



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
AUGUST 3, 2017, 7:00 P.M.**

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

AGENDA

PUBLIC COMMENTS:

- 6:45 pm Cpt. Mark Love
- 6:50 pm Rita Ewing
- 6:55 pm Lewis Marshall

1) CALL TO ORDER

- 2) PRAYER:** *Captain Mark Love, Salvation Army, Guest of Councilman Ron Erb (Ward 3)*
PLEDGE OF ALLEGIANCE: *Councilman Jeff Henley (Ward 9)*

3) ATTENDANCE

4) SPECIAL RECOGNITIONS

5) DIRECTOR OF SCHOOLS: *Millard House, II*

6) PLANNING COMMISSION: PUBLIC HEARING

1. **ORDINANCE 4-2017-18** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of J. Mark Young, Wayne P. Wilkinson-Agent, for zone change on property at the intersection of Madison Street and Carney Road from R-1 Single Family Residential District to C-5 Highway & Arterial Commercial District (*RPC: Approval/Approval*)

2. **ORDINANCE 5-2017-18** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Carolyn York, C&E Partners-Agent, for zone change on property at the intersection of Old Trenton Road and Whitfield Road from AG Agricultural District to R-2 Single Family Residential District (*RPC: Approval/Approval*)

7) CONSENT AGENDA

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

1. **ORDINANCE 1-2017-18** (Second Reading) Amending the FY18 Budget to combine Golf Courses and Parks & Recreation departmental funding
2. Adoption of Minutes: June 29, July 6
3. Approval of Board Appointments:

Economic Development Council: Tim Chandler - July 2017 through June 2019

8) FINANCE COMMITTEE

Jeff Burkhart, Chair

1. **ORDINANCE 3-2017-18** (First Reading) Authorizing negotiations and purchase of property near Inglewood Drive and Cherokee Trail for the purpose of a city park [Urban Wilderness] (*Finance Committee: Approval*)
2. **RESOLUTION 4-2017-18** Authorizing retirement of Patrol Service Dog “Aris” from the CPD K-9 Unit and donation to Police Officer Casey Stanton (*Finance Committee: Approval*)
3. **RESOLUTION 5-2017-18** Approving issuance of a tax-exempt revenue note by the Health & Educational Facilities Board of the Metropolitan Government of Nashville-Davidson County, Tennessee on behalf of Montessori Academy, Inc. (*Finance Committee: Approval*)
4. **RESOLUTION 6-2017-18** Declaring the City’s intent to reimburse itself not to exceed \$11,000,000 for certain project expenditures with proceeds of general obligation bonds, notes, or other debt obligations to be issued by the City [Approved FY18 Capital Projects] (*Finance Committee: Approval*)

9) GAS & WATER COMMITTEE

Bill Powers, Chair

1. **ORDINANCE 2-2017-18** (First Reading) Authorizing extension of utility services to property on Garrettsburg Road; request of Margaret Armistead
2. Department Reports

10) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

1. Department Reports

11) PARKS & RECREATION

Valerie Guzman, Chair

1. Department Reports

12) PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

1. Department Reports

13) STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

1. Department Reports

14) TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

1. Department Reports

15)NEW BUSINESS

1. **RESOLUTION 7-2017-18** Approving donation of of city-owned real property to the Two Rivers Company *(Councilman Allen)*

16) MAYOR AND STAFF REPORTS

17) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: August 3, 2017. The public hearing will be held on: August 3, 2017.

CITY ORD. #4-2017-18: RPC CASE NUMBER: Z-10-2017

Applicant: J. MARK YOUNG

Agent: Wayne P. Wilkinson

Location: Property located at the southwest corner of the Madison Street & Carney Rd. intersection.

Ward #: 10

Request: R-1 Single-Family Residential District
to
C-5 Highway & Arterial Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #5-2017-18: RPC CASE NUMBER: Z-11-2017

Applicant: CAROLYN YORK

Agent: C & E Partners

Location: Property located at the southwest corner of the of the Old Trenton Rd. & Whitfield Rd. intersection

Ward #: 9

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 07/26/2017

CASE NUMBER: Z - 10 - 2017

NAME OF APPLICANT: J. Mark Young

AGENT: Wayne P. Wilkinson

GENERAL INFORMATION

PRESENT ZONING: R-1

PROPOSED ZONING: C-5

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT Owner intends to develop a 7,800+/- SF building for retail and office use to
FOR PROPOSED USE: provide services for the growing residential population in the Sango area.

PROPERTY LOCATION: Property located at the southwest corner of the Madison Street & Carney Rd.
intersection.

ACREAGE TO BE REZONED: 1.36+/-

DESCRIPTION OF PROPERTY level corner lot with single famy residence onsite.
AND SURROUNDING USES:

GROWTH PLAN AREA: CITY **TAX PLAT:** 081-K-A **PARCEL(S):** 1.00

CIVIL DISTRICT: 11th

CITY COUNCIL WARD: 10

COUNTY COMMISSION DISTRICT: 20

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments Received From Department And They Had No Concerns.

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

No Traffic Assessment Required. Access To Carney Road Only.

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

Comments Received From Department And They Had No Concerns.

4.

3a. DRAINAGE COST:

4. CDE/CEMC:

5.

4a. COST TO CDE/CEMC:

5. CHARTER COMM./BELL SOUTH:

6.

5a. COST TO CHARTER AND/OR BELLSOUTH:

6. FIRE DEPT/EMERGENCY MGT.:

7.

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

7. POLICE DEPT/SHERIFF'S OFFICE:

8.

