



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
JUNE 15, 2017, 4:30 P.M.**

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

**AGENDA**

- 1) CALL TO ORDER
- 2) PRAYER AND PLEDGE OF ALLEGIANCE
- 3) ATTENDANCE
- 4) PUBLIC HEARING: FY18 BUDGETS
- 5) IDB/KROGER ECONOMIC IMPACT PLAN
  1. **RESOLUTION 36-2016-17** Approving an economic impact plan submitted by the Montgomery County Industrial Development Board on behalf of Kroger Limited Partnership (*Mayor McMillan*)
- 6) CODE AMENDMENT/TWO RIVERS COMPANY
  1. **ORDINANCE 76-2016-17** (First Reading) Amending the Official Code relative to the Central Business Improvement District (Two Rivers Company) (*Councilwoman Guzman*)

7) FY 18 BUDGETS

1. **ORDINANCE 69-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget Community Development
2. **ORDINANCE 70-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget for the Clarksville Parking Commission
3. **ORDINANCE 71-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget for Clarksville Transit System
4. **ORDINANCE 72-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget for Clarksville Department of Electricity
5. **ORDINANCE 73-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget for Clarksville Gas & Water
6. **ORDINANCE 74-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget for the City of Clarksville Internal Service Fund
7. **ORDINANCE 75-2016-17** (First Reading) Amending the FY17 Budget and establishing the FY18 Budget for the City of Clarksville General Government

8) ADJOURNMENT

RESOLUTION 36-2016-17

A RESOLUTION APPROVING AN ECONOMIC IMPACT PLAN SUBMITTED BY THE MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT BOARD ON BEHALF OF KROGER LIMITED PARTNERSHIP I

*WHEREAS,* Montgomery County Industrial Development Board (IDB) has previously approved by resolution an Economic Impact Plan in connection with the development of a retail shopping center project, and has submitted said Economic Impact Plan for approval to both Montgomery County, Tennessee and the City of Clarksville, Tennessee, said IDB resolution and Economic Impact Plan together with all exhibits thereto, being attached hereto and incorporated herein as **Attachment One**; and

*WHEREAS,* the City Council of the City of Clarksville finds that approval of the economic impact plan, together with all exhibits thereto, and the resolution of the IDB, will further economic development and activity within the City, will lead to the creation of private sector jobs, and will increase property values, the property tax base, and sales taxes, and will be of benefit generally to City residents;

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

That the resolution of the IDB, along with the Economic Impact Plan, together with all exhibits thereto, as attached hereto and incorporated herein as **Attachment One**, are hereby approved and adopted.

*ADOPTED:*

## RESOLUTION REGARDING ECONOMIC IMPACT PLAN

Resolution of the Board of Directors of The Industrial Development Board of the County of Montgomery (the "**Board**"), authorizing and approving the submission of an economic impact plan to the City of Clarksville, Tennessee (the "**City**") and to Montgomery County, Tennessee (the "**County**").

**WHEREAS**, the Board is a public, nonprofit corporation organized and existing under, and by virtue of, the provisions of Chapter 53, Title 7, Tennessee Code Annotated, as amended (the "**Act**"); and

**WHEREAS**, the purpose of said Act, as stated therein, being to authorize the incorporation in the several municipalities in the State of Tennessee of public corporations to finance, acquire, construct, own, lease, equip and/or dispose of properties to the end that such corporations may be able to, among other things, maintain and increase employment opportunities by promoting industry, trade, commerce, tourism, and recreation by inducing manufacturing, industrial, governmental, educational, financial service, commercial, and recreational enterprises to locate or to remain in the State of Tennessee; and

**WHEREAS**, the Board desires to induce Kroger Limited Partnership I (the "**Company**"), to undertake a "project" within the meaning of the Act, consisting of retail shopping center containing approximately 128,000 square feet of retail space to be used as a Kroger Marketplace Store (the "**Project**"), on property located near the intersection of Tiny Town Road and Needmore Road in the City, and more particularly described in **Exhibit A** to the Economic Impact Plan (defined below); and

**WHEREAS**, the Board is authorized by the Act to, among other things, prepare and submit to the County and the City, for their approval, an economic impact plan pursuant to Section 312 of the Act; and

**WHEREAS**, the Board desires to approve the "Economic Impact Plan for the Marketplace Economic Development Area" (the "**Economic Impact Plan**"), attached hereto as **Exhibit A** and incorporated herein by reference, pursuant to which the Board would receive real and personal property taxes allocated to the Board pursuant to Section 312(h) of the Act (the "**Increment**"), and use the same to reimburse the Company (the "**Incentive**"), for its payment of a portion of the cost of constructing the Project as provided therein, together with such other costs as permitted by the Act (collectively, the "**Project Costs**"); and

**WHEREAS**, the Board is authorized by law and has deemed it necessary to provide the Incentive pursuant to the terms of a certain Project Agreement (the "**Project Agreement**"), attached hereto as **Exhibit B** and incorporated herein by reference to be entered into with the Company; and

**WHEREAS**, the proposed form of the Economic Impact Plan and the Project Agreement, have been presented to the Board for consideration and approval.

NOW, THEREFORE, the Board having held a public hearing relating to the proposed Economic Impact Plan after publishing notice of such hearing in a newspaper of general circulation in the County at least two (2) weeks prior to the date of the public hearing, which notice included the time, place and purpose of the hearing as well as notice of how a map of the subject area may be viewed by the public, be it resolved by The Industrial Development Board of the Montgomery County, Tennessee, as follows:

**Section 1. Findings with Respect to the Project.** The Board hereby finds with respect to the Project that the acquisition, construction and equipping thereof by means of the Incentive will develop trade and commerce in and adjacent to the City of Clarksville, and Montgomery County, Tennessee, will contribute to the general welfare, and will alleviate conditions of unemployment; and that the construction and equipping of the Project will be necessary and advantageous to the Board in furthering the purposes of the Act.

**Section 2. Approval of the Incentive and the Economic Impact Plan.** The general form, content, and provisions of the Economic Impact Plan, as presented to this meeting of the Board of Directors, and the grant of the Incentive as contemplated herein and in said Economic Impact Plan are hereby in all particulars approved; and the Chairman and the Vice Chairman, or either of them, and if requested, the Secretary or the Assistant Secretary of the Board are hereby authorized, empowered and directed to execute, acknowledge and deliver to the County and the City for their consideration and approval said Economic Impact Plan, in substantially the form now before this meeting of the Board of Directors, or with such changes therein as shall be approved by the officers of the Board executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all such changes or revisions, in the name, and on behalf, of the Board.

The officers of the Board are hereby authorized, empowered, and directed, from and after the date hereof, to do all acts and things, and to execute all documents with the Company, the City and the County as may be necessary or convenient to carry out, and to comply with the provisions of said Economic Impact Plan.

**Section 3. Project Agreement.** The general form, content, and provisions of the Project Agreement, as presented to this meeting of the Board of Directors, is hereby in all particulars approved; and the Chairman and the Vice Chairman, or either of them, and if requested, the Secretary or the Assistant Secretary of the Board are hereby authorized, empowered and directed to execute, acknowledge and deliver said Project Agreement, in substantially the form now before this meeting of the Board of Directors, or with such changes therein as shall be approved by the officers of the Board executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all such changes or revisions, in the name, and on behalf, of the Board.

The officers of the Board are hereby authorized, empowered, and directed, from and after the date hereof, to do all acts and things, and to execute all documents with the Company, the City and the County as may be necessary or convenient to carry out, and to comply with the provisions of said Project Agreement.

**Section 4. Miscellaneous Acts.** The officers of the Board are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, deliver, and, if applicable file or record, or cause to be filed or recorded, in any appropriate public offices, all such documents, instruments, memoranda and certifications, certifications hereinbefore authorized and approved, as may, in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution, or any of the documents herein authorized and approved, or for the granting and implementation of the Incentive or the undertaking of the Project by the Company for the foregoing purposes, including without limitation, the execution, delivery and recordation of any memoranda, certificates or other documents or instruments as they may deem necessary or desirable in connection with the foregoing.


**Section 5. Limited Obligation and Liability.** The obligations of the Board under the Economic Impact Plan (the "**Obligations**"), and any payments with respect thereto, are limited obligations of the Board and shall not be deemed to constitute a general debt or liability of the Board, except insofar as the Increment has been received by the Board and the same is payable to the Company in accordance with the provisions of the Economic Impact Plan and in the Project Agreement referenced herein.

**Section 6. Captions.** The captions or headings in this Resolution are for convenience only and shall in no way define, limit, or describe the scope or intent of any provision hereof.

**Section 7. Partial Invalidity.** If any one or more of the provisions of this Resolution, or of any exhibit or attachment thereof, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Resolution, and the exhibits and attachments thereof, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein or therein, as the case may be.

Approved and adopted this 10<sup>th</sup> day of May, 2017.

ATTEST:

  
\_\_\_\_\_  
Secretary

**THE INDUSTRIAL DEVELOPMENT  
BOARD OF THE COUNTY OF  
MONTGOMERY**

(SEAL)

By:  \_\_\_\_\_

Title: Chairman \_\_\_\_\_

## **EXHIBIT A**

### **INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF MONTGOMERY**

#### **ECONOMIC IMPACT PLAN**

#### **FOR**

#### **THE MARKETPLACE ECONOMIC DEVELOPMENT AREA**

1. **Authority for Economic Impact Plan.** Industrial development corporations are authorized under Section 312 of Tennessee Code Annotated § 7-53-101, *et. seq.* (the “**Act**”) to prepare and submit to cities and counties an economic impact plan with respect to an area that includes a project within the meaning of the Act and such other properties that the industrial development corporation determines will be directly improved or benefited due to the undertaking of such project. The Act also authorizes cities and counties to apply and pledge new incremental tax revenues, which arise from the area subject to the economic impact plan, to industrial development corporations to pay the cost of projects or to pay debt service on bonds or other obligations issued by industrial development corporations to pay the cost of projects. The Industrial Development Board of the County of Montgomery (the “**Board**”) desires to adopt this Economic Impact Plan pursuant to the Act to provide an incentive in order to induce Kroger Limited Partnership I (the “**Company**”), to undertake the Project as provided herein.

2. **The Project.** The project consists of a retail shopping center containing approximately 128,000 square feet of retail space to be used as a Kroger Marketplace Store (the “**Project**”) to be constructed by the Company on property located near the intersection of Tiny Town Road and Needmore Road in Clarksville, Tennessee, as shown on **Exhibit A** (the “**Property**”). In order to make the Project financially feasible, the Board intends, subject to the approval of the City Council of the City of Clarksville, Tennessee (the “**City**”) and the Board of Commissioners of Montgomery County, Tennessee (the “**County**”), of this Economic Impact Plan, to provide a tax increment incentive pursuant to the Act to provide funds to pay or reimburse the Company for paying a portion of the cost of constructing the Project as provided herein, together with the transaction costs, closing costs, and legal expense of the adoption and implementation of this Economic Impact Plan and the provision of the incentive contemplated hereunder, and such other costs as permitted by the Act (collectively, the “**Project Costs**”), not to exceed the Maximum Contribution as provided in Section 5, below. The Board hereby agrees and determines that the Project is an eligible “project” within the meaning of Section 101(13) of the Act, and that the use of all or a portion of the Increment to fund the Project Costs of the Project is necessary or desirable.

3. **Boundaries of Plan Area.** The boundary of the area that would be subject to this Economic Impact Plan, and to the tax increment financing provisions described below (the “**Plan Area**”), is shown on **Exhibit B** attached hereto, and includes the Property, together with certain additional real property that is in the vicinity of the Property (the “**Additional Property**”), which the Board hereby agrees and determines is the property that will directly benefit from the development of the Project. The tax map and parcel numbers for the real property within the Plan Area are also set forth on **Exhibit B**. The Plan Area is hereby

declared to be subject to this Economic Impact Plan, and the Project is hereby identified as the project that will be located within the Plan Area. The Board shall have the right to remove any or all of the Additional Property from the Plan Area, upon written notice to the Company, in the event that the Board, together with the City as to the City's portion of the Increment and the County as to the County's portion of the Increment, desire to grant a property tax incentive for one or more projects (as defined in the Act) on any of the Additional Property.

4. **Expected Benefits to the City and the County.** The City and the County expect to benefit in many ways from the provision of the Project. Sales and use tax on the construction of the Project and building permit fees will be positively affected by the Project, and construction and equipping of the Project will create an estimated 40 to 50 construction jobs. As noted in Section 5 below, the Project is anticipated to generate approximately \$142,300 in additional real property taxes when fully assessed following the completion of the Project, and upon the completion of the incentive, all of the real property taxes shall be retained by and benefit the local governments.

