



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
FEBRUARY 2, 2017, 7:00 P.M.**

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

AGENDA

1) CALL TO ORDER

2) PRAYER: *Rev. Stewart P. Salyer, Bethel Cumberland Presbyterian Church (Guest of Councilman Alexander, Ward 10)*

PLEDGE OF ALLEGIANCE: *Councilwoman Deanna McLaughlin (Ward 2)*

3) ATTENDANCE

4) SPECIAL RECOGNITIONS

5) ZONING PUBLIC HEARING

1. **ORDINANCE 46-2016-17** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Grace Bible Church, Mid-State Investments-Agent, for zone change on property at the intersection of Peachers Mill Road and Pine Mountain Road from R-1 Single Family Residential District and R-2 Single Family Residential District to R-4 Multiple Family Residential District (*RPC: Approval/Approval*)
2. **ORDINANCE 47-2016-17** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Grace L. Harless for zone change on property at the intersection of Peachers Mill Road and Carter Road from R-1 Single Family Residential District to R-4 Multiple Family Residential District (*RPC: Approval/Approval*)

6) 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 42-2016-17** (Second Reading) Amending the FY17 Capital Projects Budget to accept a grant increase from the Tennessee Department of Transportation for the Red River Trail
2. **ORDINANCE 43-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Shannon Keen for zone change on property at the intersection of Thomas Street and Bradley Street from R-3 Three Family Residential District to C-2 General Commercial District
3. **RESOLUTION 25-2016-17** Approving a Certificate of Compliance for Yonatan Berhe for sale of wine in a food store (Jordan Grocery, 1201 Greenfield Drive)
4. Adoption of Minutes: January 3, January 5
5. Approval of Board Appointments:

Audit Committee: Jeff Henley - Coterminous

Public Art Commission: Jim Diehr – February 2017 through May 2017

7) FINANCE COMMITTEE

Jeff Burkhardt, Chair

1. **ORDINANCE 44-2016-17** (First Reading) Authorizing exercise of right of eminent domain to obtain easements for the Natural Gas Interconnect Pipeline (*Finance Committee: Approval*)
2. **RESOLUTION 20-2016-17** Amending Personnel Policy 03-01 relative to protective footwear (*Finance Committee: Approval*)

8) GAS & WATER COMMITTEE

Bill Powers, Chair

1. **ORDINANCE 38-2016-17** (First Reading; Referred to Committee January 5th) Amending the Official Code relative to gas rates (*Gas & Water Committee: Approval*)
2. **ORDINANCE 45-2016-17** (First Reading) Authorizing extension of utilities to Poplar Hills Subdivision, Section 7; request of Clinton Barger (*Gas & Water Committee: Approval*)

9) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

10) PARKS COMMITTEE

(Parks, Recreation, General Services)

Valerie Guzman, Chair

11) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

12) STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

13) TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

14) NEW BUSINESS

1. **RESOLUTION 18-2016-17** (Postponed January 5th) Authorizing an interlocal agreement between the City of Clarksville and the E911 Emergency Communications District (*Councilman Grubbs*)
2. **RESOLUTION 22-2016-17** Approving removal of a Lamar Advertising off-premise advertising structure on College Street and approving construction of a new Lamar Advertising off-premise advertising structure on Bellamy Lane (*Councilman Allen*)
3. **RESOLUTION 23-2016-17** Approving removal of a Lamar Advertising off-premise advertising structure on Wilma Rudolph Boulevard and approving construction of a new Lamar Advertising off-premise advertising structure on Lowes Drive (*Councilman Allen*)
4. **RESOLUTION 24-2016-17** Approving removal of a Lamar Advertising off-premise advertising structure on Madison Street and approving construction of a new Lamar Advertising off-premise advertising structure on Tiny Town Road (*Councilman Allen*)

15) MAYOR AND STAFF REPORTS

16) ADJOURNMENT

ORDINANCE 46-2016-17

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GRACE BIBLE CHURCH, MID-SOUTH INVESTMENTS-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF PEACHERS MILL ROAD AND PINE MOUNTAIN 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 and R-2 Single Family Residential District, as R-4 multiple Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point in the west right of way line of Peachers Mil Road, said point being a corner in the tract of real estate conveyed to Robert W. Clark, et al, by Sara A. Smith, et al, by deed dated August 30, 1985, of record in ORBV 362, Page 99, ROMCT; thence with the Clark line South 63 degrees 35 minutes 50 seconds west 475.50 feet to a point; thence continuing with the Clark line South 26 degrees 24 minutes 10 seconds East 462.55 feet to a point; thence continuing with the Clark line North 63 degrees 35 minutes 50 seconds East 475.50 feet to the West Right of Way linr of Peachers mill Road; thence northwardly with Peachers Mill Road on a curve to the right having an central angle of 6 degrees 37 minutes 41 seconds, a radius of 1,744.42 feet, a distance of 201.80 feet to a point; thence North 24 degrees 57 minutes 30 seconds West 261.50 feet to the point of beginning, containing 5.0 +/- acres further identified as Tax Map 43-D-E Map 29.00

ORDINANCE 47-2016-17

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GRACE L. HARLESS FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF PEACHERS MILL ROAD AND CARTER 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 R-4 Multiple Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 210 +/- feet south of the centerline of the intersection of Peachers Mill Road and Marshall Drive, said point being the southeast corner of the Arvel Hunter property, thence in a southerly direction 185 +/- feet with the west right of way line of Peachers Mill Road to a point, said point being the northeast corner of the Gregory L. Walker property, thence in a westerly direction 236 +/- feet with the northern boundary of the Walker property to a point, said point being in the western boundary of the Lexington TN LP property, thence in a northerly direction 156 +/- feet with the Lexington TN LP property and others to a point, said point being in the southern boundary of the Arvel Hunter property, thence in a easterly direction 193 +/- feet with the southern boundary of the Hunter property to the point of beginning, said tract containing 0.80 +/- acres, further identified as Tax Map 43-E-A, Parcel 11.00

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: February 2, 2017. The public hearing will be held on: February 2, 2017.

CITY ORD. #: 46-2016-17 RPC CASE NUMBER: Z-1-2017

Applicant: GRACE BIBLE CHURCH OF CLARKSVILLE

Agent: Mid State Investments

Location: Property fronting on the west frontage of Peachers Mill Rd, 400 +/- feet north of the Peachers Mill Rd. & Pine Mountain Rd. intersection.

Ward #: 3

Request: R-1 Single-Family Residential District / R-2 Single-Family Residential District
 to
 R-4 Multiple-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 47-2016-17 RPC CASE NUMBER: Z-2-2017

Applicant: GRACE L HARLESS

Location: Property fronting on the west frontage of Peachers Mill Rd., west of the Peachers Mill Rd. & Carter Rd. intersection.

Ward #: 2

Request: R-1 Single-Family Residential District
 to
 R-4 Multiple-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 1/25/2017

CASE NUMBER: Z - 1 - 2017

NAME OF APPLICANT: Grace Bible

Church Of Clarksville

AGENT: Mid State

Investments

GENERAL INFORMATION

PRESENT ZONING: R-1 R-2

PROPOSED ZONING: R-4

EXTENSION OF ZONE
CLASSIFICATION: NO

APPLICANT'S STATEMENT Multi-family residential
FOR PROPOSED USE:

PROPERTY LOCATION: Property fronting on the west frontage of Peachers Mill Rd, 400 +/- feet north of the Peachers Mill Rd. & Pine Mountain Rd. intersection.

ACREAGE TO BE REZONED: 4.94

DESCRIPTION OF PROPERTY Level lay of land with a few mature trees and grassland.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 43-D-E

PARCEL(S): 29.00

CIVIL DISTRICT: 3

CITY COUNCIL WARD: 3

COUNTY COMMISSION DISTRICT: 12

PREVIOUS ZONING HISTORY: SR-28-2013 (Approved Site Plan for a Church Facility)
(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:

No Traffic Assessment Required.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

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.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

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

6. FIRE DEPT/EMERGENCY MGT.:

7.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

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:

MIDDLE SCHOOL:

HIGH SCHOOL:

0.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: PEACHERS MILL RD.

DRAINAGE:
NORTHWEST

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

58

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

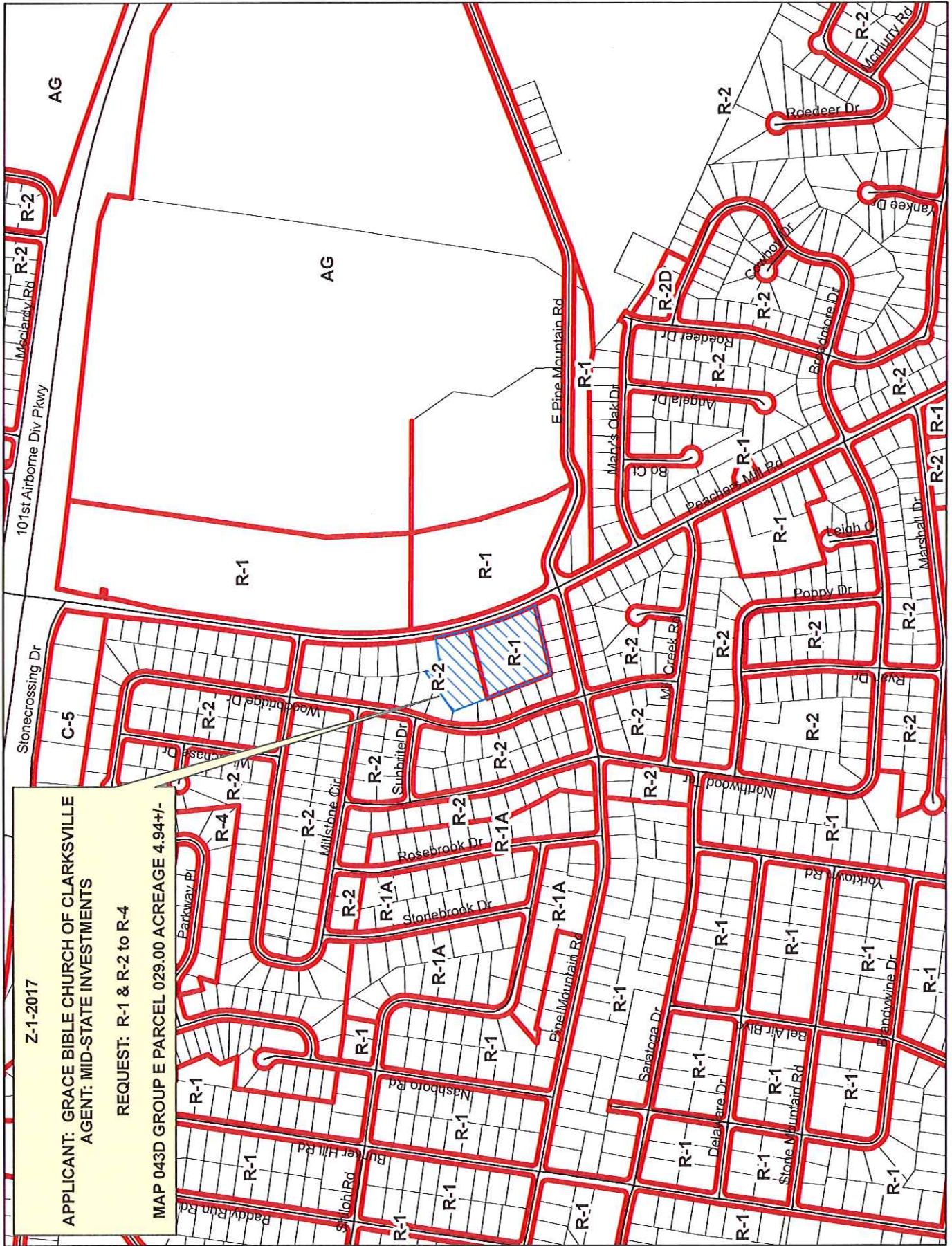
APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Peachers Mill Planning Area - This area is a combination of mature and newly platted subdivisions, primarily single family in nature. The construction of the 101st Parkway has had an impact here as it vastly improved the linkage between US 41 A and US 79. Even though the Parkway has limited access, it is creating pressure for commercial nodes at its intersections with local roads.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site, to include direct access to the City Greenway & directly across the street from Kenwood Elementary School.
3. No adverse environmental issues were identified relative to this request.
4. Request supports In-fill development & A "B" landscape buffer will be required for the development for the adjacent single family residents.