Comments Received From Department And They Had No Concerns.

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

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

9. SCHOOL SYSTEM:

ELEMENTARY: BARKERS MILL

MIDDLE SCHOOL: RICHVIEW

HIGH SCHOOL: CLARKSVILLE

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: MADISON STREET & CARNEY RD.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Sango Planning Area: Growth rate for this area is well above the overall county average.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. Request in an extension of the existing C-5 zoning classification to the north & east. Property is a corner lot along an arterial highway being four-laned.

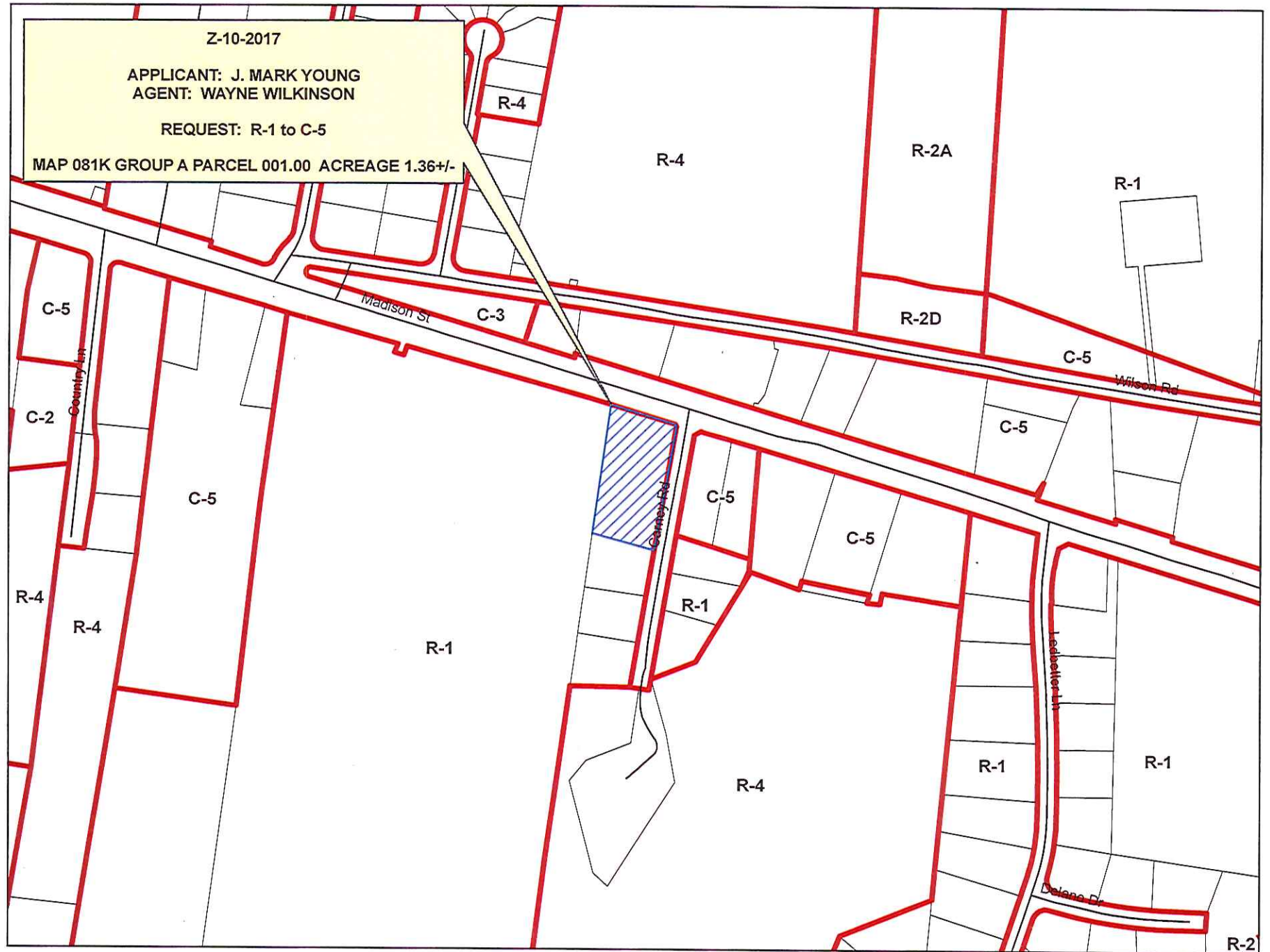
5.

Z-10-2017

APPLICANT: J. MARK YOUNG
AGENT: WAYNE WILKINSON

REQUEST: R-1 to C-5

MAP 081K GROUP A PARCEL 001.00 ACREAGE 1.36+/-



CASE NUMBER: Z 10 2017 MEETING DATE 07/26/2017

APPLICANT: J. Mark Young

PRESENT ZONING R-1

PROPOSED ZONING C-5

TAX PLAT # 081-K-A

PARCEL 1.00

GEN. LOCATION Property located at the southwest corner of the Madison Street & Carney Rd.
intersection.

PUBLIC COMMENTS

None received as of 9:00 a.m. on 7/26/2017 (jhb).

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 07/26/2017

CASE NUMBER: Z - 11 - 2017

NAME OF APPLICANT: Carolyn

York

AGENT: C & E Partners

GENERAL INFORMATION

PRESENT ZONING: AG

PROPOSED ZONING: R-2

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT Extension of surrounding zoning
FOR PROPOSED USE:

PROPERTY LOCATION: Property located at the southwest corner of the of the Old Trenton Rd. & Whitfield Rd. intersection

ACREAGE TO BE REZONED: 13.0

DESCRIPTION OF PROPERTY Agricultural field with rolling hills and treelines.
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 055

PARCEL(S): 16.01 p/o

CIVIL DISTRICT: 12th

CITY COUNCIL WARD: 9

COUNTY COMMISSION DISTRICT: 14

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

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

No Gravity Sewer

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

No Traffic Assessment. Collector Road With Access Restriction.