Marketplace stores range in size from 100,000 to 145,000 and may also include a fuel center. These stores are carefully positioned in selected communities throughout the United States. These Marketplace stores are highly sought after by communities, in that they serve as "destination retail," and are a catalyst for growth and investment in areas neighboring the selected locations. The Marketplace concept is unique, offering a significant variety of food options, expanded fresh produce, prepared "Grab & Go" foods, specialty cuisine, and organic departments. Its non-traditional grocery offerings include a coffee shop, fuel center, clothing and apparel, pharmacy, medical clinic, Home Fashion and Décor, Bed and Bath, Kitchen and Small Appliances, Home Office, Baby World and Toys. Baby World includes a wide selection of baby basics like cribs, play yards, car seats, strollers, high chairs, baby swings and much more. The Toys department has a large assortment of quality toys to choose from, including name brands such as Fisher Price® and Mattel®, as well as hundreds of educational toys, electronic games, building blocks and plush animals for all ages. Home Fashion includes high quality furnishings from familiar brands – from rugs and lamps to furniture, linens, candles and baskets. The Marketplace store will also have Kroger's "ClickList" concept. ClickList is Kroger's new state-of-the-art online grocery ordering service, allowing customers to order online and pick up at the store without having to leave their car.

The Project is likely to serve as a catalyst for development on surrounding parcels, increasing the number of new jobs in the area and the tax base. The personal property taxes generated by the Project and the development of the Additional Property are not included in the incentive, and will be retained by the local governments. Unless the Board and local governments elect to remove the Additional Property from the Plan Area, the incremental increase in the real property taxes as a result of the development of that neighboring property will enable the repayment of the incentive more quickly, and once the Maximum Contribution is paid to the Company, the incentive will end and all of the property taxes generated in the Plan Area thereafter will be retained by and benefit the City and County sooner.

Importantly, the Company anticipates that the Project will result in a net increase of about 200 to 250 new jobs, which equates to approximately 110-140 full time equivalent jobs, at the Project location. Importantly, Kroger Marketplace stores have served as a training ground for



numerous employees as they develop key transferable skills in management and customer service, and then go into careers in management. The creation of this large number of new jobs in the City and the County is also expected to increase the number of spin off jobs in service sectors, including the retail, restaurant and entertainment areas, and to generate additional sales taxes as a result.

This Marketplace Store Project is projected to enhance the livability of the community by providing a greater ability to compete for retail sales with neighboring states. The estimated net increase in sales that could have otherwise gone to other states is estimated to average about \$11.5 Million over the first 5 years after the commencement of store operations, and the total sales taxes to the City and County are estimated to average approximately \$1.4 Million annually, which would not be part of the incentive and shall be retained by the local governments.

5. **Financial Assistance to Project; Distribution of Property Taxes.** The **“Base Tax Amount”** is defined as the portion of the City and County real property taxes that were payable with respect to the property in the Plan Area for 2016, being the year prior to the date of approval of this Economic Impact Plan. The Base Tax Amount for the tax map and parcel that includes the Property is \$12,443, and the Base Tax Amount for the total property within the Plan Area is \$32,488. The **“Increment”** is defined as the incremental increase in the City and County property taxes in the Plan Area over the Base Tax Amount, less any dedicated taxes as defined in the Uniformity in Tax Increment Financing Act of 2012, Tennessee Code Annotated § 9-23-101, *et. seq.* (the **“TIF Uniformity Act”**).

It is estimated by the tax assessor that the Project will have a tax appraisal valuation of approximately \$3,590,116 when fully assessed following completion. Based upon current rates, the real property tax attributable to the completed Project is expected to be about \$154,734 in City and County property taxes per annum, with the result that, based upon these assumptions, and assuming that the dedicated taxes at the County continue to be approximately 30.1466% and at the City continue to be approximately 7%, the dedicated taxes would be collectively about \$33,420 per annum, and the Increment from the Project will be approximately \$108,871 per annum. Since the development of the Additional Property and whether it will remain in the Plan Area is subject to a later decision of the local governments and the Board, the potential Increment available to repay the incentive hereunder to the Company is uncertain.

The Board will provide financial assistance to pay a portion of the Project Costs by entering into a Project Agreement with the Company (the **“Project Agreement”**), pursuant to which the Board will agree to pay the Increment to the Company to reimburse the Company for paying Project Costs, in the event that the Company undertakes and completes the Project. The term of the Project Agreement shall end, and the payment of the Increment to the Company shall terminate, the earlier of (i) when the Company has received Nine Hundred Thousand and No/100 Dollars (\$900,000.00), being the maximum amount (the **“Maximum Contribution”**), or (ii) December 31, 2028, provided that if the Company has not received payment for the Increment with respect to the real property taxes for calendar year 2028 by such date, then the term shall continue until the Company receives that payment (which would be during March 2029 if the 2028 taxes are paid in February of 2029, or when a final decision as to an appeal thereof is rendered, the taxes paid and the Increment with respect thereto paid to the Company). It is agreed and understood that in any event, all of the Increment above the Maximum Contribution,

and all property taxes in the Plan Area for calendar years 2029 and later, shall be allocated and paid to City and the County the same as all other property taxes levied by the City and the County on all other property, and this Plan shall terminate.

Subject to the provisions of Section 312(j) of the Act, real property taxes, imposed on the property located within the Plan Area shall be allocated and distributed in accordance with 312(c) of the Act as follows:

(a) The Base Tax Amount shall be allocated to and, as collected, paid to the City and the County as all other taxes levied by the City and the County on all other properties; and

(b) Commencing for the taxes assessed for the 2017 calendar year, the Increment, if any, shall be allocated to and, when collected and paid to the City and the County, shall then be remitted to the Board and placed into a separate fund of the Board established to hold such payments until used to reimburse the Company for Project Costs under the Project Agreement.

6. **Qualified Use.** The Board, the City and the County, by the adoption of this Economic Impact Plan, find that the use of the Increment as described herein is in furtherance of promoting economic development in the City and the County, and that the use of the Increment as provided herein will develop trade and commerce in and adjacent to the City and the County, will contribute to the general welfare, and will alleviate conditions of unemployment; and that the construction and equipping of the Project will be necessary and advantageous to the Board in furthering the purposes of the Act.

7. **Approval Process.** Pursuant to Section 312 of the Act, the process for the approval of this Economic Impact Plan is as follows:

(a) The Board shall hold a public hearing relating to the proposed Economic Impact Plan after publishing notice of such hearing in a newspaper of general circulation in the County at least two (2) weeks prior to the date of the public hearing. The notice must include the time, place and purpose of the hearing as well as notice of how a map of the subject area may be viewed by the public. Following such public hearing, the Board will submit this Economic Impact Plan to the City and the County for approval.

(b) The governing body of the City and the County must approve this Economic Impact Plan for this Economic Impact Plan to be effective. Pursuant to the Act, this Economic Impact Plan may be approved by resolution of the governing body of the City and of the County, whether or not the local charter provisions of the governing body provide otherwise.

(c) Pursuant to Section 108 of the TIF Uniformity Act, the use of the Increment to reimburse the Company for Project Costs is subject to the Commissioner of the Department of Economic and Community Development and the Comptroller of the Treasury making a written determination that the use of tax increment revenues for such purposes is in the best interest of the State of Tennessee. If the written determination approving or rejecting these proposed uses is not rendered within thirty (30) days from

the receipt of the written request by the Commissioner of the Department of Economic and Community Development and the Comptroller of the Treasury, the uses shall be deemed approved.

(d) Once this Economic Impact Plan has been approved by the governing body of the City and the County, the clerk or other recording official of the City and the County shall transmit the following to the appropriate tax assessors and taxing agency affected: (a) a copy of the description of the property within the Plan Area, and (b) a copy of the Resolution approving the Economic Impact Plan, and any and all other filing required under the TIF Uniformity Act.

IN WITNESS WHEREOF, the Board, the City and the County have approved this Economic Impact Plan as evidenced by their respective signatures below.

APPROVED:

**THE INDUSTRIAL DEVELOPMENT BOARD  
OF THE COUNTY OF MONTGOMERY**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED:

**CITY OF CLARKSVILLE, TENNESSEE**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED:

**MONTGOMERY COUNTY, TENNESSEE**

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

## **EXHIBIT A**

### **DESCRIPTION OF THE PROPERTY**

Land lying in Montgomery County, Tennessee, being part of the Twosome Partners property (parent tract), recorded in Volume 1159, Page 1589 in the Register's Office for Montgomery County, Tennessee, and being more particularly described as follows:

Beginning at a 1/2" iron pin found (ID: Weakley) lying in the south right of way line of Tiny Town Road (R/W varies), said pin being the northwest corner of the Joe Winn property (Vol. 617, Pg. 1288) and the northeast corner of this tract;

Thence leaving said south right of way line of the west line of said Winn property as follows:

South 00°57'07" east a distance of 318.91 feet to a 1/2" iron pin found (ID: Weakley);

Thence south 33°02'15" west a distance of 22.82 feet to a 1/2" iron pin found (ID: Weakley);

Thence south 00°26'09" east a distance of 353.12 feet to a 1/2" iron pin set;

Thence leaving said west line across said parent tract as follows:

South 67°47'23" west a distance of 755.69 feet to a 1/2" iron pin set;

Thence south 70°35'13" west a distance of 112.26 feet to a 5/8" iron pin found (ID: Byrd), said pin being the southeast corner of Lot 2 of the Twosome Partners Subdivision (Plat Book H, Page 33);

Thence with the east line of said Lot 2 north 22°12'22" west a distance of 311.65 feet to a 5/8" iron pin found (ID: Byrd), said pin being the northeast corner of said Lot 2;

Thence with the north line of said Lot 2 as follows:

South 66°07'04" west a distance of 158.26 feet to a 1/2" iron pin set;

Thence north 84°53'37" west a distance of 143.96 feet to a 1/2" iron pin set in the east right of way line of Needmore Road (R/W varies), said pin being the northwest corner of said Lot 2;

Thence with said east right of way line along a curve turning to the left having an arc length of 64.94 feet, a radius of 692.26 feet, a chord bearing of north 06°51'49" east, and a chord length of 64.92 feet to a 1/2" iron pin set, said pin being the southwest corner of Lot 1 of the Twosome Partners Subdivision (Plat Book F, Page 576);

Thence leaving said east right of way line with the south line of said Lot 1 as follows:

South 84°52'44" east a distance of 163.64 feet to a 1/2" iron pin set;

Thence along a curve turning to the left having an arc length of 25.31 feet, a radius of 50.00 feet, a chord bearing of north 80°37'16" east, and a chord length of 25.04 feet to a 1/2" iron pin set;

Thence north  $66^{\circ}07'16''$  east a distance of 148.46 feet to a 1/2" iron pin set, said pin being the southeast corner of said Lot 1;

Thence with the east line of said Lot 1 north  $23^{\circ}52'44''$  west a distance of 285.72 feet to a 1/2" iron pin set in the south right of way line of said Tiny Town Road, said pin being the northeast corner of said Lot 1;

Thence with said south right of way line as follows:

Along a curve turning to the right having an arc length of 7.35 feet, a radius of 4868.68 feet, a chord bearing of north  $67^{\circ}44'22''$  east, and a chord length of 7.35 feet to a 1/2" iron pin found (ID: 2082);

Thence north  $67^{\circ}48'05''$  east a distance of 875.85 feet to a 1/2" iron pin set;

Thence along a curve turning to the right having an arc length of 194.78 feet, a radius of 3064.25 feet, a chord bearing of north  $69^{\circ}37'22''$  east, and a chord length of 194.75 feet to the point of beginning,

Containing an area of 643,642 square feet or 14,776 acres, more or less, according to a survey by Clinton T. Head of Young Hobbs and Associates, 1202 Crossland Avenue, Clarksville, Tennessee, dated 8/25/2016.

**EXHIBIT B**  
**PLAN AREA AND LIST OF TAX PARCELS**

**See Highlighted Property on Attached Map for the Plan Area**

**Tax Map References:**

The Property:

Map and Parcel No.:

A portion of 018 019.03 (as more particularly described on Exhibit A)

The Additional Property:

Map and Parcel Nos.:

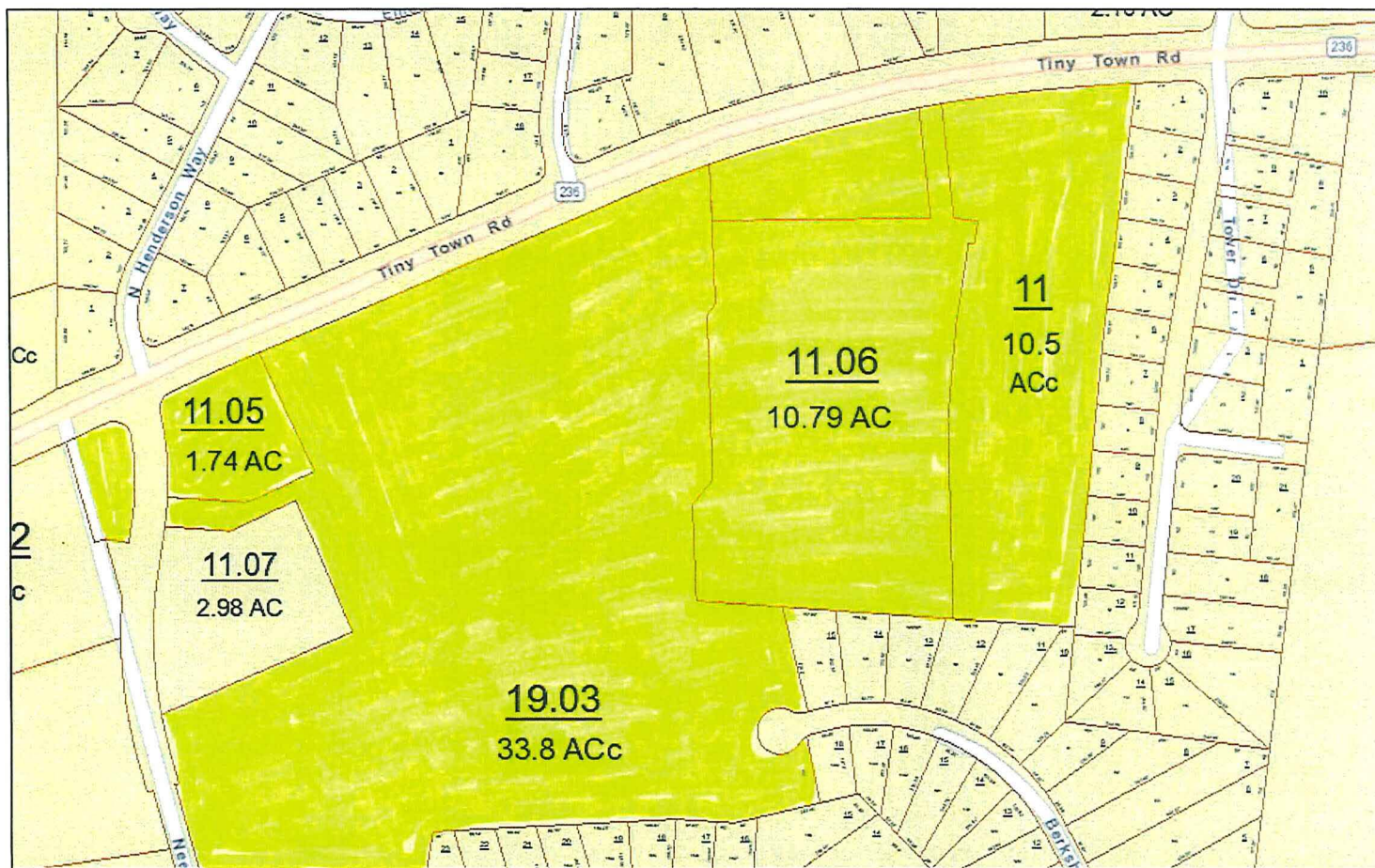
The portion of 018 019.03 that is not included within the Property (as more particularly described on Exhibit A)

007-011

007-011.05

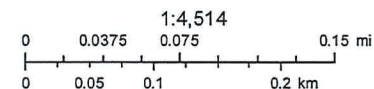
007-011.06

# Montgomery County TN Web Map



March 24, 2017

Parcels



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Montgomery County Assessor of Property - Notice: A tax map has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land surveyor licensed to practice land surveying in the State of Tennessee should be retained for all questions of boundary and/or location of lot lines.

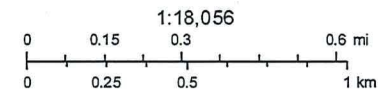


## Montgomery County TN Web Map



March 24, 2017

 Parcels



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

Montgomery County Assessor of Property - Notice: A tax map has no legal standing other than the assessment of taxes. It cannot be used to establish boundary lines or transfer and convey property. A land surveyor licensed to practice land surveying in the State of Tennessee should be retained for all questions of boundary and/or location of lot lines.



**EXHIBIT B**  
**PROJECT AGREEMENT**

THIS PROJECT AGREEMENT (hereinafter "Agreement") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2016 (the "Effective Date"), by and among Industrial Development Board of the County of Montgomery, a public, nonprofit corporation organized and existing under the laws of the State of Tennessee (the "Board"), and Kroger Limited Partnership I (the "Company").

WITNESSETH:

WHEREAS, industrial development corporations ("Authorities") are authorized under Tennessee Code Annotated § 7-53-312 to prepare and submit to cities and counties an economic impact plan with respect to an area that includes a project within the meaning of Tennessee Code Annotated § 7-53-101 *et seq.* (the "IDB Act") and such other properties that the Authorities determine will be directly improved or benefited due to the undertaking of such project; and

WHEREAS, the IDB Act and the Uniformity in Tax Increment Financing Act of 2012, Tennessee Code Annotated § 9-23-101, *et seq.* (the "Uniformity Act"), also authorize Authorities, cities and counties to apply and pledge new incremental tax revenues which arise from the area subject to the economic impact plan to Authorities to promote economic development to pay the cost of projects or to pay debt service on bonds or other obligations issued by Authorities to pay the costs of projects; and

WHEREAS, pursuant to Section 312 of the IDB Act, the Board has approved, after a public hearing, an economic impact plan entitled "Industrial Development Board of the County of Montgomery Economic Impact Plan for the Marketplace Economic Development Area" (the "Plan"), and thereafter the Plan was approved by the City Council of the City of Clarksville, Tennessee (the "City") and the Board of Commissioners of Montgomery County, Tennessee (the "County"), and the Plan is incorporated herein by reference; and

WHEREAS, the Plan provides that in order to induce the Company to undertake a project consisting of a retail shopping center containing approximately 128,000 square feet of retail space to be used as a Kroger Marketplace Store (the "Project") to be constructed by the Company on property located near the intersection of Tiny Town Road and Needmore Road in Clarksville, Tennessee, as shown on Exhibit A (the "Property"); and

WHEREAS, in order to make the Project financially feasible, the Board shall, pursuant to Section 312(h) of the IDB Act and the Uniformity Act, use all of the Increment (as such term is defined in the Plan) to reimburse the Company for a portion of the cost of the Project as provided herein (the "Project Costs"); and

WHEREAS, it is the intent of the Board to formalize its intentions by entering into a binding agreement in the form of this Agreement with the Company.

NOW, THEREFORE, in consideration of the terms, conditions and mutual agreements by and between the parties, as hereinafter set forth in detail, the parties do hereby mutually agree as follows:

1. Definitions. Terms that are used herein that are not defined in this Agreement shall have the meaning ascribed thereto in the Plan.

2. Incentive. In the event that the Company undertakes and completes the Project, then:

(a) The Base Tax Amount shall be allocated to and, as collected, paid to the City and the County as all other real property taxes levied by the City and the County on all other properties; and

(b) Commencing for the taxes assessed for the 2017 calendar year, the Increment, if any, shall be allocated to and, when collected and paid to the City and the County, shall then be remitted to the Board and placed into a separate fund of the Board established to hold such payments until used to reimburse the Company for Project Costs under this Agreement; and

(c) The Company shall submit one or more written requests for the reimbursement of Project Costs setting forth the Company's wiring instructions for the payment thereof (the "Requisition(s)"), together with reasonable evidence (such as receipts, cancelled checks, officer's certificates, etc.) that it has paid or incurred said Project Costs to the Board; and

(d) The Board shall promptly, but in any event within thirty (30) days from the later of its receipt of (i) the Increment, and (ii) one or more Requisitions, reimburse the Company for the Project Costs by wire transfer of collected funds per the Requisitions, until the end of the term of this Agreement. The term of this Agreement shall end, and the payment of the Increment to the Company shall terminate, the earlier of (i) when the Company has received Nine Hundred Thousand and No/100 Dollars (\$900,000.00), being the maximum amount (the "Maximum Contribution"), or (ii) December 31, 2028, provided that if the Company has not received payment for the Increment with respect to the real property taxes for calendar year 2028 by such date, then the term shall continue until the Company receives that payment (which would be during March 2029, if the 2028 taxes are paid in February of 2029 or when a final decision as to an appeal thereof is rendered, the taxes paid and the Increment with respect thereto paid to the Company). It is agreed and understood that in any event, all of the Increment above the Maximum Contribution, and all property taxes in the Plan Area for calendar years 2029 and later, shall be allocated and paid to City and the County the same as all other property taxes levied by the City and the County on all other property, and this Plan shall terminate.

3. Board Representations. The Board hereby represents, warrants, and covenants as follows as the basis for the undertakings on its part herein contained:

(a) That the Board: (i) was legally created and exists under the provisions of the IDB Act; (ii) has the power under the provisions of the IDB Act and the Uniformity Act to enter into the transactions contemplated by this Agreement and to carry out its obligations hereunder; and, (iii) has been duly authorized, by proper action, to execute, deliver and perform this Agreement and the Plan; and

(b) That the Project constitutes a “project” within the meaning of the IDB Act, and that the Board is entering into this Agreement and the Plan to aid in the funding of the Project to accomplish the public purposes of the IDB Act in order to induce and cause the Company to provide the Project, thereby maintaining and increasing employment opportunities, and furthering the welfare of the residents of the City and the County and of the State; and

(c) That the execution and delivery of this Agreement will be valid and binding on the Board and that neither the execution nor delivery of the foregoing documents, nor the consummation of the transactions contemplated thereby, nor the fulfillment of or compliance with the terms and conditions hereof or thereof, will violate any applicable law or conflict with or result in a breach of any of the terms, conditions, or provisions of any agreement or instrument to which the Board is now a party or by which it is bound; and

(d) That there is no action, suit, proceeding or, to the Board’s knowledge, any inquiry or investigation at law or in equity or before or by any public board or body pending or, to the Board’s knowledge, threatened against or affecting the Board or the Board’s property, wherein an unfavorable decision, ruling or finding would have a material, adverse effect on the validity or enforceability of the this Agreement; and

(e) That the Board will not pledge the Increment or otherwise encumber the same.

4. Company Representations. The Company hereby represents, warrants, and covenants as follows as the basis for the undertakings on its part herein contained:

(a) That the Company: (i) is a limited partnership organized and existing under the laws of the state of its organization, and is duly qualified to do business in the State of Tennessee, (iii) has the power and authority to enter into this Agreement; and (iv) has duly authorized the execution, delivery, and performance of this Agreement and the undertaking of the Project; and

(b) That the execution and delivery of this Agreement will be valid and binding on the Company and that neither the execution nor delivery of the foregoing documents, nor the consummation of the transactions contemplated thereby, nor the fulfillment of or compliance with the terms and conditions hereof or thereof, will violate any applicable law or conflict with or result in a breach of any of the terms, conditions, or

provisions of any agreement or instrument to which the Company is now a party or by which it is bound; and

(c) The Company will not knowingly take, permit to be taken, fail to take, or permit to fail to be taken, any action which would cause the Project not to constitute an office project; and

(d) That there is no action, suit, proceeding or, to the Company's knowledge, any inquiry or investigation at law or in equity or before or by any public board or body pending or, to the Company's knowledge, threatened against or affecting the Company or the Company's property, wherein an unfavorable decision, ruling or finding would have a material, adverse effect on the validity or enforceability of the this Agreement, or the Company's ability to provide and operate the Project.

5. Board Breach.

(a) A default by the Board under this Agreement (a "Board Breach") shall occur if the Board fails to comply with any other provision of this Agreement and does not cure such failure within thirty (30) days after receipt of written notice from the Company; provided that if (i) such breach cannot be cured within such thirty (30) day period, (ii) the Board notifies the Company in writing stating the reasons for delay prior to expiration of such thirty (30) day period, (iii) the Board promptly commences curative actions within such thirty (30) day period, and (iv) the Board thereafter diligently and continuously pursues cure efforts, then the period for cure shall be extended for such period of time as shall reasonably be required under the circumstances, except that the Board shall not be entitled to any extension if the breach is monetary in nature.

(b) Upon the occurrence of a Board Default, the Company may pursue such remedies as may be available at law in equity.

6. Company Breach.

(a) A breach by Company under this Agreement (a "Company Breach") shall occur if Company fails to comply with any other provision of this Agreement and does not cure such failure within thirty (30) days after receipt of written notice from the Board; provided that if (i) such breach cannot be cured within such thirty (30) day period, (ii) the Company notifies the Board in writing stating the reasons for delay prior to expiration of such thirty (30) day period, (iii) the Company promptly commences curative actions within such thirty (30) day period, and (iv) the Company thereafter diligently and continuously pursues cure efforts, then the period for cure shall be extended for such period of time as shall reasonably be required under the circumstances, except that the Company shall not be entitled to any extension if the breach is monetary in nature.

(b) Upon the occurrence of a Company Breach, the Board may pursue such remedies as may be available at law in equity.

7. Cooperation. The Company and the Board agree that:

(a) Each party shall cooperate with the other party to provide such assistance as may reasonably be requested in connection with the fulfillment of each of its respective obligations under this Agreement; provided that the Company acknowledges that the City and County are independent from the Board and that the Board cannot guarantee its cooperation, but will work in good faith. Each party shall keep the other party informed of its actions taken in connection with this paragraph.

(b) Each party agrees that in exercising any rights of approval or consent it may have under this Agreement, it shall act in good faith.

8. Governing Law. This Agreement shall be governed and construed under and in accordance with the laws of the State of Tennessee and may not be modified or amended except in writing signed by all parties. Any legal venue for claims or actions arising from this Agreement shall be in Montgomery County, Tennessee.

9. Assignment. This Agreement shall not be assigned by either party hereto without the written consent of the other party, except that the Company may assign its interest hereunder to a Company Affiliate. A "Company Affiliate" shall mean (i) any parent, subsidiary or affiliate of Company that directly or indirectly controls Company, is under the direct or indirect control of Company, or is under common direct or indirect control with Company, or (ii) any person, firm or corporation who is the purchaser of all or substantially all of the assets of Company or is the successor to all of the assets and business of Company by virtue of a corporate merger or consolidation of, with or into Company or an affiliate thereof. "Control" shall mean voting control of the controlled entity.

10. Notices. All notices, certificates, and other communications hereunder shall be in writing, and shall be sufficiently given and shall be deemed given when delivered and, if delivered by mail, shall be sent by registered mail or certified mail, return receipt requested, postage prepaid, addressed as follows:

To the Board            Executive Director  
                              The Industrial Development Board  
                              of the County of Montgomery, Tennessee  
                              25 Jefferson Street, Suite 300  
                              P. O. Box 883  
                              Clarksville, TN 37041-0883

With a copy to:        Richard H. Batson, Esq.  
                              Batson Nolan PLC  
                              121 South Third Street  
                              P. O. Box O  
                              Clarksville, TN 37041

To the Company: Kroger Limited Partnership I  
1014 Vine Street  
Cincinnati, OH 45202  
Attention: Tax Incentive and Credits

With a copy to: Bradley Arant Boult Cummings, PLC  
1600 Division Street, Suite 700  
Nashville, Tennessee 37203  
Attention: J. Thomas Trent, Jr.

11. Limitation of Liability. Anything in this Agreement to the contrary notwithstanding, the performance by the Board or the Company of all duties and obligations imposed upon it hereby, the exercise by it of all powers granted to it hereunder, the carrying out of all covenants, agreements, and promises made by it hereunder, and the liability of the Board and the Company for all warranties and other covenants hereunder, shall be limited solely to its interest in and right to receive the Increment and neither the Board nor the Company shall not be required to effectuate any of its duties, obligations, powers or covenants hereunder except to the extent of such revenues and receipts. No recourse under or upon any obligation, covenant or agreement contained in this Agreement, or under any judgment obtained against the Board or the Company, or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise or under any circumstances, under or independent of this Agreement, shall be had against any incorporator, member, employee, agent, director or officer, as such, past, present or future, of the Board or the Company, either directly or through the Board or the Company, or otherwise, for the payment of any sum that may be due and unpaid by the Board or the Company hereunder. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such incorporator, member, employee, agent, director or officer, as such, to respond by reason of any act or omission on his or her part or otherwise, for the payment for the Board, the Company or any receiver thereof, of any sum, is hereby expressly waived and released as a condition of and in consideration for the execution of this Agreement.

12. Entire Agreement. This Agreement and the Plan constitute the final, complete and entire understanding of the Board and the Company with respect to the transactions contemplated by this Agreement.

13. Attorney Fees. In the event of any action or proceeding for enforcement of any of the terms or conditions of this Agreement, the prevailing party in such action, or the non-dismissing party where the dismissal occurs other than by reason of a settlement, will be entitled to recover, from the non-prevailing party, its reasonable costs and expenses, including without limitation reasonable attorneys' fees and costs of defense paid or incurred in good faith.

14. Severability. The invalidation of any one or more of the provisions of this Agreement or any part thereof by judgment of any court of competent jurisdiction shall not in

any way affect the validity of any other such provisions of the Agreement but the same shall remain in full force and effect.

15. Further Assurances. The Board and the Company each agree to execute and deliver such further documents and instruments as may be reasonably necessary to carry out the transaction contemplated by this Agreement.

16. Interpretation. The titles, captions and section headings herein are inserted for convenience only and are in no way intended to interpret, define, limit or expand the scope or content of this Agreement. This Agreement shall be construed without regard to any presumption or other rule requiring construction against the party causing this Agreement to be drafted. If any words or phrases in this Agreement shall have been stricken out or otherwise eliminated, whether or not any other words or phrases have been added, this Agreement shall be construed as if the words or phrases so stricken out or otherwise eliminated were never included in this Agreement and no implication or inference shall be drawn from the fact that said words or phrases were so stricken out or otherwise eliminated. Unless the context indicates otherwise, (i) the terms “hereof”, “hereunder”, “herein” and similar expressions refer to this Agreement as a whole, (ii) the singular shall include the plural and the masculine gender shall include the feminine and the neuter, and (iii) all references to sections and subsections shall be deemed references to the sections and subsections of this Agreement.

17. Time of the Essence. Time shall be of the essence in the performance of the terms and conditions of this Agreement.

18. Business Day. If any date on which performance or notice is due under this Agreement should fall on Saturday, Sunday or any other day on which the Company’s offices are not open to the general public for business, performance or notice shall not be due until the next business day.

19. No Waiver. No waiver of any provision of this Agreement shall be deemed to have been made unless expressed in writing and signed by the party charged with making the waiver. No delay or omission in the exercise of any right or remedy accruing upon any breach of this Agreement shall impair such right or remedy or be construed as a waiver of any such breach. The waiver of any breach of this Agreement shall not be deemed to be a waiver of any other breach hereof.

20. Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument.

21. Relationship. The relationship of the Board and the Company is solely that of independent third parties engaged in an arm’s length transaction. Nothing contained herein shall be deemed or construed as creating a partnership, joint venture, agency relationship or other similar relationship between the Board and the Company.

In witness whereof the parties hereto have entered into this Agreement as of the Effective Date.

Board: INDUSTRIAL DEVELOPMENT BOARD OF  
MONTGOMERY COUNTY

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Company: KROGER LIMITED PARTNERSHIP I

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



ORDINANCE 76 -2016-17

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE, PART II, TITLE 12, STREETS AND OTHER PUBLIC WAYS AND PLACES, CHAPTER 9, CENTRAL BUSINESS IMPROVEMENT DISTRICT (TWO RIVERS COMPANY)

*WHEREAS,* pursuant to Ordinance 41-1998-99 the City authorized a district management corporation to be chartered pursuant to the provisions of the Tennessee Nonprofit Corporation Act, set out the composition of the Board of Directors and appointed the district management corporation for the purpose of administering activities for and within the district, the making of improvements within and for the district and the provision of services for and within the district; and

*WHEREAS,* pursuant to Ordinance 41-1998-99 the “Clarksville CBID District Management Corporation of 1999,” formerly known as the “Downtown District Partnership” was formed and is currently doing business as the “Two Rivers Company;” and

*WHEREAS,* the State of Tennessee Office of the Comptroller is now requiring the “Clarksville CBID District Management Corporation of 1999 d/b/a Two Rivers Company,” to follow governmental accounting rules as a governmental organization, which are significantly more burdensome than non-governmental accounting rules; and

*WHEREAS,* the removal of the district management corporation from the City Code will remove the governmental accounting requirement and will negate any potential audit finding against the City; and

*WHEREAS,* the City Council further finds that it is beneficial to the City for the funds previously appropriated by the City Council for the Two Rivers Company to continue to be available for reimbursement of qualified expenses of the Two Rivers Company in its activities as a private non-profit corporation.

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

- (1) That the Official Code of the City of Clarksville, Part II, Title 12 (Streets and Other Public Ways and Places), Chapter 9 (Central Business Improvement District) be amended to repeal the following sections:

12-903 - Initial improvements, services, and projects

12-904 - Levy of special assessment

12-905 - District management corporation

12-906 - Scope of authority

12-907 - Meetings, records

12-908 - Appeals to decisions of district management corporation board.

- (2) That the funds previously appropriated by the City Council for the benefit of the Two Rivers Company shall continue to be available for reimbursement of qualified expenses of the Two Rivers Company in its activities as a private non-profit corporation.

*FIRST READING:*

*SECOND READING:*

*PUBLICATION DATE:*

## CURRENT LANGUAGE:

- **Sec. 12-903. - Initial improvements, services, and projects.**

The initial improvements, services, and projects authorized to be provided within the district shall be as follows:

(1)

Adoption and implementation of a comprehensive plan for the rebuilding and redevelopment of the district, including design criteria which will maintain the character of the district;

(2)

The construction of public facilities and improvements in connection therewith, improving downtown beautification and maintenance, and any and all activities associated with achieving the full-scale redevelopment and revitalization of the district.

For these purposes, there is appropriated the sum of fifty-five thousand dollars (\$55,000.00) for activities undertaken from the effective date of this chapter through June 30, 1999.

(Ord. No. 41-1998-99, § 3, 4-1-99)

- **Sec. 12-904. - Levy of special assessment.**

No additional rate of levy of special assessment is imposed to properties within the district boundaries. That levy of assessment for streetscape improvements to sidewalks, street lights, landscaping, and signage in accordance with the master design plan designated as the "Franklin Street Master Plan" formulated by Tunnell Spangler Architects dated August, 1991, and which was authorized by the enactment of Ordinance 1-1997-98 shall remain in full force and effect until the completion of the improvements authorized thereby and the payment in full of the assessment by affected property owners. Upon completion of those improvements, the district management corporation authorized to be created by Ordinance 1-1997-98 shall take appropriate steps to wind up its affairs and to dissolve its existence. Collection of any outstanding balance of the levy referred to above shall become the responsibility of the management corporation to be created pursuant to this chapter. In addition, the management corporation created pursuant to this chapter shall assume the responsibilities for implementation and administration of the provisions of Ordinance 7-1998-99 relative to festivals, street fairs, and other similar public functions conducted in the Central Business District.

(Ord. No. 41-1998-99, § 4, 4-1-99)

- **Sec. 12-905. - District management corporation.**

There is authorized a district management corporation to be chartered pursuant to the provisions of the Tennessee Nonprofit Corporation Act for the purpose of administering the activities for and within the district, the making of improvements within and for the district, and the provision of services within and for the district. The District Management Corporation shall be known as the "Downtown District Partnership," until such time as the name may be legally changed to the "Two Rivers Company," or until such time as a new-nonprofit corporation may be established to be known as the "Two Rivers Company," which shall be governed by a board of directors consisting of thirteen (13) voting members and eleven (11) ex-officio non-voting members. At least seven (7) of the thirteen (13) voting members shall be "district stakeholders," as defined herein, except that at least one (1) of the "district stakeholders" shall be required to be a resident of the district. A "district stakeholder" means an individual person who: (a) owns real property within the district, or (b) owns a business or has an ownership interest in a business whose headquarters or principal place of business is located within the district, or (c) whose principal place of employment is located within the district, or (d) resides within the district. The mayor of the city, or the mayor's

designee, shall be one (1) of the thirteen (13) voting members and the mayor of Montgomery County, Tennessee, or the mayor's designee, shall be one (1) of the thirteen (13) voting members. The executive director for the Clarksville-Montgomery County Economic Development Council (EDC) shall also be one (1) of the thirteen (13) voting members. The president of Austin Peay State University, or the president's designee, shall be one (1) of the thirteen (13) voting members. All of the voting members shall be residents of Montgomery County. All voting-members, other than the mayor of the city, the mayor of Montgomery County, the president of Austin Peay State University, and the executive director of the EDC, shall be appointed by the city mayor, subject to approval by the city council, or the mayor of Montgomery County subject to the approval of the Montgomery County Commission. The mayor of the city shall be entitled to appoint three (3) district stakeholders and one (1) at-large member and the mayor of Montgomery County shall be entitled to appoint three (3) district stakeholders and one (1) at-large member. The mayor of the city and the mayor of Montgomery County shall jointly agree to appoint the voting member designated as a resident of the Central Business Improvement District. Each voting member sitting on the Board at the time of adoption of the ordinance from which this section derives shall be entitled to complete their designated term. Upon the next expiration of the term of a sitting appointed member or vacancy of an appointed member's office, the mayor of Montgomery County shall be entitled to appoint a successor. The mayor of the city and the mayor of Montgomery County shall then alternate appointments until such time as each mayor has appointed four (4) voting members. Each mayor shall have the right to appoint the successors to the voting members they have appointed. Terms for each voting member shall be three (3) years, but members whose terms have expired shall continue to serve until a successor is appointed. No voting member may serve more than two (2) consecutive three (3) year terms, however this provision shall not prohibit a member who is appointed to serve the remainder of a resigning member's term from serving two (2) full terms. In case of vacancy occurring prior to the expiration of any voting member's term, the mayor of the city, subject to approval of the city council, or the mayor of Montgomery County, subject to approval of the Montgomery County Commission, shall appoint a new member to fill the unexpired term. In addition to the thirteen (13) voting members, the following shall serve as non-voting, ex-officio members: the director of the city Department of Parks and Recreation, and the chairman of the following agencies, so long as such agencies shall exist: chairman of the Clarksville Parking Authority, chairman of the Clarksville Housing Authority, chairman of the Clarksville-Montgomery County Regional Planning Commission, chairman of Clarksville-Montgomery County Economic Development Council, the chairman of the Board of Directors of the Chamber of Commerce, the chairman of the Clarksville-Montgomery County Industrial Development Board, and the chairman of the Clarksville-Montgomery County Convention and Visitors Bureau. A member of the Board of Directors for the Aspire Clarksville non-profit corporation as appointed by that board shall also serve as a non-voting ex-officio member of the District Management Corporation Board of Directors. In addition, the Tennessee State Senator, and the Tennessee State Representative, whose Senate and House districts respectively includes the majority of the area contained within the CBID, shall be appointed by the Tennessee State Speaker of the Senate and by the Tennessee State Speaker of the House of Representatives respectively, to serve as non-voting ex-officio members of the Board of Directors for the District Management Corporation. Any voting member may be removed for cause by a majority vote of the city council if the member is appointed by the mayor of the city, or the Montgomery County Commission if the member is appointed by the mayor of Montgomery County. Such removal proceedings may be recommended by any member of the city council, or the mayor, or by a majority of the voting members of the District Management Corporation. The directors of the District Management Corporation may adopt provisions for the establishment of committees, however, programs, plans, and operations of the committees shall be submitted to the directors of the District Management Corporation for approval.

(Ord. No. 41-1998-99, § 5, 4-1-99; Ord. No. 87-2002-03, 7-3-03; Ord. No. 76-2008-09, 6-4-09; Ord. No. 22-2010-11, 10-7-10; Ord. No. 60-2014-15, § 1, 6-25-15; Ord. No. 16-2016-17, 10-6-16)

- **Sec. 12-906. - Scope of authority.**

This chapter is adopted pursuant to the provisions of Tennessee Code annotated Title 7, Chapter 84, Part 5. The Clarksville Central Business Improvement District is established and shall be

administered pursuant to the provisions contained therein, and only to the extent that they are within the scope of improvements, services, and programs authorized by section 12-903 of this chapter or amendments thereto, the district management corporation is hereby delegated those powers necessary to carry out the improvements, services, or programs authorized by section 12-903 of this chapter, and shall specifically have the following powers:

- (1) To acquire, construct or maintain parking facilities;
- (2) To acquire, construct or maintain public improvements;
- (3) To acquire real property or an interest therein in connection with a public improvement;
- (4) To provide services for the improvement and operation of the district, including, but not limited to:
  - (a) Promotion and marketing;
  - (b) Advertising;
  - (c) Health and sanitation;
  - (d) Public safety;
  - (e) Security;
  - (f) Elimination of problems related to traffic and parking;
  - (g) Recreation;
  - (h) Cultural enhancements;
  - (i) Consulting with respect to planning, management, and development activities;
  - (j) Maintenance of improvements;
  - (k) Activities in support of business or residential recruitment, retention, or management development;
  - (l) Aesthetic improvements, including the decoration, restoration or renovation of any public place or of building facades and exteriors in public view which confer a public benefit;
  - (m) Furnishing of music in any public place;
  - (n) Professional management, planning and promotion of the district;
  - (o) Design assistance; and
  - (p) Such other services as municipalities are authorized to provide pursuant to Tennessee Code Annotated and by the Clarksville City Council;

(5)

To enter into contracts and agreements, including but not limited to, a contract with the Clarksville-Montgomery County Economic Development Council for staff services in connection with the implementation of the plan adopted herein;

(6)

To hire employees or retain agents, engineers, architects, planners, consultants, attorneys and accountants;

(7)

To acquire, construct, install and operate public improvements contemplated by the establishment ordinance and all property, rights, or interests incidental or appurtenant thereto and dispose of real and personal property and any interest therein, including leases and easements in connection therewith;

(8)

To manage, control and supervise:

(a)

All the business and affairs of the district;

(b)

The acquisition, construction, installation and operation of public improvements within the district; and

(c)

The operation of district services therein;

(9)

To construct and install improvements across or along any public street, alley, highway, stream of water or watercourse;

(10)

To construct and operate child care facilities;

(11)

To accept, administer and comply with the conditions and requirements respecting any appropriation of funds or any gift, grant or donation of property or money to the central business improvement district;

(12)

To exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this chapter or by state law. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this chapter. As provided by state law, the boundaries of the district may be changed, or improvements, services, and projects authorized to be provided may be added to, or the rates to be charged for improvements, services and projects may be changed after a public hearing is held to consider such changes.

(Ord. No. 41-1998-99, § 6, 4-1-99; Ord. No. 56-2008-09, 4-2-09; Ord. No. 22-2010-11, 10-7-10; Ord. No. 37-2015-16, § 1, 12-3-15.)

## • **Sec. 12-907. - Meetings, records.**

All meetings of the district management corporation shall be open meetings, pursuant to Tennessee Code Annotated Section 8-44-102 et seq. All records of the district management corporation shall be deemed public records, subject to the provisions of Tennessee Code Annotated Section 10-7-503.

(Ord. No. 41-1998-99, § 7, 4-1-99)

## • **Sec. 12-908. - Appeals to decisions of district management corporation board.**

Appeals to the Clarksville City Council may be taken by any person aggrieved by any decision of the district management corporation board based in whole or in part upon the implementation of the provisions of section 12-906(13) of this chapter or amendments thereto. The city council shall hear and decide any such appeal at its next regular session. A two-thirds majority vote of those council members in attendance at such hearing shall be required to modify or overturn the decision which forms the basis for an appeal.

(Ord. No. 41-1998-99, § 8, 4-1-99)

ORDINANCE 69-2016-17

AN ORDINANCE AMENDING THE 2016-2017 BUDGET AND APPROVING THE 2017-2018 ANNUAL ACTION PLAN AND BUDGET AND AUTHORIZING APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDS

*WHEREAS*, Regulation 24 CFR Part 91 issued by the U.S. Department of Housing and Urban Development (HUD) requires the city to submit and receive HUD approval of an annual action plan as part of a HUD-approved five-year consolidated plan for the City of Clarksville; and

*WHEREAS*, Title I of the Housing and Community Development Act of 1974, as amended, establishes a Community Development Block Grant (CDBG) program for the purpose of developing viable urban communities by providing decent housing and suitable living environments and expanding economic opportunities and preventing and/or eliminating conditions of slum and blight, principally for persons of low and moderate income; and

*WHEREAS*, the Statement of Purpose for this Ordinance reflects comments from agencies, organizations and citizens as related to funding received from two HUD programs; the Community Development Block Grant and the HOME Investment Partnership Program; and

*WHEREAS*, Article VII, Section 3 of the Official Charter of the City of Clarksville provides for the approval and adoption of a budget; and

*WHEREAS*, the provisions of the Tennessee Code Annotated require each municipality to operate under an annual appropriation ordinance.

*WHEREAS*, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

That the 2016-2017 budget is amended and the 2017-2018 Annual Action Plan and the 2017-2018 “Budget and Program of Expenditures” is hereby adopted and approved.

Section 1. Revenues and Expenses. Revenues and expenses for the COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP FUNDS, EMERGENCY SOLUTIONS GRANT AND CONTINUUM OF CARE GRANT are shown on the budget schedule below. The budgets shown below are on a cash basis. Revenues are estimated to be sufficient to pay the estimated expenses of the operations.

**Community & Economic Development**  
Fiscal Year 2016, 2017, and 2018

Community Development Description	FY 2016	FY 2017		FY 2018 Proposed
		Budget	Estimated	
Section 1. Operating Revenues and Financing Sources				
Grants	1,419,561	1,788,365	1,771,033	1,861,932
Other Revenues	216,846	265,000	190,856	265,000
Transfers from Other Funds	30,000	104,539	104,539	104,539
Total Revenues and Other Financing Sources	1,666,407	2,157,904	2,066,428	2,231,471

Community Development Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Estimated	
Section 2. Expenditures and Financing Uses				
Expenditures of Program	1,631,463	2,157,904	2,049,458	2,221,471
Total Expenditures and Other Financing Uses	1,631,463	2,157,904	2,049,458	2,221,471

Community Development Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Estimated	
Excess (Deficiency) of Revenues and Other Financing Uses Over (Under) Expenditures and Other Financing Uses	34,944	-	16,970	10,000
Beginning Fund Equity	298,855	316,141	333,799	350,769
Total Ending Fund Equity of Community Development Fund	333,799	316,141	350,769	360,769

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*



ORDINANCE 70-2016-17

AN ORDINANCE AMENDING THE FISCAL YEAR 2017 BUDGET AND ESTABLISHING THE OPERATING BUDGET FOR FISCAL YEAR 2018 FOR THE CLARKSVILLE PARKING COMMISSION, A PROPRIETARY FUND

*WHEREAS*, Article VII, Section 3 of the Official Charter of the City of Clarksville provides for the approval and adoption of a budget; and

*WHEREAS*, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

That the amended revenues and expenses of the City of Clarksville's Parking Commission for the fiscal year 2017 and the estimated revenues and expenses for the fiscal year 2018 are as follows:

Section 1. Revenues and Expenses. Revenues and expenses for the City of Clarksville's Parking Commission (a Proprietary Fund) are shown on the budget schedules below. The budgets shown below are on a cash basis. Revenues are estimated to be sufficient to pay the estimated expenses of the Parking Commission's operations and any annual debt service.

Enterprise Fund - Parking Commission  
FY2016, FY2017, and FY2018

Parking Commission Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 1. Revenues				
Fees and Fines	251,504	243,500	242,800	286,000
Rental Income	92,089	100,200	113,400	95,600
Miscellaneous/Accruals	2,887	-	-	-
Interest Income	398	300	1,100	1,100
Total Revenue	346,878	344,000	357,300	382,700
Parking Commission Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenses				
Capital Expenses	-	-	-	-
Depr Exp/Accruals	80,940	86,616	86,616	85,332
Interest Expense	1,567	1,070	1,070	484
Transfers Out/Management Fee	297,704	331,019	324,619	346,568
Total Expenses & Transfers	380,211	418,705	412,305	432,384
Parking Commission Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 3 - Change in Net Position				
Changes in Net Position	(33,333)	(74,705)	(55,005)	(49,684)
Beginning Net Position	2,250,101	2,204,764	2,216,768	2,161,763
Ending Net Position	\$ 2,216,768	\$ 2,130,059	\$ 2,161,763	\$ 2,112,079

(1) **REVENUES:** Revenues to fund the enforcement and operation of public parking of the city are derived primarily from parking lot rentals, meters, other fees, and fines.

(2) **EXPENSES/CASH OUTFLOWS:** Expenses/cash outflow related to enforcing and operating public parking are primarily management fees to general fund, interest on debt, payment of principal (cash basis), and capital outlays (cash basis).

(3) **BASIS OF ACCOUNTING:** For financial reporting purposes, the accrual basis of accounting is used. The accrual basis recognizes the financial effect of a transaction, event or inter-fund activity when it occurs regardless of the timing of the related cash flow, whereas the cash basis of accounting recognizes the transaction or event when the related cash is received or disbursed.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

# ORDINANCE 71-2016-17

## AN ORDINANCE AMENDING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2017 AND ADOPTING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2018 FOR THE CLARKSVILLE TRANSIT SYSTEM

*WHEREAS,* Article VII, Section 3 of the official charter of the City of Clarksville provides for the approval and adoption of a budget; and

*WHEREAS,* the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

That the estimated revenues and expenditures of the Clarksville Transit System for the fiscal years 2017 and 2018 are amended and/or approved as follows:

Enterprise Fund - Transit  
FY2016, FY2017, and FY2018

Transit Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Revenues				
Operating Revenues	834,326	815,172	815,172	914,717
Federal, State & Local	7,421,182	5,685,818	5,485,818	5,496,222
Other	5,708	500	500	815
Total Revenue	8,261,216	6,501,490	6,301,490	6,411,754
Transit Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 2. Expenses				
Operating Expenses	6,746,018	6,501,490	6,301,490	6,411,754
Total Expenses	6,746,018	6,501,490	6,301,490	6,411,754
Transit Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Net Position				
Changes in Net Position	1,515,198	-	-	-
Beginning Net Position	3,326,961	3,326,961	4,842,159	4,842,159
Ending Net Position	\$ 4,842,159	\$ 3,326,961	\$ 4,842,159	\$ 4,842,159

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 72-2016-17

AN ORDINANCE AMENDING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2017 AND ADOPTING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2018 FOR CDE LIGHTBAND

*WHEREAS,* Article VII, Section 3 of the official charter of the City of Clarksville provides for the approval and adoption of a budget; and

*WHEREAS,* the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget; and

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

That the estimated revenues and expenses of CDE Lightband for the fiscal years 2017 and 2018 are amended and/or approved as follows:

Enterprise Funds - Electric Division  
FY2016, FY2017, and FY2018

Electric Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 1. Revenues				
Revenues and Financing Sources				
Operating Revenues	157,782,181	163,749,710	162,518,923	164,144,112
Other Revenue	6,063,503	7,000,000	7,000,000	7,411,600
Total Revenues	163,845,684	170,749,710	169,518,923	171,555,712

Electric Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenses				
Purchased Power	113,374,054	120,275,380	118,074,668	119,255,414
Operating Costs	20,466,154	28,065,532	25,946,471	29,910,592
Capital Expenses	16,865,830	15,739,357	14,906,179	15,917,669
In-Lieu of Taxes	4,425,906	6,090,000	5,900,000	6,200,000
Total Expenses	155,131,944	170,170,269	164,827,318	171,283,675

Electric Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 3 - Change in Net Position				
Change in Net Position	8,713,740	579,441	4,691,605	272,037
Beginning Net Position	147,900,590	156,614,330	156,614,330	161,305,935
Ending Net Position	\$156,614,330	\$157,193,771	\$161,305,935	\$161,577,972

Enterprise Funds - Broadband Division  
FY2016, FY2017, and FY2018

Broadband Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 1. Revenues				
Operating Revenues	19,030,215	21,122,900	19,838,410	21,629,146
Total Revenues	19,030,215	21,122,900	19,838,410	21,629,146

Broadband Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenses				
Programming/Connectivity	7,059,420	8,495,864	7,044,664	8,616,848
Operating Costs	879,844	2,196,642	1,353,089	1,893,225
Capital Expenses	1,719,473	2,600,956	528,230	2,679,000
In-Lieu of Taxes	19,401	144,000	144,000	144,000
Transfer to Electric	6,063,503	7,000,000	7,000,000	7,411,600
Total Expenses	15,741,641	20,437,462	16,069,983	20,744,673

Broadband Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 3 - Change in Net Position				
Changes in Net Position	3,288,574	685,438	3,768,427	884,473
Beginning Net Position	(13,846,234)	(10,557,660)	(10,557,660)	(6,789,233)
Ending Net Position	\$ (10,557,660)	\$ (9,872,222)	\$ (6,789,233)	\$ (5,904,760)

*FIRST READING:*  
*SECOND READING:*  
*EFFECTIVE DATE:*

ORDINANCE 73-2016-17

AN ORDINANCE AMENDING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2017 AND ADOPTING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2018 FOR THE CLARKSVILLE GAS & WATER DEPARTMENT

*WHEREAS*, City Charter, Article VII, Section 3(c) budget ordinances need not be in more detail than a lump sum for each department. TCA 7-34-114(a) requires revision of rates, fees or charges, from time to time, whenever necessary so that enterprise funds always remains self-supporting.

*WHEREAS*, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

That the estimated revenues and expenses of the Clarksville Gas & Water Department for the fiscal years 2017 and 2018 are amended and/or approved as follows:

Enterprise Funds - Gas Department  
FY2016, FY2017, and FY2018

Gas Description	FY 2016	FY 2017		FY 2018
	Actual	Budgeted	Amended	Proposed
Section 1. Revenues				
Operating Revenues	20,294,238	24,546,500	21,585,000	25,979,720
Interest Income	78,096	33,000	63,500	64,500
Other Income	2,640	10,000	20,000	18,900
Capital Contributions	-	-	-	-
Total Revenues	20,374,974	24,589,500	21,668,500	26,063,120
Gas Description	FY 2016	FY 2017		FY 2018
	Actual	Budgeted	Amended	Proposed
Section 2. Expenses				
Operating Expenses	19,052,304	21,423,832	21,181,963	24,443,489
Debt Service Interest	548,260	314,173	406,042	372,474
Payment-in-Lieu of Taxes	657,474	671,874	671,874	660,403
Amortization Expense	(124,983)	(44,856)	(44,856)	(45,253)
Total Expenses	20,133,055	22,365,023	22,215,023	25,431,113
Gas Description	FY 2016	FY 2017		FY 2018
	Actual	Budgeted	Amended	Proposed
Section 3. Change in Net Position				
Changes in Net Position	241,919	2,224,477	(546,523)	632,007
Beginning Net Position	55,402,555	55,644,474	55,644,474	55,097,951
Ending Net Position	\$ 55,644,474	\$ 57,868,951	\$ 55,097,951	\$ 55,729,958



Enterprise Funds - Water & Sewer Department  
FY2016, FY2017, and FY2018

Water & Sewer Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Revenues				
Operating Revenues	56,102,094	63,201,000	61,701,000	63,628,960
Interest Income	169,809	72,000	72,000	117,500
Other Income	6,421,602	30,000	1,367,000	45,000
Capital Contributions	9,087,193	9,500,000	8,500,000	8,500,000
Total Revenue	71,780,698	72,803,000	71,640,000	72,291,460
Water & Sewer Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 2. Expenses				
Operating Expenses	39,985,697	45,460,332	44,782,211	45,153,905
Debt Service Interest	8,465,492	8,606,187	9,691,308	9,623,708
Payment-in-Lieu of Taxes	3,211,538	3,090,967	3,090,967	3,403,787
Other Expenses	524,208	(1,495,896)	(1,495,896)	(1,540,247)
Total Expenses	52,186,935	55,661,590	56,068,590	56,641,153
Water & Sewer Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Net Position				
Changes in Net Position	19,593,763	17,141,410	15,571,410	15,650,307
Beginning Net Position	246,306,418	265,900,181	265,900,181	281,471,591
Ending Net Position	\$ 265,900,181	\$ 283,041,591	\$ 281,471,591	\$ 297,121,898

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*

ORDINANCE 74-2016-2017

AN ORDINANCE AMENDING THE FISCAL YEAR 2017 AND ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2018 FOR THE INTERNAL SERVICE FUNDS.

*WHEREAS*, Article VII, Section 3 of the Official Charter of the City of Clarksville provides for the approval and adoption of a budget; and

*WHEREAS*, the provisions of the Tennessee Code Annotated require each municipality to operate under an annual appropriation ordinance; and

*WHEREAS*, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

That the estimated revenues and expenditures of the City of Clarksville's Internal Service Funds for the fiscal years 2017 and 2018 are approved as follows:

Section 1. Revenues and Expenditures. Revenues and expenditures for the City of Clarksville's Internal Service Funds are shown below. Revenues are estimated to be sufficient to pay the estimated expenditures of the Internal Service Funds' operations. The basis of accounting for the purpose of budget preparation is cash basis.

Internal Service Funds  
Sources, Expenditures, Financing Uses and Changes in Net Assets  
FY2016, FY2017, and FY2018

Dental Fund

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Premiums/Revenues	\$ 1,094,552	\$ 1,149,137	\$ 1,131,127	\$ 1,131,000
Claims/Expenditures	1,061,556	1,139,359	1,000,481	1,078,200
Changes in Net Position	32,996	9,778	130,646	52,800
Beginning Net Position	212,074	236,441	245,070	375,716
Ending Net Position	245,070	246,219	375,716	428,516

Health Fund

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Premiums/Revenues	11,303,480	11,618,307	11,861,217	12,595,184
Wellness Revenue	1,186,720	1,400,490	1,210,650	1,209,600
Claims/Expenditures	10,731,725	11,448,820	11,872,406	12,538,415
Wellness Clinic Expenditures	1,063,068	1,087,842	1,187,528	1,095,571
Changes in Net Position	695,407	482,135	11,933	170,798
Beginning Net Position	3,198,521	3,693,079	3,893,928	3,905,861
Ending Net Position	3,893,928	4,175,214	3,905,861	4,076,659

Self-Insurance Fund

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Premiums/Revenues	881,306	869,500	872,341	864,500
Claims/Expenditures	426,238	650,000	640,000	735,874
Changes in Net Position	455,068	219,500	232,341	128,626
Beginning Net Position	1,827,597	2,139,937	2,282,665	2,515,006
Ending Net Position	\$ 2,282,665	\$ 2,359,437	\$ 2,515,006	\$ 2,643,632

*FIRST READING:*  
*SECOND READING:*  
*EFFECTIVE DATE:*

# FY 2018 BUDGET



GOVERNMENTAL FUNDS  
(EXCLUDING COMMUNITY DEVELOPMENT)  
Ordinance 75-2016-17

ORDINANCE 75-2016-17

AN ORDINANCE AMENDING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2017 AND ADOPTING THE OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2018 FOR THE GOVERNMENTAL FUNDS AND ADOPTING THE TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018

*WHEREAS*, Article VII, Section 3 of the official charter of the City of Clarksville provides for the approval and adoption of a budget; and

*WHEREAS*, *Tennessee Code Annotated* Title 9 Chapter 1 Section 116 requires that all funds shall first be appropriated before being expended and that only funds that are available shall be appropriated, and

*WHEREAS*, the governing body has published the annual operating budget and budgetary comparisons of the proposed budget with the prior year (actual) and the current year (estimated) in a newspaper of general circulation not less than ten (10) days prior to the meeting where the governing body will consider final passage of the budget.

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

That the estimated revenues and expenditures of the City of Clarksville for the fiscal years 2017 and 2018 are amended and/or approved as follows:

**Section 1.** That the governing body estimates anticipated revenues for its governmental funds from all sources to be as follows in all of the attachments that follow.

**Section 2.** That the governing body appropriates from these anticipated revenues and unexpended and unencumbered funds as follows in all of the attachments that follow.

**Section 3.** At the end of the current fiscal year, the governing body estimates balances as follows in all of the attachments that follow.

Attachment 1 - General Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and Changes in Fund Balance, FY 2016, FY 2017, and FY 2018

[1.24](#)

Description	FY 2016	FY 2017		FY2018
	Actual	Budget	Amended	Proposed
<b>Section 1 - Operating Revenues and Financing Sources</b>				
Taxes	\$ 55,217,579	\$ 53,800,821	\$ 54,784,422	\$ 56,025,452
Intergovernmental Revenues	18,206,592	19,872,316	18,769,457	19,245,652
Licenses and Permits	1,550,525	1,563,370	1,717,500	1,732,183
Charges for Services	2,747,438	2,678,692	2,606,729	2,819,405
Fines and Forfeits	866,203	877,700	874,391	903,683
Investment Income	16,639	12,500	41,774	44,211
Miscellaneous	1,107,184	384,000	391,107	438,539
<b>Operating Revenues</b>	<b>79,712,160</b>	<b>79,189,399</b>	<b>79,185,380</b>	<b>81,209,125</b>
Other Financing Sources				
Transfer from GWS, in lieu of taxes	3,869,012	3,762,841	3,762,841	3,800,469
Transfer from CDE, in lieu of taxes	4,445,307	4,572,500	4,727,500	4,805,000
Sale of Surplus Property/Compensation for losses	67,967	50,000	30,112	39,141
Transfer from Parking Authority	297,704	331,019	324,619	346,568
<b>Financing Sources</b>	<b>8,679,990</b>	<b>8,716,360</b>	<b>8,845,072</b>	<b>8,991,178</b>
<b>Total Revenues and Financing Sources</b>	<b>88,392,150</b>	<b>87,905,759</b>	<b>88,030,452</b>	<b>90,200,303</b>

Section 2 - Operating Expenditures				
2.1 Departments and Programs				
Legislative/Administrative	527,669	569,922	569,558	579,086
Building Codes/Board of Zoning Appeals	1,876,543	2,003,050	1,990,840	2,243,110
City Court	409,057	416,615	416,615	442,107
Finance & Revenue/Parking	1,557,076	1,636,645	1,630,245	1,718,825
Retirement and Pension Benefits/Unemployment Ins.	1,290,277	1,383,708	1,360,986	1,630,246
Fire Department	15,937,778	17,509,626	17,612,857	18,260,161
Garage	948,826	1,098,213	1,088,464	1,233,782
Golf Course-Mason Rudolph	216,210	234,254	234,254	240,527
Golf Course-Swan Lake	718,921	820,227	814,565	769,598
Human Resources	657,435	862,588	853,056	858,502
Legal Department	465,503	557,340	527,583	555,410
Information Technology	1,539,645	1,620,444	1,605,321	1,625,823
Internal Audit	307,444	380,981	382,867	404,021
Mayor's Office	567,853	566,477	565,945	643,825
Municipal Properties	684,557	684,723	601,964	634,222
Parks and Recreation/Tree Board	6,428,835	6,886,371	6,664,786	6,931,649
Police Department/Dispatch	27,090,096	28,134,426	28,001,246	28,904,959
Purchasing	121,249	131,419	127,624	134,495
Street Department	12,700,007	13,047,945	13,047,945	13,062,140
Crime Stoppers	18,000	25,839	25,839	25,839
Human Relations Commission	1,334	6,664	7,039	11,500
<b>Total Departments and Programs</b>	<b>74,064,315</b>	<b>78,577,477</b>	<b>78,129,599</b>	<b>80,909,827</b>

2.2 Shared Expenditures w/State and County				
50% Share of State Liquor Taxes Paid to Montg.Co.	358,176	355,000	355,000	372,750
Appraisal and Reappraisal of Property-Montg. Co. Trustee	103,090	150,000	150,000	150,000
Montgomery County - Pictometry	55,867	48,450	48,450	36,823
E-911	60,000	60,000	60,000	61,922
GIS	84,000	84,000	84,000	110,000
Regional Airport-Operating	233,722	275,000	275,000	217,625
Regional Airport-Capital	5,952	289,000	289,000	16,500
Regional Planning Commission	315,700	315,700	315,700	315,700
Regional Planning Comm. (Metro.Planning Org.)	16,562	12,308	12,308	10,896
RTA - Commuter Bus Line	28,385	75,489	28,385	51,301
Montgomery County Rail Authority - lighting	713	800	800	800
Aspire Clarksville Foundation	8,997	-	-	-
Transit Alliance	2,500	2,500	2,500	2,500
Pennyrile Area Development District	-	5,464	5,464	21,345
<b>Total Shared Expenditures w/State and County</b>	<b>1,273,664</b>	<b>1,673,711</b>	<b>1,626,607</b>	<b>1,368,162</b>

2.3 Miscellaneous Agencies				
American Red Cross	6,000	7,000	7,000	-
Better Choice of Living	7,500	4,000	4,000	-
Big Brothers/Big Sisters of Clarksville	6,000	10,000	10,000	-
CMCCAA Old Firehouse Day Shelter-no request FY18	6,500	-	-	-
Humane Society of Clarksville-Montgomery County	5,000	10,000	10,000	5,000
LEAP - no request FY18	22,500	-	-	-
Manna Café Ministries	22,500	10,000	10,000	-
Mid-Cumberland-Meals on Wheels	10,000	18,500	18,500	5,000
Mid-Cumberland-Homemaker/Elder Abuse	-	-	-	5,000
Mid-Cumberland-Ombudsman	-	-	-	1,500
Roxy Regional Theater - no request FY18	15,000	-	-	-
Salvation Army - no request FY18	10,000	-	-	-
Serenity House Women's Shelter, Inc. - no request FY18	4,000	-	-	-
United Methodist Urban Ministries Safe House Shelter	10,000	10,000	10,000	-
Clarkswell	-	5,000	5,000	-
Loaves and Fishes	-	10,000	10,000	5,000
Radical Mission Inc. - Warm Souls	-	4,000	4,000	4,000
Soldiers and Families Embraces (SAFE)	-	10,000	10,000	5,000
Gateway Chamber Orchestra	-	5,000	5,000	2,900
Montgomery County Veteran's Coalition, Inc.	-	-	-	5,000
REBOOT Combat Recovery	-	-	-	5,000
Cumberland Winds	-	-	-	1,600
Girl Scouts of Middle TN	-	-	-	5,000
<b>Total Miscellaneous Agencies</b>	<b>125,000</b>	<b>103,500</b>	<b>103,500</b>	<b>50,000</b>

Section 2.4 - Other City Funded Agencies				
Senior Citizens Center	332,869	347,815	347,815	410,647
Arts and Heritage Development Council	40,000	40,000	40,000	40,000
Component Units:			-	
Customs House Museum: Operating	613,702	621,501	621,501	676,876
Museum Capital	39,988	200,000	200,000	27,000
Industrial Dev. Board Impact Plan	49,271	53,000	47,050	53,000
Healthy Clarksville - Mayor's Fitness Council	-	-	-	2,500
<b>Total Other City Funded Agencies</b>	<b>1,075,830</b>	<b>1,262,316</b>	<b>1,256,366</b>	<b>1,210,023</b>
<b>Total Operating Expenditures</b>	<b>76,538,809</b>	<b>81,617,004</b>	<b>81,116,072</b>	<b>83,538,012</b>

Section 3 - Other Financing Uses				
Clarksville Transit System-Operating	1,617,734	1,718,499	1,518,499	1,889,315
Clarksville Transit System-Capital	36,731	547,095	228,911	344,826
Clarksville Transit System-CMAQ	201,347	-	-	-
Capital Projects	-	-	816,005	676,552
Community & Economic Development/Housing	30,000	104,539	104,539	104,539
Gas, Water, & Sewer Subsidy	92,724	140,000	90,000	90,000
Transfer to Debt Service Fund	7,801,733	8,030,870	7,979,038	7,722,081
Transfer to Special Revenue Funds	4,449	-	2,560	-
FEMA Flood Buyouts	-	-	49,350	-
<b>Total Other Financing Uses</b>	<b>9,784,718</b>	<b>10,541,003</b>	<b>10,788,902</b>	<b>10,827,313</b>

<b>Total Expenditures and Financing Uses</b>	<b>86,323,527</b>	<b>92,158,007</b>	<b>91,904,974</b>	<b>94,365,325</b>
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Section 4 - Change in Fund Balance				
Net Increase (Decrease) from Operations	2,068,623	(4,252,248)	(3,874,522)	(4,165,022)
Expenditures related to Encumbrances	-	-	-	-
Beginning Fund Balance	25,437,296	23,758,798	27,505,919	23,631,397
<b>Ending Fund Balance</b>	<b>\$ 27,505,919</b>	<b>\$ 19,506,550</b>	<b>\$ 23,631,397</b>	<b>\$ 19,466,375</b>



Attachment 2 - Debt Service Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and  
Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Operating Revenues and Financing Sources				
Transfer From General Fund	\$ 7,801,733	\$ 8,030,870	\$ 7,979,038	\$ 7,722,081
Payments by Others on Self-Supporting Debt (E-911)	357,100	355,700	355,700	353,900
Bond Proceeds - Refunding Series 2006 Taxable Bonds	2,188,000	-	-	-
Premiums of Bonds	34,513	-	-	-
Transfer In From Capital Improvements Fund	2,121,400	2,411,651	2,230,328	2,453,145
Interest Earned	1,671	-	-	22,368
Total Revenues and Financing Sources	12,504,417	10,798,221	10,565,066	10,551,494

Attachment 2 - Debt Service Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and  
Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 2. Expenditures and Financing Uses				
Debt Service of General Government	7,802,604	8,030,870	7,979,038	7,722,081
Debt Service Paid by Others on Self-Supporting Debt (E-911)	357,100	355,700	355,700	353,900
Debt Service-Paid by CPRD	2,121,400	2,411,651	2,230,328	2,453,145
Refunding Payment 2006 Taxable Bonds	2,194,780	-	-	-
Other Expenditures	23,547	2,000	2,000	2,000
Total Expenditures and Financing Uses	12,499,431	10,800,221	10,567,066	10,531,126

Attachment 2 - Debt Service Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and  
Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	4,986	(2,000)	(2,000)	20,368
Beginning Fund Equity	410,049	419,811	415,035	413,035
Reserve of Fund Equity for guarantee of interest payment from CDE				
Broadband to CDE Electric	\$ -	\$ 14,305	\$ 14,305	\$ 32,322
Total Ending Fund Equity of Debt Service Fund	\$ 415,035	\$ 403,506	\$ 398,730	\$ 401,081

Attachment 3 - Drug Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1 - Operating Revenues and Financing Sources				
Fines and Forfeitures	\$ 355,279	\$ 331,792	\$ 334,201	\$ 316,883
Other Revenues	-	-	-	-
Transfers from General Fund	-	-	-	-
Total Revenues and Other Financing Sources	355,279	331,792	334,201	316,883

Attachment 3 - Drug Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 2. Expenditures and Financing Uses				
Drug Enforcement Buy Money, Drug Enforcement Other Expenditures, and Other Eligible Drug Enforcement Expenditures and Transfers Out	468,048	268,010	244,589	539,037
Total Expenditures and Other Financing Uses	468,048	268,010	244,589	539,037

Attachment 3 - Drug Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	(112,769)	63,782	89,612	(222,154)
Beginning Fund Balance	604,932	167,662	492,163	581,775
Ending Fund Balance of Drug Fund	\$ 492,163	\$ 231,444	\$ 581,775	\$ 359,621

Attachment 3 - Parks Special Revenue Summary of Revenues, Financing Sources, Expenditures,  
Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 1 - Operating Revenues and Financing Sources				
Program Revenues	\$ 159,612	176,148	148,895	360,664
Federal Grants	35,718	100,712	69,262	-
State Grants	250	-	-	-
Contributions	62,700	58,505	45,905	74,300
Total Revenues and Financing Sources	258,280	335,365	264,062	434,964

Attachment 3 - Parks Special Revenue Summary of Revenues, Financing Sources, Expenditures,  
Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenditures and Financing Uses				
Salaries and Benefits	20,424	19,978	20,320	17,037
Operating Expenditures	229,962	346,353	264,621	478,389
Capital Outlay	-	60,000	6,350	8,000
Transfer out to Other Funds	-	-	8,410	-
Total Expenditures and Financing Uses	250,386	426,331	299,701	503,426

Attachment 3 - Parks Special Revenue Summary of Revenues, Financing Sources, Expenditures,  
Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	7,894	(90,966)	(35,639)	(68,462)
Beginning Fund Balance	297,724	258,977	305,618	269,979
Ending Fund Balance of Parks Special Revenue Fund	\$ 305,618	\$ 168,011	\$ 269,979	\$ 201,517

Attachment 3 - Safe Route To Schools - Kenwood (ST010)Summary of Revenues, Financing Sources,  
Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Operating Revenues and Financing Sources				
Federal Grant	-	-	-	119,240
Transfer in From General Fund	-	-	-	-
Total Revenues and Financing Sources	-	-	-	119,240

Attachment 3 - Safe Routes to Schools - Kenwood (ST010)Summary of Revenues, Financing Sources,  
Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenditures and Financing Uses				
Operating Expenditures	-	-	-	119,240
Total Expenditures and Financing Uses	-	-	-	119,240

Attachment 3 - Safe Routes to Schools - Kenwood (ST010)Summary of Revenues, Financing Sources,  
Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	-	-	-	-
Beginning Fund Balance	-	-	-	-
Ending Fund Balance	-	-	-	-

Attachment 3 - Police Special Revenue Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses  
and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Operating Revenues and Financing Sources				
Police Dept. Donations	3,284	500	23,875	300
Police Dept. Donations-Youth Coalition	1,000	500	-	-
Police Dept. Donations-Chaplain	6,605	10,000	7,540	20,000
Federal Seized Money-shared+interest	32,301	-	17,697	-
Transfer in from General Fund - PD054	-	-	-	-
JAG 2010 - PD050	-	-	-	-
Transfer in from General Fund - PD050	-	-	-	-
Multitple Violation Grant PD052	-	-	-	-
Multitple Violation-Transfer in from GenFund PD052	2,234	-	-	-
Byrne Justice Assistance Grant-PD053	-	-	-	-
Port Security Grant PD044	-	-	-	-
BURN/JAG -New Providence Area TCCR	-	-	-	-
BURN/JAG -New Providence Area TCCR - Transfer In	2,047	-	-	-
Traffic School	59,450	57,600	65,143	67,200
Impaired Driver Grant 2012-13 PD054	-	-	-	-
2012 JAG Grant PD055	-	-	-	-
2012 Bullet Proof Vest Grant PD057	-	-	-	-
2012 Bullet Proof Vest Gen.Fund Transfer in PD057	-	-	-	-
2013 Impaired Driver Grant GHSO PD058	-	-	-	-
2013 Impaired Driver Grant GHSO Transfer In PD058	-	-	-	-
2013 JAG Grant PD059	-	-	-	-
Operation Defiance II Grant PD060	-	-	-	-
2014 JAG Grant PD061	27,143	-	-	-
2015 Impaired Driver PD062	49,289	-	-	-
2015 Impaired Driver PD062 - Gen.Fund Transfer In	168	-	-	-
Electronic Ticket Revenue - Police	53,260	50,784	58,340	56,787
Electronic Ticket Revenue - Courts	13,319	12,696	14,400	13,978
2016 Impaired Driver PD064	45,401	25,000	27,964	-
2016 Impaired Driver PD064 - Transfer In	-	-	2,560	-
2015 JAG PD065	48,133	8,196	3,129	5,062
2016 GHSO Grant PD066	-	75,000	48,750	16,250
2016 JAG PD067	-	62,196	55,798	6,398
2017 JAG PD068	-	-	-	60,000
2018 THSO PD069	-	-	-	65,000
Total Revenues and Financing Sources	343,634	302,472	325,196	310,975

Attachment 3 - Police Special Revenue Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenditures and Financing Uses				
Federal Seized Money Expenditures	2,191	27,914	15,171	36,538
Other Supplies	3,324	284	11,142	13,017
JAG 2010 - PD050	-	-	-	-
Traffic School	15,557	212,548	165,288	125,917
Byrne Justice Assistance Grant-PD053	-	-	-	-
Impaired Driving Grant 2012-13 PD054	-	-	-	-
2012 JAG Grant PD055	-	-	-	-
2012 Bullet Proof PD057	-	-	-	-
BURN/JAG -New Providence Area TCCR	-	-	-	-
Youth Coalition - YC	-	1,521	1,021	-
2013 Impaired Driver Grant GHSD PD058	-	-	-	-
2013 JAG Grant PD059	-	-	-	-
2014 JAG Grant PD061	27,143	-	-	-
2015 Impaired Driver PD062	49,483	-	-	-
Chaplain	7,593	11,903	9,257	20,000
2016 Impaired Driver PD064	45,395	25,000	30,531	-
2015 JAG PD065	48,133	8,196	3,129	5,062
Electronic Ticket Revenue - Police	33,774	83,974	43,514	103,864
Electronic Ticket Revenue - Courts	2,056	27,377	-	42,832
2016 GHSD Grant PD066	-	75,000	48,750	16,250
2016 JAG PD067	-	62,196	55,798	6,398
2017 JAG PD068	-	-	-	60,000
2018 THSO PD069	-	-	-	65,000
<b>Total Expenditures and Financing Uses</b>	<b>234,649</b>	<b>535,913</b>	<b>383,601</b>	<b>494,878</b>

Attachment 3 - Police Special Revenue Fund Summary of Revenues, Financing Sources, Expenditures, Financing Uses and Changes in Fund Balance FY 2016, FY 2017, and FY 2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	108,985	(233,441)	(58,405)	(183,903)
Beginning Fund Equity	133,901	235,031	242,886	184,481
<b>Total Ending Fund Equity of Police Special Revenue Fund</b>	<b>\$ 242,886</b>	<b>\$ 1,590</b>	<b>\$ 184,481</b>	<b>\$ 578</b>

Attachment 3 - Capital Projects Revenue District Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 1 - Operating Revenues and Operating Transfers From Other Funds				
Local Taxes	\$ 1,650,000	\$ 2,450,000	\$ 2,450,000	\$ 2,250,000
Operating Revenues	1,650,000	2,450,000	2,450,000	2,250,000

Attachment 3 - Capital Projects Revenue District Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2 - Expenditures and Operating Transfers Out to Other Funds				
Transfer to Debt Service Fund	2,121,400	2,411,651	2,230,328	2,453,145
Other Financing Uses	-	-	-	-
Expenditures and Financing Uses	2,121,400	2,411,651	2,230,328	2,453,145

Attachment 3 - Capital Projects Revenue District Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 3 - Change in Fund Balance				
Net Increase (Decrease) of Revenues and Financing Sources Over Expenditures and Financing Uses	(471,400)	38,349	219,672	(203,145)
Beginning Fund Balance	547,267	17,272	75,867	295,539
Ending Fund Balance	\$ 75,867	\$ 55,621	\$ 295,539	\$ 92,394

Attachment 3 - Traffic Camera - Police Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Operating Revenues and Financing Sources				
Revenues and Financing Sources				
Fines and Fees	353,139	317,520	414,757	385,175
Miscellaneous Revenue	-	-	-	-
Transfers in From Other Funds	-	-	-	-
Total Revenues and Financing Sources	353,139	317,520	414,757	385,175

Attachment 3 - Traffic Camera - Police Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016	FY 2017		FY 2018
	Actual	Budget	Amended	Proposed
Section 2. Expenditures and Financing Uses				
Expenditures and Financing Uses				
Operating Expenditures	184,784	451,748	340,792	413,413
Property Purchases	-	160,109	-	348,009
Interfund Transfer Out	-	-	-	-
Total Expenditures and Financing Uses	184,784	611,857	340,792	761,422

Attachment 3 - Traffic Camera - Police Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	168,355	(294,337)	73,965	(376,247)
Beginning Fund Balance	133,927	294,337	302,282	376,247
Total Ending Fund Balance	\$ 302,282	\$ -	\$ 376,247	\$ -



Attachment 3 - Traffic Camera - Parks Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Operating Revenues and Financing Sources				
Revenues and Financing Sources				
Fines and Fees	151,345	144,000	144,000	177,753
Transfers in From Other Funds	-	-	-	-
Total Revenues and Financing Sources	151,345	144,000	144,000	177,753

Attachment 3 - Traffic Camera - Parks Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 2. Expenditures and Financing Uses				
Expenditures and Financing Uses				
Operating Expenditures	99,571	243,000	243,000	177,753
Transfer Out to Other Funds	10,000	-	-	
Total Expenditures and Financing Uses	109,571	243,000	243,000	177,753

Attachment 3 - Traffic Camera - Parks Special Revenue Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	41,774	(99,000)	(99,000)	-
Beginning Fund Balance	136,168	137,168	177,942	78,942
Total Ending Fund Balance	\$ 177,942	\$ 38,168	\$ 78,942	\$ 78,942

Attachment 3 - Road Improvements Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 1. Operating Revenues and Financing Sources				
Local Sales Taxes	743,348	742,038	750,000	\$ 750,000
Interest Earnings	-	-	3,500	10,000
Total Revenues and Financing Sources	743,348	742,038	753,500	760,000

Attachment 3 - Road Improvements Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 2. Expenditures and Financing Uses				
Operating Expenditures	-	1,585,336	-	1,500,000
Total Expenditures and Financing Uses	-	1,585,336	-	1,500,000

Attachment 3 - Road Improvements Fund Summary of Revenues, Financing  
Sources, Expenditures, Financing Uses and Changes in Fund Balance  
FY2016, FY2017, and FY2018

Description	FY 2016 Actual	FY 2017		FY 2018 Proposed
		Budget	Amended	
Section 3 - Change in Fund Balance				
Net Increase (Decrease)	743,348	(843,298)	753,500	(740,000)
Beginning Fund Balance	122,873	843,298	866,221	1,619,721
Total Ending Fund Balance	\$ 866,221	\$ -	\$ 1,619,721	\$ 879,721

**Section 4.** That the governing body recognizes that the municipality has bonded and other indebtedness as follows:

Bonded or Other Indebtedness	Debt Redemption	Interest Requirements	Debt Authorized and Unissued
Bonds	52,475,000	2,033,417	-
Notes	47,679,000	997,708	-
Other Debt	-	-	-

**Section 5.** No appropriation listed above may be exceeded without an amendment of the budget ordinance as required by Article VII, Section 3 of the Clarksville City Charter. Amendments to the adopted budget ordinance may be approved by ordinance at any time during the fiscal year by the affirmative vote of a majority of the council on two separate readings.

**Section 6. Tax Rate.** The City of Clarksville’s fiscal year 2018 (tax year 2017) tax rate for real and personal property shall be **ONE DOLLAR AND TWENTY-FOUR CENTS (\$1.24)** per each ONE HUNDRED DOLLARS (\$100) OF ASSESSED VALUE.

**Section 7. Payments to Tennessee Consolidated Retirement System.** For the fiscal year 2018, the City of Clarksville’s rate of funding to the Tennessee Consolidated Retirement System (TCRS) will be 17.33% of covered salaries and wages for public safety employees and 13.83% for all others.

**Section 8. Other Post Employment Benefits.** The City recognizes that under the provisions of Governmental Accounting Standards Board (GASB) Statement 45 that it has an obligation for “Other Post Employment Benefits” (“OPEB”). In FY 2018, the City’s governmental funds will continue on a pay-as-you-go basis. Nothing in this section shall prevent any proprietary fund, agency, or component unit of the city from funding its OPEB obligations under the provisions of GASB 45 in FY 2018.

**Section 9. In Lieu of Taxes, Clarksville Department of Electricity and Clarksville Department of Gas, Water & Sewer.** The City has budgeted to collect the maximum in lieu of tax payment permitted by the Tennessee Code Annotated from the Clarksville Department of Gas, Water & Sewer and CDE Broadband and accounts for these payments in the general fund as operating revenues.

**Section 10. Payments to Montgomery County – In Lieu of Taxes.** Under the provisions of the Tennessee Code Annotated, 22.5% of the in lieu of tax payment actually paid to the city by the Clarksville Department of Electricity to the City of Clarksville's general government must be paid over to Montgomery County. The amount of the appropriation to be paid over to Montgomery County contained within this appropriating ordinance is based on an estimated annual in lieu of tax payment included in the financing sources of the city. The Chief Financial Officer is authorized to comply with the legal requirement that provides for the actual payment of 22.5% of the in-lieu-of-tax paid to the city to be paid to Montgomery County irrespective of the appropriation contained within this ordinance.

**Section 11. Payments to Montgomery County – Share of State Liquor Taxes.** Under the provisions of the Tennessee Code Annotated, 50% of the state liquor taxes paid to the City of Clarksville by the State of Tennessee must be paid over to Montgomery County for the purpose of funding education. The amount of the appropriation to be paid over to Montgomery County contained within this appropriating ordinance is based on an annual revenue estimate of the state shared revenue for the liquor tax. The Chief Financial Officer is authorized to comply with the legal requirement to pay over to Montgomery County 50% of the state liquor taxes received by the city irrespective of the appropriation contained within this ordinance.

**Section 12.** A departmental budget and the published operating budget and budgetary comparisons shown by fund with beginning and ending fund balances and the number of full time equivalent employees authorized by fund will be attached and become a part of this ordinance.

**Section 13. Policy for Funding of Miscellaneous Agencies**

1. Per State Law:
  - a. Organization must be a 501(c)(3), 501(c)(4), or 501(c)(6) with documentation provided from the Internal Revenue Service.
  - b. Organization provides year-round services benefitting the general welfare of the city's residents.
  - c. Organization files a copy of an annual audit of its business affairs and related transactions
2. Additional City of Clarksville requirements:
  - a. Organization must submit the required application packet proposing use of the funds requested from the City.
  - b. Organization must disclose in the application process and throughout the funding year any City employee or elected official associated with their agency in any capacity, stating their name and role they play in the non-profit agency.
  - c. Funding may be withheld at the discretion of the City of Clarksville's Finance Department until all requirements are met and kept current.
  - d. If awarded funding by the City of Clarksville, the organization agrees to allow access to financial records during the funding period.
  - e. Organization agrees that funds requested will **only** be used for the purposes stated and approved in the application.
  - f. The City shall determine funding distribution to be either monthly, quarterly, or annually. In cases where a lump sum is appropriate, the agency must request a lump sum payment in writing explaining the reason.
  - g. Any change in proposed use of funds during the funding year must be submitted to the City in writing for approval prior to use.
  - h. Organizations receiving \$50,000 or more of funding from the City are required to follow the City's purchasing policy including but not limited to bids and quotes for any purchase made with City provided funds.
  - i. Organizations receiving any audit findings shall disclose these findings with their annual funding request. At the discretion of the CFO for the City, funding may be withheld until a satisfactory plan to address the findings has been received.
  - j. The City has the right to deny funding through this application process if the organization receives funding from another City entity.
  - k. Organization is required to submit quarterly financial reports no later than 45 days after the end of the quarters ending September, December, March and June of each year.

**Section 14.** If for any reason a budget ordinance is not adopted prior to the beginning of the next fiscal year, the appropriations in this budget ordinance shall become the appropriations for the next fiscal year until the adoption of the new budget ordinance, provided sufficient revenues are being collected to support the continuing appropriations as per Charter provision. Approval of the Director of the Division of Local Finance in the Comptroller of the Treasury for a continuation budget will be requested if any indebtedness is outstanding.

**Section 15.** In an effort for the City's pay practices to remain competitive with changes in labor market conditions, City Code Section 1.5-403 provides for the Human Resources Department to review and propose adjustments to the compensation plan including adjusting the salary structure to be competitive with the market. Further Section 1.5-405b provides for the recommendation by the Human Resources Department to provide annual general pay increases for City employees. Notwithstanding any provision of the Official Code of the City of Clarksville to the contrary, based on current market conditions and city finances, the Human Resources Director has recommended a general wage increase for City employees of 1.5% for Fiscal Year 2017-2018. Any employee who will not receive a 1.5% increase due to their pay range top out, shall receive a stipend necessary to bridge their pay raise to 1.5%. The stipend will be paid in one lump sum one time only and will not become part of the employee's base salary as to comply with City Code Section 1.5-404b.

**Section 16. Capital Project Revenue District.** In order to provide accountability, since the exact amount due as a result of increased valuations and which would be available to the CPRD, the amount of Property Tax to be transferred to the CPRD fund will be capped at \$2,250,000 for Fiscal Year 2018.

**Section 18.** This ordinance shall take effect July 1, 2017, the public welfare requiring it.

*BUDGET SUMMARY PUBLISHED:* June 4, 2017

*PUBLIC HEARING:* June 15, 2017

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*