5.



CASE NUMBER: Z 1 2017 MEETING DATE 1/25/2017

APPLICANT: Grace Bible

Church Of Clarksville

PRESENT ZONING R-1

PROPOSED ZONING R-4

TAX PLAT # 43-D-E

PARCEL 29.00

GEN. LOCATION Property fronting on the west frontage of Peachers Mill Rd, 400 +/- feet north of the
Peachers Mill Rd. & Pine Mountain Rd. intersection.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 1/25/2017 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 1/25/2017

CASE NUMBER: Z - 2 - 2017

NAME OF APPLICANT: Grace L

Harless

AGENT:

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: R-4

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT Best use of property which currently has manufactured home on it and in poor
FOR PROPOSED USE: condition. To be removed and replaced with multi-family

PROPERTY LOCATION: Property fronting on the west frontage of Peachers Mill Rd., west of the Peachers
Mill Rd. & Carter Rd. intersection.

ACREAGE TO BE REZONED: 0.80 +/-

DESCRIPTION OF PROPERTY Single family lot with trees & a doublewide modular home.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 43-E-A

PARCEL(S): 11.00

CIVIL DISTRICT: 3

CITY COUNCIL WARD: 2

COUNTY COMMISSION DISTRICT: 16

PREVIOUS ZONING HISTORY:

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

No Traffic Assessment Required.

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

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.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

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.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

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:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: PEACHERS MILL RD.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

9

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Peachers Mill Planning Area - This area is a combination of mature and newly platted subdivisions, primarily single family in nature. The construction of the 101st Parkway has had an impact here as it vastly improved the linkage between US 41 A and US 79. Even though the Parkway has limited access, it is creating pressure for commercial nodes at its intersections with local roads.

STAFF RECOMMENDATION: **APPROVAL**

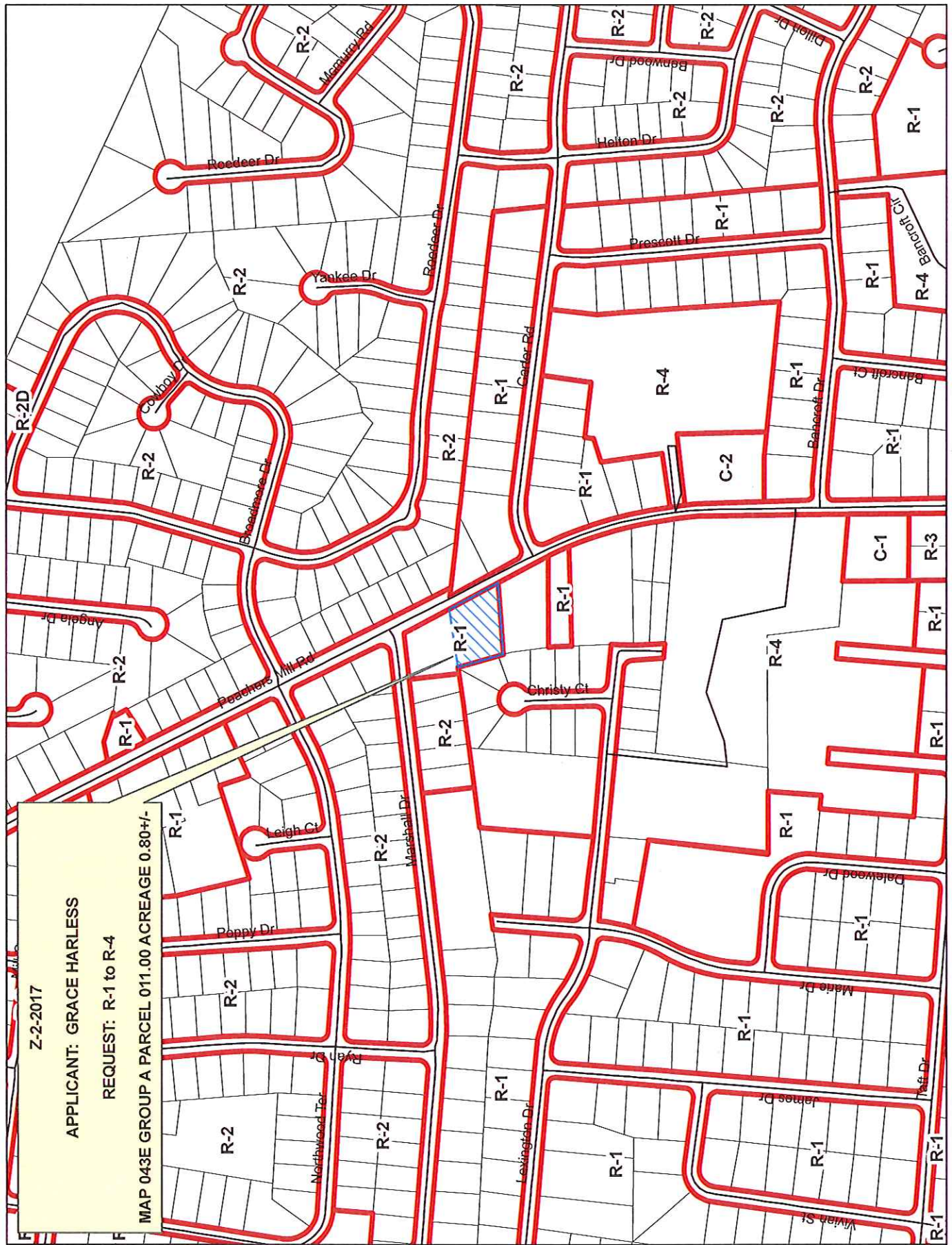
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Request supports In-fill development & A "B" landscape buffer will be required for the development for the adjacent single family Home to the north.

5.

APPLICANT: GRACE HARLESS

REQUEST: R-1 to R-4

MAP 043E GROUP A PARCEL 011.00 ACREAGE 0.80 +/-



CASE NUMBER: Z 2 2017 **MEETING DATE** 1/25/2017

APPLICANT: Grace L

Harless

PRESENT ZONING R-1

PROPOSED ZONING R-4

TAX PLAT # 43-E-A

PARCEL 11.00

GEN. LOCATION Property fronting on the west frontage of Peachers Mill Rd., west of the Peachers Mill Rd. & Carter Rd. intersection.

PUBLIC COMMENTS

None received as of 10:30 a.m. on 1/25/2017 (jhb).

ORDINANCE 42-2016-17

AN ORDINANCE AMENDING THE 2016-17 CAPITAL PROJECTS FUND BUDGET (ORDINANCE 102B-2015-16) AUTHORIZING THE CITY OF CLARKSVILLE TO ACCEPT A GRANT INCREASE OF FEDERAL FUNDS FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$48,399 FOR THE RED RIVER TRAIL

WHEREAS, the City of Clarksville was awarded a grant funded by the Federal Government and passed through the Tennessee Department of Transportation to construct and complete a major section of the City's pedestrian trail known as the Clarksville Red River Trail in fiscal year 2013; and

WHEREAS, they have agreed to increase that grant in the amount of \$48,399 in federal funds; and

WHEREAS, the City has funds available to meet our required 20% match within the capital project that was established during fiscal year 2013.

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

That the following Capital Projects Fund budget amendments be made:

Expenditure:				
40450003	4450	13501	Clarksville River Trail	Increase: \$ 48,399
Revenue:				
4041000	33130	13501	Federal Grant Revenue	Increase: \$ 48,399

FIRST READING: January 5, 2017

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 43-2016-17

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SHANNON KEEN FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF THOMAS STREET AND BRADLEY 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 C-2 General Commercial District.

PUBLIC HEARING: January 5, 2017

FIRST READING: January 5, 2017

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being in the south right of way margin of Thomas St. 44 +/- feet southwest of the centerline of the Thomas St. and Bradley St. intersection, said point also being the northeast corner of the herein described tract, thence in a southern direction with the west right of way margin of Bradley St. 106 +/- feet to a point, said point being the northeast corner of the Jerry Paschal Stewart property, thence in a westerly direction 48 +/- feet to a point, said point being the southeast corner of the American Car Washes Inc., property, thence in a northerly direction 110 +/- feet to a point, said point being in the southern right of way margin of Thomas St., thence in a easterly direction 52 +/- feet with the southern right of way margin of Thomas St. to the point of beginning, said tract containing 0.15 +/- acres. further identified as Tax Map 66-O-A, parcel 11.00

RESOLUTION 25-2016-17

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE AT JORDAN GROCERY

WHEREAS, Yonatan Berhe has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Jordan Grocery, located at 1201 Greenfield Drive; and

WHEREAS, the applicant or applicants who are to be in actual charge of the business have not been convicted of a felony within a ten-year period immediately preceding the date of application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten-year period immediately preceding the date of the application; and

WHEREAS, the applicant or applicants have secured a location for the business which complies with all zoning laws adopted by the local jurisdiction, as to the location of the business.

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Yonatan Berhe for sale of wine at Jordan Grocery, 1201 Greenfield Drive, Clarksville, Tennessee.

ADOPTED:



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
JANUARY 3, 2017**

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Tuesday, January 3, 2017, at 4:15 p.m.

A prayer was offered and the Pledge of Allegiance was led by Clarksville Police Department Chaplain Modesto Martinez.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4), Valerie Guzman, Mayor Pro Tem (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8), Jeff Henley (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

OATH OF OFFICE: CITY COUNCIL

Mayor McMillan administered the Oath of Office to members of the City Council who were elected and re-elected on November 8, 2016:

Ward 3 - Ron Erb
Ward 4 - Tim Chandler
Ward 5 - Valerie Guzman
Ward 8 - David Allen
Ward 9 - Jeff Henley
Ward 12 - Jeff Burkhart

OATH OF OFFICE: CITY JUDGE

Mayor McMillan administered the Oath of Office to City Judge Charles Smith who was re-elected on November 8, 2016.

ELECTION OF MAYOR PRO TEM

Mayor McMillan made a motion to elect Councilwoman Valerie Guzman to serve 2017-2018 as Mayor Pro Tem. The motion was seconded by Councilman Grubbs. The following vote was recorded:

AYE: Alexander, Allen, Burkhardt, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, McMillan, Powers, Smith

The motion to elect Councilwoman Valerie Guzman as Mayor Pro Tem unanimously passed.