3.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

4.

3. DRAINAGE COMMENTS:

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

6. FIRE DEPT/EMERGENCY MGT.:

Comments Received From Department And They Had No Concerns.

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

Comments Received From Department And They Had No Concerns.

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments Received From Department And They Had No Concerns.

9.

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

9. SCHOOL SYSTEM:

Comments Received From Department And They Had No Concerns.

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: WHITFIELD RD. & OLD TRENTON RD.

DRAINAGE:
VARIES

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

37

ROAD MILES:

POPULATION:

100

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 1 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: **APPROVAL**

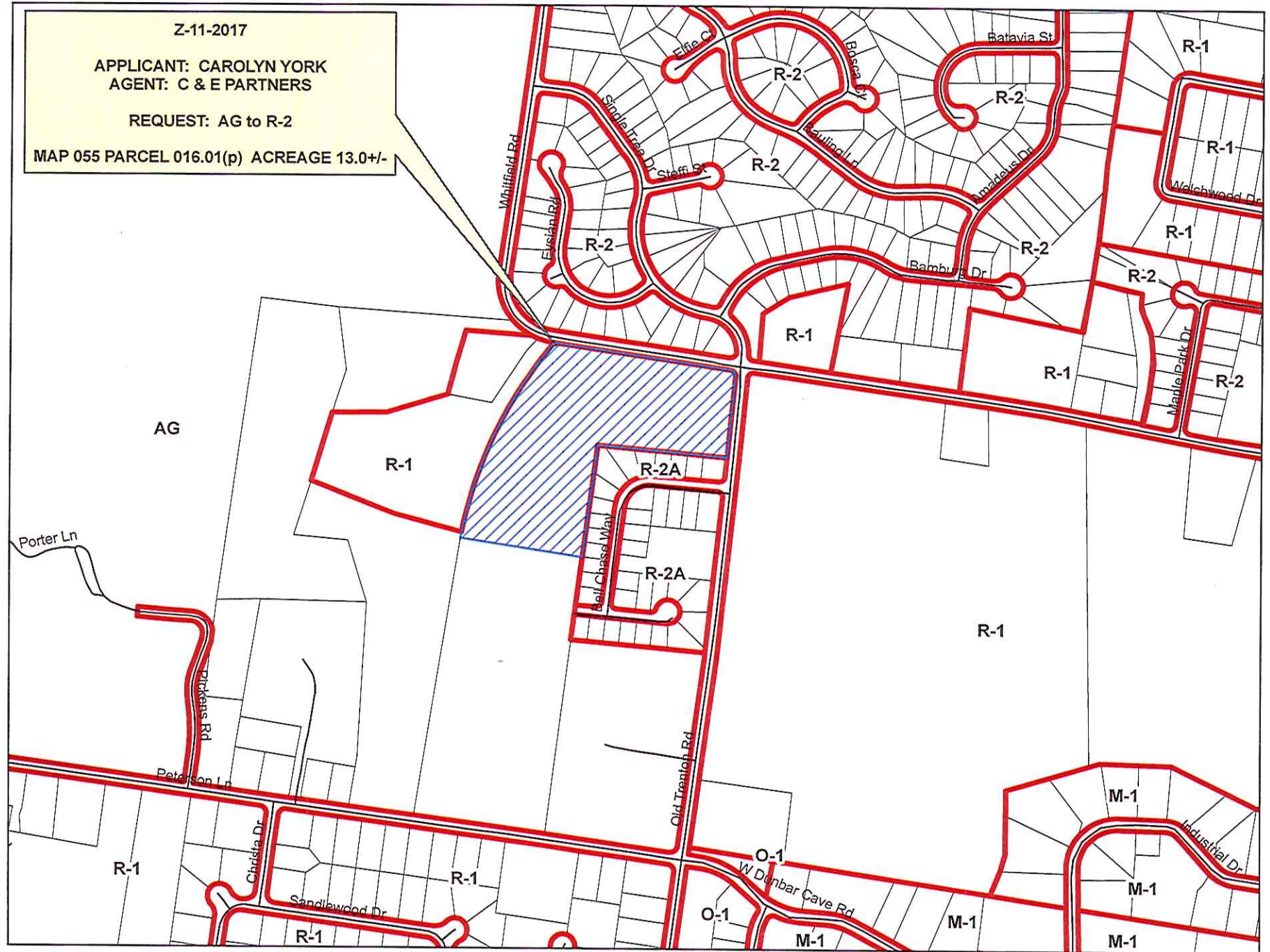
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. The request of R-2 zoning is in character with the surrounding single family zoning classifications.
- 5.

Z-11-2017

APPLICANT: CAROLYN YORK
AGENT: C & E PARTNERS

REQUEST: AG to R-2

MAP 055 PARCEL 016.01(p) ACREAGE 13.0+/-



CASE NUMBER: Z 11 2017 MEETING DATE 07/26/2017

APPLICANT: Carolyn York

PRESENT ZONING AG

PROPOSED ZONING R-2

TAX PLAT # 055

PARCEL 16.01 p/o

GEN. LOCATION Property located at the southwest corner of the of the Old Trenton Rd. & Whitfield Rd. intersection

PUBLIC COMMENTS

None received as of 9:00 a.m. on 7/26/2017 (jhb).

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF J. MARK YOUNG, WAYNE P. WILKINSON-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF MADISON STREET AND CARNEY ROAD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as C-5 Highway & Arterial Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a 1/2" iron pin set in the South right of way line of US Highway 41A (Madison Street and S.R. 112), said iron pin being the Northwest corner of the herein described tract and being located 52 feet +/-, left of survey centerline station 545+91.63 as shown on state project 63021-2216-14; thence with the South right of way line of US Highway 41A S 72 degrees 59 minutes 27 seconds E a distance of 174.85 feet to a 1/2" iron pin set; thence with the right of way line intersection of said US Highway 41A and Carney Road S 27 degrees 59 minutes 27 seconds E a distance of 8.05 feet to a 1/2" iron pin set; thence with the West right of way line of said Carney Road S 09 degrees 04 minutes 11 seconds W a distance of 331.84 feet to 5/8" iron pin found; thence leaving said right of way line with the North line of the Albert S Baggett property, recorded in Volume 203, Page 834 N 74 degrees 04 minutes 43 seconds W a distance of 172.34 feet to a 5/8" iron pin found; thence with the East line of the Evangeline Stanley property, recorded in Deed Book 92, Page 430 N 07 degrees 54 minutes 41 seconds E a distance of 341.92 feet to the point of beginning, having an area of 1.36 acres, more or less.

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF CAROLYN YORK, C&E PARTNERS-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF OLD TRENTON ROAD AND WHITFIELD ROAD

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at point, said point being south of Whitfield Road, said point also being South 73 degrees 44 minutes West for a distance of 42 feet from the centerline intersection of Whitfield Road and Old Trenton Road, said point also being the northeastern corner of the herein described parcel; Thence, along the southern right-of-way of Whitfield Road along a curve, said curve turning to the right through an angle of 86° 55' 06", having a radius of 25.00 feet, and whose long chord bears South 37degrees 59minutes 03seconds East for a distance of 34.39 feet; Thence, leaving said right of way and along the right of way of Old Trenton Road, South 05 degrees 28 minutes 30 seconds West for a distance of 342.81 feet to a point on a line, Thence, leaving said right-of-way and along the Bell Chase subdivision as recorded in Plat Book G page 153, along lots 32 thru 38, North 84 degrees 36 minutes 25 seconds West for a distance of 535.60 feet to an iron pin old; Thence, continuing along said subdivision along lots 27 thru 32, South 07 degrees 21 minutes 33 seconds West for a distance of 446.90 feet to a point on a line; Thence, along lot 27 of Bell Chase, South 07 degrees 18 minutes 05 seconds West for a distance of 27.32 feet to a point on a line; Thence, leaving said property and along a new zoning line on a fence line, North 83 degrees 16 minutes 05 seconds West for a distance of 510.92 feet to the beginning of a non-tangential curve, said point being the southwestern corner of the herein described parcel; Thence, along a common property line of Johnnie Buhler as recorded in ORV 488 page 997, said curve turning to the right through an angle of 27° 48' 01", having a radius of 1800.00 feet, and whose long chord bears North 23degrees 46minutes 25seconds East for a distance of 864.83 feet to a point on a line; Thence, continuing along said property, North 37degrees 40minutes 26seconds East for a distance of 58.84 feet to a point on a line, said point being the northwestern corner of the herein described parcel; Thence, leaving said property and along the right of way of Whitfield Road, South 81 degrees 26 minutes 36 seconds East a distance of 736.49 feet, which is the point of beginning, said tract containing 566,280 square feet or 13.00 acres, more or less.

ORDINANCE 1-2017-18

AN ORDINANCE AMENDING THE 2017-18 GENERAL FUND OPERATING BUDGET (ORDINANCE 75-2016-17) AUTHORIZING THE CITY OF CLARKSVILLE TO COMBINE GOLF COURSES AND PARKS & RECREATION DEPARTMENTAL FUNDING

WHEREAS, Recently there has been a change in reporting for the Golf Courses (Mason Rudolph and Swan Lake); and

WHEREAS, Effective May 2017, both golf courses fall under the direction of the Parks & Recreation Department; and

WHEREAS, City Council approved an appropriations and budget ordinance listing three (3) department lines; and

WHEREAS, the current department head would like to combine all three (3) areas under her direction into one (1) department line items for ease of management and operations.

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

That the following General Fund Budget Amendment be made:

Remove Golf Course - Mason Rudolph	\$ 240,527
Remove Golf Course - Swan Lake	\$ 769,598
Remove Parks & Recreation/Tree Board	\$6,931,649
 ADD Parks & Recreation/Golf Courses/Tree Board	 \$7,941,774

BE IT FURTHER ORDAINED that no additional funding is necessary.

FIRST READING: July 6, 2017

SECOND READING:

EFFECTIVE DATE:



CLARKSVILLE CITY COUNCIL SPECIAL SESSION JUNE 29, 2017

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, June 29, 2017, at 4:33 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Richard Garrett; the Pledge of Allegiance was led by Councilman Geno Grubbs.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4), Valerie Guzman, Mayor Pro Tem (Ward 5), Geno Grubbs (Ward 7), Mike Alexander (Ward 10; arrive 4:41 p.m.), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

ABSENT: Wanda Smith (Ward 6), David Allen (Ward 8), Jeff Henley (Ward 9)

MARINA/FREEDOM POINT SETTLEMENT

RESOLUTION 37-2016-17 Approving a settlement of the City v. TMS Contracting, LLC and Fidelity & Deposit Company of Maryland (Surety) lawsuit

City Attorney Lance Baker met is a non-public meeting with members of the City Council at 4:36 p.m. to share the status of this lawsuit; the special session was reconvened at 5:00 p.m.

Mayor McMillan made a motion to adopt this resolution. The motion was seconded by Councilman Grubbs. Mr. Baker said all parties had agreed upon the settlement of \$625,000. The following vote was recorded:

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

The motion to adopt this resolution passed.

EMPLOYEE PAY PLAN

ORDINANCE 77-2016-17 (First Reading) Approving and adopting the Fox Lawson & Associates updated pay plan for Fiscal Year 2017-18

The recommendation of the Finance Committee was for approval. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. The following disclosures were stated: Councilwoman McLaughlin - husband employed by Police Department; Councilman Grubbs - son-in-law employed by Fire & Rescue; Councilman Chandler - son employed by Fire & Rescue; Councilwoman Guzman - brother employed by Police Department. Each stated that these relationships would not affect their vote. The following vote was recorded:

AYE: Alexander, Chandler, Erb, Garrett, Grubbs, Guzman, McLaughlin, McMillan, Powers

NAY: Burkhart

The motion to adopt this ordinance on first reading passed.

PUBLIC RECORDS POLICY

RESOLUTION 38-2016-17 Approving a public records policy

The Finance Committee recommended approval. Mayor McMillan made a motion to adopt this resolution. The motion was seconded by Councilman Alexander. Mayor McMillan said the State of Tennessee requires adoption of a public records policy. She noted that the City's policy would accept requests from military families without a Tennessee driver license. The following vote was recorded:

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

The motion to adopt this resolution passed.

ADJOURNMENT

The meeting was adjourned at 5:09 p.m.



CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JULY 6, 2017
MINUTES

PUBLIC COMMENTS

Prior to the meeting, Sharee Moore informed the City Council that Credo Group, LLC, a local company, could offer solar street lights. Louis Marshall disagreed with the way the Clarksville Police Department handled a recent incident at a local Burger King restaurant.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, July 6, 2017, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Col. Jim Murphy, Chaplain of the 101st Airborne Division, Fort Campbell, Kentucky, guest of Councilwoman Deanna McLaughlin, Ward 2. The Pledge of Allegiance was led by Councilman Mike Alexander, Ward 10.

ATTENDANCE

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

ABSENT: Valerie Guzman, Mayor Pro Tem (Ward 5)

SPECIAL RECOGNITIONS

Mayor McMillan proclaimed July 6, 2017, as "Screaming Eagles Ready Mix Day" in recognition of the company's support shown to Sgt. William Bays, 101st Airborne Division, Fort Campbell, Kentucky, who was killed in Afghanistan. Screaming Eagles Ready Mix trucks lined the funeral procession on June 23, 2017, to honor the fallen soldier and protect his family and friends from any disruption.

Councilman Allen expressed appreciation to Screaming Eagles Ready Mix owner Jeff Burkhart (City Councilman Ward 12) for his support of the company's effort.

CONSENT AGENDA

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

1. **ORDINANCE 67-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Ronnie Goad for zone change on property at the termini of Ellington Drive, Ellsworth Drive, and Bellshire Drive from R-4 Multiple Family Residential District to R-1A Single Family Residential District

2. **ORDINANCE 68-2016-17** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of J & N Enterprises, Shane Lemay-Agent, for zone change on property at the intersection of Prewitt Lane and Whitfield Road from AG Agricultural District to R-4 Multiple Family Residential District

3. **RESOLUTION 2-2017-18** Approving a Certificate of Compliance for a retail liquor store for Todd Morris (Elite Wine & Spirits - 1875 Madison Street)

4. Adoption of Minutes: May 30, June 1, June 8, June 12, June 15, June 19

5. Approval of Board Appointments:

Adjustments & Appeals Board: Fulton Wilson – July 2017 through June 2021

Arts & Heritage Development Council: Dr. Phil Kemmerly – July 2017 through June 2020

Economic & Community Development Board: Melinda Shepard – July 2017 through June 2021

Ethics Commission: Hubert Smith – July 2017 through June 2020

Regional Airport Authority: Col. Rob Salome – July 2017 through June 2022

Senior Citizens Board: Glenda Warren – July 2017 through June 2020

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

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

The motion to adopt the Consent Agenda as presented passed.

FINANCE COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 77-2016-17 (Second Reading) Approving and adopting the Fox Lawson & Associates updated pay plan for Fiscal Year 2017-18

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

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

NAY: Burkhart

The motion to adopt this ordinance on second reading passed.

RESOLUTION 36-2016-17 (Postponed by City Council June 15th) Approving an economic impact plan submitted by the Montgomery County Industrial Development Board on behalf of Kroger Limited Partnership

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

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

The motion to adopt this resolution passed.

ORDINANCE 1-2017-18 (First Reading) Amending the FY18 Budget to combine Golf Courses and Parks & Recreation departmental funding

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

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 1-2017-18 Adopting the 2017-18 CDBG-HOME-ESG Action Plan

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

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

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Bill Powers, Chair

Councilman Powers reported the following department statistics for the month of May 2017: 5,261 service work orders, 299 after-hours calls, 95,000 meter readings, 72,000 bills, 11,339 call center inquiries, 5,322 locate requests, 47 water leak repairs, 561 hydrants flushes, 445 backflow tests, 508 million gallons of pumped water or 16.4 million gallons per day.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen thanked the Council for approving the FY18 CDBG-HOME-ESG Action Plan.

PARKS & RECREATION

Jeff Henley

In the absence of Chairwoman Guzman, Councilman Henley noted upcoming events including Summer Lights, Movies in the Park, Downtown Market, Life in the 1800's, and noted 289 work orders completed by the department.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

Councilman Grubbs reported the following monthly department statistics: Building & Codes Construction Division - 1,942 inspections; Building & Codes Enforcement Division - 426 cases; Building & Codes Administration - 77 single family permits; Building & Codes Abatement Division - 72 work orders; Fire & Rescue - 1,118 emergency runs; Police - 13,684 responses.

Councilman Grubbs expressed appreciation to Fire & Rescue and Police for their assistance during the July 3rd Independence Day celebration at Liberty Park.

STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

Councilman Alexander reported the following monthly department statistics: Garage - 471 work orders with unleaded fuel at a cost of \$1.58/gallon and diesel fuel at a cost of \$1.54/gallon.

Councilman Alexander noted completed paving of Peachers Mill Road between Ringgold Creek to 101st Airborne Division Parkway, Amanda Drive, Courtney Drive, Allenwood Drive, and Keith Drive.

TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

Councilwoman McLaughlin reported the following department statistics: Clarksville Transit System - 56,547 passengers (June); Clarksville-Nashville Express - 6,263 passengers (May).

Councilwoman McLaughlin expressed appreciation to CTS for providing shuttle service to and from the July 3rd Independence Day celebration.

NEW BUSINESS

RESOLUTION 3-2017-18 Approving an interlocal agreement between the City of Clarksville and the Clarksville-Montgomery County Industrial Development Board relative to utility relocation for LG Electronics

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

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

The motion to adopt this resolution passed.

MAYOR AND STAFF REPORTS

Mayor McMillan expressed appreciation to the Parks & Recreation Department, Police Department, and Fire & Rescue for their assistance in managing a very successful July 3rd Independence Day celebration at Liberty Park.

ADJOURNMENT

Although Councilman Chandler objected, the meeting was adjourned at 7:34 p.m.

ORDINANCE 3-2017-18

AN ORDINANCE AUTHORIZING THE MAYOR, THROUGH THE CITY ATTORNEY OR HIS DESIGNEE, TO CONDUCT NEGOTIATIONS AND TO ENTER INTO AN AGREEMENT FOR PURCHASE OF CERTAIN PROPERTY NEAR INGLEWOOD DRIVE AND CHEROKEE TRAIL FOR THE PURPOSE OF A CITY PARK

WHEREAS, the City of Clarksville owns and maintains, for the public use and benefit, properties in the form of parks, open spaces, and places of activity;

WHEREAS, Frank G. Goodlett and Janelle M. Goodlett are the owners of certain property, being 70.5 acres, more or less, located near Inglewood Drive and Cherokee Trail, and being a portion of Tax Map and Parcel 65O-A-1.00; and

WHEREAS, the Clarksville City Council finds it in the public interest to purchase said property and to maintain the same as an “urban wilderness” or such other public space as the Parks & Recreation Department sees fit.

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

That the Mayor, acting through the City Attorney or his designee, may negotiate and enter into an agreement for the purchase of the property, being 70.5 acres, more or less, located near Inglewood Drive and Cherokee Trail, and being a portion of Tax Map and Parcel 65O-A-1.00, according to the Assessor’s Office for Montgomery County, Tennessee, not to exceed Four Hundred Twenty-Five Thousand and 00/100 Dollars (\$425,000.00), plus reasonable acquisition costs.

FIRST READING:

SECOND READING:

THIRD READING:

RESOLUTION 4-2017-18

A RESOLUTION AUTHORIZING RETIREMENT OF A PATROL SERVICE DOG “ARIS”
FROM K-9 UNIT AND DONATION TO POLICE OFFICER CASEY STANTON

WHEREAS, the City of Clarksville, Clarksville Police Department (CPD) has previously established a K-9 Unit; and

WHEREAS, the CPD K-9 Unit consists of certain Officers of the Clarksville Police Department and patrol service dogs; and

WHEREAS, the CPD K-9 Unit purchased a patrol service dog named “Aris” approximately nine years ago; and

WHEREAS, “Aris” has developed problems with his legs which prohibit him from performing duties as a Patrol Service Dog; and

WHEREAS, “Aris” should be retired from police work due to the aforesaid leg problems; and

WHEREAS, the long-term outlook or prospects for “Aris” if he were to be sold by the City for fair market value appear dubious, with little return likely for the City; and

WHEREAS, the fair market value for replacing a police service dog is approximately \$5,000.00; and

WHEREAS, “Aris” has rendered faithful performance and conducted himself in a mostly exemplary manner while serving as a member of the CPD K-9 Unit; and

WHEREAS, the main handler for “Aris” is CPD Officer Casey Stanton, who has agreed to accept the donation of “Aris” and provide him with care and necessary upkeep, and release the City of Clarksville of all liability; and

WHEREAS, the Clarksville City Council is of the considered opinion that donation of “Aris” to his main CPD Officer handler is in the best interests of all parties concerned.

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

That the Clarksville City Council hereby authorizes the Clarksville Police Department to retire a K-9 known as “Aris” from the K-9 Unit and donate same to his main handler, CPD Officer Casey Stanton.

ADOPTED:

RESOLUTION 5-2017-18

RESOLUTION TO APPROVE THE ISSUANCE OF A TAX-EXEMPT REVENUE NOTE BY THE HEALTH AND EDUCATIONAL FACILITIES BOARD OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE ON BEHALF OF MONTESSORI ACADEMY, INCORPORATED

WHEREAS, Montessori Academy, Incorporated, a Tennessee nonprofit corporation (the "Academy") owns and operates (i) the Montessori Academy in Brentwood, Tennessee (the "Brentwood Project") and (ii) the Amare Montessori School located 294 Warfield Boulevard, Clarksville, Tennessee (the "Clarksville Project"); and

WHEREAS, the Academy has requested that The Health and Educational Facilities Board of The Metropolitan Government of Nashville and Davidson County, Tennessee (the "Issuer") issue its not to exceed \$3,000,000 Tax-Exempt Revenue Note Montessori Academy, Incorporated), Series 2017 (the "Note"); and

WHEREAS, the Note will be sold to First Tennessee Bank National Association; and

WHEREAS, approximately \$2,115,000 of the proceeds of the Note will be used to refinance indebtedness of the Academy secured by the Brentwood Project and approximately \$550,000 of the proceeds of the Note will be used to finance renovations to the Clarksville Project; and

WHEREAS, the Issuer is an instrumentality of The Metropolitan Government of Nashville and Davidson County, Tennessee (the "Metro Government") that was formed pursuant to the Health, Educational and Housing Facilities Corporation Act, Tennessee Code Annotated Sections 48-101-301 et seq. (the "Act"); and

WHEREAS, pursuant to Section 48-101-308 of the Act, a corporation formed pursuant to the Act may finance or undertake one or more projects which may be located in one or more municipalities within or outside the state of Tennessee; provided that no project located outside of the municipality with respect to which the corporation was organized may be financed by a corporation unless the financing is approved by appropriate resolution by either (i) a corporation organized pursuant to the Act by the municipality in which the project is located or (ii) by the governing body of such municipality; and

WHEREAS, the Academy has requested that the Clarksville City Council approve the financing of the Clarksville Project by the Issuer as described above; and

WHEREAS, the Clarksville City Council is willing to grant such approval.

NOW, THEREFORE, BE IT RESOLVED by the Clarksville City Council members meeting in regular session the 3rd day of August, 2017, that the issuance by the Issuer of the Note and the use of the proceeds thereof to finance renovations to the Clarksville Project, as described above in the recitals, is hereby approved.

BE IT FURTHER RESOLVED, that neither the City of Clarksville (the "City") nor any other political subdivision thereof, shall be liable for the payment of the principal of, or the interest on, the Note, or for the performance of any pledge, mortgage, obligation, agreement, or certification, of any kind whatsoever of the Issuer, and neither the Note nor any of the pledges, mortgages, agreements, obligations, or certifications of the Issuer shall be construed to constitute an indebtedness of the City or any other political subdivision thereof, within the meaning of any constitutional or statutory provisions whatsoever.

BE IT FURTHER RESOLVED, that if any section, clause, provision or portion of this resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this resolution.

BE IT FURTHER RESOLVED, that this resolution shall take effect on the earliest date allowed by law.

ADOPTED:

RESOLUTION 6-2017-18

A RESOLUTION DECLARING THE INTENT OF THE CITY OF CLARKSVILLE, TENNESSEE TO REIMBURSE ITSELF IN A NOT TO EXCEED AMOUNT OF \$11,000,000 FOR CERTAIN PROJECT EXPENDITURES WITH THE PROCEEDS OF GENERAL OBLIGATION BONDS, NOTES OR OTHER DEBT OBLIGATIONS TO BE ISSUED BY THE CITY

WHEREAS, it is the intention of the City Council of the City of Clarksville, Tennessee (the "City") to provide funds for the (i) acquisition of land and acquisition, construction, improvement, repair, renovation, maintenance and equipping of (a) parks and recreational facilities, including but not limited to open spaces, amphitheater facilities and an athletic complex, (b) streets, roads and bridges, including but not limited to sidewalks, signage, signalization, related facilities, lighting and drainage improvements, and (c) a conference and performing arts center; (ii) acquisition of all property real or personal, appurtenant thereto, or connected with the foregoing; (iii) payment of architectural, engineering, legal, fiscal and administrative costs incident to the foregoing; and (iv) payment of costs incident to the issuance and sale of related debt obligations; and

WHEREAS, it is the intention of the City Council of the City to pay all or a portion of the costs associated with the aforementioned activities by the sale of general obligation bonds or notes, in one or more emissions, or other debt obligations of the City; and

WHEREAS, it is anticipated that it will be necessary to make expenditures in payment of said costs prior to the issuance of said bonds, notes or other debt obligations; and

WHEREAS, the City Council of the City wishes to state its intentions with respect to reimbursements for said expenditures, in a not to exceed amount of \$11,000,000, in accordance with the requirements of final regulations applicable thereto promulgated by the United States Department of the Treasury.

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

SECTION 1. It is reasonably expected that the City will reimburse itself for certain expenditures, in a not to exceed amount of \$11,000,000, made by the City in connection with the activities hereinabove described. The City further reasonably expects to reimburse all such expenditures from the proceeds of its general obligation bonds, notes or other debt obligations. The expenditures made prior to the issuance of said bonds, notes or other debt obligations are expected to be paid from the General Fund of the City and reimbursement shall be made to the General Fund. Debt service on the bonds, notes or other debt obligations is expected to be paid from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the City.

SECTION 2. This resolution shall be placed in the minutes of the City Council and shall be made available for inspection by the general public at the office of the City Clerk.

SECTION 3. This resolution constitutes a declaration of official intent under Treas. Reg. §1.150-2.

SECTION 4. All other resolutions and orders, or parts thereof in conflict with the provisions of this resolution, are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

Adopted and approved this 3rd day of August, 2017.

By: _____
MAYOR

ATTEST:

CITY CLERK

STATE OF TENNESSEE)

COUNTY OF MONTGOMERY)

I, Sylvia Skinner, certify that I am the duly qualified and acting City Clerk of the City of Clarksville, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of a regular meeting of the governing body of the Municipality held on August 3, 2017, that these minutes were promptly and fully recorded and are open to public inspection; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to the approval of a resolution declaring the intent of the City of Clarksville to reimbursement itself in an amount not to exceed \$11,000,000.

WITNESS my official signature and seal of said Municipality this ____ day of _____, 2017.

City Clerk

ORDINANCE 2-2017-18

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF MARGARET ARMISTEAD FOR PROPERTY LOCATED AT GARRETTSBURG ROAD

WHEREAS, proper application has been made by Cal McKay, PE, on behalf of Margaret Armistead, for extensions of City utility service to property located at Cmap 29, Parcel 10.00 with the property address of Garrettsburg Road outside the corporate boundary of the City, said property and the extension of service thereto, which is more particularly described in Exhibit A attached hereto and incorporated herein; and

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

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

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

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

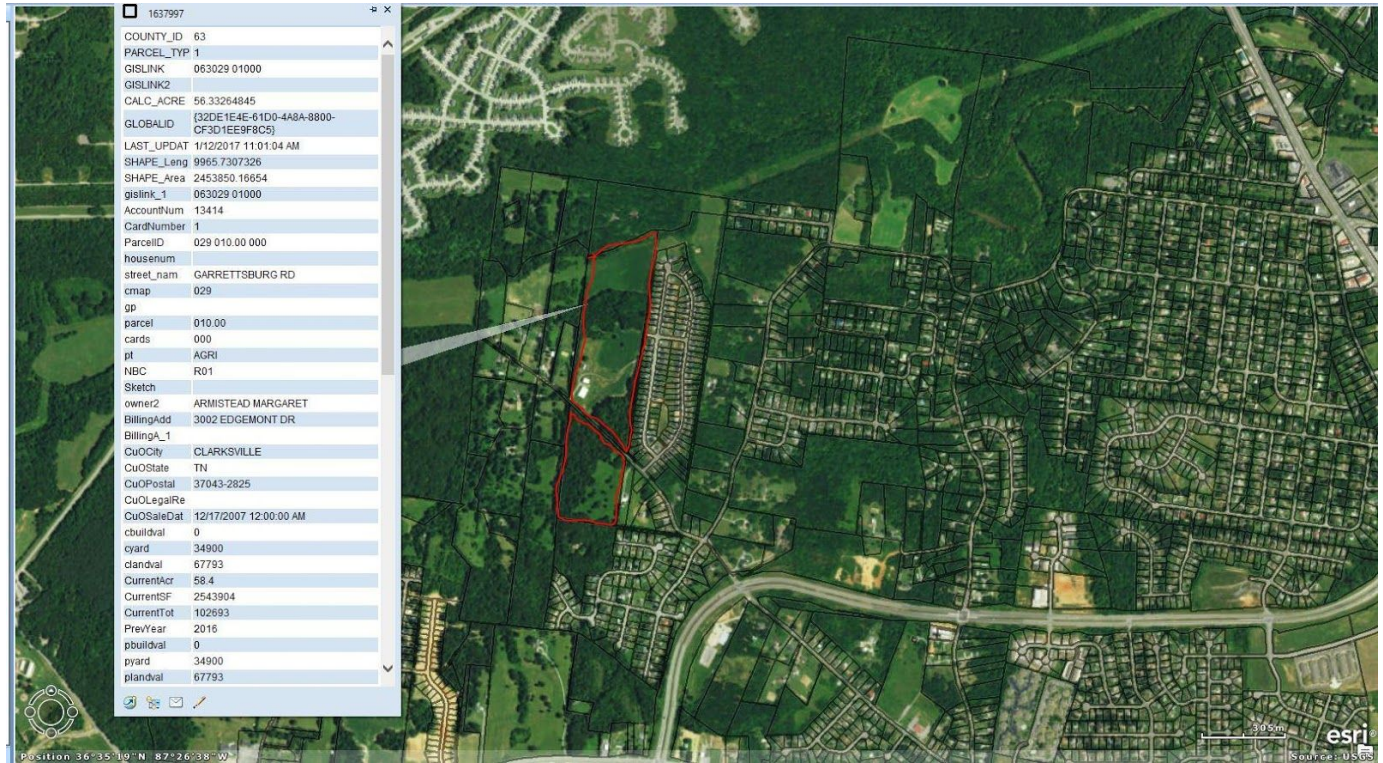
That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 29, Parcel 10.00 with the property address of Garrettsburg Road, requested by Margaret Armistead, outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING:

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



RESOLUTION 7-2017-18

A RESOLUTION TO APPROVE A DONATION OF CITY OWNED REAL PROPERTY TO THE TWO RIVERS COMPANY

WHEREAS, the City, owns two tracts of land situated located on south 2nd Street, and being more particularly described in Exhibit A and Exhibit B, attached hereto and incorporated herein; and

WHEREAS, the City Council finds it to be in the best interest of the City to declare said tracts of land as surplus real property, and to donate said tracts of land to the Two Rivers Company; and

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

That the City Council hereby approves and authorizes the donation of two tracts of City owned real property, more particularly described in Exhibits A and B, attached hereto and incorporated herein, to the Two Rivers Company.

ADOPTED: