobile: 404 819-5853
Fax: 215 546-9921 | Skype: danwjci
E-mail: dan.wackerhagen@jacobi.net | Web: www.jacobi.net



Jacobi Carbons is
a proud member of the
Osaka Gas Chemicals Group



Dear Planning Commission,

I am Dan Wackerhagen. My wife and I own the home at 3402 Sandpiper Drive. This is the residential property located adjacent to the lot in question for Case Z-23-2015. I have spoken with the staff at the Planning Commission and I have researched the codes and the lot lines.

It is my opinion that the request for rezoning the lot from R-2 to C5 is both extreme and unnecessary; and it will negatively affect the safety and property values of the nearby residential properties, and possibly the entire neighborhood.

It is regretful that the builder did not have the foresight to request zoning prior to constructing the neighborhood, and then could have built as to allow an easement between the commercial and residential areas. The same lack of foresight is found in my decision to purchase the first home on the street. If I had thought that the empty lot beside my home would ever be rezoned, I would not have purchased it. I thought at the time that at some point or another, a home would be built on the half-acre lot next to mine. However, lack of foresight is not really the issue here.

My understanding of the code is that once it is rezoned C-5 just about anything short of serious manufacturing could be built and operated on the property, with the understanding that it met easement, egress and other code requirements. The nature of the business, however, would be pretty wide open. The thought that a restaurant or gas station or other high traffic, high noise, high smell business could be put within forty feet of my front door is of serious concern to me as the home owner and long-term investor in the community.

A C-1 rezoning makes sense. A C-1 would allow a business to make use of what has the potential to be valuable street front property without causing a safety concern with traffic congestion at the entrance of a large subdivision. A C-1 would not be an eyesore or a distasteful business at the entrance of the neighborhood. It is my belief that this would significantly decrease the degree to which our properties, and others, are devalued. C-1 zoning is much more commonly implemented at entrance areas to neighborhoods across the country. Dentists, lawyers, optometrist, real estate, CPA offices, and many other office type businesses make use of such zones to achieve the street front impact and they don't negatively affect the residential zone they adjoin. There is precedence for this in neighborhoods of all sizes and values throughout the country.

I have observed no subdivisions with a gas station or fast food restaurant sitting at the entrance that was nice. Such a business would inevitably drive down the rental prices and sales appeal of the neighborhood and lead to a decline in the home maintenance and home values. This is not a desired outcome for any of the property owners or tenants that reside in this neighborhood. I also believe that it is not the type of precedence that the city or county wants to set in the community.

I request that this rezoning application be denied and the applicant be advised to apply for a C-1 rezoning. I would not object. I would, of course, prefer to see another home built on the lot; but I understand the value of the location for a commercial endeavor. I would hope that C-1 would be seen as the appropriate compromise to protect the interest of all parties.

Sincerely,

Dan Wackerhagen

CASE NUMBER: Z 23 2015 MEETING DATE 8/26/2015

APPLICANT: Steven Slate & Bill Blackwell

PRESENT ZONING R-2 PROPOSED ZONING C-5

TAX PLAT # 08-P-A PARCEL 2.00

GEN. LOCATION Property is located at the northwest corner of the Tiny Town Road & Sand Piper Dr.
intersection

PUBLIC COMMENTS

See email from Dan Wackerhagen.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 8/26/2015

CASE NUMBER: Z - 24 - 2015

NAME OF APPLICANT: Purvis &

Beck Partnership

AGENT:

GENERAL INFORMATION

PRESENT ZONING: M-3

PROPOSED ZONING: M-1

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT The current zoning classification is not recognized by the City of Clarksville.

FOR PROPOSED USE: Requesting M-1 zoning per City Building & Codes Dept. Property to be used for waste disposal company.

PROPERTY LOCATION: Property fronting on the east frontage of Union Hall Rd. 1,080 +/- feet north of the Union Hall Rd. & Needmore Rd. intersection.

ACREAGE TO BE REZONED: 5.98

DESCRIPTION OF PROPERTY Vacant storage lot with gravel base.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY TAX PLAT: 32

PARCEL(S): 106.01

CIVIL DISTRICT: 6th

CITY COUNCIL WARD: 11

COUNTY COMMISSION DISTRICT: 1

PREVIOUS ZONING HISTORY: SR-4-1979

(to include zoning, acreage and SR-19-2015
action by legislative body)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT MGR. | <input type="checkbox"/> ATT | <input type="checkbox"/> DIV. OF GROUND WATER |
| <input checked="" type="checkbox"/> GAS AND WATER ENG. SUPPORT COOR. | <input checked="" type="checkbox"/> FIRE DEPARTMENT | <input type="checkbox"/> HOUSING AUTHORITY |
| <input type="checkbox"/> UTILITY DISTRICT | <input type="checkbox"/> EMERGENCY MANAGEMENT | <input type="checkbox"/> INDUSTRIAL DEV BOARD |
| <input checked="" type="checkbox"/> JACK FRAZIER | <input checked="" type="checkbox"/> POLICE DEPARTMENT | <input type="checkbox"/> CHARTER COMM. |
| <input checked="" type="checkbox"/> CITY STREET DEPT. | <input type="checkbox"/> SHERIFF'S DEPARTMENT | <input type="checkbox"/> Other... |
| <input checked="" type="checkbox"/> TRAFFIC ENG. - ST. DEPT. | <input checked="" type="checkbox"/> CITY BUILDING DEPT. | |
| <input type="checkbox"/> COUNTY HIGHWAY DEPT. | 1. <input type="checkbox"/> COUNTY BUILDING DEPT. | |
| <input type="checkbox"/> CEMC | <input type="checkbox"/> SCHOOL SYSTEM OPERATIONS | |
| <input checked="" type="checkbox"/> DEPT. OF ELECTRICITY (CDE) | <input type="checkbox"/> FT. CAMPBELL | |

1. CITY ENGINEER/UTILITY DISTRICT:

No Sewer Available

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

Comments Received From Department And They Had No Concerns.

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

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

Letter In File Stating That M-1 Zoning Classification Permits The Use Of

8. CITY BUILDING DEPARTMENT/

COUNTY BUILDING DEPARTMENT:

9. "construction Equipment & Service" Facility For Construction Industry.

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:**

Change of zoning will have minimal impact

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: UNION HALL ROAD

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

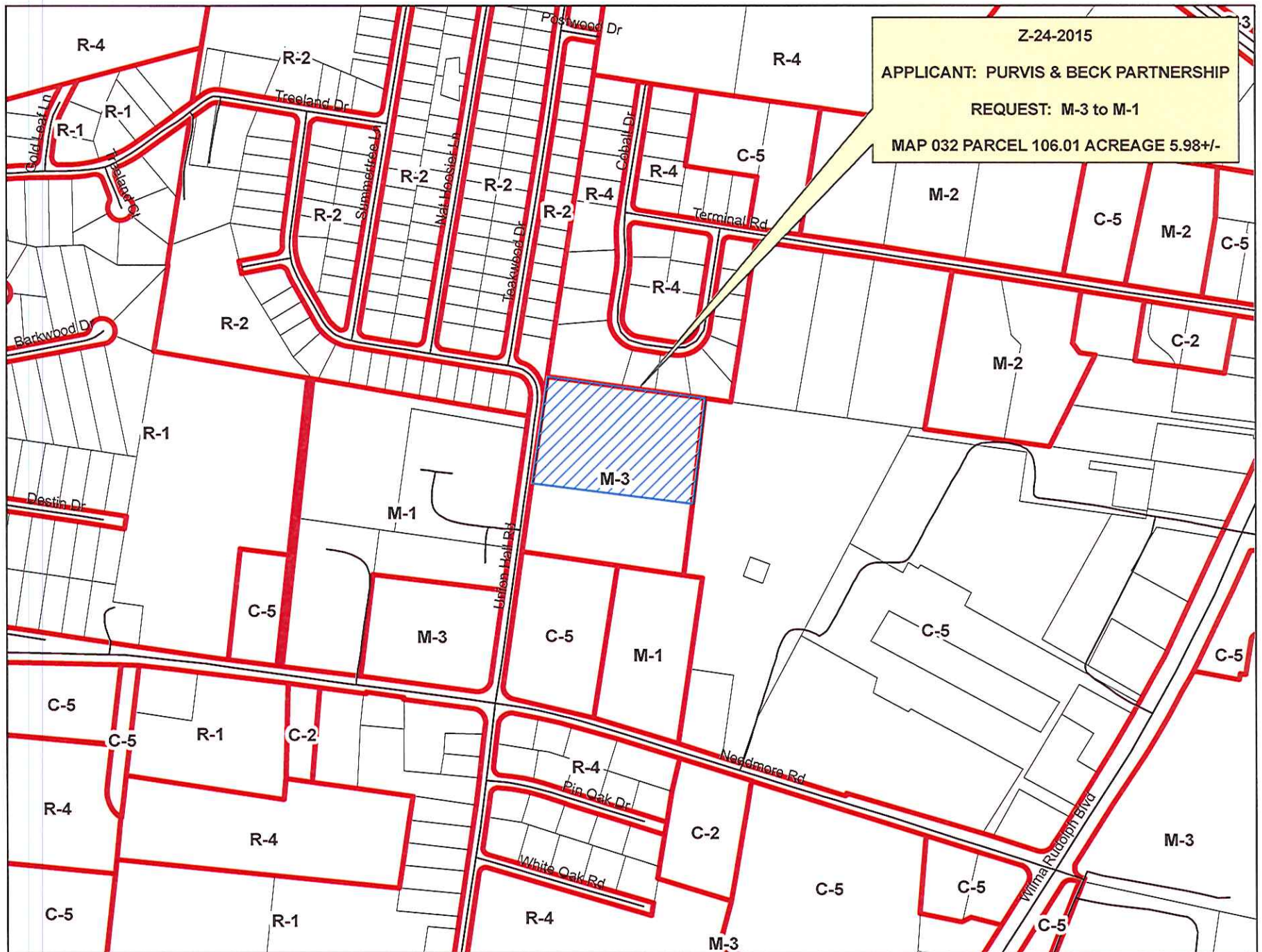
Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 4 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: APPROVAL

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. No adverse environmental issues were identified relative to this request.
3. Existing M-3 zoning is no longer included in the currently adopted City of Clarksville Zoning Ordinance. M-1 zoning classification would permit applicants proposed use as determined by the Building & Codes Dept.

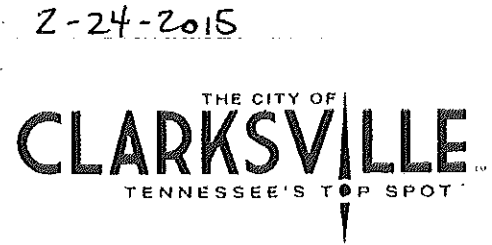
4.

5.



Z-24-2015
APPLICANT: PURVIS & BECK PARTNERSHIP
REQUEST: M-3 to M-1
MAP 032 PARCEL 106.01 ACREAGE 5.98+/-

BUILDING +
CODES DEPARTMENT



June 1, 2015

Neely Engineering and Contracting, LLC
1135 Oak Plains Road
Clarksville, TN 37043

RE: Property located at 2727 Union Hall Road, Clarksville Tennessee; Property Tax Map 32,
Parcel 106.01, Zoning: M-3.

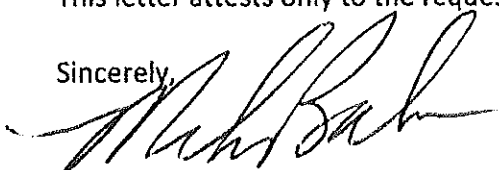
Mr. Neely,

Under applicable laws and zoning ordinances, the property referenced above is currently zoned M-3. This zoning classification is no longer recognized as a zoning classification with the current zoning laws of the City of Clarksville. The applicant has made the inquiry of the appropriate zoning classification for the property in question.

Property with a zoning classification of M-1 would permit the use of the property and related amenities comprising the property as a "Construction Equipment and Service" facility for the construction industry; catering to public and private entities.

This letter attests only to the requested zoning of the property.

Sincerely,



Mike Baker, CBCO
Director

CASE NUMBER: Z 24 2015 MEETING DATE 8/26/2015

APPLICANT: Purvis & Beck Partnership

PRESENT ZONING M-3

PROPOSED ZONING M-1

TAX PLAT # 32

PARCEL 106.01

GEN. LOCATION Property fronting on the east frontage of Union Hall Rd. 1,080 +/- feet north of the Union Hall Rd. & Needmore Rd. intersection.

PUBLIC COMMENTS

None received as of 11:30 a.m. on 8/26/2015 (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.

DEFERRED: July 2, 2015 by Applicant
PUBLIC HEARING: August 6, 2015
FIRST READING: August 6, 2015
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 12-2015-16

AN ORDINANCE AMENDING THE 2015-16 GENERAL FUND BUDGET(ORDINANCE 10-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE OPERATING BUDGET OF INTERNAL AUDIT FOR A HIPPA ASSESSMENT THAT WAS PLANNED AND BUDGETED IN FY15 BUT WILL NEED TO BE PERFORMED IN FY16

WHEREAS, a HIPPA Assessment was planned and funds were budgeted in the amount of \$9,500 during fiscal year 2015; and

WHEREAS, the HIPPA Assessment could not be completed satisfactorily before June 30, 2015; and

WHEREAS, the \$9,500 budgeted funds from fiscal year 2015 will revert back into the general fund allowing those funds to be available for appropriation in fiscal year 2016 to complete this important function.

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

That the following General Fund budget amendment be made:

10415213 4334 Accounting/Auditing Services Increase: \$ 9,500

BE IT FURTHER ORDAINED;

That the \$9,500 will be taken from the fund balance of the general fund.

FIRST READING: August 6, 2015

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 13-2015-16

AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY EASEMENT RIGHTS FROM CLARKSVILLE CAPITAL CORPORATION TO THE CITY OF CLARKSVILLE FOR THE PURPOSE OF AN ACCESS EASEMENT TO THE UPLAND TRAIL

WHEREAS, CLARKSVILLE CAPITAL CORPORATION, a Tennessee Corporation, has agreed to donate certain real property easement rights to the City of Clarksville for the City to access and maintain the City's Upland Trail; 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 CLARKSVILLE CAPITAL CORPORATION 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 easement rights from CLARKSVILLE CAPITAL CORPORATION, a Tennessee Corporation, being a portion of the property conveyed to donor, by deed of record in Official Record Book Volume 927, Page 1230, 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 rights.
3. That this Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING: August 6, 2015

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

EASEMENT DESCRIPTION

Being the southern portion of the Clarksville Capital Corporation property as described in volume 927, page 1230 Register's Office of Montgomery County Tennessee (ROMCT), in the 12th civil district of Montgomery County, Tennessee, said parcel being Tax Map 066J, group B, parcel 007.00. Also being a portion of 50 Franklin St Clarksville, TN 37040. The parcel is generally described as lying south of Franklin Street, east of Spring Street, west of 1st street, north of Commerce Street, and more particularly described as follows.

Beginning at a ½" rebar found the southwest corner of Tract 2 in volume 927, page 1230 ROMCT. Said rebar being in the northern right of way of spring alley and also being the southwest corner of the easement described. Said rebar also having TN State Plane Coordinates of North: **801098.07**, East: **1568521.12**. Said rebar being South 41° 24'21" West, a distance of 415.58 feet from the intersection of Franklin and 1st street.

Thence **North 14°58'57" West**, a distance of **21.00 feet** to a point with the east line of the City of Clarksville property as recorded in Volume 326, Page 2264 ROMCT. Thence leaving the City of Clarksville Property North **75°09'59" East**, a distance of **136.04 feet** to a point, thence **North 74°52'05" East**, a distance of **94.91 feet** in the west line of the Robert C. Roylance II Property as recorded in volume 340, page 346 ROMCT. Thence with the Roylance property **South 08°21'16" East**, a distance of **21.15 feet** to a ½" rebar found; Said rebar being the southwest corner of the Roylance property and a point in the northern right of way. Thence, with the northern margin of Spring Alley, **South 74°52'05" West**, a distance of **92.47 feet** to a point. Thence **South 75°09'59" West**, a distance of **136.04 feet** to the point of beginning. Containing 0.11 acres, more or less.

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE, TITLE I (ADMINISTRATION, OFFICERS, AND PERSONNEL), CHAPTER 19 RELATIVE TO THE CLARKSVILLE PARKING COMMISSION

WHEREAS, the Clarksville City Council desires to establish and implement standards and procedures concerning the enactment and enforcement of parking regulations within the limits of the City of Clarksville.

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

1. That the Official Code of the City of Clarksville, Tennessee, Title I (Administration, Officers, and Personnel), is hereby amended by adding a new Chapter 19 (Clarksville Parking Commission) as follows:

Chapter 19 – CLARKSVILLE PARKING COMMISSION

Section 19-101. Clarksville Parking Commission Established.

A board, to be designated the “Clarksville Parking Commission,” is hereby created to regulate public parking within the City limits.

Section 19-102. Clarksville Parking Commission composition; eligibility for appointment; term; vacancy during unexpired term.

- (a) *Composition.* The Clarksville Parking Commission shall be composed of five (5) members.
- (b) *Eligibility for appointment.* No person shall be eligible for appointment to the Clarksville Parking Commission unless he or she has been a resident of the City of Clarksville for at least one (1) year preceding the date of his or her appointment. No former elected mayor or City Council member, or current regularly compensated officer or employee, other than one (1) current member of City Council, shall be eligible for appointment to the Commission until at least one (1) year after the expiration of the term of such person’s public office or employment with the City. No former Clarksville Parking Commission member who has served two (2) consecutive, full terms shall be eligible for reappointment to the Commission until two (2) years have passed since the expiration of his or her previous term.

- (c) *Appointment of Commission members.* The Mayor shall appoint the members of the Clarksville Parking Commission, subject to the approval of the City Council by majority vote. One member of the Clarksville Parking Commission shall be a current member of the City Council. If a nominee is not approved by majority vote of the City Council, then the Mayor shall nominate another person until such nominee has been approved by a majority vote of the City Council.
- (d) *Term.* Members of the Clarksville Parking Commission shall serve a two (2) year term. Members of the Clarksville Parking Commission may serve up to two (2) full, consecutive terms. The term for the City Council member appointed to the Clarksville Parking Commission shall be for a period of two (2) years during his or her term as a City Council member and shall be coterminous with his or her term as a City Council member. For the first Commission appointed, three members shall be appointed for a term period of two (2) years, and two members shall be appointed for a term period of one (1) year, in order for the Commission members to have staggered terms. Thereafter, all subsequent term periods shall be for a period of two (2) years.
- (e) *Residency.* Members of the Clarksville Parking Commission must maintain their residency within the limits of the City of Clarksville during their term(s) of service. If a member of the Commission moves out of the limits of the City of Clarksville during his or her term of service on the Commission, their membership shall be vacated and a new member shall be appointed to fill the unexpired term of the vacated member.
- (f) *Vacancy before expiration of term.* If any member of the Clarksville Parking Commission resigns from, is removed from, or ceases to be a member of the Commission before the expiration of his or her term, the Mayor shall appoint a new member to serve the remainder of the unexpired term, subject to City Council approval. For purposes of computing a term, the filling of an unexpired term shall not count toward the two (2) full consecutive terms limit.

Section 19-103. Clarksville Parking Commission quorum; election of chair and vice chair; public meetings; procedure.

- (a) *Quorum.* A majority of the Clarksville Parking Commission shall constitute a quorum, and the Commission shall act by vote of a majority present at any meeting attended by a quorum. Vacancies in the Commission shall not affect its power and authority so long as a quorum remains.
- (b) *Election of a chair and vice chair.* The Clarksville Parking Commission shall elect a chairperson and a vice chairperson.

(c) *Public Meetings.* The Clarksville Parking Commission shall hold public meetings, and give notice to the public thereof, at such regular time and place as the Commission may determine. Changes in such time and place of meeting shall be made known to the public as required by law. All meetings of the Commission shall be subject to state law of general application concerning open meetings.

(d) *Rules of Procedure.* The meetings of the Clarksville Parking Commission shall be conducted in accordance with the most current edition of Robert's Rules of Order, and such other rules of procedure as the Commission may adopt by majority vote.

Section 19-104. Compensation.

Members of the Clarksville Parking Commission shall not receive, or be entitled to receive, any monetary compensation for their service on the Commission.

Section 19-105. Removal of Members.

(a) *Grounds.* Any member of the Clarksville Parking Commission may be removed from office for cause, to include permanent disability, knowing or willful misconduct in office, knowing or willful failure to perform any duty required by law, or the committing of any act constituting a felony or a violation of any penal statute involving moral turpitude, or malfeasance, misfeasance, or nonfeasance as a Commission member, by resolution by the City Council, upon a roll call vote of three-fourths (3/4) of the full membership of the City Council at a public hearing, but only after prior preferment of formal charges by resolution of the City Council approved by a majority vote of the full membership of the City Council at a public hearing.

(b) *Charges, investigation, notice.* All charges shall be in writing and the City Council shall make or direct such investigation in relation to the matter as it may consider necessary. Prior to any hearing, a copy of the charges to be considered at the hearing shall be delivered to or mailed to the Commission member against whom they have been filed, together with notice of the time and place for the public hearing, which shall not be less than five (5) calendar days from the delivery or mailing of the charges to the accused member.

(c) *Hearing, right to counsel, and process.* The hearing on removal shall be public. The accused Commission member shall have the right to appear and to defend in person or by counsel, and shall have process of the City Council to compel the attendance of witnesses on his or her behalf. The City Attorney, or such other person as the City Council by majority vote may direct, shall present the evidence and witnesses, if any, against the accused Commission member.

- (d) *Expiration of term upon removal.* Immediately upon a vote approving removal, the term of the accused Commission member shall expire, and his or her office, status, power, and authority shall cease without further action.

Section 19-106. Record and reports of the Clarksville Parking Commission.

The Clarksville Parking Commission shall keep a complete and accurate record of all meetings and actions taken, which may be in summarized form, and a copy of the same shall be filed with the City Clerk.

Section 19-107. Powers and Duties of the Clarksville Parking Commission.

The Clarksville Parking Commission shall have the following powers and duties pertaining to parking on City owned properties and public streets:

- (a) Establishing parking regulations, rates, and a schedule of civil penalties, along with late fees and costs, all of which shall be contained in an appendix to the Official Code of the City of Clarksville;
- (b) Establishing leasing rates for public parking lots and individual public parking spaces; and
- (c) Making recommendations to the City Council regarding parking policy issues.

Section 19-108. Parking Manager.

- (a) There shall be a Parking Manager, appointed by the Mayor, who shall have the following duties:
 - 1. Collecting civil penalties, fines, and fees related to violations of parking regulations;
 - 2. Managing and maintaining any City owned parking garages or other City owned parking facilities as well as managing the acquisition, construction, and establishment of such facilities as may be authorized by the City Council; and
 - 3. Managing and maintaining the installation and use of parking meters or other necessary equipment in connection therewith.
- (b) The Parking Manager shall be reportable to the Mayor, or his or her designee, and shall be responsible for presenting the budget of the Clarksville Parking Commission to the City Council;

Section 19-109. Accounting.

All moneys collected for the Commission from any source shall be remitted to the City of Clarksville and deposited with the City Treasurer, for the retirement of any bonds or other debt related to parking garages or facilities; operations, maintenance, and improvement of parking garages, facilities, or public parking spaces in the City and shall be accounted for in a separate enterprise fund, along with such other funds as may be budgeted for such purposes by the City Council.

Section 19-110. Jurisdiction.

All citations issued for alleged parking violations on City owned property or public streets shall be subject to the jurisdiction of the Clarksville Parking Commission.

Section 19-111. Right to Appeal Citation.

- (a) All parking citations shall contain a notice informing the recipient in summarized form as to the process to appeal the citation to the Clarksville Parking Commission.
- (b) Any person who receives a parking violation citation shall have the right to an administrative hearing before the Clarksville Parking Commission to contest the citation. Any person wishing to contest an alleged parking citation shall file his or her appeal with the Clarksville Parking Commission within ten (10) calendar days from the date of the issuance of the citation. No requests for appeal that are filed outside the ten (10) calendar day period shall be considered.
- (c) At the administrative hearing, the Commission shall keep a record of the proceedings, hear and decide whether a parking violation has occurred, and shall impose the appropriate civil penalty in such cases in accordance with the civil penalty schedule.
- (d) All civil penalties shall be paid within thirty (30) calendar days of the date the citation was issued unless there is a timely filed appeal pending before the Commission. If an individual files a timely appeal to the Clarksville Parking Commission, and if the Commission finds that a parking violation did occur at the appeal hearing, the cited individual shall have ten (10) calendar days from the hearing date to pay the civil penalty.
- (e) Any person aggrieved by a decision of the Clarksville Parking Commission may appeal the decision to the Chancery or Circuit Court of Montgomery County pursuant to state law of general application.

FIRST READING: August 6, 2015
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 15-2015-16

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF WEB DEVELOPMENT FOR PROPERTY LOCATED ON INTERNATIONAL BOULEVARD

WHEREAS, proper application has been made by Cal Burchett, PE, RLS with DBS Engineering & Associates on behalf of WEB Development for extensions of City utility service to property located at Cmap 40, Parcel 6.07 with the property address of International Boulevard 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:

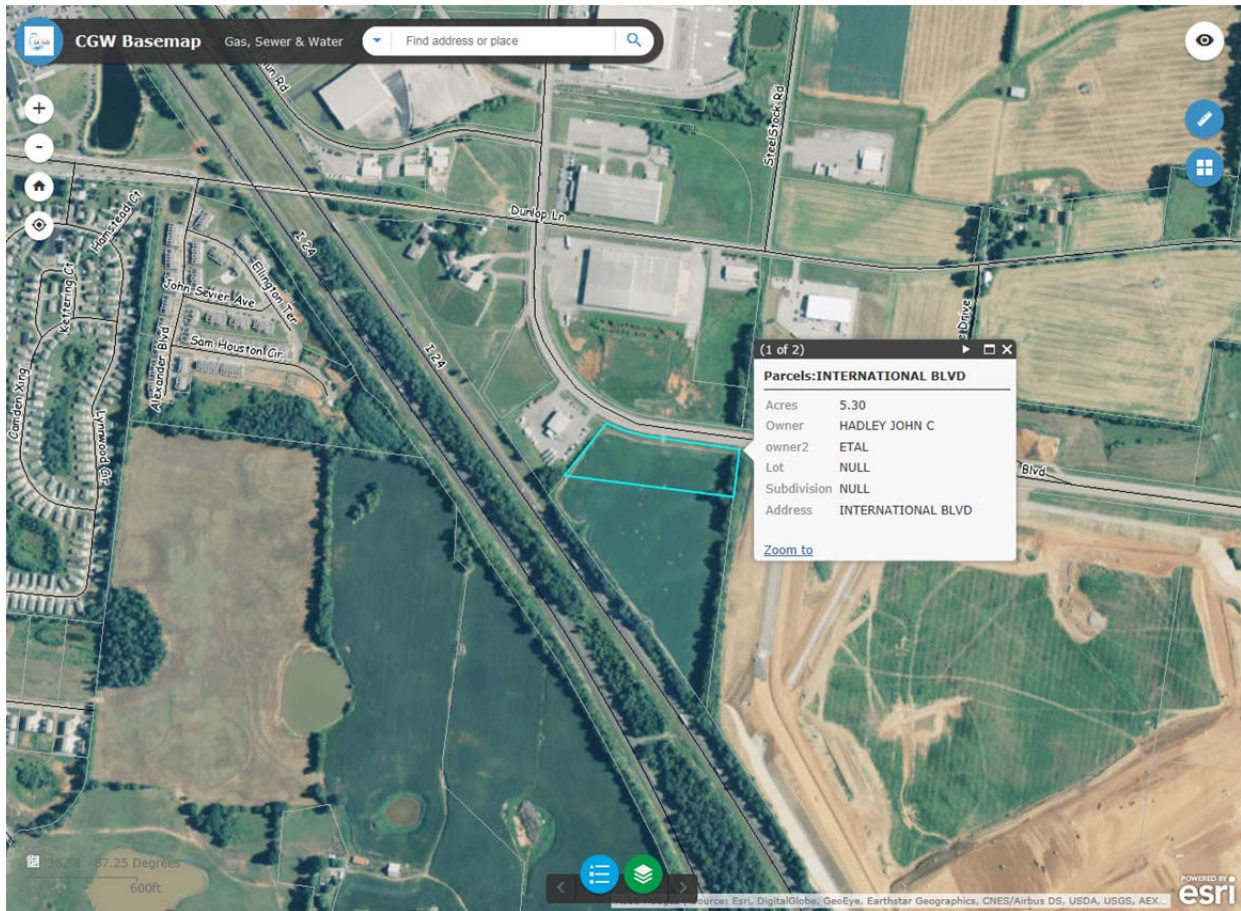
That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 40, Parcel 6.07 with the property address of International Boulevard outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: August 6, 2015

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



ORDINANCE 17-2015-16

AN ORDINANCE AMENDING TITLE 12 (STREETS AND OTHER PUBLIC PLACES), CHAPTER 1 (IN GENERAL) OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, TENNESSEE RELATING TO PUBLIC PROPERTY DESIGNATIONS AND THE DESIGNATIONS COMMITTEE

WHEREAS, the Clarksville City Council desires to establish and implement standards and procedures concerning the honorary naming of City buildings, facilities, streets, parks, and other City properties.

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

1. That Title 12, “Streets and Other Public Ways and Places,” Chapter 1, “In General,” Section 103, “Public Property Designations,” is hereby amended by deleting the current language of said Section, in its entirety.
2. That Title 12, “Streets and Other Public Ways and Places,” is hereby amended by adding a new Chapter, which shall be Chapter 12 and which shall be entitled, “Designations Committee; Streets and Public Place Designations” providing as follows:

Chapter 12: Designations Committee; Streets and Public Place Designations

Section 12-1201. Purpose.

The purpose of this Chapter is to develop and implement standards and procedures for establishing official names of City bridges, buildings, streets and parks, as well as honorary street names and the erection of honorary “home of” signs at entrances to the City.

Section 12-1202. Designations Committee Established.

A board, to be designated the “Clarksville Designations Committee,” is hereby created for the purpose of implementing the provisions of this Chapter.

Section 12-1203. Clarksville Designations Committee composition; eligibility; appointment; qualifications; term; vacancy during unexpired term.

(a) *Composition.* The Clarksville Designations Committee shall be composed of nine (9) members. Three (3) current members of the Clarksville City Council shall be appointed, subject to City Council

approval, by the Mayor to serve as members of the Clarksville Designations Committee. No more than three (3) members of the Clarksville Designations Committee may be current members of the City Council. Also, three (3) members of the Clarksville Designations Committee shall consist of each of the Department Heads from the Clarksville Street Department, the Parks & Recreation Department, and the Building & Codes Department or his or her designee. The remaining three (3) members shall be residents of the City from the public at large and shall be appointed by the Mayor, subject to City Council approval.

(b) *Term.* Members of the Committee shall serve a two (2) year term. Members of the Clarksville Designations Committee may serve up to two (2) full, consecutive terms. Terms of service for City Council members appointed to the Clarksville Designations Committee shall be coterminous with their term as a City Council member.

(c) *Vacancy before expiration of term.* If any member of the Clarksville Designations Committee, other than a current City Council member, resigns from, is removed from, or ceases to be a member of the Committee before the expiration of his or her term, the Mayor shall nominate a new member, subject to City Council approval, to serve the remainder of the unexpired term. If a current member of the City Council resigns from, is removed from, or ceases to be a member of the Clarksville Designations Committee before the expiration of his or her term, the Mayor shall appoint another, current member of the City Council, subject to City Council approval, to serve the remainder of the unexpired term. For purposes of computing a term, the filling of an unexpired term shall not count toward the two (2) full, consecutive term limit. The newly appointed City Council member shall serve on the Clarksville Designations Committee coterminous with his or her term on the Council.

Section 12-1204. Clarksville Designations Committee organization; meetings; procedure; compensation.

(a) *Quorum.* A majority of the Clarksville Designations Committee shall constitute a quorum and the Committee shall act by majority vote. Vacancies in the board shall not affect its power and authority, so long as a quorum remains.

(b) *Appointment of a chairperson.* A chairperson shall be appointed by the Mayor.

(c) *Public Meetings.* The Clarksville Designations Committee shall hold public meetings, and give notice to the public thereof, at such regular time and place as the Committee may determine. Changes in such time and place of meeting shall be made known to the public, as required by law.

(d) *Rules of Procedure.* The meetings of the Clarksville Designations Committee shall be conducted in accordance with the most current edition of *Robert's Rules of Order*.

Section 12-1205. Compensation.

Members of the Clarksville Designations Committee shall not receive, or be entitled to receive, any monetary compensation for their service on the Committee.

Section 12-1206. Removal of Members.

(a) *Grounds.* Any member of the Clarksville Designations Committee may be removed from office for cause, to include (without limitation) permanent disability, knowing or willful misconduct in office, knowing or willful failure to perform any duty required by law, or the committing of any act constituting a violation of any penal statute involving moral turpitude, or malfeasance, misfeasance, or nonfeasance as a board member, upon a three-fourths (3/4) majority vote of the City Council, but only after preferment of formal charges by resolution of the City Council at a public hearing.

(b) *Charges, investigation, notice.* All charges seeking removal from office for cause shall be made in writing, and the City Council shall make or direct such investigation in relation to the matter as it may consider necessary. Prior to any hearing, a copy of the charges to be considered at the hearing shall be delivered to or mailed to the Committee member against whom they have been filed, together with notice of the time and place for the hearing, which shall not be less than five (5) days from the delivery or mailing of the charges to the accused member.

(c) *Hearing, right to counsel and process, vote by roll call.* The hearing shall be public. The member against whom the charges have been made in accordance with this Chapter shall have the right to appear and defend in person or by counsel, and shall have issued, if necessary, service of process of the City Council to compel the attendance of witnesses on his or her behalf. Vote of the City Council on the issue of removal shall be by roll call.

(d) *Expiration of term upon removal.* Immediately upon a vote approving removal, the term of the member shall expire, and his or her office status, power, and authority shall cease without further action.

Section 12-1207. Records and reports of the Clarksville Designations Committee.

The Clarksville Designations Committee shall keep a complete and accurate record of all meetings and actions taken, and a copy of the same shall be filed with the City Clerk.

Section 12-1208. Meetings.

The Clarksville Designations Committee shall meet at least once per year and such other times as may be called by the chairman with at least forty-eight (48) hours notice. A majority of the Committee may also call a special called meeting upon forty-eight (48) hours notice.

Section 12- 1209. Definitions.

- (a) ***City building*** means a building, including but not limited to, fire stations, police stations, and recreation centers, owned and/or maintained by the City for public purposes.
- (b) An ***event*** means a time in which the designated person or organization made a significant service contribution to the community.
- (c) ***Facility*** means a building or structure located on City property, including, but not limited to, libraries, office buildings, utility buildings, recreation centers, community centers, plazas, pathways, sports fields or structures used for specific sports, such as tennis courts, basketball courts, and skate parks.
- (d) ***Naming*** means the assigning of a permanent name to a City building, park or facility.
- (e) ***Organization*** means a locally recognized civic organization or a unit of the United States Army attached to Fort Campbell.
- (f) ***Park*** means a parcel of land owned and operated by the City for public recreation purposes.
- (g) ***Resident*** means a person who currently resides or owns land within the corporate City limits, or a business located within the corporate City limits.

Section 12-1210. Naming of City buildings, parks, or facilities - Policy.

Generally, and whenever possible, the naming of a City building, park, or facility shall occur before development, and be the product of a public participation process. It is the intent and recommendation of the Clarksville Designations

Committee that existing City buildings, parks, and facilities currently named for residents or organizations not be renamed.

Section 12-1211. Requests to Be Made in Writing.

All requests to name a City street, building, park, or facility, or to erect an honorary sign or “home of” sign shall be made in writing in the form of an application to the Clarksville Designations Committee.

Section 12-1212. Application Filing Procedure & Administrative Fee.

The application for nomination and an administrative processing fee in the amount of \$250.00 (Two Hundred Fifty Dollars and No Cents) shall be filed with the City Clerk and addressed to the Clarksville Designations Committee.

Section 12-1213. Application Contents / Criteria to be Considered.

The application shall include the following information:

- (a) The name or location of the street, facility, park, building, or property being requested for honorary designation or to bear an official name; and
- (b) The name and contact information of the person, group, or organization seeking to honor a past or current resident, residents, organization, or organizations by naming a City street, facility, park, building, or other property; and
- (c) The name of the person or organization to be honored; and
- (d) The historical significance of the person or organization whose name is proposed to be the honorary name for the street, facility, park, building, or property; and
- (e) Such person’s or organization’s history of contributions to the City of Clarksville; or
- (f) Such person’s or organization’s heroic service or personal sacrifice to the City of Clarksville, State of Tennessee, or United States of America; and
- (g) Such person’s history of residency in the city, including duration and location of such residence; and
- (h) The history of the street, facility, park, building, or property being requested for distinction, including its current and prior name(s), official and prior honorary.

Section 12-1214. Evaluation of Application.

- (a) The Clarksville Designations Committee shall consider how the requested name, sign and/or location could impact public safety, road and right-of-way maintenance, current sign regulations and any other factors that may

negatively affect the public or City. The Clarksville Designations Committee shall forward the results of its vote to recommend approval or denial of the naming or sign request in the form of a resolution to the City Council. After a review of all information, the City Council shall approve or deny the request by majority vote.

- (b) The Clarksville Designations Committee review process shall not apply to signs on State highways and under the control of TDOT.
- (c) Requests initiated by elected City of Clarksville officials are exempt from the payment of the \$250.00 administrative processing fee.

Section 12-1215. Requests to Be Made Per Year.

No more than one (1) application seeking to honor a specific, named individual or organization shall be considered each year by the Clarksville Designations Committee. If an application to honor an individual or organization is submitted and denied, that honoree shall not be considered by the Committee until twelve (12) months following the denial.

Section 12- 1216. Streets and Bridges - Honorary Naming.

The honorary naming of a City street or bridge means the naming of a City street or bridge that is already in existence, with the intent to recognize and honor certain individuals or organizations who have made a positive impact upon the City of Clarksville based upon the aforementioned criteria. The official name of the street or bridge would not be changed under this category.

Section 12-1217. “Home-of” Signs.

- (a) “Home of” Signs are signs which are intended to recognize and honor residents or certain individuals who previously resided in the City of Clarksville, for their contribution to the City of Clarksville, the State of Tennessee, or the United States of America.
- (b) The application for nomination and administrative processing fee in the amount of \$250.00 (Two Hundred Fifty Dollars and No Cents) shall be filed with the City Clerk and addressed to the Clarksville Designations Committee.
- (c) The criteria to be considered by the Clarksville Designations Committee shall be the same criteria considered when naming a city street, facility, building, park, or other property as set forth in Section 12-1213.
- (d) Upon approval of the application, “home of” signs shall be erected in accordance with the Building and Codes provisions at the entrances to the City.

(e) “Home of” signs shall be for a temporary basis.

Section 12-1218. Cost of an Honorary Sign or “Home of” Sign.

The City of Clarksville Street Department shall absorb the costs, as determined by the City of Clarksville Street Department, for making and installing the “home of” and honorary signs.

Section 12-1219. Duration for Home of and Honorary Signs to be in place.

The mayor of the City of Clarksville shall have the discretion to remove any “home of” signs or honorary signs.

Section 12-1220. Design and Placement of Honorary and “Home of” Signs

The design and placement of honorary and “Home Of” signs shall be at the discretion of the City of Clarksville Street Department.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 18-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SYD HEDRICK FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF GREENWOOD AVENUE AND CLARK 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 R-3 Three Family Residential District, as R-6 Single Family Residential District.

PUBLIC HEARING: August 6, 2015

FIRST READING: August 6, 2015

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin at the intersection of the east margin of Greenwood Ave. and the south side of Clark St., and runs thence with the south line of Clarks Street, back of the sidewalk serving same, south 84 degrees 103.77 feet to an iron pin; thence on a new line south 11 degrees 22 minutes east 31.95 feet; thence south 3 degrees 39 minutes east 93.53 feet to an iron pin; thence north 85 degrees 31 minutes west 83.83 feet to an iron pin in the south margin of Greenwood Ave, back of sidewalk, north 19 degrees 03 minutes west 129 feet to the point of beginning. containing 0.27 +/- acres, further identified as (Tax Map 66-K-L, Parcel 1.00)

ORDINANCE 19-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ACTION PROPERTIES, JOHN KREASKE-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF KRAFT 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 M-1 Light Industrial District, as C-2 General Commercial District.

PUBLIC HEARING: August 6, 2015

FIRST READING: August 6, 2015

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point 450 +/- feet northwest of the Kraft St. and Providence Blvd. intersection said point further identified as the southeast corner of the ACI Development Group Property and located in the northern ROW of Kraft St., thence in a northerly direction 232 +/- feet with the eastern boundary of the ACI Development Group property to a point, said point being located in the southern boundary of the Harry L. Arthur property, thence in a easterly direction 402 +/- with the Harry L. Arthur property to a point said point being the northwest corner of the John D. Kraeske, thence in a southerly direction 202 +/- feet with the western boundary of the Kraeske property to a point, said point being in the northern ROW of Kraft St., thence in a westerly direction 305 +/- feet with the northern ROW of Kraft St. to the point of beginning, said tract containing 1.57 +/- acres, further identified as (Tax Map 55-O-A, Parcel(s) 10.00, 11.00 & 12.00)

ORDINANCE 20-2015-16

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HUNEYCUTT PROPERTIES, L.P., FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF WARFIELD BOULEVARD AND STOKES ROAD

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

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

PUBLIC HEARING: August 6, 2015
FIRST READING: August 6, 2015
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Being Lot. No. 22 and section of Lot No. 21 Volunteer Estates Subdivision Section 1, Beginning at a concrete marker in the northerly right of way of Warfield Boulevard; thence north 4 degrees 13 minutes 32.7 seconds west 33.49 feet to the line by plat of Lot no. 22 thence 129.96 feet to an existing iron pin, for a total of 162.75 feet; thence north 85 degrees 46 minutes 27.3 seconds east 140.673 feet to an existing iron pin; thence south 5 degrees 34 minutes 53.4 seconds east 129.296 feet to the line by plat of Lot no. 2; thence 54.90 feet to the right of way, for a total of 184.10 feet; thence north 85 degrees 52 minutes 23 seconds west 146.58 feet to the point of beginning, said tract containing 0.52 +/- acres, further identified as (Tax Map 41-L-A, Parcel 18.00)



CLARKSVILLE CITY COUNCIL SPECIAL SESSION AUGUST 6, 2015

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, August 6, 2015, at 6:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilman James Lewis.

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), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Jeff Burkhart (Ward 12)

ABSENT: Bill Powers (Ward 11)

DOWNTOWN MARKET ANALYSIS

Randall Gross, Development Economics, presented his market analysis for Clarksville's Downtown. Mr. Gross said Clarksville's Downtown has definite potential for development and revitalization. Economic potentials include office, hotel, housing, and retail. A plan for marketing, outreach planning, management, and financing should be considered. He said Downtown draws 70% of its market from Montgomery County and the rest from outlying areas. His study showed county-wide manufacturing and private sector jobs had increased since 2000, but 55% of jobs were within the public sector (city, county, state, and federal).

The analysis showed Downtown has a unique historical context and asset base with an “old town” natural setting on the bluff. Annual events were well programmed and organized, but a lack of connectivity between Downtown, the Cumberland River, and Austin Peay State University was evident. Government and banking seem to be the major market drivers. Mr. Gross said there was a lack of office space for information technology, administrative, professional, legal, and management services.

Mr. Gross’s report revealed that Downtown attractions host 24,000 visitors per year, mostly local residents. He predicted an additional 1,400 visitors per year would attend over the next few years creating the need for a conference center and increased hotel market. The study showed the potential for an additional 700 households, including 2,200 tenants, earning between \$100,000 and \$150,000, to reside in the downtown area by 2020.

According to the analysis, the current Downtown shopping market was mainly for lumber and automobiles. Mr. Gross noted the need for an anchor store along with cultural and specialty retail shops and entertainment venues. It was recommended that the City consider a hotel/conference center with available meeting space which would create a destination for visitors and ultimately enhancing retail.

ADJOURNMENT

The meeting was adjourned at 7:05 p.m. followed by the City Council’s regular session.



CLARKSVILLE CITY COUNCIL REGULAR SESSION AUGUST 6, 2015

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Richard Garrett (father of Councilman Richard Garrett) asked the Council to approve amendments to the Ethics Code regarding indirect benefits. Rev. Tommy Bailey has requested to share information about a local "Stop Violence Organization" but was not present.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, August 6, 2015, at 7:25 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman David Allen; the Pledge of Allegiance was led by Councilman James Lewis.

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), Joel Wallace, Mayor Pro Tem (Ward 9), Mike Alexander (Ward 10), Jeff Burkhart (Ward 12)

ABSENT: Bill Powers (Ward 11)

PUBLIC HEARING

Councilman Grubbs made a motion to conduct a public hearing to receive comments regarding requests for zone change. The motion was seconded by Councilwoman McLaughlin. There was no objection.

ORDINANCE 5-2015-16 (First Reading; Postponed July 2) 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

Herb Patrick asked for support of this change on behalf of the applicant. No one expressed opposition.

ORDINANCE 18-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Syd Hedrick for zone change on property at the intersection of Greenwood Avenue and Clark Street from R-3 Three Family Residential District to R-6 Single Family Residential District

Syd Hecrick asked for support of this change. No one expressed opposition.

ORDINANCE 19-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Action Properties, John Kreaske-Agent, for zone change on property at the intersection of Kraft Street and Providence Boulevard from M-1 Light Industrial District to C-2 General Commercial District

No one expressed support for or opposition to this request.

ORDINANCE 20-2015-16 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Honeycutt Properties, LP, for zone change on property at the intersection of Warfield Boulevard and Stokes Road from R-1 Single Family Residential District to C-2 General Commercial District

No one expressed support for or opposition to this request.

RESOLUTION 6-2015-16 Adopting the Metropolitan Transportation Plan and Greenway-Blueway Master Plan as part of the General Regional Plan

There were no public comments regarding this plan.

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

ADOPTION OF ZONING

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 5-2015-16**; 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 Redd. The following vote was recorded:

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

NAY: McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 18-2015-16**; 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 Redd. The following vote was recorded:

AYE: Alexander, Allen, Burkhardt, Garrett, Grubbs, Guzman, Lewis, Redd, Smith, Wallace

NAY: McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 19-2015-16**. 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, Burkhardt, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 20-2015-16**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Alexander objected to the change because of traffic congestion on Wilma Rudolph Boulevard. The following vote was recorded:

AYE: Burkhardt, Garrett, Grubbs, Guzman, Lewis, Redd, Wallace

NAY: Alexander, Allen, McLaughlin, Smith

The motion to adopt this ordinance on first reading passed.

ADOPTION OF TRANSPORTATION PLAN

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 6-2015-16**. Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Redd

The motion to adopt this resolution passed.

CONSENT AGENDA

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

1. **ORDINANCE 1-2015-16** (Second Reading) Amending the Official Code relative to the Occupational Safety & Health Program
2. **ORDINANCE 2-2015-16** (Second Reading) Accepting donation of real property for the Deer Hollow Pump Station
3. **ORDINANCE 3-2015-16** (Second Reading) Authorizing extension of utilities to property on Lafayette Road; request of Lawson Mabry
4. **ORDINANCE 4-2015-16** (Second 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
5. **ORDINANCE 6-2015-16** (Second 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
6. **ORDINANCE 7-2015-16** (Second 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
7. **ORDINANCE 8-2015-16** (Second 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
8. **ORDINANCE 9-2015-16** (Second 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
9. Adoption of Minutes: Special Sessions June 25, June 29, June 30, July 2, July 6, July 7 and Regular Session July 2
10. Approval of Board Appointments:

Senior Citizens Board: Claudia Erb, Laura Ruizdesparza, Dick Stovall, Howard Welch – May 2015 through April 2018

Councilman Lewis made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Redd. The following vote was recorded:

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

The motion to adopt the Consent Agenda as presented passed.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said bids had been awarded for \$65,950 for playground equipment and \$95,833 for new ADA-compliant restroom facilities at Edith Pettus Park.

FINANCE COMMITTEE

Joel Wallace, Chair

ORDINANCE 12-2015-16 (First Reading) Amending the FY16 Internal Audit Budget for a HIPPA Assessment

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Wallace said these funds were previously allocated in the FY15 Budget, but the project had not been completed. The following vote was recorded

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 13-2015-16 (First Reading) Accepting donation of property from Clarksville Capital Corporation for an access easement for the Upland Trail

The recommendation of the Finance Committee was for approval of this ordinance. Councilman Wallace made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis. Councilman Wallace said this easement would allow the City access to F & M Bank property during construction along the Upland Trail. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 14-2015-16 (First Reading) Amending the Official Code to establish the Parking Commission

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

Councilwoman McLaughlin felt that parking citation appeals should be heard by the City Judge and fees should be determined by the City Council. Councilwoman McLaughlin made a motion to postpone first reading to the next regular session. The motion was seconded by Councilman Alexander. Following discussion, there was objection to the motion and second being withdrawn. The following vote on the original was recorded:

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

NAY: McLaughlin

The motion to adopt this ordinance on first reading passed.

RESOLUTION 4-2015-16 Amending RESOLUTION 17-2014-15 to provide for issuance and reimbursement of general obligation public improvement bonds not to exceed \$8,550,000

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. The additional \$400,000 was for Fire Station 11. Because this proposed issue would include funding for purchase of 215 Legion Street (Bank of America property), Councilwoman McLaughlin made a motion to table this resolution until after consideration of **ORDINANCE 16-2015-16**. The motion was seconded by Councilman Alexander. Councilman Wallace explained that this resolution would provide for reimbursement of expenses prior to issuance of bonds. The motion and second were withdrawn without objection. Finance Director Laurie Matta said projects covered by this issue that were already being expended were Fire Station 12, a ladder truck, salt complex, sidewalks, and river bank stabilization. The following vote on the original motion was recorded:

AYE: Alexander, Burkhart, Garrett, Grubbs, guzman, Lewis, Redd, Smith, Wallace

NAY: Allen, McLaughlin

The motion to adopt this resolution passed.

RESOLUTION 5-2015-16 Authorizing the initial intent for issuance and reimbursement of \$9,750,000 general obligation public improvement bonds

The recommendation of the Finance Committee was for approval of this resolution. Councilman Wallace made a motion to adopt this resolution. The motion was seconded by Councilman Lewis. Councilman Wallace said the bonds will be issued when the market is favorable. The following vote was recorded:

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

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Wallace Redd, Chair

ORDINANCE 15-2015-16 (First Reading) Authorizing extension of utilities to property on International Boulevard; request of WEB Development

The recommendation of the Gas & Water Committee was for approval of this ordinance. 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, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, Redd, Smith, Wallace

The motion to adopt this ordinance on first reading passed.

PARKS, RECREATION, GENERAL SERVICES

Valerie Guzman, Chair

Councilwoman Guzman said the maintenance department completed 28 work orders during July and invited the public to the annual Riverfest event September 10 through 12.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

RESOLUTION 3-2015-16 Authorizing a Memorandum of Understanding with the Tennessee Department of Transportation and the Tennessee Department of Safety & Homeland Security establishing the Open Roads Policy

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

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

The motion to adopt this resolution passed.

Councilman Grubbs shared the following monthly department statistics: Police – 14,116 responses; Fire & Rescue – 1,055 emergency calls; Building & Codes Construction Division – 1,709 inspections; Building & Codes Enforcement Division – 488 cases; Building & Codes Abatement Division – 81 work orders; Building & Codes Administration – 61 single family permits.

STREET COMMITTEE

James Lewis, Chair

Councilman Lewis said the Street Department completed 211 work orders during the month of July.

TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

Councilwoman McLaughlin shared the following monthly department statistics: Clarksville Transit System – 60,130 passengers; 84% increase in “Seniors Ride Free” day; Clarksville-Nashville Express – 5,780 passengers; Garage – 349 work orders.

DESIGNATIONS COMMITTEE

Wallace Redd, Chair

ORDINANCE 17-2015-16 (First Reading) Amending the Official Code relative to public property designations

The recommendation of the Designations Committee was for approval of this ordinance. Councilman Redd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Lewis.

Councilman Redd made a motion to amend the ordinance by deleting the second sentence in Sec. 12-1217(e), “the mayor shall have the discretion to remove any home of signs.” The statement was already included in a previous section. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

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

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

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

CODE OF ETHICS

ORDINANCE 11-2015-16 (First Reading) Amending the Official Code relative to Code of Ethics to delete provisions pertaining to indirect interests

Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. Councilman Wallace said this change would affect not just elected officials, but all city officials and employees. Councilman felt the Code should prohibit direct benefits, not indirect benefits. City Attorney Lance Baker said the amendment would apply to all benefits, not just those of a financial nature. Councilman Allen said the term “indirect” was too broad and could not be specifically defined and made a motion to amend Sec. 1605(a) by deleting “or derive any benefit,” and by deleting “or indirectly from.” The motion was seconded by Councilman Garrett. The following vote was recorded:

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

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

Councilman Allen's amendment failed. Councilman Redd called for the question. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

NAY: Garrett, McLaughlin

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

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

NAY: Grubbs, Lewis, McMillan, Redd, Wallace

Although this motion received seven affirmative votes, which is required for adoption of an ordinance, it was determined on August 7, 2015, by the City Attorney that this motion failed because the recently ratified Official Charter, Article VI, Section 10, requires a 2/3 majority vote of the full Council (nine affirmative votes) to adopt amendments to the Ethics Code.

215 LEGION STREET (BANK OF AMERICA PROPERTY)

ORDINANCE 16-2015-16 (First Reading) Authorizing purchase of real property located at 215 Legion Street

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

Councilman Allen offered an amendment to require that the property be purchased within 90 days of adoption of this ordinance, then transferred to the Two Rivers Company in fee simple. The motion was seconded by Councilman Alexander.

Councilman Redd made a motion to postpone this amendment to the next regular session. The motion was seconded by Councilman Alexander. Councilman Burkhart stated he would abstain from voting because of his business relationship with the property owner. The following vote was recorded:

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

NAY: Burkhart

The motion to postpone the amendment passed. Councilman Redd made a motion to postpone this ordinance to the next regular session. The motion was seconded by Councilman Lewis. Councilman Alexander, Councilman Allen, Councilwoman McLaughlin, and Councilman Garrett said the City and County should work together to purchase and develop this property. Councilman Redd opposed joint ownership. Councilman Alexander called for the question on the motion to postpone the ordinance. The question was seconded by Councilman

Lewis. The following vote to cease discussion on the motion to postpone the ordinance was recorded:

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

NAY: Burkhart

The motion to cease discussion on the motion to postpone passed. The following vote on the motion to postpone this ordinance was recorded:

AYE: Grubbs, Guzman, Lewis, McMillan, Redd, Smith

NAY: Alexander, Allen, Garrett, McLaughlin, Wallace

The motion to postpone this ordinance to the next regular session passed.

DIRECTOR OF FINANCE

RESOLUTION 7-2015-16 Terminating Laurie Matta as Commissioner of Finance/Director of Finance/Chief Financial Officer

Councilman Allen made a motion to adopt this resolution. The motion was seconded by Councilwoman McLaughlin for purposes of discussion. Councilman Allen said Ms. Matta had not obtained a Certified Public Accountant license as she agreed to upon employment. Mr. Baker informed the Council that a CPA license was not required for the position of Director of Finance, nor was it required by the resolution of appointment. He said the holder of the office is only required to obtain the Certified Municipal Finance Officer certification which Ms. Matta did receive. Mr. Baker said department heads can be disciplined only by the Mayor for just cause and neither the Charter or Code provide for discipline to be initiated by the City Council.

The Council recessed at 9:45 for approximately five minutes to allow the videographer to install an additional recording disc.

Councilman Allen shared segment of the video recording of the June 6, 2013 regular session during which Ms. Matta was appointed. Councilman Allen then made a motion to postpone action on this resolution indefinitely. The motion was seconded by Councilwoman McLaughlin.

Councilman Wallace left the meeting at 9:59 p.m.

Councilman Burkhart called for the question. The question was seconded by Councilman Lewis. A voice vote was taken; the motion to cease discussion on the motion to postpone passed without objection. The following vote on the motion to postpone was recorded:

AYE: Allen, McLaughlin, Smith

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

The motion to postpone this resolution indefinitely failed. Councilman Burkhart called for the question. The question was seconded by Councilman Alexander. A voice vote was taken; the motion passed without objection. The following vote on the original motion was recorded:

AYE: Allen

NAY: Alexander, Burkhart, Garrett, Grubbs, Guzman, Lewis, McLaughlin, McMillan, Redd, Smith

The motion to adopt this resolution failed.

PUBLIC ART COMMISSION

Because these appointments were not on the previous executive session agenda, Councilwoman McLaughlin made a motion to consider appointments to the Public Art Commission. The motion was seconded by Councilman Lewis. The following vote was recorded:

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

The motion to consider the appointments passed by the required 3/4 majority. Councilwoman McLaughlin made a motion to approve the following appointments. The motion was seconded by Councilman Burkhart.

Public Art Commission: Linda Turner, Mike Fink – August 2015 through May 2019; Jennifer Snyder – August 2015 through May 2016

The following vote was recorded:

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

MAYOR AND STAFF REPORTS

There were no Mayor or Staff reports.

ADJOURNMENT

The meeting was adjourned at 10:04 p.m.



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
AUGUST 17, 2015**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Monday, August 17, 2015, at 6:00 p.m. at the Wilma Rudolph Event Center, 1188 Cumberland Drive, Clarksville, Tennessee.

A prayer was offered by Councilman Mike Alexander; the Pledge of Allegiance was led by Councilman James Lewis.

ATTENDANCE

PRESENT: James Lewis (Ward 3), Geno Grubbs (Ward 7), Joel Wallace (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11)

ABSENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), Wallace Redd (Ward 4), Valerie Guzman (5), Wanda Smith (6), David Allen (Ward 8), Jeff Burkhart (12)

DOWNTOWN REDEVELOPMENT PRESENTATION

The presenter, Randall Gross of Development Economics, had previously agreed to present his findings for downtown redevelopment through a contract with the Two Rivers Company; however, Mr. Gross was not present.

Mayor McMillan announced that due to lack of a quorum no business would be conducted.

ADJOURNMENT

The meeting adjourned at 6:05 p.m.

ORDINANCE 21-2015-16

AN ORDINANCE AUTHORIZING DONATION OF PROPERTY ON PROVIDENCE COURT FOR COMMUNITY DEVELOPMENT

WHEREAS, the Community Development Committee was established by the Mayor and City Council to identify community needs and to recommend affordable housing programs for community development and;

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 have the city donate property located at Providence Court (Map, Group and Parcel 54E C 002.01) for the purpose of donating it to a Buffalo Valley a non-profit Community Housing Development Organization, to build affordable stick built single-family houses on the site: 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 Clarksville City Council hereby authorizes donation of property on Providence Court, described in Exhibit A, to Buffalo Valley for Community Development.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT "A"

A certain parcel of land located in Montgomery County, Tennessee, as follows:

Being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, and 22, Providence Pointe, as shown on recorded Plat of record in Plat Book F, Page 773, in the Register's Office of Montgomery County, Tennessee, to which said plat is made a part hereof and incorporated herein by reference.

This being a portion of the same property conveyed unto **City of Clarksville, Grantor**, by deed of record in Official Record Book Volume 1154, Page 2127, in the Register's Office for Montgomery County, Tennessee.

This property is subject to building setback lines, utility, and drainage easements, and all other matters as shown on the recorded plat and subject to Restrictive Covenants and Homeowners Association By-Laws of record in Official Record Book Volume 1307, Page 1633-1668, in the Register's Office for Montgomery County, Tennessee.

This property is identified as Tax Parcel #54E-C-2.01 (portion of) in the Montgomery County Tax Assessor's Office.

MEMORANDUM

For: City Of Clarksville Finance Committee

From: Keith D. Lampkin - Director

Re: Donation – Providence Pointe - Donation

Date: August 10, 2015

Our office developed a single-family subdivision on a former dilapidated trailer park site in 2008, and named it Providence Pointe. The subdivision is located in North Clarksville just off Peachers Mill Road across from Byrns Darden Elementary School, and contains seventeen (17) undeveloped parcels.

The Providence Pointe project was created with funds from the Community Development Block Grant Program (CDBG) and the HOME Investment Partnership Program (HOME), from the US Department of Housing and Urban Development (HUD), in accordance with 24 CFR 570.204(a), (c). A qualified a Community-Based Development Organization (CBDOs) is allowed to construct new housing on the site.

Disposition of real property (24 CFR 570.201(b), states property purchased with CDBG funds may be dispose of, provided the property and use will meet a National Objective. Transfer of the seventeen (17) parcels to Buffalo Valley can occur through a donation by the City Council. Buffalo Valley has agreed to accept the parcels and to undertake the building of seventeen new (17) stick built single-family houses on the site. Buffalo Valley will build the houses for income-qualified veteran's, disabled veterans, and low to moderate-income families, which will meet a National Objective.

Attachments:

This instrument was prepared by **B. Nathan Hunt** of the law firm of Patton & Pittman, 101 North Third Street, Clarksville, Tennessee 37040; (931) 647-5242; www.pattonandpittman.com.

**Name & Address of
Property Owner:**

Buffalo Valley, Inc.
415 S. Park Street
Hohenwald, Tennessee 38462-1835

**Name & Address of Person Responsible for
Payment of Taxes:**

Same

CITY OF CLARKSVILLE, a Tennessee Municipal Corporation

TO: SPECIAL WARRANTY DEED

BUFFALO VALLEY, INC., a Tennessee Non-Profit Corporation

FOR A CASH CONSIDERATION, this day in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF CLARKSVILLE, a Tennessee Municipal Corporation**, as **Grantor** and in this deed called the "**Grantor**", does hereby transfer and convey unto **BUFFALO VALLEY, INC., a Tennessee Non-Profit Corporation**, as **Grantee** and in this deed called the "**Grantee**", its successors and/or assigns, a certain parcel of land located in the Seventh (7th) Civil District of Montgomery County, Tennessee, as follows:

Being Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, and 22, Providence Pointe, as shown on recorded Plat of record in Plat Book F, Page 773, in the Register's Office of Montgomery County, Tennessee, to which said plat is made a part hereof and incorporated herein by reference.

This being a portion of the same property conveyed unto **Grantor** by deed of record in Official Record Book Volume 1154, Page 2127, in the Register's Office for Montgomery County, Tennessee.

This property is subject to building setback lines, utility, and drainage easements, and all other matters as shown on the recorded plat and subject to Restrictive Covenants and Homeowners Association By-Laws of record in Official Record Book Volume 1307, Pages 1633-1668, in the Register's Office for Montgomery County, Tennessee, and Storm Water Maintenance Agreement, of record in Official Record Book Volume 1293, Pages 646-649, in the Register's Office for Montgomery County, Tennessee

This property is identified as Tax Parcel #54E-C-2.01 (portion of) in the Montgomery County Tax Assessor's Office.

Providence Pointe is a government funded affordable housing development and, as such, the property is subject to a restriction on transferability for a period of not less than twenty (20) years. **Grantee**, its successors and/or assigns, shall not sell, transfer, or assign the subject property to a person or entity, excluding transfers to encumber the property with a Deed of Trust, unless said person is a qualified buyer under the City of Clarksville, Office of Housing

and Community Development, affordable housing criteria, for low-to-moderate income persons as set forth in 24 CFR, Part 92.

TO HAVE AND TO HOLD said parcels of land, with the appurtenances, estate, title, and interest thereto belonging to said **Grantee**, its heirs and assigns, forever.

GRANTOR does hereby covenant with **Grantee** that **Grantor** has not made, done, executed, allowed or suffered any act, instrument or thing whatsoever whereby said land, or any part thereof; now or at any time hereafter shall be charged or encumbered in any manner whatsoever, except as herein set forth; and **Grantor** does further covenant and bind itself; its successors and representatives, to warrant and forever defend the title to said land to said **Grantee**, its successors and/or assigns, against the lawful claims of all persons claiming by, through or under said **Grantor**, but not otherwise.

GRANTEE joins herein to acknowledge the restriction on transferability and agrees to be bound by the same.

IN WITNESS WHEREOF, **Grantor** has hereunto signed on this the ____ of _____, 2015.

**CITY OF CLARKSVILLE,
a Tennessee Municipal Corporation**

By: _____
Sylvia Skinner, City Clerk

By: _____
Kim McMillan, Mayor
Grantor

STATE OF TENNESSEE)
COUNTY OF MONTGOMERY)

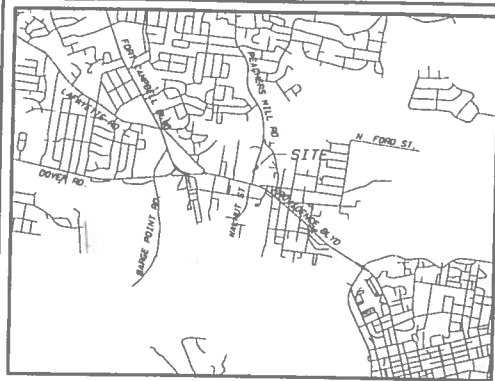
Personally appeared before me, the undersigned, a Notary Public, in and for said County and State, **Kim McMillan, Mayor, and Sylvia Skinner, City Clerk**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that they executed the within instrument for the purposes therein contained and who further acknowledged that they are the **Mayor and City Clerk, respectively of the maker, City of Clarksville, a Tennessee Municipal Corporation**, and they are authorized by the maker or by its constituent, the constituent being authorized by the maker, to execute this instrument on behalf of the maker.

WITNESS MY HAND AND SEAL, of office, this ____ day of, 2015.

My Commission expires: _____.

NOTARY PUBLIC

SEAL



VICINITY MAP

LINE	RADIUS	ARC	DELTA	TANGENT	CHORD	BEARING	CHORD
C1	25.00'	39.22'	89°52'50"	24.95'	N53°14'30"E	35.32'	
C2	25.00'	39.32'	90°07'10"	25.05'	N36°45'21"W	35.39'	
C3	47.00'	73.93'	90°07'10"	47.10'	N36°45'21"W	66.54'	
C4	47.00'	73.94'	90°08'12"	47.11'	N53°22'20"E	66.55'	
C5	47.00'	73.72'	89°51'48"	46.89'	S36°37'40"E	66.39'	
C6	25.00'	39.32'	90°07'10"	25.05'	S36°45'21"E	35.39'	
C7	12.00'	18.82'	89°52'50"	11.98'	S53°14'39"W	16.99'	
C8	12.00'	18.82'	89°51'48"	11.97'	S36°37'40"E	16.95'	
C9	12.00'	18.88'	90°08'12"	12.03'	N53°22'20"E	16.99'	
C10	12.00'	18.87'	90°07'10"	12.03'	N36°45'21"W	16.99'	
C11	25.00'	39.06'	89°31'12"	24.79'	S53°25'28"W	35.21'	
C12	5905.94'	484.60'	4°42'13"	242.43'	S10°40'43"W	484.46'	

LEGEND

IP100 = IRON PIN OLD FOUND
 IP101 = 1/2" IRON PIN NEW SET CAP NO. 1037
 OM = GAS METER
 AC = AIR CONDITIONER PAD
 FTE = FINISH FLOOR ELEVATION
 R.O.W. = RIGHT OF WAY
 S.D.L. = MINIMUM BUILDING SETBACK LINE
 P.U.D. = PUBLIC UTILITY AND DRAINAGE EASEMENT
 POINT OF CURVATURE (P.C.)
 EASEMENT LINE
 B.M. = BENCHMARK
 CENTERLINE
 BOUNDARY LINE
 RIGHT-OF-WAY LINE

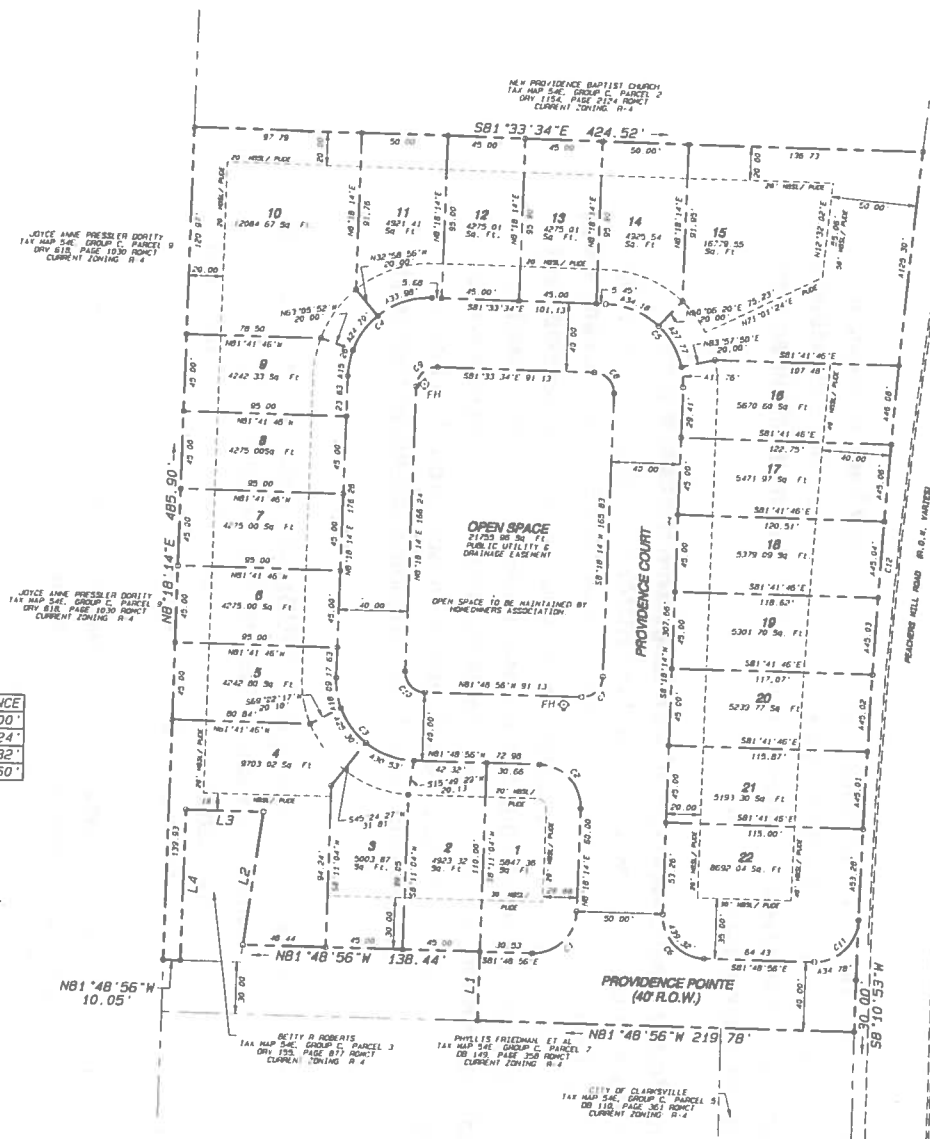
LINE	BEARING	DISTANCE
L1	N8°11'04"E	40.00'
L2	N15°00'04"E	78.24'
L3	N61°55'44"W	45.32'
L4	S8°17'04"W	87.60'

General Notes:
 1. A minimum of five feet along the inside of all side lot lines & ten feet along the inside of all rear lot lines is reserved as a utility and/or drainage easement.
 2. All easements shown may be used for power, telephone, gas, sanitary sewer, storm sewer, water, cable, & surface drainage, as well as the designed use.
 3. It will be the responsibility of the subdivisor or the owner to include the above referenced easements as an integral part of the subdivision in such a manner that said areas will be owned & maintained by the present owner or by a prospective property owner.
 4. All front & side street setbacks shall be as shown.
 5. Bearings & distances shown take precedence over scale.
 6. All driveway culverts shall be a minimum of 18" diameter x 20'.
 7. Any lot in this subdivision may be re-platted with the approval of the Clarksville Montgomery County Regional Planning Commission.

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY & THE RATIO OF PRECISION OF THE UNADJUSTED TRAVERSE IS GREATER THAN 1:10,000. THAT I AM NOT LIABLE FOR ANYTHING THAT IS CHANGED, THAT THESE LINES ARE BASED UPON THE LATEST RECORDED PLAT OR DEED AS WELL AS OTHER DATA THAT IS AVAILABLE TO ME AT THIS TIME. THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE, BELIEF, & PROFESSIONAL OPINION.

SAID PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAYS & CONVEYANCES OR RECORD, & RESTRICTIONS.
 NO TITLE REPORT HAS BEEN FURNISHED TO THIS SURVEYOR. THEREFORE, THIS SURVEY IS SUBJECT TO FINDINGS OF AN ACCURATE TITLE REPORT. SURVEY IS SUBJECT TO CHANGE CONTINGENT UPON RECEIPT OF A CURRENT ABSTRACT OR TITLE POLICY COVERING THE PROPERTY SHOWN HEREON.

Suiter Surveying & Land Planning, Inc.
 P.O. Box 30271
 1805-A Alpine Drive
 Clarksville, TN 37040
 Ph. # (931) 920-1750
 Fax # (931) 920-8490



NORTH AS PER TENNESSEE
 STATE PLANE COORDINATE SYSTEM, NAD 83

**FINAL PLAT OF
 PROVIDENCE POINTE**
 DEED BOOK 1154 PAGE 2127
 SEVENTH CIVIL DISTRICT
 MONTGOMERY COUNTY, TENNESSEE
 DATE: OCTOBER 20, 2008
 SCALE: 1" = 50'
 AREA: 4.415 ACRES +/-
 ZONING: PUD-2

CERTIFICATE OF OWNERSHIP AND DEDICATION I / WE HEREBY CERTIFY THAT I / AM / WE ARE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I / WE HEREBY ADAPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT ESTABLISHING THE MINIMUM BUILDING RESTRICTION LINES AND DEDICATE ALL STREETS, ROADS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN. OWNER(S) _____ DATE _____		NOTARIZATION STATE OF TENNESSEE, MONTGOMERY COUNTY PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY. THE WITHIN NAMED BARGAINOR(S), WITH WHOM I AM PERSONALLY ACQUAINTED AND WHO ACKNOWLEDGED THAT THEY EXECUTED THE WITHIN DESCRIBED INSTRUMENT. MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____ DATE _____		CERTIFICATE OF ACCURACY I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREON IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY THE CLARKSVILLE, MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION AND THAT THE INSTRUMENTS HAVE BEEN PLACED AS SHOWN HEREON. BILLY RAY SUITER _____ DATE _____		CERTIFICATE OF APPROVAL OF UTILITIES I HEREBY CERTIFY THAT ALL WATER, SEWER, AND GAS LINES HAVE BEEN INSTALLED IN AN ACCEPTABLE MANNER AND ACCORDING TO CITY / UTILITY DISTRICT SPECIFICATIONS OR THAT A SURVEY BOND IN THE AMOUNT OF _____ HAS BEEN POSTED WITH THIS OFFICE TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT. CITY ENGINEER OR UTILITY DIST. OFFICIAL DATE _____		CERTIFICATE OF APPROVAL FOR ACCESS EASEMENT THE CITY OF CLARKSVILLE STREET DEPT. ASSUMES NO RESPONSIBILITY OF THE 50 FOOT INDRESS & EGRESS EASEMENT SHOWN ON THIS PLAT. SUPER CITY STREETS OR CO HWY SUPER DATE _____		CERTIFICATE OF APPROVAL FOR RECORDING I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON COMPLIES WITH ALL SUBDIVISION REGULATIONS FOR MONTGOMERY COUNTY, TENNESSEE WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS NOTED IN MINUTES OF THE COMMISSION AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE MONTGOMERY COUNTY REGISTER. DIR. CLARK-MONT. CO. REG. PLAN. COMM. DATE _____		FINAL PLAT OF PROVIDENCE POINTE FINAL PLAT 10-20-08 DEED REFERENCE: DEED BOOK 1154 PAGE 2127 TOTAL ACRES: 4.615 +/- TOTAL LOTS: 22 ACRES NEW ROAD: 1.02 +/- MILES NEW ROAD: 0.20 OWNER: CITY OF CLARKSVILLE CIVIL DISTRICT: 7TH SCALE: 0 50 100 1" = 50'	
--	--	--	--	--	--	--	--	--	--	---	--	---	--

Providence Pointe

Peachers Mill



RESOLUTION 8-2015-16

A RESOLUTION ACCEPTING THE PROPOSAL FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR A PARK & RIDE FACILITY AT THE INTERSECTION OF SR76 AND SOUTH GATEWAY PLAZA

WHEREAS, the Tennessee Department of Transportation proposes to construct a Park & Ride Facility in the City of Clarksville at the intersection of SR76 and South Gateway Plaza, designated as State Project #63950-2679-04.

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

That the Clarksville City Council hereby accepts the proposal from the Tennessee Department of Transportation, attached hereto as Exhibit A, for a Park & Ride Facility at the intersection of SR76 and South Gateway Plaza.

ADOPTED:

P R O P O S A L
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE CITY OF CLARKSVILLE, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the City of Clarksville, Tennessee, hereinafter "CITY", designated as designated as State Project No. 63950-2679-04, that is described as "Park and Ride Facility, Including Intersection at SR-76 and South Gateway Plaza", provided the CITY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The CITY will close or otherwise modify any of its roads, or other public ways if indicated on the project plans, as provided by law.

3. The CITY will transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the CITY or by any of its instrumentalities as required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water, not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the CITY, or any of its instrumentalities, the CITY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the CITY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the CITY.

The foregoing does not apply to those utility facilities which are owned by the CITY or one of its instrumentalities, it being understood that the CITY has the duty to relocate or adjust such facilities, if required, provided the CITY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the CITY.

5. The CITY will maintain any frontage road to be constructed as part of the project;

6. After the project is completed and open to traffic, the CITY will accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The CITY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as part of

the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the CITY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the CITY that all traffic control signs for the control of traffic on a street under the jurisdiction of the CITY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the CITY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the CITY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a CITY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the CITY agrees to waive enforcement of the CITY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a CITY zoning regulation or requirement, the CITY agrees to waive enforcement of the CITY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The CITY will prohibit encroachments of any kind upon the right-of-way and easements for the project.

14. The CITY will prohibit the servicing of motor vehicles within the right-of-way and easements for the project.

15. The CITY will obtain the approval of the DEPARTMENT before authorizing parking on the right-of-way and easements for the project and before installing any device for the purpose of regulating the movement of traffic.

16. The CITY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

17. The DEPARTMENT will maintain the completed project if it is classified as full access control (i.e. a project which has no intersecting streets at grade), and it will maintain the pavement from curb to curb where curbs exist or the full width of the roadway where no curbs exist on non-access control projects. The CITY agrees to maintain other parts of non-access control projects.

18. If a sidewalk is constructed as a component of this project, the CITY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT's maintenance responsibilities as set forth in section 17 of this Proposal.

19. When said project is completed, the CITY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person, firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.

20. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney General has received the notice and pleadings provided for herein.

21. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the CITY.

22. The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this the ____ day of _____, 20__.

THE CITY OF CLARKSVILLE, TENNESSEE

BY: _____
KIM McMILLAN

MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
JOHN C. SCHROER
COMMISSIONER

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
JOHN REINBOLD
GENERAL COUNSEL

DATE: _____

RESOLUTION 9-2015-16

A RESOLUTION ACCEPTING THE PROPOSAL FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE TYLERTOWN ROAD INTERSECTION

WHEREAS, the Tennessee Department of Transportation proposed to construct a project in the City of Clarksville designated as Federal Project No. PHSIP/HSIP-48(51), State Project No. 63014-2205-94, "SR48 Intersection at Tylertown Road (L.M.11.75 to L.M.11.96).

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

That the Clarksville City Council hereby accepts the proposal from the Tennessee Department of Transportation, attached hereto as Exhibit A, for the Tylertown Road intersection.

ADOPTED:

P R O P O S A L
OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE CITY OF CLARKSVILLE, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project in the City of Clarksville, Tennessee, hereinafter "CITY", designated as designated as Federal Project No. PHSIP/HSIP-48(51), State Project No.63014-2205-94, that is described as "S.R. 48 Intersection at Tylertown Road L.M.11.75 to L. M. 11.96", provided the CITY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, the parties agree as follows:

1. That in the event any civil actions in inverse condemnation or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the highway right-of-way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is 425 Fifth Avenue North, Nashville, Tennessee, 37243, of the institution of each civil action, the complaint and all subsequent pleadings, within ten (10) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense.

2. The CITY will close or otherwise modify any of its roads, or other public ways if indicated on the project plans, as provided by law.

3. The CITY will transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the CITY or by any of its instrumentalities as required for right-of-way or easement purposes, provided such land is being used or dedicated for road or other public way purposes.

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water, not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right-of-way of any road or other public way owned by the CITY, or any of its instrumentalities, the CITY agrees that it will take any action necessary to require the removal or adjustment of any of the above-described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the CITY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the CITY.

The foregoing does not apply to those utility facilities which are owned by the CITY or one of its instrumentalities, it being understood that the CITY has the duty to relocate or adjust such facilities, if required, provided the CITY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the CITY.

5. The CITY will maintain any frontage road to be constructed as part of the project;

6. After the project is completed and open to traffic, the CITY will accept for jurisdiction and maintenance such parts of any existing DEPARTMENT highway to be replaced by the project, as shown on the attached map.

7. The CITY will make no changes or alter any segment of a road on its road system that lies within the limits of the right-of-way acquired for any interchange to be constructed as part of the project and will not permit the installation or relocation of any utility facilities within the right-of-way of any such a segment of one of its roads without first obtaining the approval of the DEPARTMENT.

8. No provision hereof shall be construed as changing the maintenance responsibility of the CITY for such part of the project as may presently be on its highway, street, road or bridge system.

9. It is understood and agreed between the DEPARTMENT and the CITY that all traffic control signs for the control of traffic on a street under the jurisdiction of the CITY and located within the DEPARTMENT's right-of-way shall be maintained and replaced by the CITY.

10. When traffic control devices for the direction or warning of traffic, lighting of roadways or signing, or any of them, which are operated or function by the use of electric current are constructed or installed as part of the project, they will be furnished with electricity and maintained by the CITY.

11. If, as a result of acquisition and use of right-of-way for the project, any building and/or structure improvements become in violation of a CITY setback line or building and/or structure requirement, including, but not limited to, on-premise signs, the CITY agrees to waive enforcement of the CITY setback line or building and/or structure requirement and take other proper governmental action as necessary to accomplish such waiver.

12. If, as a result of acquisition and use of right-of-way for the project, any real property retained by any property owner shall become in violation of a CITY zoning regulation or

requirement, the CITY agrees to waive enforcement of the CITY zoning regulation or requirement and take other proper governmental action as necessary to accomplish such waiver.

13. The CITY will prohibit encroachments of any kind upon the right-of-way and easements for the project.

14. The CITY will prohibit the servicing of motor vehicles within the right-of-way and easements for the project.

15. The CITY will obtain the approval of the DEPARTMENT before authorizing parking on the right-of-way and easements for the project and before installing any device for the purpose of regulating the movement of traffic.

16. The CITY will not install or maintain any device for the purpose of regulating the movement of traffic on the roadway except as warranted and in conformity with the Manual on Uniform Traffic Control Devices.

17. The DEPARTMENT will maintain the completed project if it is classified as full access control (i.e. a project which has no intersecting streets at grade), and it will maintain the pavement from curb to curb where curbs exist or the full width of the roadway where no curbs exist on non-access control projects. The CITY agrees to maintain other parts of non-access control projects.

18. If a sidewalk is constructed as a component of this project, the CITY shall be responsible for maintenance of the sidewalk and shall assume all liability for third-party claims for damages arising from its use of the sidewalk or premises beyond the DEPARTMENT's maintenance responsibilities as set forth in section 17 of this Proposal.

19. When said project is completed, the CITY thereafter will not permit any additional median crossovers, the cutting of the pavement, curbs, gutters and sidewalks, by any person,

firm, corporation, or governmental agency, without first obtaining the approval of the DEPARTMENT.

20. The DEPARTMENT will acquire the right-of-way and easements, construct the project and defend any inverse condemnation for damage or civil actions of which the Attorney General has received the notice and pleadings provided for herein.

21. The project plans hereinbefore identified by number and description are incorporated herein by reference and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the CITY.

22. The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto.

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this the ____ day of _____, 20__.

THE CITY OF CLARKSVILLE, TENNESSEE

BY: _____
MAYOR

DATE: _____

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: _____
JOHN C. SCHROER
COMMISSIONER

DATE: _____

APPROVED AS TO FORM AND LEGALITY:

BY: _____
JOHN REINBOLD
GENERAL COUNSEL

DATE: _____

ORDINANCE 22-2015-16

AN ORDINANCE AMENDING PART II (CODE OF ORDINANCES), TITLE 13 (UTILITIES AND SERVICE), CHAPTER 3 (GAS, WATER, AND SEWER SERVICE) SECTION 13-309 OF THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE

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

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

(1) That Section 13-309, pertaining to “Fee for new construction; service line,” is amended by deleting the entire section, and substituting therefore the following:

Sec. 13-309. - Fee for new connections; service line.

A) (1) The city shall charge connection fees for each metered customer added to the water and/or sewer system. Connection fees for all new construction shall be due and payable at the time the plumbing permit for connecting the structure to the outside water and/or sewer service is issued. No such permit shall be issued unless the connection fee is paid first. The following schedules shall be used for the various classifications of customers:

(2) Water and sewer connection fees for all new residential construction shall be based on the number of square feet of heated living area contained by the new construction. The area is to be computed as defined by the Veterans Administration. Mobile homes and other prefabricated structures that are moved onto a building site shall also be classified as new residential construction for this purpose. The fee per unit shall be as follows:

New residential construction water connection fee: Twenty cents (\$0.20) per square foot.

New residential construction sewer connection fee: Eighty cents (\$0.80) per square foot.

B) If inspection reveals a misrepresentation or understatement of the actual area of the permitted structure by an amount greater than five (5) percent, an adjustment of the fee shall be made and the additional area shall be charged to the holder of the building permit at twice the normal rate.

C) Water and sewer connection fees for existing residential construction and for new and existing commercial and industrial construction shall be based on the size of the primary water meter(s) serving the customer according to the following schedule:

Meter Size	Water Connection Fee	Sewer Connection Fee	
		New Construction	Existing Construction
3/4"	\$ 400	\$ 800	\$ 600
1"	800	1,500	1,000
1 1/2"	1,200	2,500	2,000
2"	1,800	4,000	2,500
3"	2,500	5,000	3,000
4"	3,500	8,000	5,000
6"	6,000	12,000	8,000
8"	10,000	20,000	15,000

D) (1) Secondary meters, yard, and irrigation meters: In addition to the primary meter supplying the customer, meters may be installed to record water flows such as for yard irrigation which do not enter the sewer system and consequently these flows do not result in a sewer charge. Secondary meters may also be installed to separate flows that formerly went through one meter such as when a master meter for an existing apartment complex is replaced by individual meters. Each additional meter is charged only the following fee:

(2) Water connection fee for yard/irrigation meters for new and existing construction and for other secondary meters that are added to existing customers to separate flows for billing purposes:

Meter Size	Meter Fee
3/4"	\$ 200.00
1"	250.00
1 1/2"	500.00
2"	800.00
3"	2,000.00
4"	3,500.00
6"	5,000.00

E) (1) Connection fees are not charged where existing services are being replaced unless such replacement results in an increase of meter size in which case a fee is charged equal to the difference between the connection fees for the original meter size and the fee for the new meter size.

(2) Connection fees are not charged where the applicable service is connected directly to a water or sewer main installed with Federal Community Development Grant funds.

(3) The above connection fee prices include the cost of the meter and the charge for tapping the main where applicable. The city shall make all water and sewer taps on mains that have been accepted by the city for operation and maintenance. The customer shall be responsible for all excavation, provision, and installation of tap materials, and backfilling. Taps on new main installations not yet accepted by the city shall be made by the installing contractor.

F) In cases where a tap on a city main is made without the requirement for a meter, such as for main extensions or a fire service line, a connection fee is charged as follows:

Water Tap Size	Fee
3/4"	\$150.00
1"	200.00
2"	250.00
3"	300.00
4"	350.00
6"	450.00
8"	650.00
10"	750.00

G) (1) Buildings requiring a fire service line six (6) inches in size or less, shall be required to pay a connection fee as set forth in subsection F above. A backflow prevention device meeting the requirements of Title 8, Section 8-407 (2)-(3) of the Clarksville Municipal Code shall be installed at the property boundary and become part of the fire system. The Chief Utility Engineer, at his sole discretion, may require the fire line be metered when it is determined to be in the City's best interest to do so.

(2) Buildings requiring a fire service line greater than six (6) inches shall be required to meter such service as well as meet the requirements of subsection G (1) above and pay a connection fee based on cost plus ten (10) percent. The cost includes the cost of the meter, all appurtenances, and a tapping fee as established in subsection F above.

(3) All fire service lines shall be separate and independent of any other water service line to the property/building.

H) Connections to city water mains by manipulating valves and adding fittings may be performed only when approved by the city engineer. Such approval shall not relieve the contractor of notifying any affected customer, nor of any other associated liability. Such connections shall be without charge unless a meter is required, in which case the appropriate water connection fee will be charged to the individual installing the meter set-up.

I) Meter box fees will be charged for all new meter installation including secondary meters based on actual cost plus ten percent.

J) Connections to city sewer mains or manholes for the purpose of extending a main or replacing a service shall not be subject to a connection fee. Any new service extending from such a main or manhole shall be subject to the appropriate sewer connection fee. When a sewer tap is required on an existing main, it will be made by the city. The cost of such sewer tap is considered to be included in the applicable connection fee. If a tap is required to replace an existing service, an additional connection fee is not charged, but a tapping fee of fifty dollars (\$50.00) shall be charged.

K) Natural gas service and main extensions

(1) Customers that have an existing service line up to their premises will only have to apply for proper permit and pay connection fee. Add-ons to present meters will be limited to permit and connection fee requirements.

(2) Customers' requests for relocation of mains, service lines, meters, or other services will be honored by the gas department. Property owners or contractors will be charged total costs for this type work.

(3) For each gas service connection, the customer shall apply for service at the Clarksville Gas and Water Department and pay twenty-five (\$25.00) for each service line application. This application fee will be refunded if the customer wishes to withdraw their application. The application fee may be transferrable to the connection fee, if the tenant is the person whose name appears on the application.

(4) For new service line requests, the customer or contractor shall be required to pay a gas service connection fee plus a tapping fee of one hundred fifty dollars (\$150.00), which includes the first one hundred fifty feet (150) of the gas service line from the main to the meter as follows:

Service line size:

$\frac{3}{4}$ -inch and 1-inch—for base-load gas installations: The first 150 feet or less from the gas main to the meter will be installed at no additional cost to the customer. Footage over 150 feet shall be charged \$2.00 per foot of additional service line.

$\frac{3}{4}$ -inch and 1-inch—For less than base-load gas installations: The first 150 feet or less from the gas main to the meter will be installed at no additional cost to the customer. Footage over 150 feet shall be charged \$2.00 per foot of additional service lines. No refunds of tapping fee will be made to the customer.

Larger than 1-inch—The first 150 feet or less from the gas main to the meter will be installed at no additional cost to the customer. Footage over 150 feet shall be charged the actual cost to install the additional service line.

(5) Base-load gas installations:

For the purpose of determining who qualifies for base-load gas incentives, the base-load gas installation is defined as follows:

Residential: Water heating, gas air conditioning, or a combination of other appliances as deemed acceptable (to adequately increase base-load requirements) by the manager gas division.

Commercial: Water heating, gas air conditioning, cooking, or a combination of other appliances as deemed acceptable (to adequately increase base-load requirements) by the manager gas division.

Industrial: Water heating, gas air conditioning, or in the processing of manufacturer's materials or goods (to adequately increase base-load requirements) as deemed acceptable by the manager gas division.

Incentives: New residential/commercial customers who install new base-load gas appliances will be offered incentives per gas appliance. Existing customers who change over from electric/propane to base-load gas appliances will be offered the same incentives per gas appliance. The manager of the gas division and the general manager of the gas and water department shall offer these incentives throughout the year and for scheduled time periods as deemed appropriate by the manager of the gas division and the general manager of the gas and water department and approved by the mayor and the public utilities committee.

(6) Main extensions for City of Clarksville:

The first three hundred (300) feet will be installed at no cost to the customer. Any footage installed in excess of three hundred (300) feet will be required to make a contribution in aid of construction equal to three dollars (\$3.00) per foot. No refunds will be made for future customer connections to the gas main.

(7) Main extensions for outside City of Clarksville:

The first two hundred (200) feet will be installed at no cost to the customer. Any footage installed in excess of two hundred (200) feet will be required to make a contribution in aid of construction equal to five dollars (\$5.00) per foot. No refunds will be made for future customer connections to the gas main.

(8) Main extensions for large commercial or industrial customers:

Gas service lines or gas main extensions to large commercial or industrial customers that require service line or gas main extensions, additions, or improvements to the Clarksville Gas Department's distribution system will be furnished by the gas department if the main extension is deemed economically feasible by the manager gas division and/or general manager of Clarksville Gas and Water.

(9) Main extensions—General:

(a) Customers who sign up for a main extension must be prepared to receive flowing gas through their meters within one hundred eighty (180) calendar days. If the customer does not meet this requirement due to environmental or geographic constraints, then he may request a thirty-day extension from Clarksville Gas and Water. If the customer does not have gas flowing through his meter within the required time frame, then the customer shall bear the entire cost of the main extension.

(b) The Clarksville Gas Department reserves the right to determine the size of all gas main extensions. Gas main costs to the customer shall be based upon a two-inch polyethylene gas main. All gas mains installed larger than two (2) inches in diameter, or gas mains installed made with steel, are installed for the future benefit of the gas system or to improve pressure. When an extension requires a gas main in excess of two (2) inches in diameter or one made of steel, the Clarksville Gas Department will pay the difference between the cost of a two-inch polyethylene gas main and the actual cost of the new gas main to be installed.

(c) All gas main extensions, additions, or improvements shall become the property of the Clarksville Gas Department, as they are installed, even though all or some part of the cost thereof is paid by parties other than the Clarksville Gas Department.

(10) New subdivisions City of Clarksville:

The gas department will install distribution mains within new subdivisions if an agreement between developer, home builder, and the gas department can be finalized, guaranteeing that a sufficient number of housing units will be installed to meet the following requirements:

- (a) Housing units will meet the definition of base-load gas installation.
- (b) Housing units will be constructed within piped areas designated for natural gas use.
- (c) A minimum of one housing unit will use natural gas for each three hundred (300) feet of main installed to serve the subdivision.
- (d) Certain areas within the subdivision may be designated for natural gas use.

The manager gas division and/or the general manager of Clarksville Gas and Water can approve exceptions or variances to these requirements.

(11) The manager gas division and the general manager of [Clarksville] Gas and Water shall only authorize service to subdivisions outside the City of Clarksville where it is an economical advantage to the City of Clarksville to do so. Service to subdivisions that is not economically advantageous to the City of Clarksville, but may have other advantageous value, may be approved by the gas, water and wastewater committee of the city council. Service lines into subdivisions shall be installed under the guidelines set previously in this policy.

(12) The gas department, at its discretion, may install segments of distribution piping that would be an asset for future development. The gas department reserves the right to refuse service to any customer under this policy who is remotely located from existing facilities that service would not be economically feasible.

(13) Refund policy:

(a) Customers who make contributions in aid of construction shall not be entitled to refunds from main extensions (for additional customer additions to main) under the new main extension policy.

(b) Refunds for customers who made contributions in aid of construction prior to the new main extension policy and Ord. No. 7-1997-98, but after Ord. No. 4-1990-91, will be due refunds as follows:

(i) Customers who make contributions in aid of construction shall be entitled to refunds, if within three (3) years after construction additional customers services are connected to their specific gas main extension. In no case shall the customer making the payment be refunded more than he paid. The amount of the refund shall be two hundred dollars (\$200.00) for each additional total gas customer and one hundred dollars (\$100.00) for each less than total gas customer. If more than one customer makes contributions in aid of construction, the total refund shall be proportionately divided according to the original contributions.

(ii) There shall be no duplication of reimbursements, i.e., customers added to additional extensions of a gas main shall be a part of a separate contract and not included in calculating reimbursements for the initial extension.

(iii) The previous policy and its reimbursement features are effective only for mains that are extended subsequent to the effective date of Ord. No. 4-1990-91 and prior to this new main extension policy and Ord. No. 7-1997-98.

L) Hazelwood Drainage Basin (HDB):

(1) A special sewer assessment district is hereby established to be known as the Hazelwood Drainage Basin (HDB) and more fully defined as the general area outlined on exhibit "A." In addition to the current connection fee authorized under this [Section 13-309](#), a wastewater capacity fee based on the number of residential equivalent units (REU) demanded to equal the peak day anticipated volume, or part thereof, is hereby assessed in the HDB. A residential equivalent unit shall be defined as two hundred (200) gallons per day peak demand. The fee shall be one thousand five hundred dollars (\$1,500.00) per REU. The fee is due and payable prior to the issuance of a sewer connection permit. For commercial/industrial purposes the peak demand shall be based on fixture values as established in the latest publications of the American Water Works Association.

(2) The following schedule shall prevail to establish a guide as to the number of residential equivalent units associated with certain types of activities:

Single family dwelling (home)	One unit
Apartment (each)	One unit
Motel Room (each)	One-half (½) unit
Restaurant (order from menu)	Ten (10) units
Lounge	Five (5) units
Fast food restaurant	Eight (8) units
Laundromat	One-half (½) unit per washer
Convenience store w/cooking	Five (5) units
Office building	One unit per three thousand (3,000) s.f. or portion thereof of total space
Warehouse	One unit per ten thousand (10,000) s.f. or portion thereof of total warehouse space plus one unit per two thousand (2,000) s.f. or portion thereof of office space
Carwash (full service)	Ten (10) units per bay
Carwash (self service)	Two (2) units per bay
Service station	Five (5) units
Manufacturing facility	Negotiated (based on one unit per each two hundred (200) G.P.D. peak demand)

(3) This fee will apply to all branch or extension sewer mains connected to and flowing through the improvements. Together the improvements shall be referenced to as the Hazelwood Drainage Basin Improvements Project. The fee shall be collected until such time as Clarksville Gas and Water has recovered the total cost of said improvements. At such time as the total cost of said improvements has been fully and wholly recovered the aforementioned unit sewer capacity fee shall become zero dollars (\$0.00).

M) Oakland Road Drainage Basin:

(1) A wastewater drainage basin is hereby established to be known as the Oakland Road Drainage Basin and more fully defined as the general area outlined on exhibit "B." In addition to the current connection fee authorized under this [section 13-309](#), a wastewater capacity fee based on the number of residential equivalent units (REU) demanded to equal the peak day anticipated volume, or part thereof, is hereby assessed in the HDB. A residential equivalent unit shall be defined as two hundred (200) gallons per day peak demand. The fee shall be two hundred seventy-five dollars (\$275.00) per REU. The fee is due and payable prior to the issuance of a sewer connection permit. For commercial/industrial purposes the peak demand shall be based on fixture values as established in the latest publications of the American Water Works Association.

(2) The following schedule shall prevail to establish a guide as to the number of residential equivalent units associated with certain types of activities:

Single family dwelling (home)	One unit
Apartment (each)	One unit
Motel room (each)	One-half (½) unit
Restaurant (order from menu)	Ten (10) units
Lounge	Five (5) units
Fast food restaurant	Eight (8) units
Laundromat	One-half (½) unit per washer
Convenience store w/cooking	Five (5) units
Office building	One unit per three thousand (3,000) s.f. or portion thereof of total space
Warehouse	One unit per ten thousand (10,000) s.f. or portion thereof of total warehouse space plus one unit per two thousand (2,000) s.f. or portion thereof of office space
Carwash (full service)	Ten (10) units per bay
Carwash (self service)	Two (2) units per bay
Service station	Five (5) units
Manufacturing facility	Negotiated (based on one unit per each two hundred (200) G.P.D. peak demand)

(3) This fee will apply to all branch or extension sewer mains connected to and flowing through the improvements. Together the improvements shall be referenced to as the Oakland Road Drainage Basin Improvements Project. The fee shall be collected until such time as Clarksville Gas and Water has recovered the total cost of said improvements. At such time as the total cost of said improvements has been fully and wholly recovered the aforementioned unit sewer capacity fee shall become zero dollars (\$0.00).

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

- **~~Section~~ 13-309. - Fee for new connections; service line.**

A) (1) The city shall charge connection fees for each metered customer added to the water and/or sewer system. Connection fees for all new construction shall be due and payable at the time the plumbing permit for connecting the structure to the outside water and/or sewer service is issued. No such permit shall be issued unless the connection fee is paid first. The following schedules shall be used for the various classifications of customers:

(2) Water and sewer connection fees for all new residential construction shall be based on the number of square feet of heated living area contained by the new construction. The area is to be computed as defined by the Veterans Administration. Mobile homes and other prefabricated structures that are moved onto a building site shall also be classified as new residential construction for this purpose. The fee per unit shall be as follows:

New residential construction water connection fee: Twenty cents (\$0.20) per square foot.

New residential construction sewer connection fee: Eighty cents (\$0.80) per square foot.

B) If inspection reveals a misrepresentation or understatement of the actual area of the permitted structure by an amount greater than five (5) percent, an adjustment of the fee shall be made and the additional area shall be charged to the holder of the building permit at twice the normal rate.

C) Water and sewer connection fees for existing residential construction and for new and existing commercial and industrial construction shall be based on the size of the primary water meter(s) serving the customer according to the following schedule:

Meter Size	Water Connection Fee	Sewer Connection Fee	
		New Construction	Existing Construction
3/4"	\$ 400	\$ 800	\$ 600
1"	800	1,500	1,000
1 1/2"	1,200	2,500	2,000
2"	1,800	4,000	2,500
3"	2,500	5,000	3,000
4"	3,500	8,000	5,000
6"	6,000	12,000	8,000
8"	10,000	20,000	15,000

D) (1) Secondary meters, yard, and irrigation meters: In addition to the primary meter supplying the customer, meters may be installed to record water flows such as for yard irrigation which do not enter the sewer system and consequently these flows do not result in a sewer charge. Secondary meters may also be installed to separate flows that formerly went through one meter such as when a master meter for an existing apartment complex is replaced by individual meters. Each additional meter is charged only the following fee:

(2) Water connection fee for yard/irrigation meters for new and existing construction and for other secondary meters that are added to existing customers to separate flows for billing purposes:

Meter Size	Meter Fee
¾"	\$ 200.00
1"	250.00
1½"	500.00
2"	800.00
3"	2,000.00
4"	3,500.00
6"	5,000.00

E) (1) Connection fees are not charged where existing services are being replaced unless such replacement results in an increase of meter size in which case a fee is charged equal to the difference between the connection fees for the original meter size and the fee for the new meter size.

(2) Connection fees are not charged where the applicable service is connected directly to a water or sewer main installed with Federal Community Development Grant funds.

(3) The above connection fee prices include the cost of the meter and the charge for tapping the main where applicable. The city shall make all water and sewer taps on mains that have been accepted by the city for operation and maintenance. The customer shall be responsible for all excavation, provision, and installation of tap materials, and backfilling. Taps on new main installations not yet accepted by the city shall be made by the installing contractor.

F) In cases where a tap on a city main is made without the requirement for a meter, such as for main extensions or a fire service line, a connection tap fee is charged ~~in lieu of a connection fee~~ as follows:

Water Tap Size	Fee
¾"	\$150.00
1"	200.00
2"	250.00
3"	300.00
4"	350.00

6"	450.00
8"	650.00
10"	750.00

G) (1) Buildings requiring a fire service line six (6) inches in size or less, shall be required to pay a connection fee as set forth in subsection F above. A backflow prevention device meeting the requirements of Title 8, Section 8-407 (2)-(3) of the Clarksville Municipal Code shall be installed at the property boundary and become part of the fire system. The Chief Utility Engineer, at his sole discretion, may require the fire line be metered when it is determined to be in the City's best interest to do so.

(2) Buildings requiring a fire service line greater than six (6) inches shall be required to meter such service as well as meet the requirements of subsection G (1) above and pay a connection fee based on cost plus ten (10) percent. The cost includes the cost of the meter, all appurtenances, and a tapping fee as established in subsection F above.

(3) All fire service lines shall be separate and independent of any other water service line to the property/building. Water meters for fire service lines shall be provided for all buildings requiring the use of a fire sprinkler line or other fire suppression system requiring the use of potable water or otherwise at the discretion of the city engineer's office.

Water connection fee for meters installed on fire mains for new and existing customers to separate flows for billing purposes shall be as follows:

Meter Size	Meter Fee
2"	\$ 3,000.00
4"	6,000.00
6"	8,000.00
8"	10,000.00
10"	15,000.00

The use of two-inch meters installed on fire mains shall be limited to residential use only. The maximum number of residential units allowed on each two-inch meter shall be limited to four (4) units. The connection fee for two-inch meters installed on fire mains shall include the meter box fee for such meters.

H) Connections to city water mains by manipulating valves and adding fittings may be performed only when approved by the city engineer. Such approval shall not relieve the contractor of notifying any affected customer, nor of any other associated liability. Such connections shall be without charge unless a meter is required, in which case the appropriate water connection fee will be charged to the individual installing the meter set-up.

I) Meter box fees will be charged for all new meter installation including secondary meters based on actual cost plus ten percent.

J) Connections to city sewer mains or manholes for the purpose of extending a main or replacing a service shall not be subject to a connection fee. Any new service extending from such a main or manhole shall be subject to the appropriate sewer connection fee. When a sewer tap is required on an existing main, it will be made by the city. The cost of such sewer tap is considered to be included in the applicable connection fee. If a tap is required to replace an existing service, an additional connection fee is not charged, but a tapping fee of fifty dollars (\$50.00) shall be charged.

K) Natural gas service and main extensions

(1) Customers that have an existing service line up to their premises will only have to apply for proper permit and pay connection fee. Add-ons to present meters will be limited to permit and connection fee requirements.

(2) Customers' requests for relocation of mains, service lines, meters, or other services will be honored by the gas department. Property owners or contractors will be charged total costs for this type work.

(3) For each gas service connection, the customer shall apply for service at the Clarksville Gas and Water Department and pay twenty-five (\$25.00) for each service line application. This application fee will be refunded if the customer wishes to withdraw their application. The application fee may be transferrable to the connection fee, if the tenant is the person whose name appears on the application.

(4) For new service line requests, the customer or contractor shall be required to pay a gas service connection fee plus a tapping fee of one hundred fifty dollars (\$150.00), which includes the first one hundred fifty feet (150) of the gas service line from the main to the meter as follows:

Service line size:

$\frac{3}{4}$ -inch and 1-inch—for base-load gas installations: The first 150 feet or less from the gas main to the meter will be installed at no additional cost to the customer. Footage over 150 feet shall be charged \$2.00 per foot of additional service line.

$\frac{3}{4}$ -inch and 1-inch—~~For~~for less than base-load gas installations: The first 150 feet or less from the gas main to the meter will be installed at no additional cost to the customer. Footage over 150 feet shall be charged \$2.00 per foot of additional service lines. No refunds of tapping fee will be made to the customer.

Larger than 1-inch—The first 150 feet or less from the gas main to the meter will be installed at no additional cost to the customer. Footage over 150 feet shall be charged the actual cost to install the additional service line.

(5) Base-load gas installations:

For the purpose of determining who qualifies for base-load gas incentives, the base-load gas installation is defined as follows:

Residential: Water heating, gas air conditioning, or a combination of other appliances as deemed acceptable (to adequately increase base-load requirements) by the manager gas division.

Commercial: Water heating, gas air conditioning, cooking, or a combination of other appliances as deemed acceptable (to adequately increase base-load requirements) by the manager gas division.

Industrial: Water heating, gas air conditioning, or in the processing of manufacturer's materials or goods (to adequately increase base-load requirements) as deemed acceptable by the manager gas division.

Incentives: New residential/commercial customers who install new base-load gas appliances will be offered incentives per gas appliance. Existing customers who change over from electric/propane to base-load gas appliances will be offered the same incentives per gas appliance. The manager of the gas division and the general manager of the gas and water department shall offer these incentives throughout the year and for scheduled time periods as deemed appropriate by the manager of the gas division and the general manager of the gas and water department and approved by the mayor and the public utilities committee.

(6) Main extensions for City of Clarksville:

The first three hundred (300) feet will be installed at no cost to the customer. Any footage installed in excess of three hundred (300) feet will be required to make a contribution in aid of construction equal to three dollars (\$3.00) per foot. No refunds will be made for future customer connections to the gas main.

(7) Main extensions for outside City of Clarksville:

The first two hundred (200) feet will be installed at no cost to the customer. Any footage installed in excess of two hundred (200) feet will be required to make a contribution in aid of construction equal to five dollars (\$5.00) per foot. No refunds will be made for future customer connections to the gas main.

(8) Main extensions for large commercial or industrial customers:

Gas service lines or gas main extensions to large commercial or industrial customers that require service line or gas main extensions, additions, or improvements to the Clarksville Gas Department's distribution system will be furnished by the gas department if the main extension is deemed economically feasible by the manager gas division and/or general manager of Clarksville Gas and Water.

(9) Main extensions—General:

(a) Customers who sign up for a main extension must be prepared to receive flowing gas through their meters within one hundred eighty (180) calendar days. If the customer does not meet this requirement due to environmental or geographic constraints, then he may request a thirty-day extension from Clarksville Gas and Water. If the customer does not have gas flowing through his meter within the required time frame, then the customer shall bear the entire cost of the main extension.

(b) The Clarksville Gas Department reserves the right to determine the size of all gas main extensions. Gas main costs to the customer shall be based upon a two-inch polyethylene gas main. All gas mains installed larger than two (2) inches in diameter, or gas mains installed made with steel, are installed for the future benefit of the gas system or to improve pressure. When an extension requires a gas main in excess of two (2) inches in diameter or one made of steel, the Clarksville Gas Department will pay the difference between the cost of a two-inch polyethylene gas main and the actual cost of the new gas main to be installed.

(c) All gas main extensions, additions, or improvements shall become the property of the Clarksville Gas Department, as they are installed, even though all or some part of the cost thereof is paid by parties other than the Clarksville Gas Department.

(10) New subdivisions City of Clarksville:

The gas department will install distribution mains within new subdivisions if an agreement between developer, home builder, and the gas department can be finalized, guaranteeing that a sufficient number of housing units will be installed to meet the following requirements:

- (a) Housing units will meet the definition of base-load gas installation.
- (b) Housing units will be constructed within piped areas designated for natural gas use.
- (c) A minimum of one housing unit will use natural gas for each three hundred (300) feet of main installed to serve the subdivision.
- (d) Certain areas within the subdivision may be designated for natural gas use.

The manager gas division and/or the general manager of Clarksville Gas and Water can approve exceptions or variances to these requirements.

(11) The manager gas division and the general manager of [Clarksville] Gas and Water shall only authorize service to subdivisions outside the City of Clarksville where it is an economical advantage to the City of Clarksville to do so. Service to subdivisions that is not economically advantageous to the City of Clarksville, but may have other advantageous value, may be approved by the gas, water and wastewater committee of the city council. Service lines into subdivisions shall be installed under the guidelines set previously in this policy.

(12) The gas department, at its discretion, may install segments of distribution piping that would be an asset for future development. The gas department reserves the right to refuse service to any customer under this policy who is remotely located from existing facilities that service would not be economically feasible.

(13) Refund policy:

- (a) Customers who make contributions in aid of construction shall not be entitled to refunds from main extensions (for additional customer additions to main) under the new main extension policy.
- (b) Refunds for customers who made contributions in aid of construction prior to the new main extension policy and Ord. No. 7-1997-98, but after Ord. No. 4-1990-91, will be due refunds as follows:

- (i) Customers who make contributions in aid of construction shall be entitled to refunds, if within three (3) years after construction additional customers services are connected to their specific gas main extension. In no case shall the customer making the payment be refunded more than he paid. The amount of the refund shall be two hundred dollars (\$200.00) for each additional total gas customer and one hundred dollars (\$100.00) for each less than total gas customer. If more than one customer makes contributions in aid of construction, the total refund shall be proportionately divided according to the original contributions.
- (ii) There shall be no duplication of reimbursements, i.e., customers added to additional extensions of a gas main shall be a part of a separate contract and not included in calculating reimbursements for the initial extension.
- (iii) The previous policy and its reimbursement features are effective only for mains that are extended subsequent to the effective date of Ord. No. 4-1990-91 and prior to this new main extension policy and Ord. No. 7-1997-98.

L) Hazelwood Drainage Basin (HDB):

(1) A special sewer assessment district is hereby established to be known as the Hazelwood Drainage Basin (HDB) and more fully defined as the general area outlined on exhibit "A." In addition to the current connection fee authorized under this [Section 13-309](#), a wastewater capacity fee based on the number of residential equivalent units (REU) demanded to equal the peak day anticipated volume, or part thereof, is hereby assessed in the HDB. A residential equivalent unit shall be defined as two hundred (200) gallons per day peak demand. The fee shall be one thousand five hundred dollars (\$1,500.00) per REU. The fee is due and payable prior to the issuance of a sewer connection permit. For commercial/industrial purposes the peak demand shall be based on fixture values as established in the latest publications of the American Water Works Association.

(2) The following schedule shall prevail to establish a guide as to the number of residential equivalent units associated with certain types of activities:

Single family dwelling (home)	One unit
Apartment (each)	One unit
Motel Room (each)	One-half (½) unit
Restaurant (order from menu)	Ten (10) units
Lounge	Five (5) units
Fast food restaurant	Eight (8) units
Laundromat	One-half (½) unit per washer
Convenience store w/cooking	Five (5) units
Office building	One unit per three thousand (3,000) s.f. or portion thereof of total space
Warehouse	One unit per ten thousand (10,000) s.f. or portion thereof of total warehouse space plus one unit per two thousand (2,000) s.f. or portion thereof of office space

Carwash (full service)	Ten (10) units per bay
Carwash (self service)	Two (2) units per bay
Service station	Five (5) units
Manufacturing facility	Negotiated (based on one unit per each two hundred (200) G.P.D. peak demand)

(3) This fee will apply to all branch or extension sewer mains connected to and flowing through the improvements. Together the improvements shall be referenced to as the Hazelwood Drainage Basin Improvements Project. The fee shall be collected until such time as Clarksville Gas and Water has recovered the total cost of said improvements. At such time as the total cost of said improvements has been fully and wholly recovered the aforementioned unit sewer capacity fee shall become zero dollars (\$0.00).

M) Oakland Road Drainage Basin:

(1) A wastewater drainage basin is hereby established to be known as the Oakland Road Drainage Basin and more fully defined as the general area outlined on exhibit "B." In addition to the current connection fee authorized under this [section 13-309](#), a wastewater capacity fee based on the number of residential equivalent units (REU) demanded to equal the peak day anticipated volume, or part thereof, is hereby assessed in the HDB. A residential equivalent unit shall be defined as two hundred (200) gallons per day peak demand. The fee shall be two hundred seventy-five dollars (\$275.00) per REU. The fee is due and payable prior to the issuance of a sewer connection permit. For commercial/industrial purposes the peak demand shall be based on fixture values as established in the latest publications of the American Water Works Association.

(2) The following schedule shall prevail to establish a guide as to the number of residential equivalent units associated with certain types of activities:

Single family dwelling (home)	One unit
Apartment (each)	One unit
Motel room (each)	One-half (½) unit
Restaurant (order from menu)	Ten (10) units
Lounge	Five (5) units
Fast food restaurant	Eight (8) units
Laundromat	One-half (½) unit per washer
Convenience store w/cooking	Five (5) units
Office building	One unit per three thousand (3,000) s.f. or portion thereof of total space
Warehouse	One unit per ten thousand (10,000) s.f. or portion thereof of total warehouse space plus one unit per two thousand (2,000) s.f. or portion thereof of office space

Carwash (full service)	Ten (10) units per bay
Carwash (self service)	Two (2) units per bay
Service station	Five (5) units
Manufacturing facility	Negotiated (based on one unit per each two hundred (200) G.P.D. peak demand)

(3) This fee will apply to all branch or extension sewer mains connected to and flowing through the improvements. Together the improvements shall be referenced to as the Oakland Road Drainage Basin Improvements Project. The fee shall be collected until such time as Clarksville Gas and Water has recovered the total cost of said improvements. At such time as the total cost of said improvements has been fully and wholly recovered the aforementioned unit sewer capacity fee shall become zero dollars (\$0.00).

ORDINANCE 16-2015-16

AN ORDINANCE AUTHORIZING PURCHASE OF REAL PROPERTY LOCATED AT 215 LEGON STREET

WHEREAS, certain real property owned by Dr. Alan Werner, commonly known as the “Bank of America Building” located at 215 Legion Street, and being more particularly described in the real property legal description attached hereto and incorporated herein as Exhibit A, is for sale; and

WHEREAS, the City / Two Rivers Company (the district management corporation for the City of Clarksville’s Central Business Improvement District), has previously obtained an appraisal of said property by a state certified appraiser, dated September 11, 2014, said appraisal amount being ONE MILLION DOLLARS AND ZERO CENTS (\$1,000,000.00), and said appraisal being attached hereto and incorporated herein as Exhibit B; and

WHEREAS, the Two Rivers Company has previously entered into an option agreement with the owner of said property, dated June 1, 2014, providing the Two Rivers Company with an option to purchase said real property, for a purchase price of NINE HUNDRED AND NINETY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$995,000.00), said real estate option agreement being attached hereto and incorporated herein as Exhibit C; and

WHEREAS, the City Council finds it to be in the best interest of the City to acquire title to said real property for the purpose of building a civic plaza space, and for future economic redevelopment of the surrounding downtown area.

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

That the Clarksville City Council hereby authorizes and directs that the City purchase certain real property owned by Dr. Alan Werner, commonly known as the “Bank of America Building” located at 215 Legion Street, and being more particularly described in the attached Exhibit A, for the purpose of building a civic plaza space, and for redevelopment of the surrounding downtown area, for a purchase price not to exceed the amount of NINE HUNDRED AND NINETY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$995,000.00), and that the Mayor prepare, or have prepared, and execute, any necessary documents, and take any necessary action, to effectuate such transaction, at the earliest date reasonably possible.

BE IT FURTHER ORDAINED that this ordinance replaces ORDINANCE 57-2014-15 which was postponed indefinitely by the Clarksville City Council on June 16, 2015.

POSTPONED: August 6, 2015

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 23-2015-16

AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH MONTGOMERY COUNTY AND AUTHORIZING PURCHASE OF PROPERTY FOR A CIVIC SQUARE PLAZA

WHEREAS, the Clarksville City Council and the Montgomery County Commission wish to establish mutual covenants for the creation of a civic square plaza; and

WHEREAS, the City and the County desire to enter into mutual covenants and agreements to share responsibilities and duties to the public and to each other for the creation of a civic square plaza.

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

That the Clarksville City Council hereby authorizes an interlocal agreement, attached hereto as Exhibit A, with Montgomery County for creation of a civic square plaza; and

BE IT FURTHER ORDAINED that the Clarksville City Council hereby authorizes purchase of property, generally referred to as the Bank of America property, and two additional parcels, generally referred to as Regions Bank parking and Better Business Bureau properties, for creation of a civic square plaza, not to exceed \$1,000,000.00.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

**INTERLOCAL AGREEMENT AMONG MONTGOMERY COUNTY, TENNESSEE
AND THE CITY OF CLARKSVILLE, TENNESSEE**

This agreement made and entered into among Montgomery County, Tennessee (hereinafter referred to as "the County" and the City of Clarksville, Tennessee (hereinafter referred to as "the City") for the purposes set out herein;

W I T N E S S E T H

WHEREAS, this Interlocal Agreement is to establish mutual covenants by and between the City and the County; and

WHEREAS, the County and the City have respectively met in their official capacities as authorized by law under their status as a governmental entity recognized by the State of Tennessee as a subdivision thereof; and

WHEREAS, the City and the County desire to enter into mutual covenants and agreements based upon discussions to share responsibilities and duties to the public, and to each other, for the creation of a Civic Square Plaza and the parties' desire to do so.

NOW THEREFORE, in consideration of the mutual covenants contained herein, it is hereby agreed as follows:

1. The City and County will participate in a project that will be known as the "Civic Square Plaza" generally to create a plaza as described in the Hodgson/Douglas Conceptual Design Plan to which reference is made as **Exhibit No. 1** hereto.
2. To further the completion of the Civic Square Plaza the City will contribute \$1,000,000.00 solely to be used by the County to purchase real property generally referred to as the Bank of America Property, including two other parcels (referred to as Regions Bank Parking and Better Business Bureau properties) all found within the confines and cross-streets of Main and Legion Streets, and Second and Third Streets. The consideration paid to purchase the property will be made solely by the County, and the purchase will deed the real property to the County and/or the Two Rivers Company (TRC) individually or jointly at the County's discretion. The investment of \$1,000,000.00 by the City is only required to be made, and specifically contingent upon the County's passage of this Interlocal Agreement in mirror terms, or in terms which have been revised by Amendment

at the County Commission meeting, but which are then acceptable to the City. The City's contribution of up to \$1,000,000.00 will be paid as a reimbursement to the County within 30 days of the County's purchase of the real property bounded by Main and Legion Streets, and Second and Third Streets, Clarksville, TN 37040 described herein.

3. The City will make all reasonable efforts to close the current Transit Center in an orderly fashion and relocate the existing Transit Center now at the corner of Legion and Second Street for the project. The County will fund the remaining costs of design, demolition, and construction of the Civic Square Plaza ultimately approved by the County Commission as it is designed and moving forward consistent with the Hodgson/Douglas conceptual drawings, and refined and converted to ultimate design plans and specifications for building.
4. To accomplish Items 1 through 3, the City will place this Interlocal Agreement as may be required for enactment and authorization in September, 2015 on the Agenda for the regular meeting of the City Council. This enactment and authorization will require passage on two readings by the City, and the second reading of the City will take place during their October regular meeting.
5. The County Commission will consider and place this Interlocal Agreement as may be required for enactment and authorization on the Agenda for its September, 2015 regular meeting by Resolution. This regular meeting will occur, by the respective calendars of these entities, after the City's first reading, but before the City's second reading.

IN WITNESS WHEREOF, each party has caused this Interlocal Agreement to be executed by an authorized person of each entity by his or her name as set out below.

MONTGOMERY COUNTY, TENNESSEE

Date: _____

Jim Durrett, County Mayor

CITY OF CLARKSVILLE, TENNESSEE

Date: _____

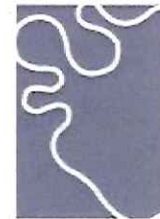
Kim McMillan, City Mayor

Clarksville Civic Square

Redevelopment Initiative

Clarksville, Tennessee

4.9.2015



THE CITY OF
CLARKSVILLE
TENNESSEE'S TOP SPOT



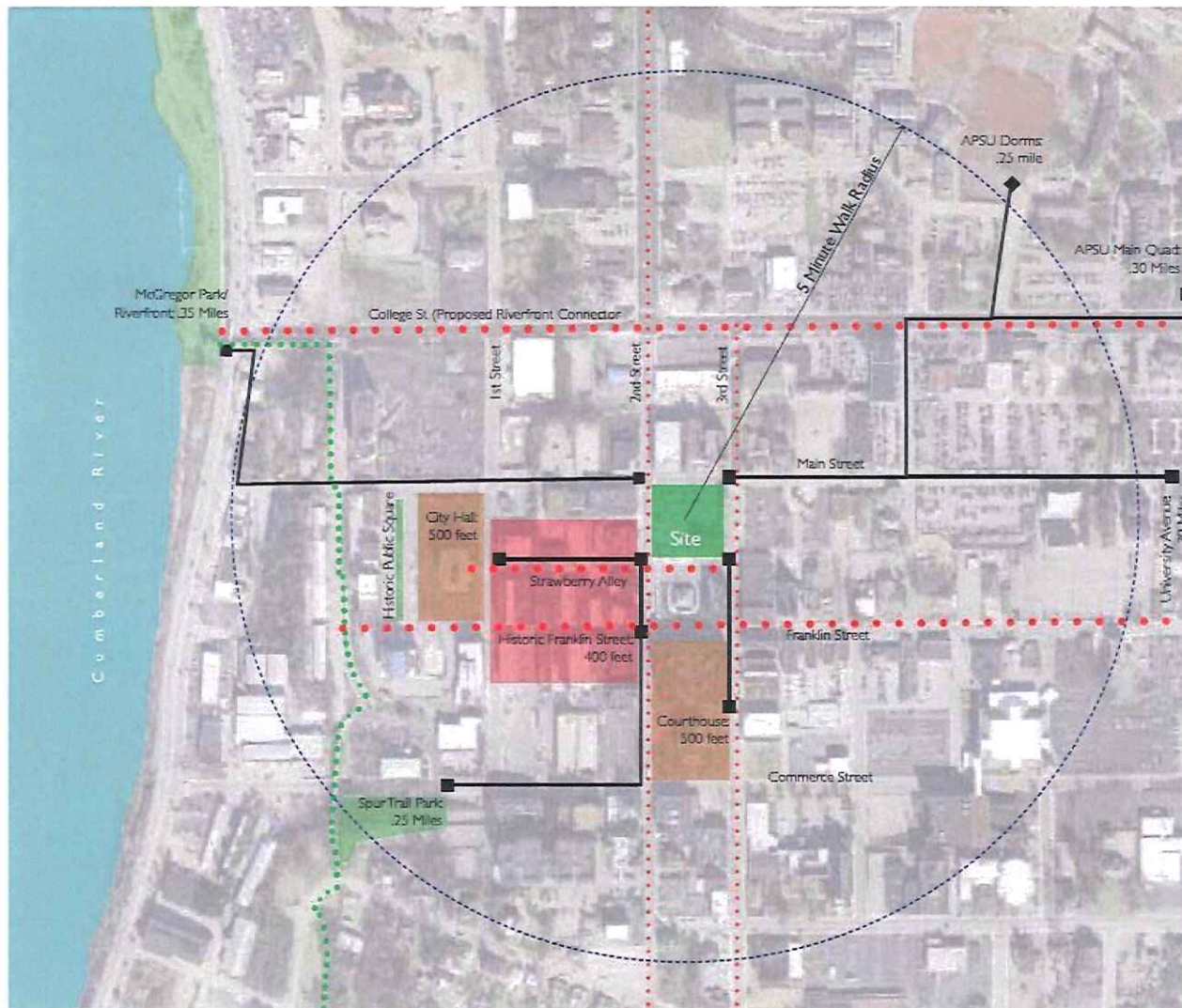
two rivers company

**HODGSON
DOUGLAS**
landscape architecture
planning . urban design



EOA
ARCHITECTS

URBAN CONTEXT

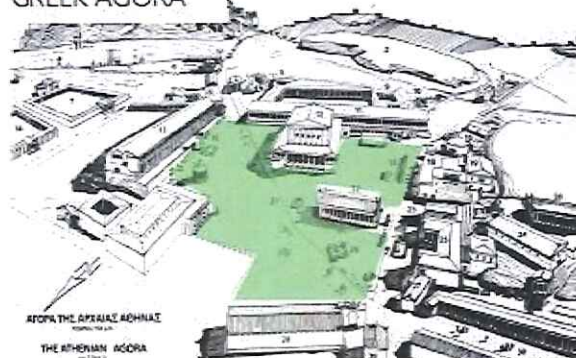


CIVIC SQUARE SITE SITS WITHIN **1/4 WALKING RADIUS** OF SEVERAL MAJOR DESTINATIONS WITHIN DOWNTOWN

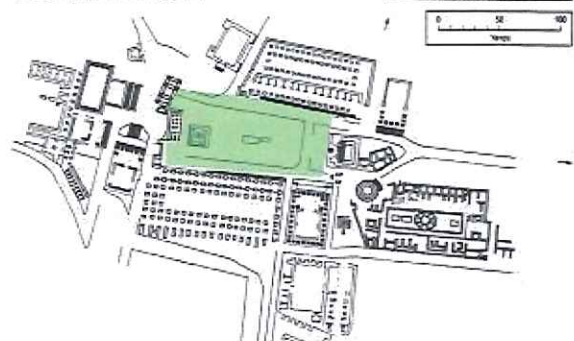
**APSU DORMS
RIVERFRONT
UPLAND TRAIL
SPUR TRAILHEAD
UNIVERSITY AVENUE**

CIVIC SQUARE SITS ALONG AN **IMPORTANT JUNCTION**, LINKING AN UNDERDEVELOPED PORTION OF DOWNTOWN WITH PUBLIC SQUARE, STRAWBERRY ALLEY, FRANKLIN STREET AND THE COUNTY COURTHOUSE

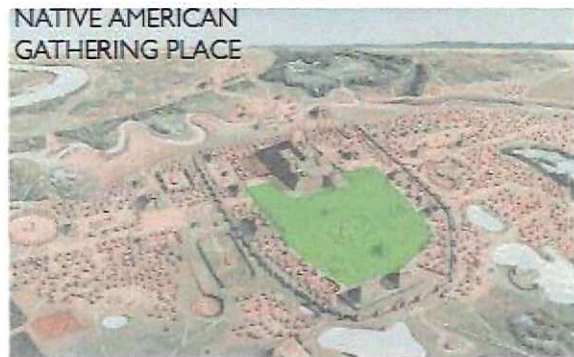
GREEK AGORA



ROMAN FORUM



NATIVE AMERICAN
GATHERING PLACE



PIAZZA DEL CAMPO,
SIENNA, ITALY



TOWN SQUARE,
SAVANNAH, GA



TRAFALGAR SQUARE,
LONDON, UK



JACKSON SQUARE,
NEW ORLEANS, LA



CLARKSVILLE PUBLIC SQUARE: A BRIEF HISTORY

A PUBLIC SQUARE WAS LOCATED ON THE CLARKSVILLE
MAP AS EARLY AS **1808**

AS CLARKSVILLE BECAME THE HUB OF THE 1800'S
TOBACCO TRADE, **THE PUBLIC SQUARE BECAME A
POPULAR GATHERING PLACE, ESSENTIAL TO
ECONOMIC AND SOCIAL LIFE**

THE **AUTOMOBILE** AND **NON-URBAN PLANNING**
DECISIONS **ERODED THE PUBLIC SQUARE** AS AN
ACTUAL "GATHERING PLACE"

PRESENT DAY PUBLIC SQUARE **BETTER SERVES
CARS THAN PEOPLE**

HISTORIC AXON MAP
PUBLIC SQUARE, CLARKSVILLE, TN



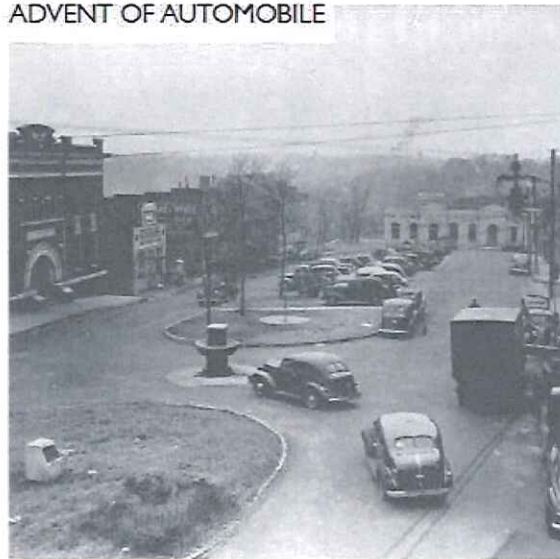
PRESENT DAY SQUARE



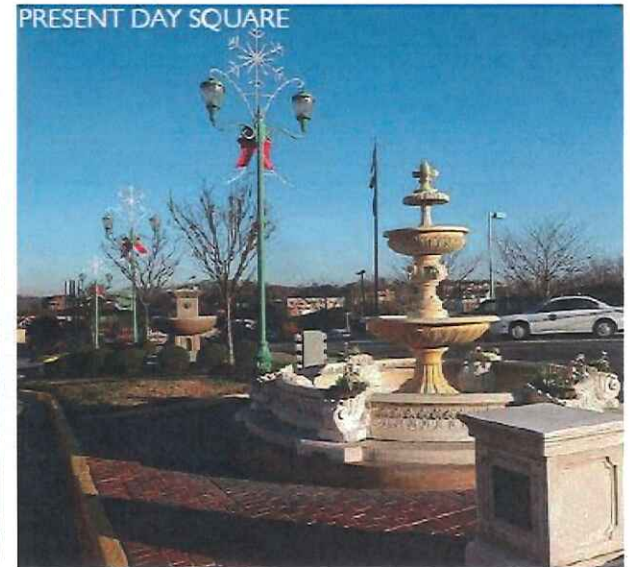
1808 SANBORN MAP
PUBLIC SQUARE, CLARKSVILLE, TN



ADVENT OF AUTOMOBILE



PRESENT DAY SQUARE



PUBLIC INPUT

MET WITH 5 GROUPS OF STAKEHOLDERS **(75 PEOPLE)**
CONDUCTED **1 ON 1 INTERVIEWS** WITH KEY
STAKEHOLDERS, CITY OFFICIALS AND MAYOR

MAJOR CONCERNS:

- **LACK OF AMENITIES DOWNTOWN** i.e. GROCERY, PHARMACY, DIVERSE RETAIL/RESTAURANTS, NO PLACES TO GATHER/LINGER/MEET
- **LACK OF RESIDENTIAL DOWNTOWN**; LITTLE TO NO OPTIONS FOR DOWNTOWN LIVING
- **LACK OF LONG TERM PARKING SOLUTIONS**
- **DWINDLING WORK FORCE** DOWNTOWN
- **NEED FOR CONNECTIVITY**; b/t DOWNTOWN/APSU
DOWNTOWN/RIVERFRONT
- **LACK OF BEAUTIFICATION** DOWNTOWN; NOT ENOUGH GRASS, TREES, FLOWERS
- **LACK OF ENERGY** DOWNTOWN
- **DIFFICULT TO DEVELOP** DOWNTOWN

CASE STUDIES

MAIN STREET SQUARE | RAPID CITY, SD

DIRECTOR PARK | PORTLAND, OR

MAIN STREET PARK | DALLAS, TX

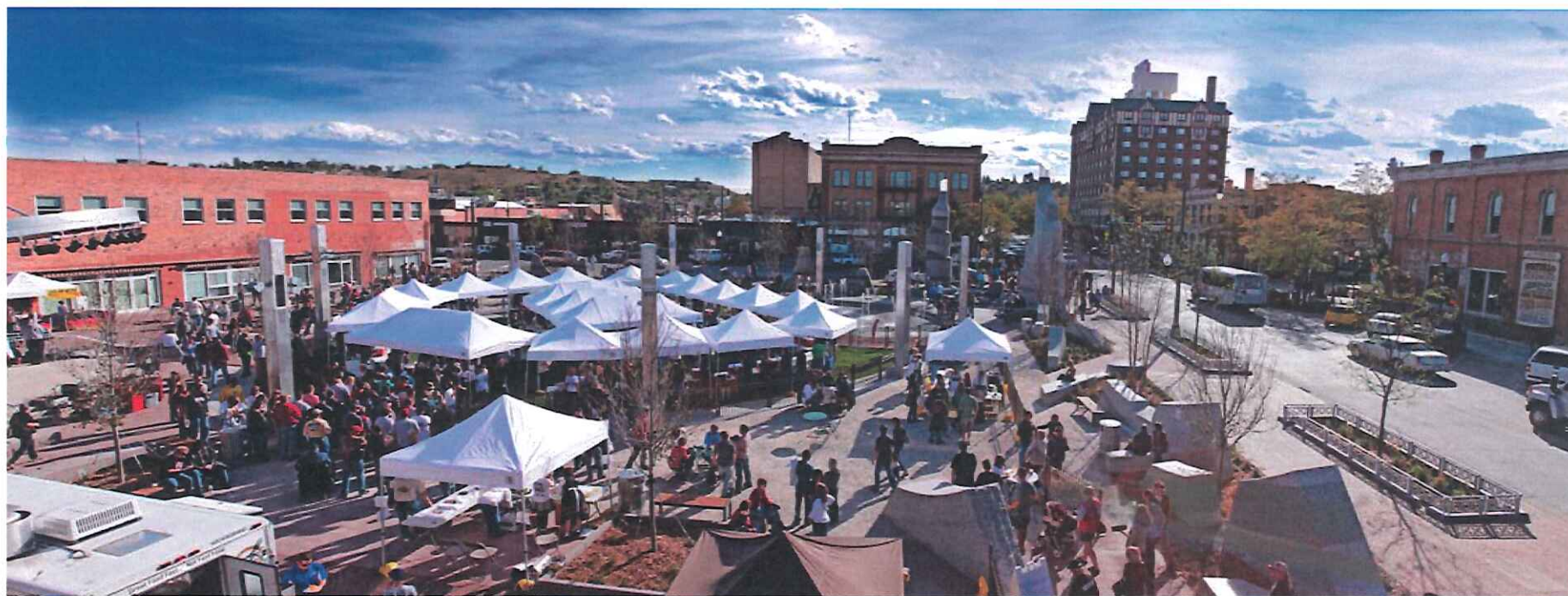
MISCELLANEOUS PUBLIC SQUARES

MAIN STREET SQUARE ANALYSIS: RAPID CITY, SD

- SAME SIZE AS CIVIC SQUARE; **PREVIOUSLY PARKING LOT**
- **GRASS ROOTS MOVEMENT** TO CREATE SQUARE
- **PRIVATE/PUBLIC PARTNERSHIP** TO ACHIEVE GOALS (**7 MILLION**)
- **KEY STIMULATOR** FOR DOWNTOWN
- COMPLETELY PRIVATELY RUN AND MANAGED
- SUCCESSFUL AT HOSTING EVENTS
- SUMMER/WINTER ACTIVITY
- **STIMULATED ADJACENT RETAIL GROWTH**
- DOES NOT EMBRACE DOWNTOWN ENOUGH
- TOO TIGHTLY MANAGED; NOT ENOUGH IMPROMPTU USE
- POOR LIGHTING
- THE STAGE AREA IS APPROXIMATELY 32' X 32'









DIRECTOR PARK PORTLAND, OR







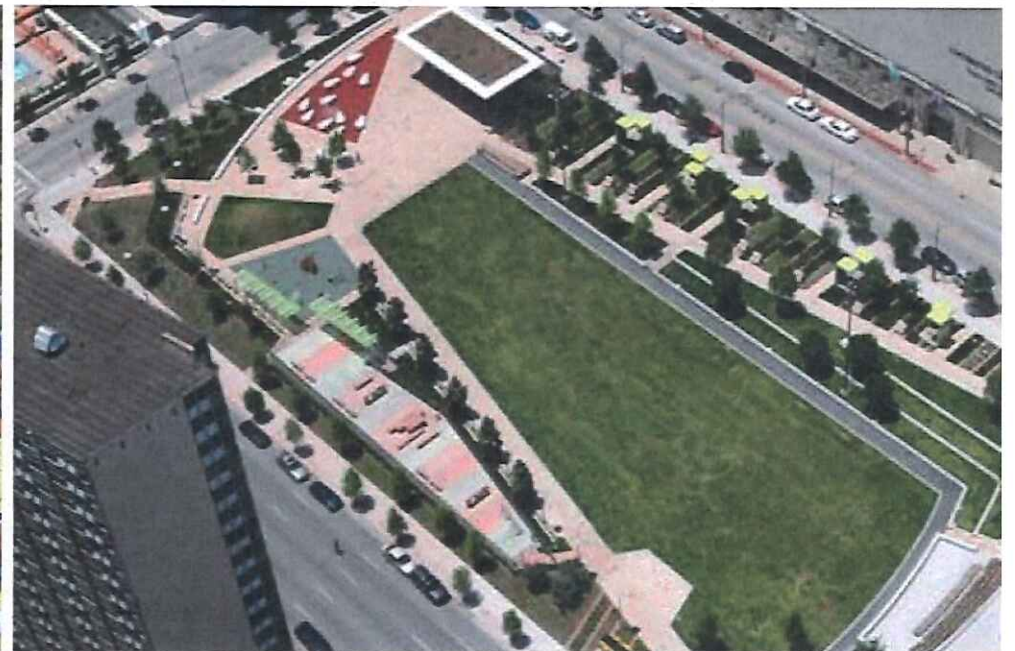
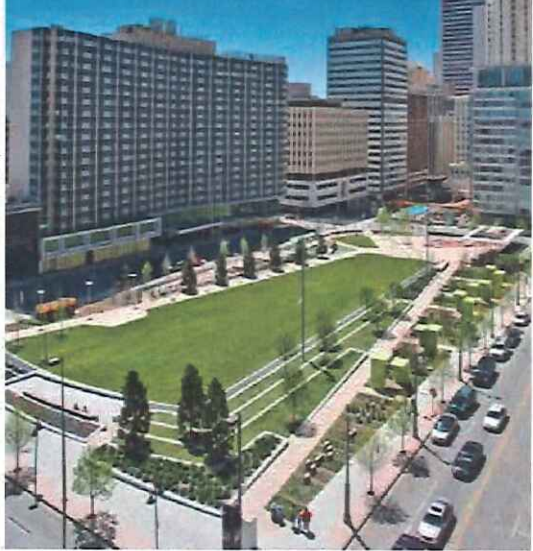








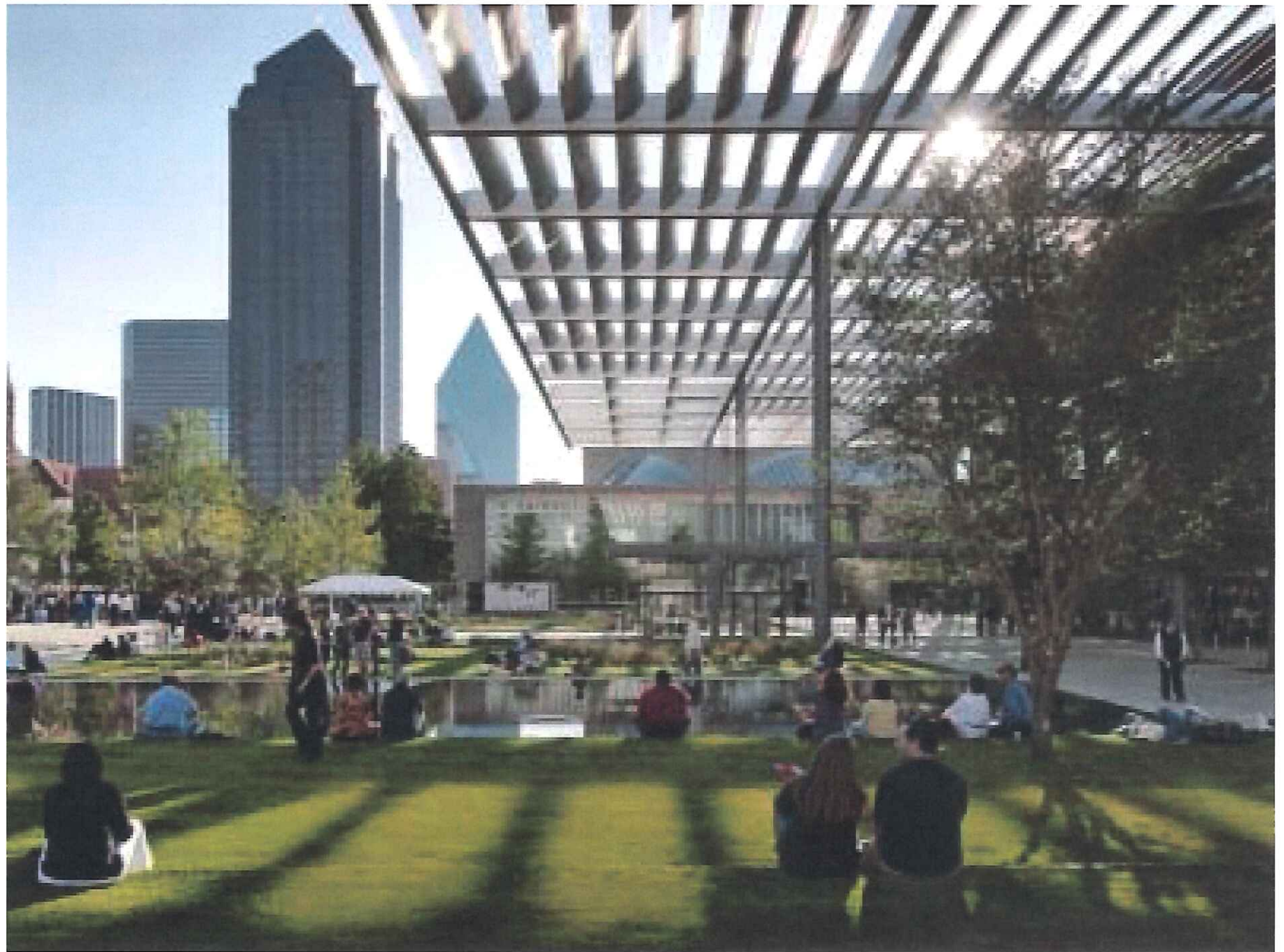
MAIN STREET GARDEN DALLAS, TX







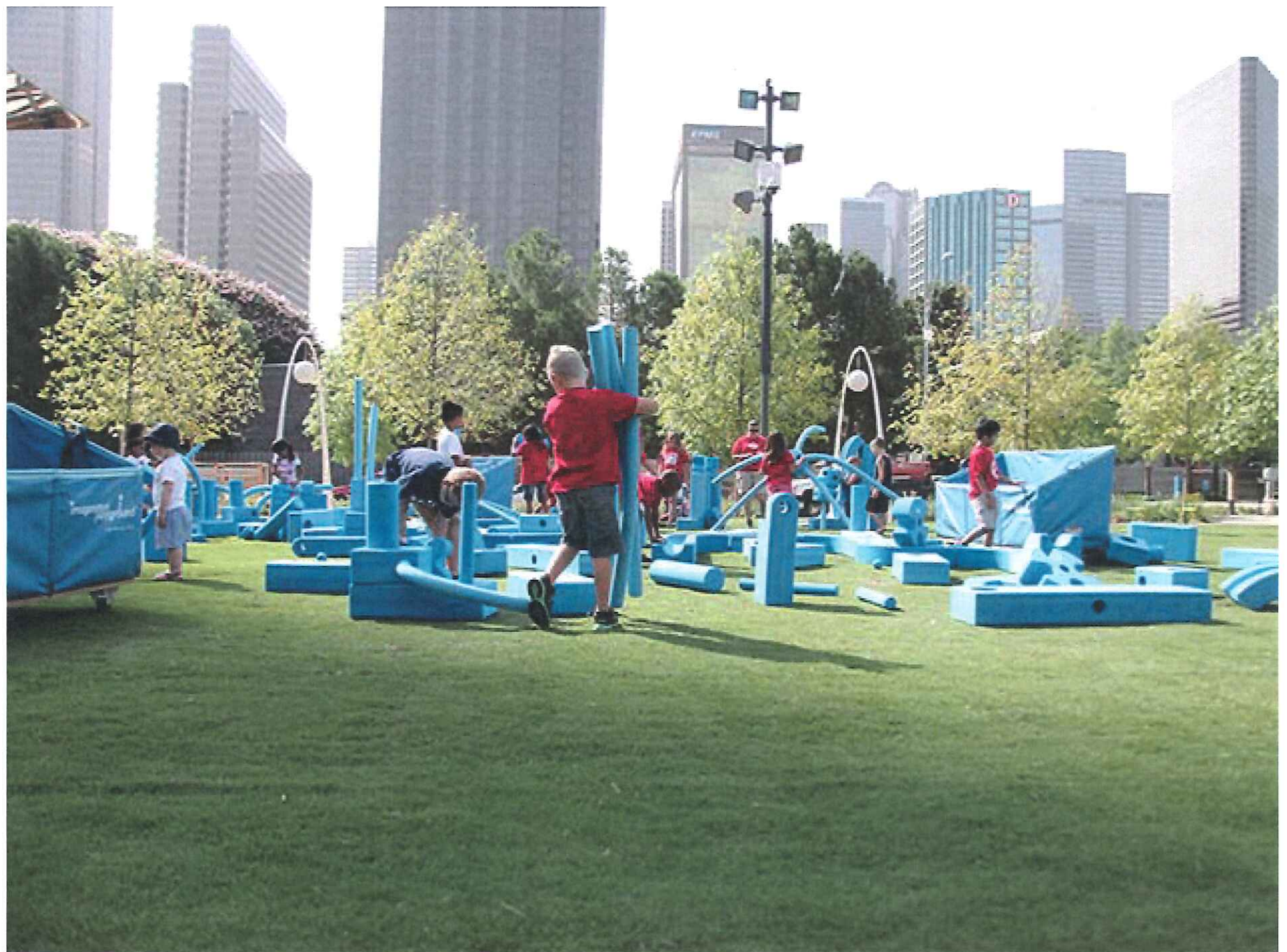


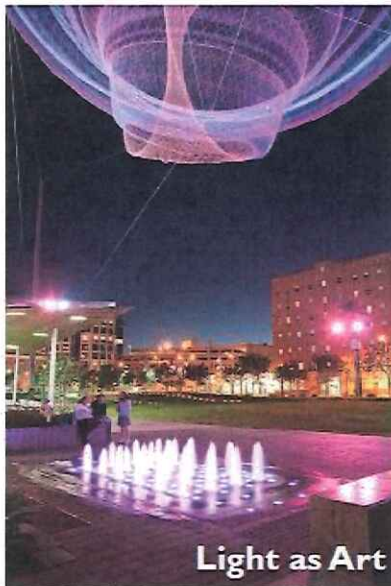
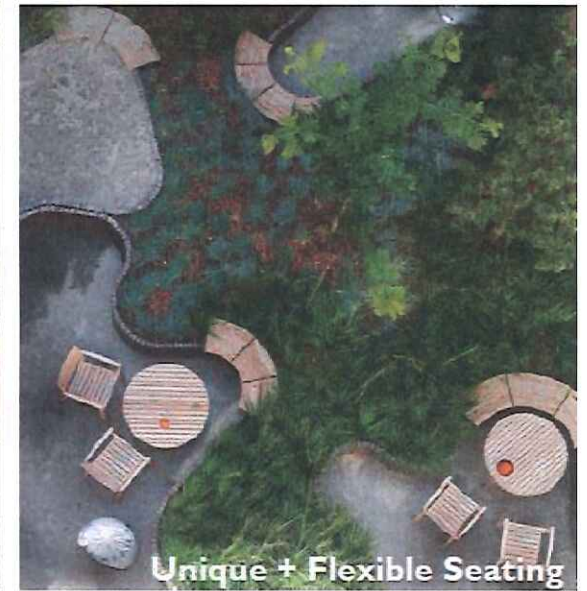










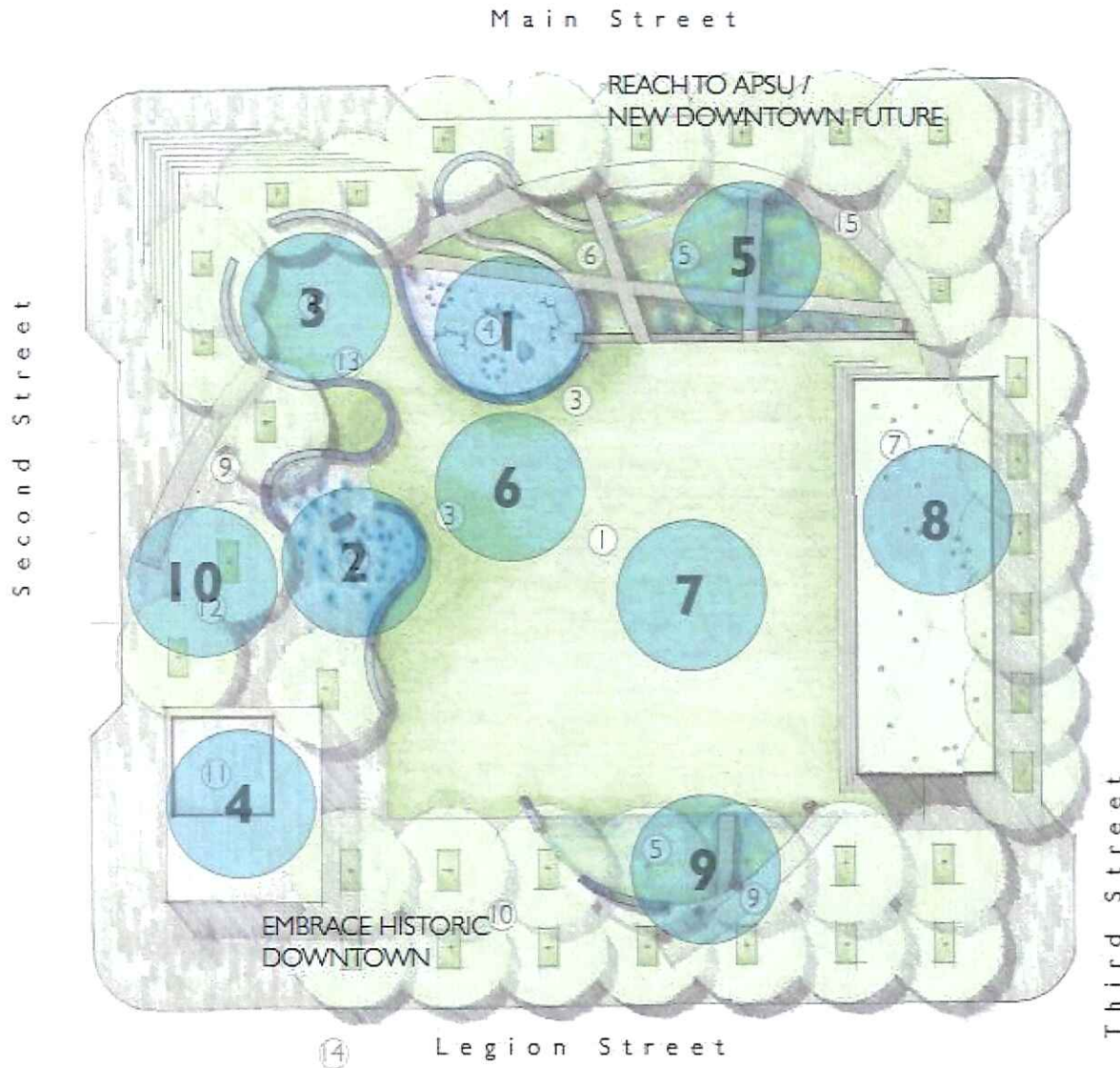


PROJECT GOALS:

- SPUR **ECONOMIC DEVELOPMENT + GROWTH** DOWNTOWN.
- **AMENITY** FOR DOWNTOWN RESIDENTIAL
- **REDEFINE “CORE”** OF DOWNTOWN
- **EMBRACE APSU** AS PART OF DOWNTOWN
- NEW PERMANENT **HOME FOR DOWNTOWN MARKET**
- ACT AS A **FESTIVAL AND EVENT SPACE**
- MEET THE **POWER OF TEN** CONCEPT
- **SERVE DOWNTOWN** RETAILERS AND RESTAURANTS
- PROVIDE **EXCITEMENT AND SENSE OF PLAY** DOWNTOWN
- CREATE A PLACE **“OF CLARKSVILLE”**
- INCORPORATE **LOCAL AND INTERACTIVE ARTWORKS**
- PROVIDE **PLENTIFUL AND DIVERSE SEATING**
- PROVIDE PLACES OF **SUN, SHADE, WATER, AND TOPOGRAPHY**
- FLEXIBLE SPACE THAT IS **COMFORTABLE FOR IMPROMPTU USE**
- PROVIDE A **SAFE AND SECURE** SOCIAL SPACE
- CREATE A **SELF SUSTAINING** SPACE
- CREATE A PLACE THAT **SUPPORTS AND ENHANCES ANY NEW PERFORMING ARTS CENTER** DOWNTOWN.
- EMBRACE THE **HISTORY AND HERITAGE OF NEARBY FORT CAMPBELL**



CONCEPTUAL DESIGN

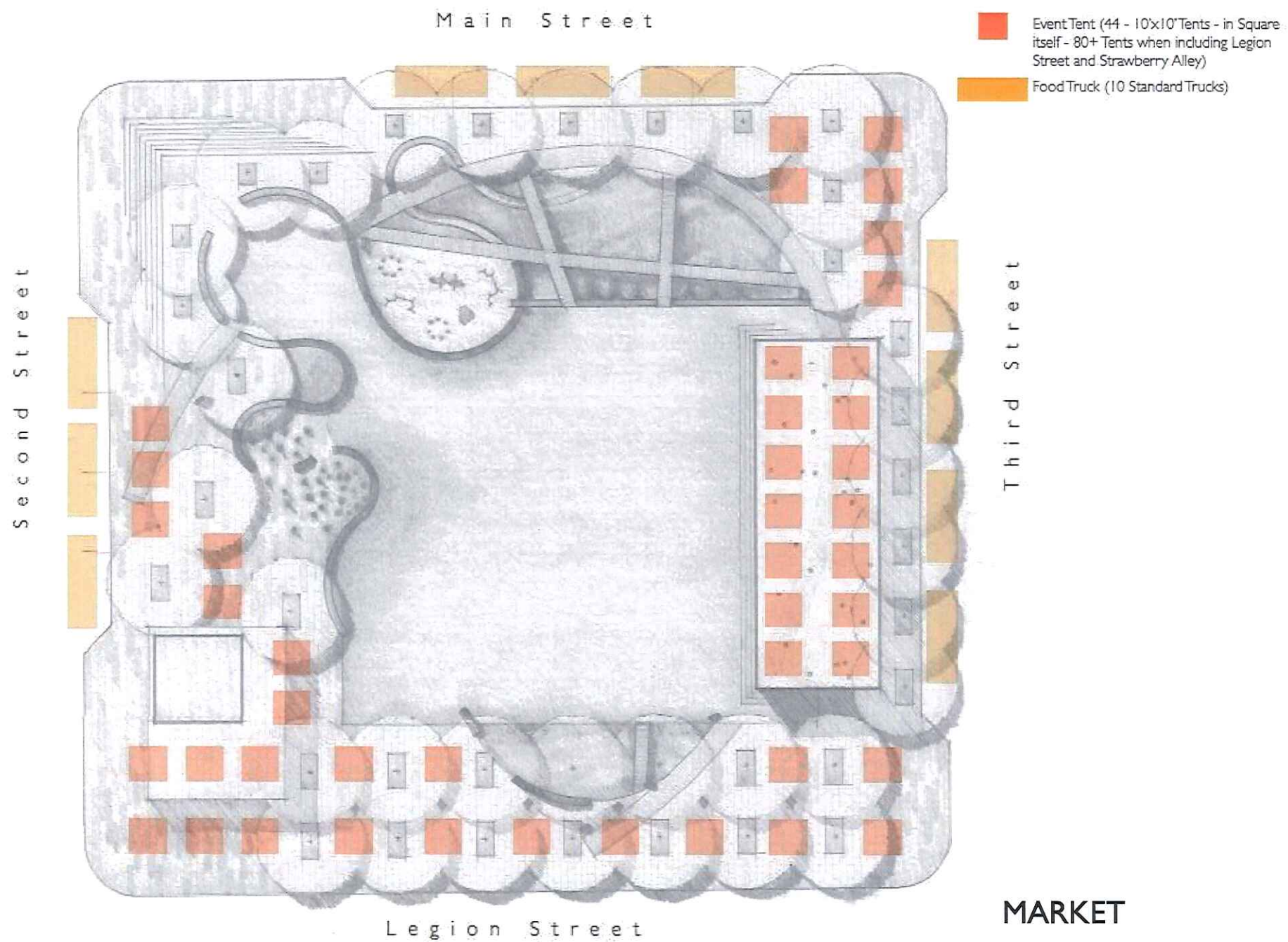


POWER OF TEN CONCEPT:

EVERY GREAT PLACE SHOULD
HAVE **10 REASONS** TO VISIT +
STAY

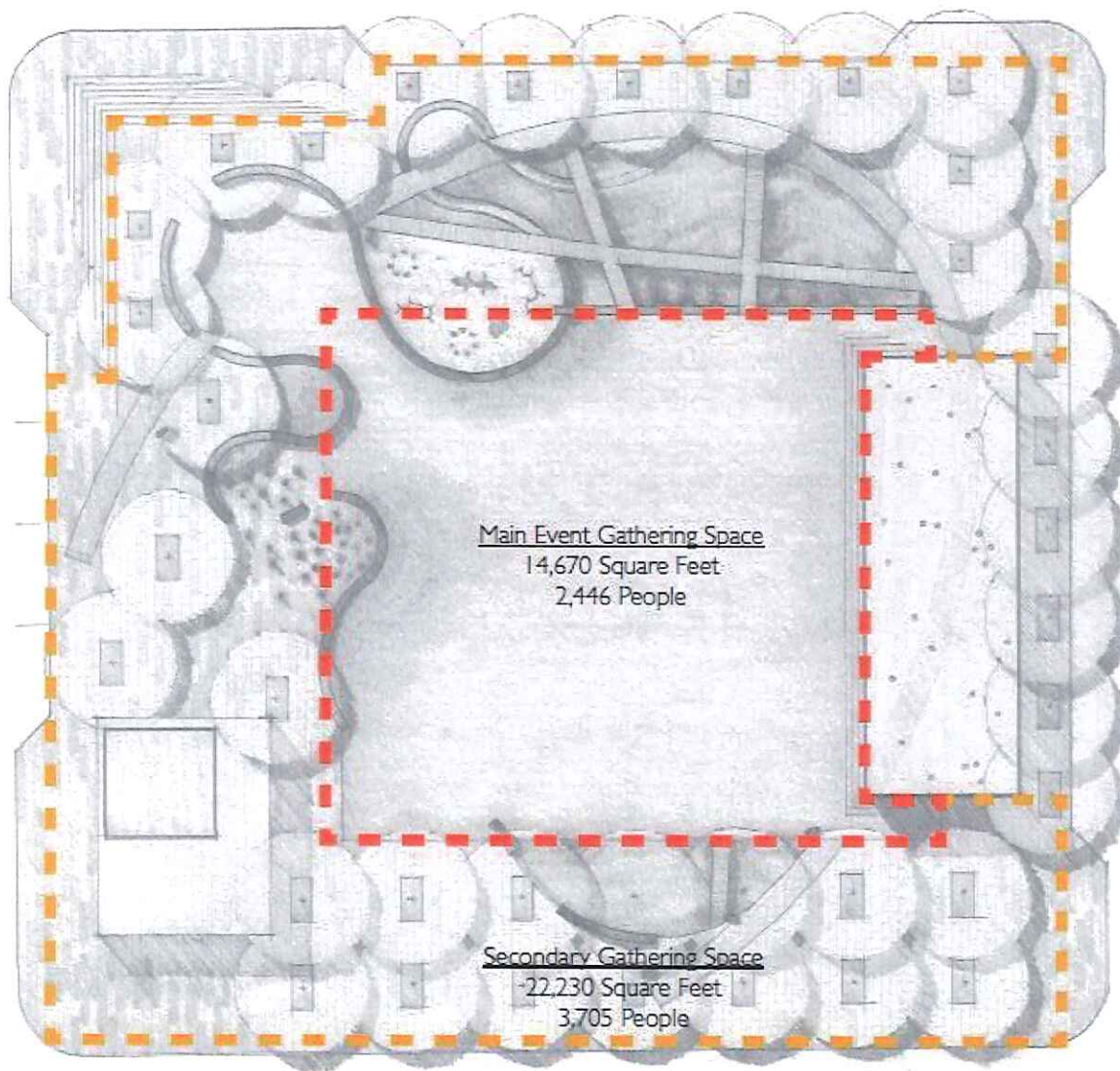
1. ADVENTURE PLAY
2. WATER PLAY
3. INTERACTIVE PUBLIC ART
4. FUTURE EXHIBIT SPACES
5. GARDENS + BOARDWALK
6. BERMS / MOUNDS
7. GRAND LAWN
8. MARKET PAVILION/
STAGE (AS ART)
9. INTERACTIVE HISTORY WALK
10. FLEXIBLE SEATING /

Other Activities:
Ping Pong tables
Chess Tables
Putting Green
Small Dog Park





EXPANDED MARKET



Main Event Gathering Space
14,670 Square Feet
2,445 People



Secondary Gathering Space
22,230 Square Feet
3,705 People



Total Event Gathering Space
36,900 Square Feet
6,150 People

EVENTS



CHARACTER PERSPECTIVES



BIRD'S EYE FROM FRANKLIN ST.



BIRD'S EYE FROM 3RD + MAIN



BIRD'S EYE FROM 2ND + MAIN



EYE LEVEL FROM 2ND + MAIN



EYE LEVEL OF CHILDREN'S PLAY FOUNTAIN



EYE LEVEL OF FRANKLIN GATEWAY AND POTENTIAL EXHIBIT SPACE



EYE LEVEL OF RAIN GARDENS



EYE LEVEL OF CHILDREN'S ADVENTURE PLAY



EYE LEVEL OF LEGION ST. PROMENADE