Mayor Pro Tem Guzman thanked the Council for their support.

ADJOURNMENT

The meeting was adjourned at 4:25 p.m. Executive Session was immediately convened.



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JANUARY 5, 2017, 7:00 P.M.**

MINUTES

PUBLIC COMMENTS

Kathrine Sullivan had requested to speak to the City Council regarding the Clarksville High School Leadership Team's recommendation for improved safety at the intersection of Dr. Martin Luther King, Jr. Boulevard and Old Farmers Road; Ms. Sullivan was not present.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, January 5, 2017, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Pastor B. J. Brack, Hilldale United Methodist Church, guest of Councilman Geno Grubbs, Ward 7; the Pledge of Allegiance was led by Councilman Ron Erb, Ward 3.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4), Valerie Guzman, Mayor Pro Tem (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), David Allen (Ward 8), Jeff Henley (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhardt (Ward 12)

SPECIAL RECOGNITIONS

There were no special recognitions.

PUBLIC HEARING

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

ORDINANCE 43-2016-17 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Shannon Keen for zone change on property at the intersection of Thomas Street and Bradley Street from R-3 Three Family Residential District to C-2 General Commercial District

No one spoke for or against this request.

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

ADOPTION OF ZONING

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 43-2016-17**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

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

1. **ORDINANCE 39-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Ronnie Goad for zone change on property north and south of Ellington Drive, Ellsworth Drive, and Bellshire Drive from R-4 Multiple Family Residential to R-1A Single Family Residential District
2. **ORDINANCE 41-2016-17** (Second Reading) Amending the Official Code relative to pretreatment of industrial wastewater
3. **RESOLUTION 16-2016-17** Approving a Certificate of Compliance for Sweta Patel and Kirti Patel for sale of wine in a food store (Quick Stop Food Mart #12, 1780 Ashland City Road)
4. **RESOLUTION 19-2016-17** Approving a Certificate of Compliance for Dineshbhai G. Patel for sale of wine in a food store (Chum's Marathon, 811 Peacher's Mill Road)
5. Adoption of Minutes: December 1, 2016
6. Approval of Board Appointment:

Audit Committee: Wilbur Berry, Lynn Stokes – January 2017 through December 2018

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

AYE: Alexander, Allen, Burkhart, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to adopt the Consent Agenda passed.

FINANCE COMMITTEE

Jeff Burkhart, Chair

RESOLUTION 17-2016-17 Authorizing redirection of allotted funds for the Customs House Museum

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Alexander.

There was no objection to allowing Museum Director Jim Zimmer to answer questions. Councilwoman McLaughlin was concerned that the current funding for HVAC renovations had not been used. Mr. Zimmer said the Museum Board's building committee asked for advice from a mechanical engineer whose report should be received within the next few weeks for a plan to complete the HVAC renovation project by the end of May; however, the committee also decided the roof repair should take priority. In response to Councilwoman Smith's question, Mr. Zimmer said the roof began showing signs of deterioration during the summer of 2016 and actual water issues occurred in November 2016.

There was no objection to reverting to regular session. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Bill Powers, Chair

ORDINANCE 38-2016-17 (First Reading; Postponed December 1st) Amending the Official Code relative to gas rates

Councilman Powers made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Garrett. Mayor McMillan made a motion to refer this ordinance back to the Gas & Water Committee for further evaluation. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, McMillan, Powers, Smith

The motion to refer this ordinance back to the Gas & Water Committee unanimously passed.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen said several local churches were participating in the Room in the Inn program which provides beds for the homeless. The Old Firehouse Day shelter was also offering shelter and assistance. He announced the Point In Time program was scheduled for January 23rd to estimate the number of homeless individuals to determine funding for the next fiscal year.

PARKS, RECREATION, GENERAL SERVICES COMMITTEE

Valerie Guzman, Chair

Councilwoman Guzman announced upcoming events sponsored by the Parks & Recreation Department including adult and youth softball league registration, Ft. Defiance Interpretive Center events, Cupid Shuffle Dance, and Chocolate Affair.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

Councilman Grubbs shared the following monthly department statistics: Building & Codes Construction Division – 1,492 inspections; Building & Codes Enforcement Division – 151 cases; Building & Codes Abatement Division – 14 work orders; Building & Codes Administration – 73 single family permits; Fire & Rescue – 1,176 emergency runs; Police – 12,198 responses.

STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

Councilman Alexander reported 282 work orders completed by the Street Department during December.

TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

Councilwoman McLaughlin reported 57,444 passengers transported by Clarksville Transit System and 5,556 passengers transported by Nashville-Clarksville Express during the month of December.

Councilwoman McLaughlin announced meetings of the Transportation Committee would be held on the fourth Monday of each month.

NEW BUSINESS

ORDINANCE 42-2016-17 (First Reading) Amending the FY17 Capital Projects Budget to accept a grant increase from the Tennessee Department of Transportation for the Red River Trail

Councilman Powers made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. Councilman Powers said the required matching funds were already available. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to adopt this ordinance on first reading passed.

RESOLUTION 18-2016-17 Authorizing an interlocal agreement between the City of Clarksville and the E911 Emergency Communications District

Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Alexander. Councilman Grubbs made a motion to postpone action on this resolution to the next regular session to allow time for additional legal review. The motion was seconded by Councilman Alexander. The following vote was recorded:

AYE: Alexander, Allen, Burkhart, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to postpone action on this resolution to the next regular session passed.

MAYOR AND STAFF REPORTS

Councilman Powers announced monthly meetings of the Gas & Water Committee would be held on the same afternoon as Executive Session at 3:45 p.m. Councilman Burkhart announced monthly meetings of the Finance Committee would be held on Tuesday before Executive Session at 4:00 p.m.

ADJOURNMENT

The meeting was adjourned at 7:27 p.m.

ORDINANCE 44-2016-17

AN ORDINANCE AUTHORIZING THE EXERCISE OF RIGHT OF EMINENT DOMAIN TO OBTAIN UTILITY EASEMENTS AND PROPERTY NECESSARY TO ALLOW NATURAL GAS DISTRIBUTION SYSTEM CONSTRUCTION ASSOCIATED WITH THE NATURAL GAS INTERCONNECT PIPELINE PROJECT.

WHEREAS, the City of Clarksville is in the process of designing and ultimately constructing a 12-inch natural gas main through portions of Todd County, Kentucky and Montgomery County, Tennessee; and

WHEREAS, the gas main is intended to serve as a redundant natural gas feed to customers within the Clarksville Gas service area and will also present the opportunity to negotiate gas prices between the two competing suppliers; and

WHEREAS, the availability of a redundant natural gas feed, as requested by many interested prospects, will aid the Clarksville-Montgomery County Industrial Development Board in industrial recruitment to the area; and

WHEREAS, it may not be possible to cost effectively negotiate timely easements and property acquisition with the affected property owners for the required construction activities.

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

That if negotiation efforts are not timely or effective, the City of Clarksville is hereby authorized to exercise the right of eminent domain to obtain necessary easements and property to allow natural gas distribution system construction associated with the Natural Gas Interconnect Pipeline project in the aforementioned area.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 20-2016-17

A RESOLUTION AMENDING PERSONNEL POLICY 03-1 RELATIVE TO PROTECTIVE FOOTWEAR

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

That City of Clarksville Personnel Policy 03-1, relative to protective footwear, is hereby amended by deleting the language effective March 6, 2003, and by substituting instead the language attached hereto as Exhibit A.

ADOPTED:



PERSONNEL POLICY 03-1

SUBJECT: PROTECTIVE FOOTWEAR

PURPOSE Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet are exposed to electrical and hazardous substances.

This policy incorporates the requirements of the U.S. OSHA Regulations 1910.136, Occupational Foot Protection and ASTM F-2413-2005 (Standard Specification for Performance Requirements for Protective Footwear), or the most recent version.

POLICY STATEMENT:

It is the responsibility of each department to perform a workplace hazard assessment to determine the need for specific foot protection, which employees require foot protection, and to ensure that appropriate foot protection is being worn.

Employees are responsible for their own safe use of foot protection. They shall wear the approved foot protection as part of their work uniform and follow manufacturer recommendations for their footwear.

Safety shoes shall be required for all seasonal part-time and/or summer help, where required, a cost to which the employee is responsible.

Management/Supervisors are responsible for implementing an appropriate foot protection program for individuals, work, and areas under their direction. They shall:

- A.** Evaluate all their work areas and tasks and assess the risk for foot injuries, plus slips, trips, falls, and electrical shock.
- B.** Determine the need for specific foot protection.
- C.** Ensure employees are wearing appropriate, approved foot protection.
- D.** Provide adequate storage and care capability if needed.
- E.** Ensure foot protection requirements are being followed.

The City Health & Safety Manager shall:

- A. Provide professional consultation and guidance to management for all foot protection program elements.
- B. Audit the foot protection program and assist management in developing effective strategies for indicated improvement.

EMPLOYEE ALLOTMENT

The City of Clarksville shall purchase protective footwear that meets the ASTM F-2413-2005 criteria up to the amount of one-hundred and twenty five dollars (\$125) per year for full-time employees. Note: At this time, there is no legal requirement for the City to provide employees with protective equipment that is considered personal in nature, such as protective footwear.

At the discretion of the Department Head, protective footwear that is destroyed due to a work-related accident, catastrophic events, hazardous substances, chemical spill, or other similar event beyond normal wear, tear, and use may be replaced by the department.

IMPLEMENTATION:

- A. Perform hazard assessment of department worksites to determine the need for and type of foot protection
- B. Ensure employees select appropriate, approved foot protection.
- C. All protective footwear shall meet the requirements of ASTM F-2413-2005:
 - 1. Protective footwear is intended to provide protection for the toes against external forces through the use of a protective toe box. Compression and impact resistant protective footwear shall be rated no less than C/75, I/75, and Mt75.
 - 2. Employees conducting electrical work such as building/facility maintenance, traffic signal maintenance, sewer lift pump maintenance, etc. shall wear protective footwear with an (EH) electrical hazard rating. EH footwear is manufactured with non-conductive, electrical shock-resistant soles and heels. The outsole is intended to provide a secondary source of electric shock-resistance protection to the wearer against the hazards from an incidental contact with live electrical circuits, electrically energized conductors, parts or apparatus. It must be capable of withstanding the application of 18,000 volts at 60 hertz for one minute with no current flow or leakage current in excess of one milliampere under dry conditions. The label printed or sewn onto the shoe shall have "EH" indicated.
- D. The identification of all protective footwear certified as meeting the requirements of this procedure shall follow a consistent pattern. One shoe of each pair shall be clearly and legibly identified in letters and numbers by stitched-in labels, stamping, and/or pressure-

sensitized labels. The labels shall identify the shoe as complying with the standard, the year of the standard, gender, and which sections of the standard the shoe complies with.

Line #1: ASTM F2413-11

This line identifies the ASTM standard. It indicates that the protective footwear meets the performance requirements of ASTM F2413 issued in 2011.

Line #2: M I/75 C/75 Mt75

This line identifies the gender (M [Male] or F [Female]) of the user. It also identifies the existence of impact resistance (I), the impact resistance rating (75 foot-pounds), compression resistance (C) and the compression resistance rating (75) which correlates to 2500 pounds of compression. The metatarsal designation (Mt) and rating (75 foot-pounds) is also identified.

Lines 3 & 4: PR

Lines 3 and 4 are used to identify footwear made to offer protection from other specific types of hazards referenced in the standard. They are used to designate conductive (Cd) properties, electrical hazard resistance properties (EH), footwear designed to reduce the accumulation of excess static electricity (SD) and puncture resistance (PR).

Conductive (Cd) footwear is intended to provide protection for the wearer against hazards that may result from static electricity buildup and to help reduce the possibility of ignition of explosives or volatile chemicals. The footwear must facilitate electrical conductivity and the transfer of static electricity buildup from the body to the ground. The electrical resistance must range between zero and 500,000 ohms.

Electrical hazard (EH) footwear is manufactured with non-conductive, electrical shock-resistant soles and heels. The outsole is intended to provide a secondary source of electric shock-resistance protection to the wearer against the hazards from an incidental contact with live electrical circuits, electrically energized conductors, parts or apparatus. It must be capable of withstanding the application of 18,000 volts at 60 hertz for one minute with no current flow or leakage current in excess of one milliampere under dry conditions.

Static dissipative (SD) footwear is designed to provide protection against hazards that may exist due to excessively low footwear resistance, as well as maintain a sufficiently high level of resistance to reduce the possibility of electric shock. The footwear must have a lower limit of electrical resistance of 10⁶ ohms and an upper limit of 10⁸ ohms.

Puncture-resistant (PR) footwear is designed so that a puncture-resistant plate is positioned between the insole and outsole. It is an integral and permanent part of the footwear. Devices constructed of metal must pass the ASTM B117-11 Standard Practice for Operating Salt Spray (Fog Apparatus) corrosion resistance testing. The device must

show no sign of corrosion after being exposed to a five percent salt solution for 24 hours. The puncture-resistant footwear must show no signs of cracking after being subjected to 1.5 million flexes and have a minimum puncture resistance of 270 pounds.

Example label for a female Street Department employee who conducts concrete finishing:

- ASTM F2413-11
- F I/75/C/75/Mt75

Example label for a male Building Maintenance employee who conducts electrical maintenance work:

- ASTM F2413-11
- M I/75/C/75/Mt75
- EH

- E.** Employees who are exposed to foot hazards AND who regularly operate heavy equipment, large trucks or frequently enter/exit vehicles, must wear protective footwear that extends above the ankle.
- F.** Employees may use local shoe vendors provided that the protective footwear purchased meets the aforementioned requirements and the vendors have been approved through the Purchasing Department. Purchases shall be made with Purchase Orders or City issued P-cards. If footwear is purchased through a local vendor, it is the supervisor's and/or Department Head's responsibility to inspect the protective footwear for ASTM F2413 compliance.
- G.** Departments may host mobile footwear vendors and arrange direct billing at their discretion. If such vendors are used, the vendor must supply a statement that the footwear meets ASTM F2413. These vendors shall also be preapproved through the Purchasing Department.
- H.** To limit costs and prevent damage to an employee's protective footwear, departments should issue appropriate over-boots in situations such as sewer work and work around chemicals, catastrophic events, hazardous substances, concrete, or other materials.
- I.** No affected employee may work without protective footwear where there is a danger of foot injuries due to falling or rolling objects or objects piercing the sole, and where such employee's feet are exposed to electrical and hazardous substances. If anyone needs

information on what type of foot protection is appropriate, contact your department's Health & Safety Coordinator or the Health & Safety Manager located in the Human Resources Department.

POLICY CHANGES:

Any and all revisions to this policy that will change the employee allotment amount shall be approved by the City of Clarksville Finance & Administration Committee. All other substance revisions made to this policy shall be approved by the Human Resources Director.

THIS POLICY IS SUBJECT TO REVISION WITHOUT NOTICE.

OFFICIAL DOCUMENT

APPROVED BY CITY COUNCIL: MARCH 6, 2003

EFFECTIVE DATE: MARCH 6, 2003

REVISED:_____

Will Wyatt , Director of Human Resources



PERSONNEL POLICY 03-1

SUBJECT: PROTECTIVE FOOTWEAR

PURPOSE :

Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet are exposed to electrical ~~and hazardous substances~~ hazards.

This policy incorporates the requirements of the U.S. OSHA Regulations 1910.136, Occupational Foot Protection and ASTM F-2413-2005 (Standard Specification for Performance Requirements for Protective Footwear), NSI Z41-1999, "American National Standard for Personal Protection—Protective Footwear" or the most recent version."

POLICY STATEMENT:

It is the responsibility of each department to perform a workplace hazard assessment to determine the need for specific foot protection, which employees require foot protection, and to ensure that appropriate foot protection is being worn.

Employees are responsible for their own safe use of foot protection. They shall wear the approved foot protection as part of their work uniform and follow manufacturer recommendations for their footwear. -

Safety shoes shall be required for all seasonal part--time and/or summer help, where required, a cost to which the employee is responsible.

Management/Supervisors are responsible for implementing an appropriate foot protection program for individuals, work, and areas under their direction. They shall:

- A. Evaluate all their work areas and tasks and assess the risk for foot injuries, plus slips, trips, ~~and~~ falls, and electrical shock.
- B. Determine the need for specific foot protection.
- C. Ensure employees are wearing appropriate, approved foot protection.
- D. Provide adequate storage and care capability if needed.
- E. Ensure foot protection requirements are being followed.

The City ~~Safety~~ Health & Safety Manager shall:

- A. Provide professional consultation and guidance to management for all foot protection program elements.
- B. Audit the foot protection program and assist management in developing effective strategies for indicated improvement.

EMPLOYEE REIMBURSEMENTALLOTMENT

The City of Clarksville ~~will reimbursement~~ shall purchase protective footwear ~~reimburse employees that meets the ASTM F-2413-2005 criteria~~ up to the amount of one-hundred and twenty five dollars (\$~~125~~25) per year for ~~protective footwear that meets the ASTM F-2413-2005 ANSI Z41-1999 criteria~~ full-time employees. Note: At this time, there is no legal requirement for the City to provide employees with protective equipment that is considered personal in nature, such as protective footwear.

~~At the discretion of the Department Head, employees may be reimbursed for~~ protective footwear that is destroyed due to a work-related accident, catastrophic events, hazardous substances, chemical spill, or other similar event beyond normal wear, tear, and use may be replaced by the department.

IMPLEMENTATION:

- A. Perform hazard assessment of department worksites to determine the need for and type of foot protection.
- B. Ensure employees select appropriate, approved foot protection.
- C. All protective footwear shall meet the requirements of ASTM F-2413-2005-ANSI Standard Z41-1999:
 1. Protective footwear is intended to provide protection for the toes against external forces through the use of a protective toe box. Compression and impact resistant protective footwear shall be rated no less than C/75, I/75, and Mt75 ~~C/75 and I/75, respectively.~~
 2. Employees conducting electrical work such as building/facility maintenance, traffic signal maintenance, sewer lift pump maintenance, etc. shall wear protective footwear with an (EH)ANSI electrical hazard rating. EH footwear is manufactured with non-conductive, electrical shock-resistant soles and heels. The outsole is intended to provide a secondary source of electric shock-resistance protection to the wearer against the hazards from an incidental contact with live electrical circuits, electrically energized conductors, parts or apparatus. It must be capable of withstanding the application of 18,000 volts at 60 hertz for one minute with no current flow or leakage current in excess

~~of one milliampere under dry conditions. The footwear that is rated for electrical hazards shall provide protection against open circuits of 600 volts or less under dry conditions. No metal parts shall be incorporated in the sole or heel of the shoe. The ANSI label printed or sewn onto the shoe shall have “EH” indicated.~~

- D.** The identification of all protective footwear certified as meeting the requirements of this procedure shall follow a consistent pattern. One shoe of each pair shall be clearly and legibly identified in letters and numbers by stitched-in labels, stamping, and/or pressure-sensitized labels. The labels shall identify the shoe as complying with the standard, the year of the standard, gender, and which sections of the standard the shoe complies with.

Line #1: ASTM F2413-11

This line identifies the ASTM standard. It indicates that the protective footwear meets the performance requirements of ASTM F2413 issued in 2011.

Line #2: M I/75 C/75 Mt75

This line identifies the gender (M [Male] or F [Female]) of the user. It also identifies the existence of impact resistance (I), the impact resistance rating (75 foot-pounds), compression resistance (C) and the compression resistance rating (75) which correlates to 2500 pounds of compression. The metatarsal designation (Mt) and rating (75 foot-pounds) is also identified.

Lines 3 & 4: PR

Lines 3 and 4 are used to identify footwear made to offer protection from other specific types of hazards referenced in the standard. They are used to designate conductive (Cd) properties, electrical hazard resistance properties (EH), footwear designed to reduce the accumulation of excess static electricity (SD) and puncture resistance (PR).

Conductive (Cd) footwear is intended to provide protection for the wearer against hazards that may result from static electricity buildup and to help reduce the possibility of ignition of explosives or volatile chemicals. The footwear must facilitate electrical conductivity and the transfer of static electricity buildup from the body to the ground. The electrical resistance must range between zero and 500,000 ohms.

Electrical hazard (EH) footwear is manufactured with non-conductive, electrical shock-resistant soles and heels. The outsole is intended to provide a secondary source of electric shock-resistance protection to the wearer against the hazards from an incidental contact with live electrical circuits, electrically energized conductors, parts or apparatus. It must be capable of withstanding the application of 18,000 volts at 60 hertz for one minute with no current flow or leakage current in excess of one milliampere under dry conditions.

Static dissipative (SD) footwear is designed to provide protection against hazards that may exist due to excessively low footwear resistance, as well as maintain a sufficiently high level of resistance to reduce the possibility of electric shock. The footwear must have a lower limit of electrical resistance of 106 ohms and an upper limit of 108 ohms.

D. Puncture-resistant (PR) footwear is designed so that a puncture-resistant plate is positioned between the insole and outsole. It is an integral and permanent part of the footwear. Devices constructed of metal must pass the ASTM B117-11 Standard Practice for Operating Salt Spray (Fog Apparatus) corrosion resistance testing. The device must show no sign of corrosion after being exposed to a five percent salt solution for 24 hours. The puncture-resistant footwear must show no signs of cracking after being subjected to 1.5 million flexes and have a minimum puncture resistance of 270 pounds.

Example label for a female Street Department employee who conducts concrete finishing:

- ASTM F2413-11/ANSI Z41 PT 99
- F I/75/-C/75/Mt75

Example label for a male Building Maintenance employee who conducts electrical maintenance work:

- ASTM F2413-11/ANSI Z41 PT 99
- M I/75/-C/75/Mt75
- EH

- E. Employees who are exposed to foot hazards AND who regularly operate heavy equipment, large trucks or frequently enter/exit vehicles, must wear protective footwear that extends above the ankle.
- F. Employees may use local shoe vendors provided that the protective footwear purchased meets ~~items 2 through 4 above~~the aforementioned requirements and the vendors have been approved through the Purchasing Department. ~~Requests for reimbursement shall be submitted through the employee's supervisor and/or Department Head~~Purchases shall be made with Purchase Orders or City issued P-cards. If footwear is purchased through a local vendor, it is the supervisor's and/or Department Head's responsibility to inspect the protective footwear for ASTM F2413/ANSI Z41-1999 compliance.
- G. Departments may host mobile footwear vendors and arrange direct billing at their discretion. If such vendors are used, the vendor must supply a statement that the footwear

meets ~~ANSI Z41-1999~~ASTM F2413. These vendors shall also be preapproved through the Purchasing Department.

H. To limit costs and prevent damage to an employee's protective footwear, departments should issue appropriate over-boots in situations such as sewer work and work around chemicals, catastrophic events, hazardous substances, concrete, or other materials.

I. No affected employee may work without protective footwear where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee's feet are exposed to electrical and hazardous substances ~~hazards~~. If anyone needs information on what type of foot protection is appropriate, contact your department's Health & Safety Coordinator or the ~~city safety~~Risk Management Ceordinator (Safety) Health & Safety Manager located in the Human Resources Department.

POLICY CHANGES:

Any and all revisions to this policy that will change the employee allotment amount shall be approved by the City of Clarksville Finance & Administration Committee. All other substance revisions made to this policy shall be approved by the Human Resources Director.

I.

THIS POLICY IS SUBJECT TO REVISION WITHOUT NOTICE.

OFFICIAL DOCUMENT

APPROVED BY CITY COUNCIL: MARCH 6, 2003

EFFECTIVE DATE: MARCH 6, 2003

REVISED:

Will Wyatt ~~Michael Worsham~~, Director of Human Resources

ORDINANCE 38-2016-17

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

WHEREAS, Clarksville Gas and Water retained Raftelis Financial Consultants to develop a comprehensive financial plan, cost of service study and rate plan; and

WHEREAS, the Natural Gas Rate Study Report recommends rate revenue adjustments to better align the cost of serving each class with the revenues generated by that class and rate structure adjustments to better align the City's rate structure with industry best practices for natural gas utility rates.

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

That Sections 13-315 through and including Section 13-319 are deleted in their entirety and substituting therefor the following:

Sec. 13-315. - Authorization for pass through adjustment.

The chief financial officer/comptroller and the gas manager are hereby authorized to pass gas cost adjustments on to customers, whether increases or decreases, from the supplier of the city gas system to maintain the balanced efficiency of the gas department.

The PTA adjustment is intended to assure that the city gas and water department adjusts for these volatile changes in the commodity cost of gas.

The "commodity" cost of gas is the city gas and water department monthly city gate cost of gas. This includes the actual gas cost plus the interstate pipeline volumetric and storage costs involved in transporting the gas from the source of supply to our city gate regulator station.

The PTA will be calculated monthly on the last business day of each month to be applied to the first billing that follows.

Any balance over or under recovery of gas cost at the end of each month may be passed through the subsequent month PTA accordingly.

Sec. 13-316. - Gas services.

- (1) *Availability.* Gas shall be available to any customer as defined in Section 13-312 where the department's distribution mains are suitable for supplying the desired service. A building, for purposes of gas service, shall be considered nonresidential which has more than four (4) units. Commercial and industrial customers will be supplied only through a single metering point. The commercial and industrial rate shall be available to individual apartment houses where service is supplied to more than one family unit through a single meter. The large Commercial and Industrial rate schedule shall be available to any commercial or industrial consumer using natural gas principally for process steam generation, manufacturing purposes, or any other base-load application, and where the use of gas for space heating is only incidental. This rate is not available to consumers whose use of gas during the months of least consumption is less than fifty (50) percent of the use

of gas during the month of greatest consumption. The Department reserves the right to place customers in the appropriate rate schedule based on usage history.

- (2) *Rates:* The following rates shall be applicable to each customer class on the dates indicated.

	2/6/2017	1/1/2018	1/1/2019
<u>Residential</u>			
Monthly Meter Charge	\$ 16.110	\$ 17.320	\$ 17.840
Usage Charge per 100cf	\$ 0.104	\$ 0.112	\$ 0.115
Commodity Charge per 100cf	Based on actual cost of gas		

<u>Commercial & Industrial</u>			
Monthly Meter Charge	\$ 37.410	\$ 37.410	\$ 37.410
Usage Charge per 100cf	\$ 0.089	\$ 0.089	\$ 0.089
Commodity Charge per 100cf	Based on actual cost of gas		

<u>HLF Large Commercial & Industrial</u>			
Monthly Meter Charge	\$ 211.890	\$ 211.890	\$ 211.890
Usage Charge per 100cf	\$ 0.048	\$ 0.048	\$ 0.048
Commodity Charge per 100cf	Based on actual cost of gas		

<u>WACOG</u>			
Monthly Meter Charge	\$ 479.260	\$ 479.260	\$ 479.260
Usage Charge per 100cf	\$ 0.039	\$ 0.039	\$ 0.039
Commodity Charge per 100cf	Based on actual cost of gas		

<u>Interruptable Transportation</u>			
Monthly Meter Charge	\$ 497.260	\$ 497.260	\$ 497.260
Usage Charge per 100cf	\$ 0.028	\$ 0.030	\$ 0.031

<u>Firm Transportation</u>			
Monthly Meter Charge	\$ 497.260	\$ 497.260	\$ 497.260
Demand Charge per Peak 100cf	\$ 0.317	\$ 0.341	\$ 0.351
Usage Charge per 100cf	\$ 0.018	\$ 0.019	\$ 0.020

- (3) *Minimum bill.* For all services rendered the minimum bill shall be equal to the monthly meter charge as applicable to each customer class per meter. The demand charge for firm transportation customers shall be as set forth in Section 13-317 (a).Section

Sec. 13-317. – Firm and Interruptible Transportation

(a) FIRM TRANSPORTATION

AVAILABILITY:

To be eligible for firm transportation service under this Section, customers must meet each of the following criteria:

- (1) The distribution mains owned and operated by the Department must be suitable for supplying the desired service;
- (2) The customer must take deliveries of all gas at a single delivery point;
- (3) The customer must use at least 100 Mcf per day or 3,000 Mcf per month of natural gas;
- (4) The customer must have executed a written notice of election to receive firm transportation service under this Ordinance for a minimum term of 12 months;
- (5) The customer must not resell the gas, except that it may resell the gas to any retail consumers served by the customer at the time the Department initiates service and are located in Tennessee.
- (6) The customer shall not transport the gas to others.
- (7) The customer must have executed a Natural Gas Firm Transportation Agreement substantially in the form approved by the Department for use by the Department in connection with the provision of firm transportation service to eligible customers; and
- (8) The customer must have paid the Department a fee of \$8,000.00 for the installation of telemetry equipment to be owned and installed by the Department at the customer's meter. Such fee shall be true-up based on actual cost incurred by the Department with any overpayment being reimbursed to the customer and any underpayment being due the Department.

RATES:

For each month of service provided during the term of the of the Natural Gas Firm Transportation Agreement the customer shall pay the rates set forth in that Agreement and under Section 13-316 (2), including charges for firm transportation, for authorized interruptible overrun service, for daily and monthly balancing and for certain charges imposed by third parties.

MINIMUM BILL:

For service rendered under this Section, the minimum monthly bill shall be the monthly demand charge as set forth in Section 13-316 (2) and shall be applied to the level of the customer's Maximum Daily Quantity, which quantity will be the same for each month for the term of the Natural Gas Firm Transportation Agreement and will be set forth in that Agreement.

CONTRACT PERIOD AND BILLING:

Contracts shall be for a minimum period of one year. A customer that has elected to receive service under this Section shall not be allowed to switch to service under a different Section or Rate Schedule without the Department's written permission during the contract period.

(b) INTERRUPTIBLE TRANSPORTATION

AVAILABILITY:

To be eligible for interruptible transportation service under this Section, a customer must meet each of the following criteria:

- (1) The distribution mains owned and operated by the Department must be suitable for supplying the desired service;
- (2) The customer must take deliveries of all gas at a single delivery point;
- (3) The customer must maintain in a usable condition facilities for substitute fuels or otherwise make provision for the curtailment of gas service and must agree to use such substitute facilities or other provision for curtailment of gas service in order to curtail the use of gas up to 100% of the customer's requirements immediately upon oral notice from the Department, and after such curtailment to refrain from increasing the use of gas until permitted to do so by the Department;
- (4) The customer must not resell the gas transported and must not transport the gas for another entity;
- (5) The customer's facilities must not be connected to any facilities through which it could receive deliveries of gas other than those of the Department;
- (6) The customer must use at least 100 Mcf per day or 3,000 Mcf per month of natural gas at its plant when not curtailed by the Department
- (7) The customer must have executed a written notice of election to receive interruptible transportation service under this Ordinance for a minimum term of 12 months
- (8) The customer must have executed a Natural Gas Interruptible Transportation Agreement substantially in the form approved by the Department for use by the Department in connection with the provision of interruptible transportation service to eligible industrial and commercial customers; and
- (9) The customer must have paid the Department a fee of \$8,000.00 for the installation of telemetry equipment to be owned and installed by the Department at the customer's meter. Such fee shall be true-up based on actual cost incurred by the Department with any overpayment being reimbursed to the customer and any underpayment being due the Department.

MINIMUM BILL:

For service rendered under this Interruptible Transportation Rate Schedule, the minimum monthly bill shall be as set forth in Section 13-316 (2). However, in order to remain eligible for service under this Ordinance, the customer must maintain the minimum volume requirements for the availability of interruptible transportation service set forth in this Section during the term that the service is provided. If the customer fails to maintain such minimum volume requirements during the term of the interruptible transportation service, the Department may terminate the availability of service under this Ordinance.

CONTRACT PERIOD AND BILLING:

Contracts shall be for a minimum period of one year with monthly payment for service taken. A customer that has elected to receive service under this Section shall not be allowed to switch to service under a different Section or Rate Schedule without the Department's permission during the contract period.

PENALTY FOR UNAUTHORIZED USE:

In the event a customer uses gas in excess of the daily volume allowed by the Department during a curtailment period, the customer shall pay the amounts set forth in the Natural Gas Interruptible Transportation Agreement between the Department and the customer. Each such unauthorized use of gas, whether occurring in the same month or in different months of a contract year, shall be subject to a separate penalty.

DAILY TRANSPORTATION BALANCING CHARGES:

Customer shall pay a daily transportation balancing charge to the Department as set forth in the Natural Gas Interruptible Transportation Agreement between the Department and the customer for variances between the quantities that the customer has scheduled for transportation and the quantities that the customer uses at its plant each day.

MONTHLY GAS BALANCING CHARGES:

Monthly balancing of quantities of gas owned by the customer and delivered to the Department and the quantities of gas used by the customer and charges associated with such balancing shall be as set forth in the Natural Gas Interruptible Transportation Agreement between the Department and the customer.

Sec. 13-318 is reserved

Sec. 13-319. - Weighted average cost of gas, interruptible service (WACOG).

- (1) *Availability.* WACOG interruptible gas service rate shall be available for eligible commercial or industrial customers for all purposes where the department's distribution mains are suitable for supplying the desired service. The department shall establish guidelines to determine customers eligibility for this service.

The customer shall maintain, in a usable condition, facilities for substitute fuel or shall otherwise make provisions for the curtailment of gas service hereunder and shall agree to use such substitute facilities or curtailment provisions in order to curtail the use of gas up to one hundred (100) percent of the maximum requirements immediately upon verbal notice from the department and, after such curtailment, shall refrain from increasing the use of gas until permitted to do so by the department. It is understood and agreed that the department will have the right to cut off gas service to the customer in the event the customer fails to curtail his use of gas in accordance with the department's verbal notice of curtailment.

- (2) *Rate.* The rate shall be as described in Sec. 13-316 (2).

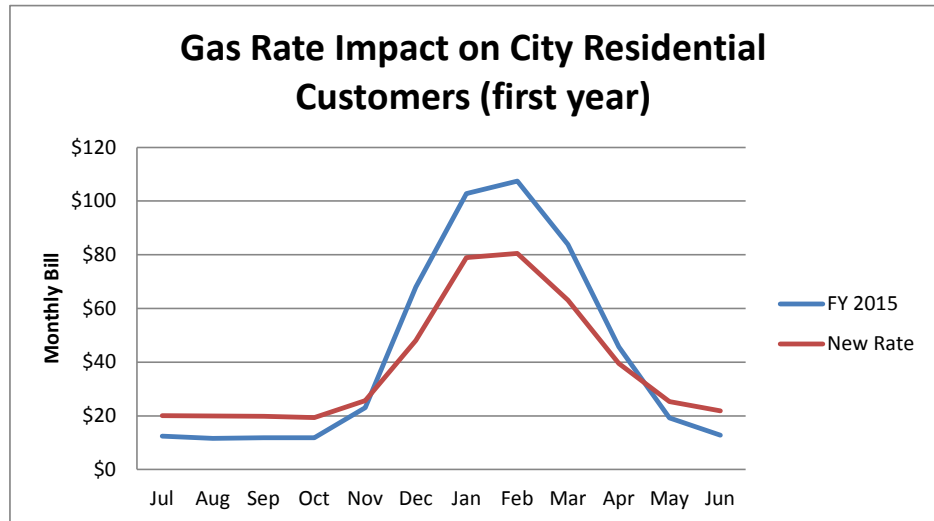
The department and the mayor shall have the authority, under circumstances where it is economically feasible and beneficial for the city to do so, to modify the specific terms of the WAGOC natural gas sales agreement entered into between the department and a specific industrial end use consumer under this section 13-319 as the department and the mayor deem necessary to induce such consumer to locate plant facilities in the city or the city service area, or to locate plant expansions that will increase the consumer's usage of natural gas at its facilities in the city or the city service area, rather than locating such plant facilities or plant expansions in other locations not serve by the department.

- (3) *Minimum bill.* For services rendered under the WACOG rate, the minimum monthly bill shall be equal to the monthly meter charge for WACOG customers as listed in Sec. 13-316 (2).
- (4) *Contract period and billing.* Contracts shall be for a period of one year with monthly payment of service taken. The customer shall not be allowed to switch from this contract rate during the period covered.
- (5) *Penalty for unauthorized use.* In the event a customer uses gas in excess of the daily volumes allowed by the department during a curtailment period, the customer agrees to pay, in addition to the regular rate, an amount the department is penalized by the supplier and/or pipeline for the twelve-month period immediately following the month in which the breaching of the curtailment agreement occurred. Each unauthorized use of gas, whether occurring in the same month or in different months of a contract year, will be subject to a separate penalty.

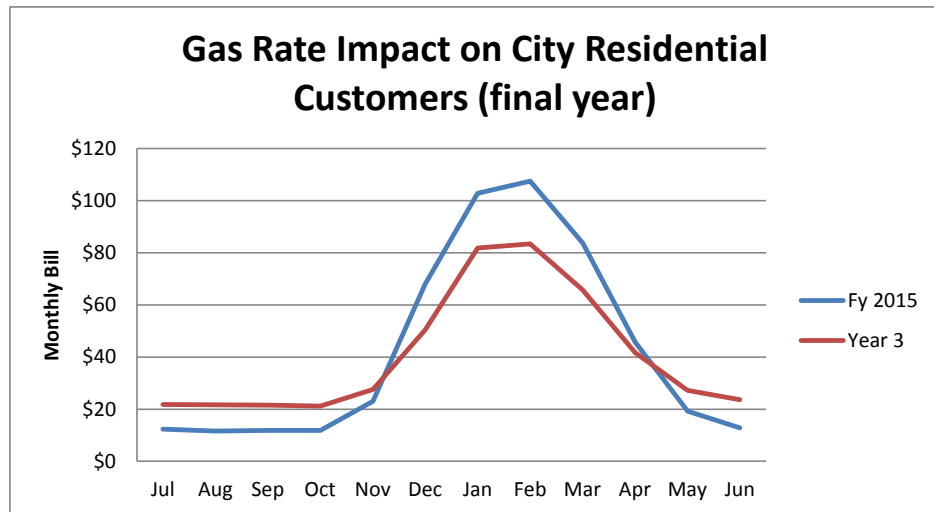
POSTPONED: December 1, 2016
REFERRED TO COMMITTEE: January 5, 2017
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

CGW Gas Rate Restructuring

	Total Charge	
	FY 2015	New Rate
Jul	12	20
Aug	12	20
Sep	12	20
Oct	12	19
Nov	23	26
Dec	68	48
Jan	103	79
Feb	107	81
Mar	84	63
Apr	46	39
May	19	25
Jun	13	22
	511	462



	Total Charge	
	FY 2015	1/1/19 Rate
Jul	12	22
Aug	12	22
Sep	12	22
Oct	12	21
Nov	23	28
Dec	68	50
Jan	103	82
Feb	107	83
Mar	84	66
Apr	46	42
May	19	27
Jun	13	24
	511	488



Sections 13-215 through 13-219 CURRENT LANGUAGE:

Sec. 13-315. - Authorization for pass through adjustment.

The chief financial officer/comptroller and the gas manager are hereby authorized to pass gas cost adjustments on to customers, whether increases or decreases, from the supplier of the city gas system to maintain the balanced efficiency of the gas department.

The mayor, public utilities committee members and other governmental officials shall be apprised of such increases or decreases, as the case may be, whenever they occur.

PASS THROUGH ADJUSTMENT (PTA)

Due to the volatility of the unregulated cost of gas at the wellhead, all city gas and water department residential, commercial and high load factor rate classes will be adjusted monthly, increased or decreased, by a value called the "Pass Through Adjustment" or PTA. The PTA adjustment is intended to assure that the city gas and water department adjusts for these volatile changes in the wellhead cost of gas.

The "base" cost of gas is the city gas and water department average annual city gate cost of gas. This includes the actual gas plus the interstate pipeline volumetric costs involved in transporting the gas from the source of supply to our city gate regulator station. This cost is established annually and will remain stable throughout our fiscal year (July 1 through June 30).

The "monthly" cost of gas is the city gas and water department actual city gate cost of gas compared to the base cost of gas. If the monthly cost of gas exceeds the base cost of gas, the amount will be an increase. If the monthly cost of gas is less than the base cost of gas, the amount will be a decrease.

The cost of gas at the wellhead, or source of supply, has been unregulated for years and is affected by free market factors such as supply, demand and competition.

The city gas and water department does not profit from the PTA adjustment. It adjusts for the city gas and water department monthly city gate gas costs only. It does not affect operation and maintenance, fixed demand costs, or other costs incurred by the utility.

The PTA will be calculated monthly on the last business day of each month to be applied to the first billing that follows.

Any balance over or under recovery of gas cost at the end of each month may be passed through the subsequent month PTA accordingly.

The "pass through adjustment" shall be effective on bills rendered on or after November 1, 2005.

(Ord. No. 17-2005-06, 10-6-05)

Editor's note— Ord. No. 17-2005-06, adopted October 6, 2005, amended § 13-315 in its entirety to read as herein set out. Formerly, § 13-315 pertained to utility committee authorized to pass on gas adjustments, and derived from the Code of 1963, § 28-66.

Sec. 13-316. - Residential gas service.

(1) Availability. Gas shall be available to any regular residential customer for residential uses where the department's distribution mains are suitable for supplying the desired service. A building shall be considered nonresidential which has more than four (4) apartments.

(2) Rates:

Residential Gas Service

a. Rate schedule No. 1—City rate: Gas rates in the city shall be:

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 3 or less	\$8.93 for 300 CF or less	3	\$ 8.93
Next 37	1.131763 per 100 CF	40	50.81
All over 40	1.064043 per 100 CF		

b. Rate schedule No. 1-A—Outside city rate: Gas rates outside the city shall be:

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 3 or less	\$9.53 for 300 CF or less	3	\$ 9.53
Next 37	1.297226 per 100 CF	40	57.53
All over 40	1.219605 per 100 CF		

General Commercial and Industrial Gas Service

c. Rate schedule No. 2—City rate: Gas rates in the city shall be:

	Billing months of June through October		
Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$13.40 for 500 CF or less	5	\$ 13.40
Next 195	1.294227 per 100 CF	200	265.77
Next 1,800	1.130491 per 100 CF	2,000	2,300.66
All over 2,000	1.088209 per 100 CF		

	Billing months of November through May		
Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$13.40 for 500 CF or less	5	\$ 13.40
Next 195	1.358941 per 100 CF	200	278.39
Next 1,800	1.187017 per 100 CF	2,000	2,415.02
All over 2,000	1.142620 per 100 CF		

d. Rate schedule No. 2-A—Outside city rate: Gas rates outside the city shall be:

	Billing months of June through October		
Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$14.70 for 500 CF or less	5	\$ 14.70
Next 195	1.454325 per 100 CF	200	298.29
Next 1,800	1.270335 per 100 CF	2,000	2,584.90
All over 2,000	1.222823 per 100 CF		

	Billing months of November through May		
Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$14.70 for 500 CF or less	5	\$ 14.70
Next 195	1.527041 per 100 CF	200	312.47
Next 1,800	1.333851 per 100 CF	2,000	2,713.41
All over 2,000	1.283963 per 100 CF		

HLF (optional) for Large Commercial and Industrial Gas Consumers Having Year-Round Usage

e. Rate schedule No. 3—City rate: Gas rates in the city shall be:

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 104 or less	\$149.00 for 10,400 CF or less	104	\$ 149.00
Next 496	1.024596 per 100 CF	600	657.20
All over 600	0.974646 per 100 CF		

f. Rate schedule No. 3-A—Outside city rate: Gas rates outside the city shall be:

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 104 or less	\$165.88 for 10,400 CF or less	104	\$ 165.88
Next 496	1.142426 per 100 CF	600	732.52
All over 600	1.086727 per 100 CF		

In the event that gas cost adjustments are made pursuant to section 13-315, then the rates set out above shall be adjusted accordingly.

(3) Minimum bill. For services rendered under Rate Schedule No. 1, the minimum monthly bill shall be two dollars and fifty cents (\$2.50) net. For services rendered under Rate Schedule No. 1-A, the minimum monthly bill shall be two and dollars seventy-five cents (\$2.75) net.

(4) Payment terms. All bills for service are due upon presentation, and the above stated net rates shall be allowed if payment is made on or before the last day for payment as specified on the bill. Payments made after that date shall be for the gross amount, which will be greater by ten (10) percent than the net billing.

(1963 Code, § 28-67; Ord. No. 7-1997-98, 8-7-97; Ord. of 12-14-00; Ord. No. 82-2001-02, Exh. A, 5-2-02; Ord. of 9-27-05; Ord. No. 17-2005-06, 10-6-05)

Editor's note— Ord. of Dec. 14, 2000 was approved by the Gas and Water Committee.

Sec. 13-317. - General commercial and industrial gas service.

(1) Availability. Gas shall be available to any regular commercial or industrial customer where the department's distribution mains are suitable for supplying the desired service. Service will be supplied only through a single metering point. This schedule shall be available to individual apartment houses where service is supplied to more than one family unit through a single meter.

(2) Rates.

a. Rate Schedule No. 2—City rate: Gas rates in the City of Clarksville shall be:

Billing months of June through October

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$6.35 for 500 CF or less	5	\$ 6.35
Next 45	1.001278 per 100 CF	50	51.40
Next 150	0.847378 per 100 CF	200	178.51
Next 800	0.789666 per 100 CF	1,000	810.24
Next 2,000	0.770428 per 100 CF	23,000	2,351.10
Over 3,000	0.751191 per 100 CF		

Billing months of November through May

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$6.35 for 500 CF or less	5	\$ 6.35
Next 45	0.058991 per 100 CF	50	54.00
Next 150	0.895472 per 100 CF	200	188.32
Next 800	0.837759 per 100 CF	1,000	858.53
Next 2,000	0.799284 per 100 CF	23,000	2,457.10
Over 3,000	0.780047 per 100 CF		

b. Rate Schedule No. 2-A—Outside city rates: Gas rates outside the City of Clarksville shall be:

Billing months of June through October

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$6.95 for 500 CF or less	5	\$ 6.95
Next 45	1.125107 per 100 CF	50	57.58
Next 150	0.971207 per 100 CF	200	203.26
Next 800	0.913326 per 100 CF	1,000	933.92
Next 2,000	0.894257 per 100 CF	23,000	2,722.44
Over 3,000	0.875019 per 100 CF		

Billing months of November through May

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 5 or less	\$6.95 for 500 CF or less	5	\$ 6.95
Next 45	1.182819 per 100 CF	50	60.18
Next 150	1.019301 per 100 CF	200	213.07
Next 800	0.961588 per 100 CF	1,000	982.34
Next 2,000	0.923113 per 100 CF	23,000	2,828.57
Over 3,000	0.903876 per 100 CF		

In the event that gas cost adjustments are made pursuant to section 13-315, then the rates set out above shall be adjusted accordingly.

(3) Minimum bill. For services rendered under Rate Schedule No. 2, the minimum monthly bill shall be three dollars and seventy-five cents (\$3.75) net. For services rendered under Rate Schedule No. 2-A, the minimum monthly bill shall be four dollars and twelve cents (\$4.12) net.

(4) Payment terms. All bills for service are due upon presentation and the above-stated net rates shall be allowed if payment is made on or before the last day for payment as specified on the bill. Payment made after that date shall be for the gross amount, which will be greater by ten (10) percent than the net billing.

(1963 Code, § 28-68; Ord. No. 7-1997-98, 8-7-97; Ord. of 12-14-00; Ord. No. 17-2005-06, 10-6-05)

Editor's note— Ord. of Dec. 14, 2000 was approved by the Gas and Water Committee.

Sec. 13-318. - HLF (optional) for large commercial and industrial gas consumers having year-round usage.

(1) Availability. The HLF rate schedule shall be available to any commercial or industrial consumer using natural gas principally for process steam generation, manufacturing purposes, or any other base-load application, and where the use of gas for space heating is only incidental. This rate is not available to consumers whose use of gas during the months of least consumption is less than fifty (50) percent of the use of gas during the month of greatest consumption.

(2) Rates.

a. Rate Schedule No. 3—City rates. Gas rates in the City of Clarksville shall be:

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 104 or less	\$75.94 for 10,400 CF or less	104	\$ 75.94
Next 296	0.804347 per 100 CF	400	314.02
Next 600	0.698541 per 100 CF	1,000	733.15
Next 1,000	0.679303 per 100 CF	2,000	1,412.45
Over 2,000	0.669684 per 100 CF		

b. Rate Schedule No. 3-A—Outside city rate. Gas rates outside the City of Clarksville shall be:

Usage (100 cubic feet per month)	Amount	Usage (In 100 CF)	Accumulated Amounts
First 104 or less	\$83.30 for 10,400 CF or less	104	\$ 83.30
Next 296	0.928176 per 100 CF	400	358.03
Next 600	0.821863 per 100 CF	1,000	851.15
Next 1,000	0.803132 per 100 CF	2,000	1,654.28
Over 2,000	0.793513 per 100 CF		

In the event that gas cost adjustments are made pursuant to section 13-315, then the rates set out above shall be adjusted accordingly.

(3) Minimum bill. For services rendered under Rate Schedule No. 3, the minimum monthly bill shall be forty-five dollars (\$45.00) net. For services rendered under Rate Schedule No. 3-A, the minimum monthly bill shall be forty-nine dollars and fifty cents (\$49.50) net.

(4) Payment terms. All bills for service are due upon presentation, and the above-stated net rates shall be allowed if payment is made on or before the last day for payment as specified on bill. Payments made after that date shall be for the gross amount which will be greater by ten (10) percent than net billing.

(1963 Code, § 28-69; Ord. No. 7-1997-98, 8-7-97; Ord. of 12-14-00; Ord. No. 17-2005-06, 10-6-05)

Editor's note— Ord. of Dec. 14, 2000 was approved by the Gas and Water Committee.

Sec. 13-319. - Weighted average cost of gas, interruptible service (WACOG).

(1) Availability. WACOG interruptible gas service rate shall be available for eligible commercial or industrial customers for all purposes where the department's distribution mains are suitable for supplying the desired service. The department shall establish guidelines to determine customers eligibility for this service.

The customer shall maintain, in a usable condition, facilities for substitute fuel or shall otherwise make provisions for the curtailment of gas service hereunder and shall agree to use such substitute facilities or curtailment provisions in order to curtail the use of gas up to one hundred (100) percent of the maximum requirements immediately upon verbal notice from the department and, after such curtailment, shall refrain from increasing the use of gas until permitted to do so by the department. It is understood and agreed that the department will have the right to cut off gas service to the customer in the event the customer fails to curtail his use of gas in accordance with the department's verbal notice of curtailment.

(2) Rate. The rate shall be variable as computed by the department using the weighted average cost of gas (WACOG) plus forty-eight cents (\$0.48) per MCF (1,000 CF) for all gas consumed per month.

The department shall compute two (2) separate WACOG rates each month: (1) a market-based WACOG rate; and (2) a fixed-variable WACOG rate. For the market-based WACOG rate, the department shall compute the commodity costs of gas supply as the first of the month index price as published in Inside FERC's Gas Market Report for deliveries into Tennessee Gas Pipeline—Zone 1 per MMBtu, plus fuel, converted to Mcf. For the fixed-variable WACOG rate, the department shall compute the commodity cost of gas supply as equal to the department's per unit commodity cost of gas supply per MMBtu, including all purchases of fixed price gas, variable priced gas, and hedged gas prices, plus fuel.

Each industrial interruptible WACOG customer may make an annual election to take market-based WACOG pricing for the upcoming twelve (12) months by providing notice in writing to the department by no later than August 15th, with such election to be effective on September 1st. If a WACOG customer does not make such an election, it shall receive fixed-variable WACOG pricing for the next twelve-month period.

Except as provided herein for the computation of the commodity cost of gas supply, the computation of the market-based WACOG rate and the fixed-variable WACOG rate shall be identical. The upstream pipeline transportation and storage costs component of the WACOG rate shall be as computed by the department so as to reflect an allocation of such costs determined by the department to be appropriate under all of the circumstances presented but no less than the unit cost of interruptible transportation service on the Tennessee Gas Pipeline Company System.

The department, the mayor, and the gas, water and sewer committee (the utilities committee) of the city council shall have the authority, under circumstances where it is economically feasible and beneficial for the city to do so, to modify the specific terms of the natural gas sales agreement entered into between the department and a specific industrial end use consumer under this section 13-219 as the department, the mayor, and the utilities committee of the city council deem necessary to induce such consumer to locate plant facilities in the city or the city service area, or to locate plant expansions that will increase the consumer's usage of natural gas at its facilities in the city or the city service area, rather than locating such plant facilities or plant expansions in other locations not serve by the department.

(3) Minimum bill. For services rendered under this WACOG rate, the minimum monthly bill shall be one hundred dollars (\$100.00) net with a minimum annual net billing of fifteen thousand dollars (\$15,000.00).

(4) Payment terms. All bills for services are due upon presentation and the above-stated net rates shall be allowed if payment is made on or before the last day for payment as specified on the bill. Payments made after that day shall be for the gross amount, which will be greater by ten (10) percent than the net billing.

(5) Contract period and billing. Contracts shall be for a period of one year with monthly payment of service taken. The customer shall not be allowed to switch from this contract rate during the period covered.

(6) Penalty for unauthorized use. In the event a customer uses gas in excess of the daily volumes allowed by the department during a curtailment period, the customer agrees to pay, in addition to the regular rate, an amount the department is penalized by the supplier and/or pipeline for the twelve-month period immediately following the month in which the breaching of the curtailment agreement occurred. Each unauthorized use of gas, whether occurring in the same month or in different months of a contract year, will be subject to a separate penalty.

(1963 Code, § 28-70, Ord. No. 61-1989-90, 9-6-90; Ord. No. 7-1997-98, 8-7-97; Ord. No. 67-1998-99, 7-1-99; Ord. No. 65-1999-00, 4-6-00)

ORDINANCE 45-2016-17

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF CLINTON BARGER FOR PROPERTY LOCATED AT POPLAR HILLS SECTION 7 SUBDIVISION, CMAP 087 PARCEL 095.01

WHEREAS, proper application has been made by DBS & Associates, Houston Smith, PE on behalf of Clinton Barger for extensions of City utility service to property located at Cmap 087, Parcel 095.01 with the property address of Poplar Hills Section 7 Subdivision 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:

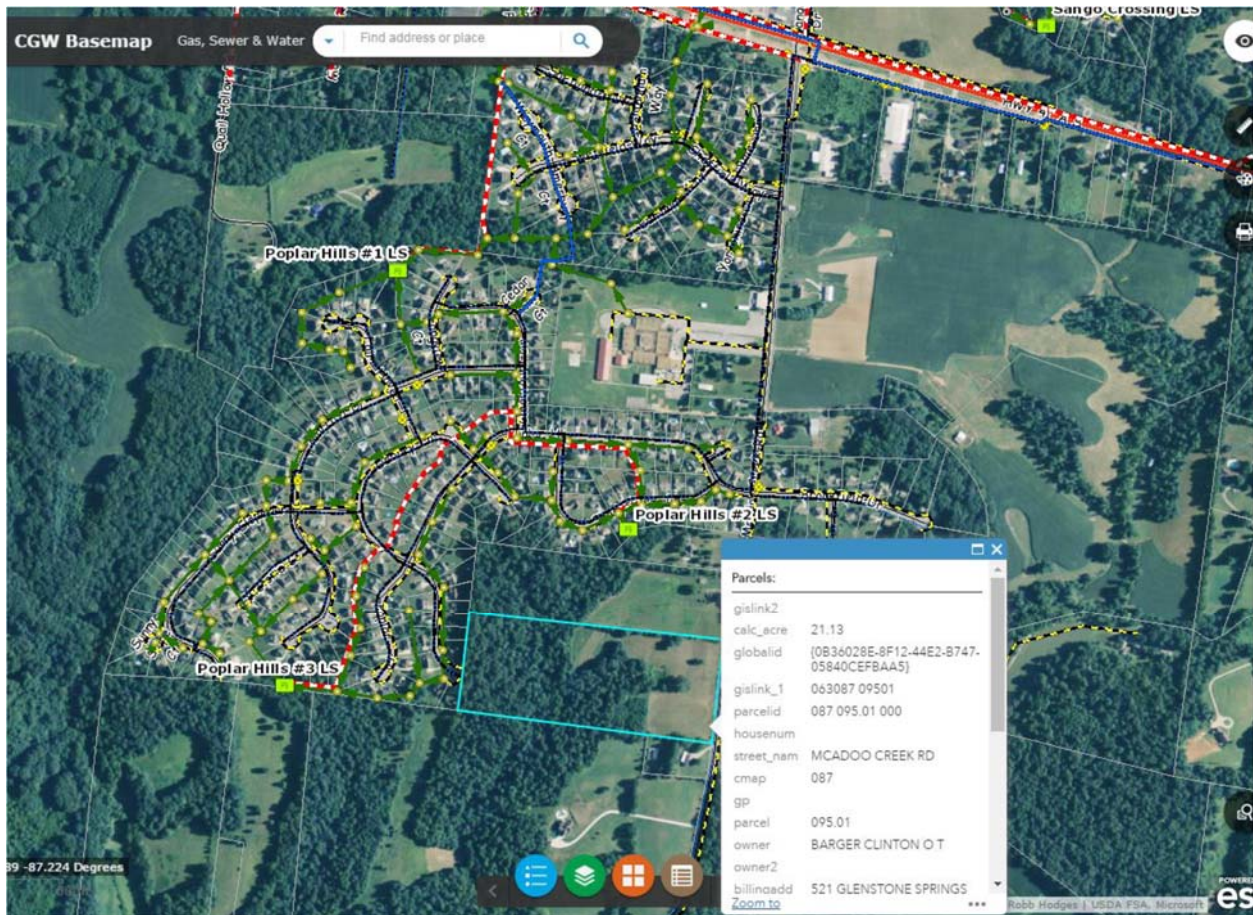
That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 087, Parcel 095.01 with the property address of Poplar Hills Section 7 Subdivision outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING:

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



RESOLUTION 18-2016-17

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CLARKSVILLE, TENNESSEE AND THE E911 EMERGENCY COMMUNICATION DISTRICT OF MONTGOMERY COUNTY, TENNESSEE

BE IT RESOLVED 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, between the City of Clarksville, Tennessee, and the Emergency Communication District of Montgomery County, Tennessee.

POSTPONED: January 5, 2017

ADOPTED:

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

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

The terms and conditions of this Agreement are as follows:

1. The term of this Agreement is July 1, 2016, through June 30, 2017.
2. During the term of this Agreement, the District agrees to provide use of the first floor of the present E-911 Building situated at the corner of the First and Commerce Streets in Clarksville, Tennessee, including utilities.
3. As compensation for services provide under this Agreement, the City of Clarksville, Tennessee, will pay \$60,000 to the District during the term in twelve equal monthly installments of \$5,000.00
4. The District will endeavor to provide sufficient personnel to answer incoming emergency/non-emergency calls twenty-four hours a day, seven days a week, for the entire duration of this agreement. The District call takers will then forward these calls via the Computer Aided Dispatch terminals (CAD) to the City of Clarksville Public Safety Police / Fire Dispatchers who will dispatch and handle all radio traffic for the Clarksville Police Department and Clarksville Fire Rescue.

5. The District will provide twenty-four (24) hour, toll-free voice and TDD telephone access or an equivalent system for emergency call service for the City; develop and maintain written procedures and telephone numbers for procuring other emergency services (EMS, Fire Rescue, Ambulance, etc.); provide immediate playback of recorded telephone and radio conversations while maintaining a continuous recording of radio transmissions and emergency telephone conversations within the communications center; develop and maintain written procedures for the prompt handling and appropriate routing of misdirected emergency calls; issue emergency first-aid instructions over the telephone to each caller using approved emergency medical guidelines or materials; maintain backup electrical power to ensure continuous operations in the event of primary power failure; and maintain a telephone system designed to separate emergency from non-emergency calls.
6. The parties further agree that the purpose of this Agreement is to comply with E911 Revenue Standard Number 21 adopted by the Tennessee Emergency Communication Board pursuant to the authority granted it by Tennessee Code Annotated § 7-86-306 (9) and to comply with the provisions of Tennessee Code Annotated § 12-9-101 et seq., regarding Agreements between local governmental units.

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

CITY OF CLARKSVILLE

Date: _____

BY: _____

KIM McMILLAN

Its: City Mayor

**E911 EMERGENCY COMMUNICATION
DISTRICT OF MONTGOMERY**

Date: 1/19/2017

BY: 

ELISABETH HENLEY

Its: Chair

RESOLUTION 22-2016-17

A RESOLUTION OF THE CLARKSVILLE CITY COUNCIL APPROVING THE REMOVAL OF AN OFF-PREMISES ADVERTISING STRUCTURE (BILLBOARD) FROM ONE PARCEL AND CONSTRUCTION OF A NEW OFF-PREMISES ADVERTISING STRUCTURE (BILLBOARD) ON A DIFFERENT PARCEL (COLLEGE STREET TO BELLAMY LANE)

WHEREAS, the City Council of Clarksville amended the Clarksville Zoning Ordinance to prohibit all new off-premises advertising structures by Ordinance No. 13-1996-67 with an effective date of December 7, 1996; and

WHEREAS, the City Council of Clarksville further amended the Clarksville Zoning Ordinance Section 8.2.15 to enable the relocation of any existing off-premises advertising structure from one parcel to another when in the “best interest” of the City and solely at the election of the City Council by Ordinance No. 47-2009-2010 with an effective date of May 18, 2010; and

WHEREAS, non-conforming off-premises advertising structures like other non-conforming uses and structures are given special protection under Tennessee Code Annotated (TCA) Section 13-7-208; and

WHEREAS, under TCA 13-7-208, an existing off-premises advertising structure may be relocated or replaced on the same parcel(s) owned on the effective date the structure became non-conforming provided all other sign provisions of the Clarksville Zoning Ordinance are met; and

WHEREAS, the off-premises advertising sign industry has faced increasing competition from other means of advertisement such as the internet; and

WHEREAS, the relocation of obsolete off-premises advertising structures is a matter of business necessity due to changing development and roadway traffic patterns.

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

That the Clarksville City Council hereby determines that it is in the “best interest” of the City to remove the “off-premises advertising structure” owned/leased by Lamar Advertising Company on the property located at 1361 College Street, Property Tax Map 55-A, Parcel A-2.00; and to construct a new “off-premises advertising structure” owned/leased by Lamar Advertising Company on the property located at 471 Bellamy Lane, Property Tax Map 40, Parcel 27.10 meeting the requirements of Clarksville Zoning Ordinance Section 8.2.15.A and Chapter 4 and limited to two sign faces back-to-back or v-type at a thirty-degree angle or less.

ADOPTED:

RESOLUTION 23-2016-17

A RESOLUTION OF THE CLARKSVILLE CITY COUNCIL APPROVING THE REMOVAL OF AN OFF-PREMISES ADVERTISING STRUCTURE (BILLBOARD) FROM ONE PARCEL AND CONSTRUCTION OF A NEW OFF-PREMISES ADVERTISING STRUCTURE (BILLBOARD) ON A DIFFERENT PARCEL (WILMA RUDOLPH BOULEVARD TO LOWES DRIVE)

WHEREAS, the City Council of Clarksville amended the Clarksville Zoning Ordinance to prohibit all new off-premises advertising structures by Ordinance No. 13-1996-67 with an effective date of December 7, 1996; and

WHEREAS, the City Council of Clarksville further amended the Clarksville Zoning Ordinance Section 8.2.15 to enable the relocation of any existing off-premises advertising structure from one parcel to another when in the “best interest” of the City and solely at the election of the City Council by Ordinance No. 47-2009-2010 with an effective date of May 18, 2010; and

WHEREAS, non-conforming off-premises advertising structures like other non-conforming uses and structures are given special protection under Tennessee Code Annotated (TCA) Section 13-7-208; and

WHEREAS, under TCA 13-7-208, an existing off-premises advertising structure may be relocated or replaced on the same parcel(s) owned on the effective date the structure became non-conforming provided all other sign provisions of the Clarksville Zoning Ordinance are met; and

WHEREAS, the off-premises advertising sign industry has faced increasing competition from other means of advertisement such as the internet; and

WHEREAS, the relocation of obsolete off-premises advertising structures is a matter of business necessity due to changing development and roadway traffic patterns.

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

That the Clarksville City Council hereby determines that it is in the “best interest” of the City to remove the “off-premises advertising structure” owned/leased by Lamar Advertising Company on the property located at 1500 Wilma Rudolph Boulevard, Property Tax Map 55, Parcel 32.00; and to construct a new “off-premises advertising structure” owned/leased by Lamar Advertising Company on the property located at 2235 Lowes Drive West, Property Tax Map 41-B, Parcel C-7.00 meeting the requirements of Clarksville Zoning Ordinance Section 8.2.15.A and Chapter 4 and limited to two sign faces back-to-back or v-type at a thirty-degree angle or less.

ADOPTED:

RESOLUTION 24-2016-17

A RESOLUTION OF THE CLARKSVILLE CITY COUNCIL APPROVING THE REMOVAL OF AN OFF-PREMISES ADVERTISING STRUCTURE (BILLBOARD) FROM ONE PARCEL AND CONSTRUCTION OF A NEW OFF-PREMISES ADVERTISING STRUCTURE (BILLBOARD) ON A DIFFERENT PARCEL (MADISON STREET TO TINY TOWN ROAD)

WHEREAS, the City Council of Clarksville amended the Clarksville Zoning Ordinance to prohibit all new off-premises advertising structures by Ordinance No. 13-1996-67 with an effective date of December 7, 1996; and

WHEREAS, the City Council of Clarksville further amended the Clarksville Zoning Ordinance Section 8.2.15 to enable the relocation of any existing off-premises advertising structure from one parcel to another when in the “best interest” of the City and solely at the election of the City Council by Ordinance No. 47-2009-2010 with an effective date of May 18, 2010; and

WHEREAS, non-conforming off-premises advertising structures like other non-conforming uses and structures are given special protection under Tennessee Code Annotated (TCA) Section 13-7-208; and

WHEREAS, under TCA 13-7-208, an existing off-premises advertising structure may be relocated or replaced on the same parcel(s) owned on the effective date the structure became non-conforming provided all other sign provisions of the Clarksville Zoning Ordinance are met; and

WHEREAS, the off-premises advertising sign industry has faced increasing competition from other means of advertisement such as the internet; and

WHEREAS, the relocation of obsolete off-premises advertising structures is a matter of business necessity due to changing development and roadway traffic patterns.

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

That the Clarksville City Council hereby determines that it is in the “best interest” of the City to remove the “off-premises advertising structure” owned/leased by Lamar Advertising Company on the property located at 1764 Madison Street, Property Tax Map 65-P, Parcel J-32.00; and to construct a new “off-premises advertising structure” owned/leased by Lamar Advertising Company on the property located at 2285 Tiny Town Road, Property Tax Map 7, Parcel 4.00 meeting the requirements of Clarksville Zoning Ordinance Section 8.2.15.A and Chapter 4 and limited to two sign faces back-to-back or v-type at a thirty-degree angle or less.

ADOPTED: