



**CLARKSVILLE CITY COUNCIL
EXECUTIVE SESSION
SEPTEMBER 28, 2017, 4:30 P.M.**

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

AGENDA

1) PLANNING COMMISSION: PUBLIC HEARING

1. **ORDINANCE 19-2017-18** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Robert E. White, Jason daugherty-Agent, for zone change on property at the intersection of Whitfield Road and Needmore Road from AG Agricultural District to C-2 General Commercial District (RPC: Approval/Approval)

2) CONSENT AGENDA

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

1. **ORDINANCE 6-2017-17** (Second Reading) Amending the FY18 Street Department budget to increase funding for a vehicle ordered during FY17

2. **ORDINANCE 7-2017-18** (Second Reading) Amending the FY18 Governmental Funds Budget for purchase of property for expanding the City Garage

3. **ORDINANCE 8-2017-18** (Second Reading) Amending the Capital Projects Fund to increase the scope of work for expansion of the Senior Citizens Center

4. **ORDINANCE 10-2017-17** (Second Reading) Authorizing donation of real property in Woodstock Subdivision to Wayne and Donna Ridenhour
5. **ORDINANCE 11-2017-18** (Second Reading) Authorizing disposal of certain surplus property at Lark Drive at public auction
6. **ORDINANCE 14-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Development, Scott Thomas-Agent, for zone change on property east of the intersection of Golf Club Lane and Old Ashland City Road from R-3 Two & Three Family Residential District to M-1 Light Industrial District
7. **ORDINANCE 15-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Rosemary Page, Wayne Wilkinson-Agent, for zone change on property east of the intersection of Madison Street and Country Lane from R-1 Single Family Residential District to R-4 Multiple Family Residential District, O-1 Office District, C-5 Highway & Arterial Commercial District, and C-2 General Commercial District
8. **ORDINANCE 16-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Leo Millan for zone change on property at the intersection of Riverside Drive and North Second Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District
9. **ORDINANCE 17-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mack Phillips for zone change on property west of the intersection of Tylertown Road and Trenton Road from R-4 Multiple Family Residential District to C-4 Highway Interchange District
10. Adoption of Minutes: September 7
11. Approval of Board Appointments:

Human Relations Commission: Juanita Charles (replace Rebecca Hines-resigned), Kimberly Wiggins (replace Maria Jimenez-resigned) - October 2017 through June 2020

3) FINANCE COMMITTEE

Jeff Burkhart, Chair

1. **ORDINANCE 9-2017-18** (First Reading) Amending the Official Code relative to retiree health benefits (*Finance Committee: Approval*)

2. **ORDINANCE 18-2017-17** (First Reading) Authorizing grant of transmission line easements to Tennessee Valley Authority [Franklin Street & Arrow Lane] (*Finance Committee:)*

3. **RESOLUTION 12-2017-18** Designating the Clarksville Performing Arts Center & Conference Center as the City's designated project within the Downtown TIF District (*Finance Committee: Approval*)

4) GAS & WATER COMMITTEE
Bill Powers, Chair

1. Department Reports

5) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE
David Allen, Chair

1. Department Reports

6) PARKS & RECREATION
Valerie Guzman, Chair

1. Department Reports

7) PUBLIC SAFETY COMMITTEE
Geno Grubbs, Chair

1. Department Reports

8) STREETS & GARAGE COMMITTEE
Mike Alexander, Chair

1. Department Reports

9)TRANSPORTATION COMMITTEE
Deanna McLaughlin, Chair

1. Department Reports

10) MAYOR AND STAFF REPORTS

11) NEW BUSINESS

1. **ORDINANCE 12-2017-18** (First Reading; Postponed Sept. 7th) Amending the Official Code relative to application fee for public designation (*Councilman Chandler*)
2. **ORDINANCE 20-2017-18** (First Reading) Amending the FY17 Capital Projects budget to add funding to acquire and demolish the Embassy House property (*Councilman Burkhart*)

12) PUBLIC COMMENTS

13) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on October 5, 2017. The public hearing will be held on: October 5, 2017.

CITY ORD. #: 19-2017-18 RPC CASE NUMBER: Z-16-2017

Applicant: ROBERT E WHITE

Agent: Jason Daugherty

Location: Property fronting on the west frontage of Whitfield Road 450 +/- feet south of the Whitfield Road
Needmore Road intersection

Ward #: 9

Request: AG Agricultural District
 to
 C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

LARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE 9/27/2017

CASE NUMBER: Z - 16 - 2017

NAME OF APPLICANT: Robert E

White

AGENT: Jason

Daugherty

GENERAL INFORMATION

RESENT ZONING: A-G

PROPOSED ZONING: C-2

EXTENSION OF ZONE

CLASSIFICATION: NO

APPLICANT'S STATEMENT To allow uses commensurate with the surrounding neighborhood and current
FOR PROPOSED USE: growth patterns.

PROPERTY LOCATION: Property fronting on the west frontage of Whitfield Road 450 +/- feet south of the
Whitfield Road & Needmore Road intersection

ACREAGE TO BE REZONED: 3.5

DESCRIPTION OF PROPERTY Vacant Field
AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY

TAX PLAT: 031

PARCEL(S): 53.00

CIVIL DISTRICT: 6th

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 Available

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

Traffic Assessment Required. (Submitted & Reviewed)

2. STREET DEPARTMENT/

COUNTY HIGHWAY DEPARTMENT:

3.

2a. COST TO STREET/HIGHWAY DEPT.:

Comments Received From Department And They Had No Concerns.

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

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.

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

8. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

9.

Comments Received From Department And They Had No Concerns.

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

9. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

10.

9a. COST TO SCHOOL SYSTEM:

10. FT. CAMPBELL:

10a. COST TO FT. CAMPBELL:

11. OTHER COMMENTS:

11.

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: WHITFIELD ROAD

DRAINAGE:
WEST

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

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**

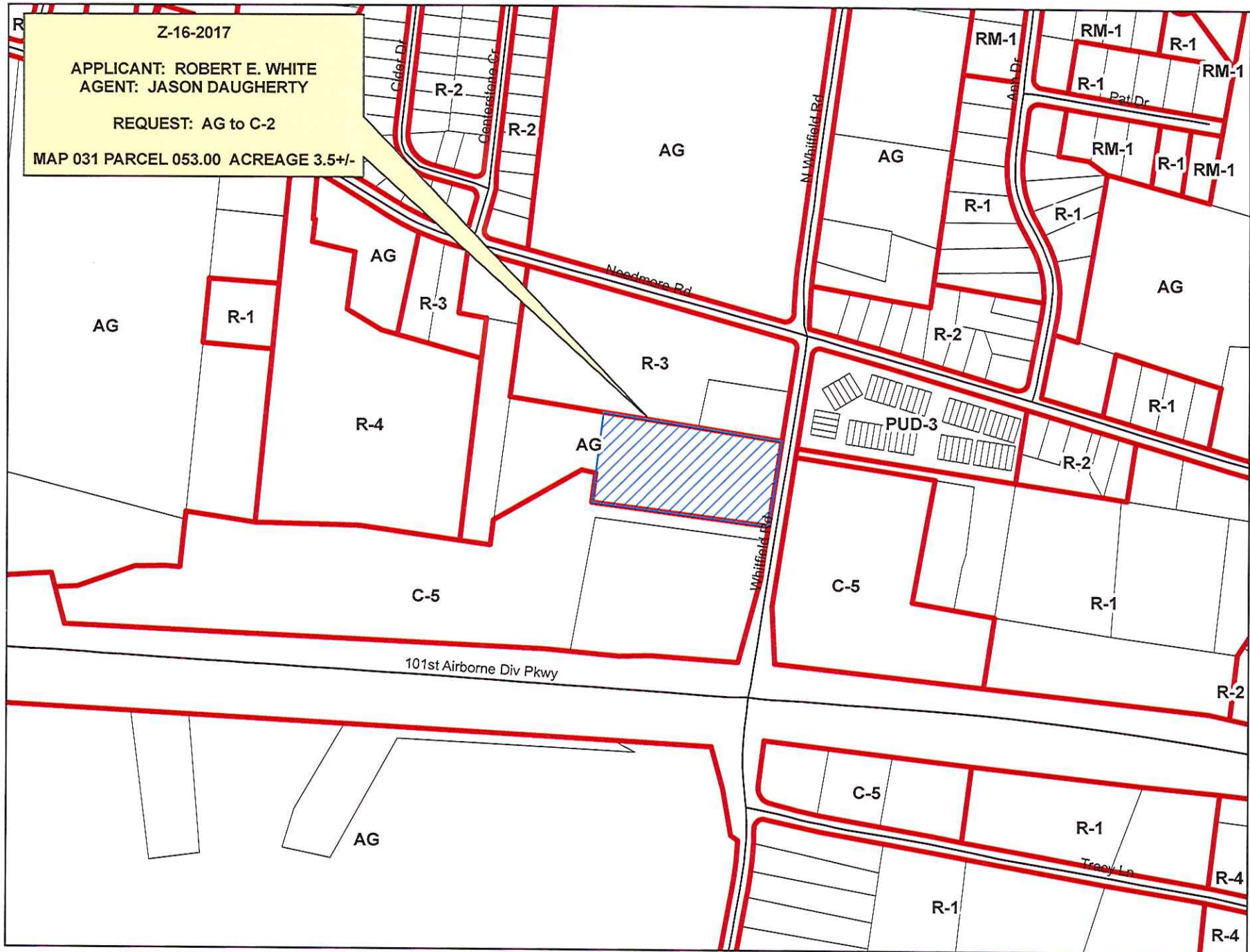
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. C-2 General Commerical District is not out of character with the surrounding zoning classifications and established uses.
4. No adverse environmental issues were identified relative to this request.
- 5.

Z-16-2017

APPLICANT: ROBERT E. WHITE
AGENT: JASON DAUGHERTY

REQUEST: AG to C-2

MAP 031 PARCEL 053.00 ACREAGE 3.5+/-



CASE NUMBER: Z 16 2017 MEETING DATE 9/27/2017

APPLICANT: Robert E White

PRESENT ZONING A-G PROPOSED ZONING C-2

TAX PLAT # 031 PARCEL 53.00

GEN. LOCATION Property fronting on the west frontage of Whitfield Road 450 +/- feet south of the
Whitfield Road & Needmore Road intersection

PUBLIC COMMENTS

None received as of 9:30 a.m. on 9/27/2017 (jhb).

ORDINANCE 19-2017-18

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ROBERT E. WHITE, JASON DAUGHERTY-AGENT, FOR ZONE CHANGE ON PROPERTY AT THE INTERSECTION OF WHITFIELD ROAD AND NEEDMORE ROAD

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

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

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an axle in the western margin of Whitfield Road, said point of beginning being 358 feet +/- , south of the centerline of Needmore Road, as measured along the margin of said Whitfield Road; runs thence north 84 degrees west 557.56 feet to an axle; thence south 6 degrees 18 minutes west 277.59 to an axle; thence south 85 degrees, 23 minutes 40 seconds east 558.64 feet to an iron pin; in the margin of said Whitfield Road; thence with said Road north 6 degrees 7 minutes east 263.99 feet to the point of beginning. said tract containing 3.5 +/- acres, further identified as Tax Map 31, Parcel 53.00

ORDINANCE 6-2017-18

AN ORDINANCE AMENDING THE 2017-18 GENERAL FUND BUDGET (ORDINANCE 75-2016-17) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE APPROPRIATIONS FOR THE CLARKSVILLE STREET DEPARTMENT TO ALLOW FOR THE PURCHASE OF A VEHICLE ORDERED DURING FY16-17 BUT NOT YET RECEIVED.

WHEREAS, the Clarksville Street Department budgeted for and ordered a vehicle off state contract #209 in the Spring of 2017, and;

WHEREAS, the vehicle did not arrive in time to be included within the FY2016-17, and;

WHEREAS, the budgeted funds of \$29,204 were not used during FY2016-17, therefore allowing them to be rolled into the fund balance for FY2017-18.

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

That the following General Fund budget amendments be made:

10431004 4742 Capital Outlay - Vehicles	Increase:	\$29,204
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BE IT FURTHER ORDAINED that the funds for this budget amendment (\$29,204) will be taken from the fund balance.

FIRST READING: September 7, 2017

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 7-2017-18

AN ORDINANCE AMENDING THE FY 2017-2018 GOVERNMENTAL FUNDS BUDGET
ORDINANCE 75-2016-2017 AND AUTHORIZING THE PURCHASE OF PROPERTY FOR
THE PURPOSE OF EXPANDING THE CITY GARAGE

WHEREAS, the City's Garage is at capacity for space to store and repair vehicles;

WHEREAS, the property located at 125 South 11th Street, Clarksville, TN (1.75 +/- acres – consisting of 5 parcels) is available to purchase.

WHEREAS, the property is ready for use as the property is graveled, contains a 10,560 SF industrial style building and fully fenced.

WHEREAS, in the City's 5-year capital improvement plan the City garage has requested property and construction to expand their maintenance facility to better serve the departments.

WHEREAS, It is in the intent of the City Garage to utilize the property immediately for storage and parking of vehicles. As funds become available the City Garage plans to expand their maintenance operation.

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 at 125 South 11th Street, Clarksville, TN, plus reasonable acquisition costs.

A capital project be created and added for City Garage Expansion in the amount of \$300,000 with the funding source from the general government fund balance.

That the following Budget Amendment be made:

Capital Projects Fund:

Transfer in from General Fund 4041000 39150	Increase	\$300,000
Project Expenditures 40410004 4710 18###	Increase	\$300,000

General Fund:

Transfer out to Capital Projects Fund 10470003 4914	Increase	\$300,000
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BE IT FURTHER ORDAINED that the source of funding for the capital project shall be from the fund balance of the General Fund.

FIRST READING: September 7, 2017

SECOND READING:

THIRD READING:

ORDINANCE 8-2017-18

AN ORDINANCE AMENDING THE CAPITAL PROJECTS FUND TO INCREASE THE SCOPE OF WORK FOR EXPANSION OF THE SENIOR CITIZENS CENTER

WHEREAS, the Capital Projects fund is a multiyear fund, where appropriated dollars roll from year to year,

WHEREAS, the FY 2016 Budget Ordinance 10-2015-2016 authorized a capital project for the purpose expanding the Senior Citizens Center,

WHEREAS, as the expansion has gotten closer to completion, it has become evident that the transition/connection from the original building to the new addition necessitates renovation for full functionality,

WHEREAS, it is in the best interest of City to utilize these already appropriated funds to expand the scope of work. Complete the expansion, addition and renovation of the Senior Citizens Center to better serve the citizens of Clarksville.

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

That the following Amendment be made:

Capital Projects Fund – General Government:

Project # 16104 – Senior Citizens Center Expansion

Rename the project to:

Project #16104 – Senior Citizen Center Expansion and Improvements

BE IT FURTHER ORDAINED that no additional funding is necessary.

FIRST READING: September 7, 2017

SECOND READING:

EFFECTIVE DATE:

AN ORDINANCE AUTHORIZING THE DONATION OF PROPERTY TO WAYNE RIDENHOUR AND WIFE, DONNA RIDENHOUR

WHEREAS, the City of Clarksville acquired a certain tract of land, with the deed being of record at Official Record Book Volume 1429, Page 173, ROMCT, for the purpose of improving drainage in Woodstock Estates subdivision and the surrounding area;

WHEREAS, the Ridenhour Family Trust, Wayne E. Ridenhour and Donna S. Ridenhour Trustees, is the owner of Lot 63 in Woodstock Estates subdivision, Section 3, with the deed being of record at Official Record Book Volume 1694, Page 1307, ROMCT;

WHEREAS, during the course of, and after the completion of, drainage improvements to the City-owned tract, Mr. and Mrs. Ridenhour began maintaining, at their expense, a portion of the City-owned tract adjacent to and behind Lot 63, said portion being approximately 40 feet by 115 feet;

WHEREAS, the Clarksville City Council finds that the portion of the City-owned tract maintained by Mr. and Mrs. Ridenhour is not necessary for drainage improvement purposes, and that said portion further has no necessary use for the City, and that the citizens of Clarksville are best served by conveying said portion and returning it to the property tax rolls;

WHEREAS, the Clarksville City Council finds that, in consideration of the costs incurred by Mr. and Mrs. Ridenhour in maintaining said portion, it is proper that the portion should be donated to the Ridenhour Family Trust;

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

That the Clarksville City Council hereby authorizes the donation of property more particularly described in Exhibit A, attached hereto, to Wayne E. Ridenhour and Donna S. Ridenhour, Trustees of the Ridenhour Family Trust. All costs associated with said donation, including (without limitation) closing costs, deed preparation fees, title insurance, taxes, and other transfer costs, shall be paid by the Ridenhours.

FIRST READING: September 7, 2017

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 11-2017-18

AN ORDINANCE DIRECTING THE DISPOSAL OF CERTAIN SURPLUS PROPERTY AT LARK DRIVE BY PUBLIC AUCTION

WHEREAS, the City of Clarksville acquired at a delinquent tax sale certain land at Lark Drive, consisting of Lots 194 and 195, Valley View subdivision, with the Order Confirming Sale being of record at Official Record Book Volume 1651, Page 545, ROMCT;

WHEREAS, the one-year statutory right of redemption period has expired, and said property is now considered surplus property by the City, with the exception of certain easement rights to be retained by the City;

WHEREAS, the Clarksville City Council finds that said surplus property may be disposed of by public auction;

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

That, pursuant to Section 6-102 (j) of the Clarksville City Code, the Clarksville City Council hereby directs the Purchasing Agent or her designee to dispose of Lots 194 and 195, Valley View subdivision, by public auction and upon such terms and conditions as the Purchasing Agent or her designee sees fit. The Purchasing Agent or her designee may offer the lots for auction individually or as one auction lot, and in either case, the opening bid shall be an amount sufficient to reimburse the City for all taxes and other costs associated with acquiring and maintaining said property.

FIRST READING: September 7, 2017

SECOND READING:

EFFECTIVE DATE:

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF THOMAS DEVELOPMENT, SCOTT THOMAS-AGENT, FOR ZONE CHANGE ON PROPERTY EAST OF THE INTERSECTION OF GOLF CLUB LANE AND OLD ASHLAND CITY ROAD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Two & Three Family Residential District, as M-1 Light Industrial District

PUBLIC HEARING: September 7, 2017
FIRST READING: September 7, 2017
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 256 +/- feet northwest of the centerline of the Old Ashland City Road and Martha Lane intersection, further identified as the northwest corner of the Rebecca D. Hopson property and the northeast corner of the herein described tract, thence in a southwesterly direction 591 +/- feet with the eastern boundary of the Hopson property to a point, said point being in the northern margin of an abandoned right of way/rail spur, thence in a westerly direction 530 +/- feet with the northern margin of an abandoned right of way/rail spur, to a point, said point being the southeast corner of the Thomas Development property, thence in a northerly direction 710 +/- feet to a point, said point being in the southern boundary of the Sonja H Stewart Revocable Living Trust property, thence in a easterly direction 432 +/- feet with the southern boundary of the Sonja H. Stewart Revocable Living Trust property and others to a point, said point being the southeast corner of the Thomas Development Property, thence in a northerly direction 196 +/- feet to a point said point in the southern right of way margin of Old Ashland City Road, thence in a easterly direction 285 +/- feet to the point of beginning, said tract containing 8.5 +/- acres, further identified as Tax Map 80-F-A, Parcel 4.01, 4.02 & 4.03.

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ROSEMARY PAGE, WAYNE WILKINSON-AGENT, FOR ZONE CHANGE ON PROPERTY EAST OF THE INTERSECTION OF MADISON STREET AND COUNTRY LANE

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-4 Multiple Family Residential District, O-1 Office District, C-5 Highway & Arterial Commercial District, and C-2 General Commercial District.

PUBLIC HEARING: September 7, 2017
FIRST READING: September 7, 2017
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

C-5 Description Beginning at a point being in the south right-of-way of U.S. Highway 41-A/ Madison Street, said point being South 63 degrees 19 minutes 09 seconds East for a distance of 307.77 feet from the centerline intersection of U.S. Highway 41-A and Wilson Road; Thence leaving the right-of-way of U.S. Highway 41-A South 07 degrees 54 minutes 58 seconds West for a distance of 340.24 feet, more or less, to a point; Thence North 72 degrees 59 minutes 27 seconds West for a distance of 873.31 feet, more or less, to a point; Thence North 07 degrees 41 minutes 32 seconds East for a distance of 114.66 feet, more or less, to a point; Thence North 06 degrees 30 minutes 47 seconds East for a distance of 214.40 feet, more or less, to a point in the south margin of U.S. Highway 41-A; Thence along the south margin of U.S. Highway 41-A for the following six calls: South 72 degrees 59 minutes 27 seconds East for a distance of 300.66 feet, more or less, to a point; South 20 degrees 54 minutes 44 seconds West for a distance of 24.00 feet, more or less, to a point; South 72 degrees 59 minutes 27 seconds East for a distance of 24.72 feet, more or less, to a point; North 20 degrees 54 minutes 44 seconds East for a distance of 25.24 feet, more or less, to a point; South 74 degrees 14 minutes 27 seconds East for a distance of 493.55 feet, more or less, to a point; South 72 degrees 59 minutes 27 seconds East for a distance of 58.26 feet, more or less, to the Point of Beginning. Said property contains 6.59 acres, more or less

O-1 Description Commencing at a point being in the south right-of-way of U.S. Highway 41-A/ Madison Street, said point being South 63 degrees 19 minutes 09 seconds East for a distance of 307.77 feet from the centerline intersection of U.S. Highway 41-A and Wilson Road; Thence leaving the right-of-way of U.S. Highway 41-A South 07 degrees 54 minutes 58 seconds West for a distance of 340.24 feet, more or less, to the true Point of Beginning; Thence South 08 degrees 49 minutes 11 seconds West for a distance of 390.16 feet, more or less, to a point; Thence North 81 degrees 10 minutes 49 seconds West for a distance of 230.00 feet, more or less,

to a point; Thence North 08 degrees 49 minutes 11 seconds East for a distance of 222.80 feet, more or less, to a point; Thence North 14 degrees 47 minutes 15 seconds East for a distance of 233.45 feet, more or less, to a point; Thence South 72 degrees 59 minutes 27 seconds East for a distance of 326.82 feet, more or less, to the Point of Beginning. Said property contains 2.36 acres, more or less

C-2 Description Commencing at a point being in the south right-of-way of U.S. Highway 41-A/ Madison Street, said point being South 63 degrees 19 minutes 09 seconds East for a distance of 307.77 feet from the centerline intersection of U.S. Highway 41-A and Wilson Road; Thence leaving the right-of-way of U.S. Highway 41-A South 07 degrees 54 minutes 58 seconds West for a distance of 340.24 feet, more or less, to a point; Thence North 72 degrees 59 minutes 27 seconds West for a distance of 326.82 feet, more or less, to the true Point of Beginning; Thence South 14 degrees 47 minutes 15 seconds East for a distance of 233.45 feet, more or less, to a point; Thence South 08 degrees 49 minutes 11 seconds West for a distance of 565.24 feet, more or less, to a point; Thence North 81 degrees 10 minutes 49 seconds West for a distance of 617.54 feet, more or less, to a point; Thence North 07 degrees 41 minutes 32 seconds East for a distance of 857.16 feet, more or less, to a point; Thence South 72 degrees 59 minutes 27 seconds East for a distance of 546.49 feet, more or less, to the Point of Beginning. Said property contains 11.44 acres, more or less

R-4 Description Commencing at a point being in the south right-of-way of U.S. Highway 41-A/ Madison Street, said point being South 63 degrees 19 minutes 09 seconds East for a distance of 307.77 feet from the centerline intersection of U.S. Highway 41-A and Wilson Road; Thence leaving the right-of-way of U.S. Highway 41-A South 07 degrees 54 minutes 58 seconds West for a distance of 340.24 feet, more or less, to a point; Thence South 08 degrees 49 minutes 11 seconds West for a distance of 390.16 feet, more or less, to the true Point of Beginning; Thence South 07 degrees 11 minutes 05 seconds West for a distance of 973.23 feet, more or less, to a point; Thence South 61 degrees 03 minutes 02 seconds West for a distance of 72.34 feet, more or less, to a point; Thence South 68 degrees 01 minutes 28 seconds West for a distance of 467.22 feet, more or less, to a point; Thence South 43 degrees 37 minutes 21 seconds West for a distance of 216.22 feet, more or less, to a point; Thence South 19 degrees 41 minutes 57 seconds West for a distance of 101.76 feet, more or less, to a point; Thence North 80 degrees 57 minutes 24 seconds West for a distance of 590.23 feet, more or less, to a point; Thence North 09 degrees 18 minutes 49 seconds East for a distance of 1,018.51 feet, more or less, to a point; Thence North 07 degrees 56 minutes 41 seconds East for a distance of 329.09 feet, more or less, to a point; Thence South 79 degrees 37 minutes 00 seconds East for a distance of 309.47 feet, more or less, to a point; Thence South 07 degrees 41 minutes 32 seconds West for a distance of 150.03 feet, more or less, to a point; Thence South 81 degrees 10 minutes 49 seconds East for a distance of 617.54 feet, more or less, to a point; Thence North 08 degrees 49 minutes 11 seconds East for a distance of 565.24 feet, more or less, to a point; Thence South 81 degrees 10 minutes 49 seconds East for a distance of 230.00 feet, more or less, to the Point of Beginning. Said property contains 30.33 acres, more or less

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF LEO MILLAN FOR ZONE CHANGE ON PROPERTY AT THE
INTERSECTION OF RIVERSIDE DRIVE AND NORTH SECOND STREET

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

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

PUBLIC HEARING: September 7, 2017
FIRST READING: September 7, 2017
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at an iron pin in the northeasterly right of way of U.S. Highway 41-A, said point being 55.70 feet from the centerline of the northbound lane of U.S Highway 41-A and said point further being described as being 451.00 feet of the westerly right of way of Kraft Street; thence northwesterly along the line of U.S. Highway 41-A 229.00 feet to an iron pin; thence to the right with an interior angle of 90 degrees 00 minutes 150.00 feet to an iron pin; thence to the right with an interior angle of 90 degrees 0 minutes 229.00 feet to an iron pin; thence to the right with an interior angle of 90 degrees 00 minutes 150 .00 feet to the point of beginning, said tract containing 0.36 +/- acres, further identified as Tax Map 55-O-A, parcel 20.00

ORDINANCE 17 -2017-18

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE,
APPLICATION OF MACK PHILLIPS FOR ZONE CHANGE ON PROPERTY WEST OF
THE INTERSECTION OF TYLERTOWN ROAD AND TRENTON 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-4 Multiple Family Residential District, as C-4 Highway Interchange District.

PUBLIC HEARING: September 7, 2017
FIRST READING: September 7, 2017
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Beginning at a point being in the north right-of-way of Tylertown Road, said point being North 72 degrees 17 minutes 21 seconds West for a distance of 2782.72 feet from the centerline intersection of Tylertown Road and Trenton Road; Thence along the right-of-way of Tylertown Road North 73 degrees 07 minutes 46 seconds West for a distance of 51.82 feet, more or less, to a point; Thence leaving said right-of-way North 01 degrees 37 minutes 21 seconds East for a distance of 350.49 feet, more or less, to a point; Thence North 73 degrees 07 minutes 39 seconds West for a distance of 412.04 feet, more or less, to a point; Thence North 03 degrees 59 minutes 55 seconds East for a distance of 194.49 feet, more or less, to a point; Thence North 82 degrees 33 minutes 07 seconds West for a distance of 195.76 feet, more or less, to a point; Thence North 00 degrees 18 minutes 12 seconds West for a distance of 602.51 feet, more or less, to a point; Thence North 86 degrees 59 minutes 21 seconds East for a distance of 200.27 feet, more or less, to a point; Thence North 00 degrees 41 minutes 39 seconds West for a distance of 200.00 feet, more or less, to a point; Thence North 82 degrees 18 minutes 21 seconds West for a distance of 449.00 feet, more or less, to a point; Thence South 00 degrees 08 minutes 14 seconds East for a distance of 201.92 feet, more or less, to a point; Thence South 03 degrees 50 minutes 21 seconds East for a distance of 325.19 feet, more or less, to a point; Thence South 03 degrees 46 minutes 21 seconds West for a distance of 461.02 feet, more or less, to a point; Thence South 01 degrees 37 minutes 23 seconds West for a distance of 591.32 feet, more or less, to the point of beginning. Said property contains 14.90 acres, more or less (further identified as Tax map 8, Parcels 2.02 & 2.08.



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
SEPTEMBER 7, 2017**

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

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Steve Singleton invited council members and the public to several events during the Welcome Home Veterans celebration including the battleship museum docked at McGregor Park during the annual Riverfest arts festival, Vietnam Traveling Memorial Wall at Beachaven Winery, Operation Stand Down for Veterans support and resources, and a memorial service at First Baptist Church.

Darla Knight, owner of Yada Yada Yada Deli on Strawberry Allen, expressed support for the Two Rivers Company and its executive director, Norman Quirion.

Lewis Marshall said indigent individuals continue to be fined by Montgomery County Court and the NAACP is not making purposeful efforts in the community.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, September 7, 2017, at 7:05 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilman Tim Chandler, Ward 4; the Pledge of Allegiance was led by Councilman David Allen, Ward 8.

ATTENDANCE:

PRESENT: Richard Garrett (Ward 1), Deanna McLaughlin (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4), Valerie Guzman, Mayor Pro Team (Ward 5), 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: Wanda Smith (Ward 6; excused)

SPECIAL RECOGNITIONS

Mayor McMillan presented a Certificate of Appreciation to 8-year old Keona Johnson who helped save the lives of her grandmother and younger sister during a house fire on Bradley Street on August 13th.

Mayor McMillan welcomed Mayor Kim Yoon-Joo and some members of the City Council and citizens of Gunpo City, South Korea, Clarksville's Sister City.

PUBLIC HEARING

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

ORDINANCE 14-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Thomas Development, Scott Thomas-Agent, for zone change on property east of the intersection of Golf Club Lane and Old Ashland City Road from R-3 Two & Three Family Residential District to M-1 Light Industrial District

Scott Thomas said the change would be an extension of the existing Thomas Lumber Company footprint and offered to answer questions. No one expressed opposition.

ORDINANCE 15-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Rosemary Page, Wayne Wilkinson-Agent, for zone change on property east of the intersection of Madison Street and Country Lane from R-1 Single Family Residential District to R-4 Multiple Family Residential District, O-1 Office District, C-5 Highway & Arterial Commercial District, and C-2 General Commercial District

Wayne Wilkinson noted the votes of approval by the Regional Planning Commission and offered to answer questions. No one expressed opposition.

ORDINANCE 16-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Leo Millan for zone change on property at the intersection of Riverside Drive and North Second Street from C-2 General Commercial District to C-5 Highway & Arterial Commercial District

Josh Ward, Millan Enterprises, mentioned Mr. Millan's notable contributions to the community and said this proposed change would bring viability to the area. Representative Joe Pitts said this change would allow an investment in an under-performing property that would be a positive improvement in the area. No one expressed opposition.

ORDINANCE 17-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mack Phillips for zone change on property west of the intersection of Tylertown Road and Trenton Road from R-4 Multiple Family Residential District to C-4 Highway Interchange District

No one expressed support for or opposition to this request.

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

ZONING

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 14-2017-18**; the recommendation of the Regional Planning Commission was for approval. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. Councilman Grubbs and Councilman Burkhart expressed support for this change. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 15-2017-18**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman McLaughlin. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for disapproval of **ORDINANCE 16-2017-18**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Powers. Councilman Allen expressed appreciation for the investment and said an auto sales operation would generate less traffic than other proposed uses. Councilman Garrett felt this business would compliment the existing operations on adjacent properties. Councilman Chandler was concerned about traffic congestion, but decided to support the change following discussion. Councilman Powers felt the development would improve the area. Councilman Burkhart thought the proposed use was appropriate for the property. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Powers

NAY: Alexander, Grubbs, McLaughlin

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 17-2017-18**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

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

1. **ORDINANCE 2-2017-18** (Second Reading) Authorizing extension of utility services to property on Garrettsburg Road; request of Margaret Armistead
2. **ORDINANCE 3-2017-18** (Second Reading) Authorizing negotiations and purchase of property near Inglewood Drive and Cherokee Trail for the purpose of a city park [Urban Wilderness]
3. **ORDINANCE 4-2017-18** (Second 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
4. **ORDINANCE 5-2017-18** (Second 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
5. Adoption of Minutes: August 3rd
6. Approval of Board Appointments:

Design Review Board: Mark Brunner - September 2017 through December 2019;
Marcia Williams - September 2017 through October 2022

Human Relations Commission: Ron Erb - September 2017 through July 2019

Regional Historic Zoning Commission: Marcia Williams - September 2017 through October 2022

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

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

The motion to adopt the Consent Agenda as presented passed.

FINANCE COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 6-2017-17 Amending the FY18 Street Department budget to increase funding for a vehicle ordered during FY17

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 Councilwoman McLaughlin. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 7-2017-18 Amending the FY18 Governmental Funds Budget for purchase of property for expanding the City Garage

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 Alexander. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 8-2017-18 Amending the Capital Projects Fund to increase the scope of work for expansion of the Senior Citizens Center

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 Powers. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 10-2017-17 Authorizing donation of real property in Woodstock Subdivision to Wayne and Donna Ridenhour

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 Alexander. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 11-2017-18 Authorizing disposal of certain surplus property at Lark Drive at public auction

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

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 8-2017-18 Authorizing an interlocal agreement between the City of Clarksville and Montgomery County pertaining to division, allocation, and administration of 2017 Byrne Justice Assistance Grant funds (*Finance Committee: Approval*)

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 taken:

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

The motion to adopt this resolution passed.

RESOLUTION 9-2017-17 Adopting the amended Debt Management Policy as required by the State of Tennessee

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

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

The motion to adopt this resolution passed,

RESOLUTION 10-2017-18 Authorizing issuance and sale of electric system revenue refunding bonds in an amount not to exceed \$29,000,000 (*Finance Committee: Approval*)

The recommendation of the Finance Committee was for approval. The motion was seconded by Councilman Powers. The following vote was recorded:

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

The motion to adopt this resolution passed.

GAS & WATER COMMITTEE

Bill Powers, Chair

Councilman Powers shared the following July department statistics: Service Department - 4,798 work orders, 285 after-hours calls; 95,000 meters read; 11,000 call center calls; 69,459 billings and notices; 3,006 locate requests; 40 water leak repairs; flushed 518 hydrants; 589 backflow device checks; responded to 3 sewer overflow incidents; Gas Department - installed 21 new gas services; Sewer Department - treated 313 million gallons of sewage.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

Councilman Allen noted seven new projects totaling \$489,801.50

PARKS & RECREATION

Valerie Guzman, Chair

Councilwoman Guzman expressed appreciation to the department for quick cleaning of area parks affected by recent flooding caused by remnants of Hurricane Harvey that came from the southern Midwest. She invited the public to the annual RiverFest Art Festival at McGregor Park September 7-9.

PUBLIC SAFETY COMMITTEE

(Building & Codes, Fire & Rescue, Police)

Geno Grubbs, Chair

Councilman Grubbs shared the following department statistics: Building & Codes Construction Division - 2,044 inspections; Building & Codes Enforcement Division - 363 cases; Building & Codes Administration - 89 single family permits - Building & Codes Abatement Division - 49 work orders; Police - 13,207 responses; Fire & Rescue - 1,139 emergency calls.

STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

Councilman Alexander shared the following department statistics: Streets - 239 work orders; Garage 412 work orders with unleaded fuel at a cost of \$1.98 and diesel fuel at a cost of \$1.78.

Councilman Alexander reported paving of several streets and announced the Anderson Drive sidewalk project was complete.

Mayor McMillan thanked the Street Department staff for quickly addressing the food issues following recent rains.

TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

Councilwoman McLaughlin reported 61,625 passengers transported by Clarksville Transit System during the month of August and announced the following CTS employees who placed in the CTS Annual Bus Road-eo: Harvill Martin - Bus Division 1st, Troy Stuve- Bus Division 2nd, Steven Hester - Van Division 1st, Delwin Guess - Van Division 2nd. All four employees will represent the City of Clarksville in the upcoming State Bus Road-eo.

NEW BUSINESS

ORDINANCE 12-2017-18 (First Reading) Amending the Official Code relative to application fee for public designation

Councilman Chandler made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. Councilman Chandler made a motion to adopt new language relative to refund of a portion of the application fee. The motion was seconded by Councilman Garrett. Following discussion, Councilwoman McLaughlin made a motion to postpone action to the next regular session to determine the cost of installation of multiple signs. The motion was seconded by Councilman Burkhardt. The following vote was recorded:

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

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

ORDINANCE 13-2017-18 (First Reading; proposed amendment) Amending the Official Code to repeal the designation of the Two Rivers Company as the District Management Corporation

Councilman Chandler made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Grubbs. Councilman Chandler said he performed his own research based upon the recent opinion of Chief Financial Officer Laurie Matta. He said this change would allow the TRC to operate as a non-profit organization and not under local government regulations.

Councilwoman McLaughlin said she would not participate in discussion or vote on this ordinance because she was an employee of the TRC, but did state she felt the mayor should refrain from voting since she is a member of the TRC Board of Directors. Councilwoman Guzman said the TRC needs the energy of Director Norman Quirion. Councilman Allen said the accounting issues should be addressed and expressed for support for the TRC as a District Management Corporation. Councilman Erb felt the TRC's authority to assess property should be re-evaluated. Councilman Alexander did not support the change to remove the

district management designation. Councilman Henley said the Finance Department should assist the TRC in accounting as a joint venture.

In response to Councilman Allen's question, City Attorney Lance Baker said Councilwoman McLaughlin may be allowed to abstain from voting on future legislation relative to the City's funding of the TRC. Councilman Powers opposed the repeal of the designation and felt Mr. Quirion and Mrs. McLaughlin would benefit the TRC, and said the TRC should be self-sufficient. Councilman Burkhart said he had been involved with the TRC in various downtown developments and made a motion to postpone action to allow time for additional research. The motion was seconded by Councilman Allen. The following vote was recorded:

AYE: Allen, Burkhart, Grubbs, Guzman

NAY: Alexander, Chandler, Erb, Garrett, Henley, Powers

ABSTAIN: McLaughlin

The motion to postpone failed. Councilman Alexander called for the question. The question was seconded by Councilman Garrett. The following vote was recorded:

AYE: Alexander, Erb, Garrett, Henley

NAY: Allen, Burkhart, Chandler, Grubbs, Guzman, Powers

The motion to cease discussion failed. Mayor McMillan said as a board member she should do what is in the best interest of all. She said this was not a vote to "do away" with the TRC or to hamper its efforts. She felt the TRC had been hampered doing business as a district management corporation and it should be a non-profit agency, and said the current designation may require the TRC assess property and not operate on taxpayer dollars. Councilman Allen called for the question. The question was seconded by Councilman Alexander. The following vote was recorded:

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

ABSTAIN: McLaughlin

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

AYE: Chandler, Grubbs, Guzman

NAY: Alexander, Allen, Erb, Garrett, Henley, Powers

ABSTAIN: Burkhart, McLaughlin

The motion to adopt this ordinance on first reading failed.

RESOLUTION 7-2017-18 (Postponed August 3rd; proposed amendment) Approving donation of city-owned real property to Two Rivers Company

Councilman Allen asked for this resolution to be withdrawn; there was no objection.

RESOLUTION 11-2017-18 Authorizing right of entry and construction permit for the Tennessee Valley Authority onto certain city-owned property [Franklin Street & Arrow Lane]

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

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

The motion to adopt this resolution passed.

MAYOR AND STAFF REPORTS

Councilman Allen asked for prayers on behalf of Councilwoman Wanda Smith and her family following the recent passing of her mother.

Street Engineer Jack Frazier said recent flooding on Powell Road properties may have been associated with new development. Mr. Frazier said the department advised the contractor of additional drainage requirements.

Mayor McMillan reported she had just returned from Washington, DC where she testified before the Federal Trade Commission in support of LG Electronics who was in the midst of investing \$250 million and 600 jobs in the local community.

ADJOURNMENT

The meeting was adjourned at 9:05.

ORDINANCE 9-2017-18

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE,
TITLE 1.5, HUMAN RESOURCES, RELATIVE TO RETIREE HEALTH BENEFITS

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

That the Official Code of the City of Clarksville, Tennessee, Title 1.5, "Human Resources," Section 1.5-702, "Eligibility for health and dental insurance benefits," is hereby amended by deleting the following language in Subsection c:

Sec. 1.5-702(c). An employee must have been covered by the city's health and dental plan for at least three (3) years immediately prior to the employee's separation from the city.

And by substituting instead the following:

Sec. 1.5-702(c). An employee must be covered by the city's health and dental plan immediately prior to the employee's separation from the city.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 18-2017-18

AN ORDINANCE AUTHORIZING THE GRANT OF TRANSMISSION LINE EASEMENTS
TO THE TENNESSEE VALLEY AUTHORITY

WHEREAS, the City of Clarksville, for the benefit of the Clarksville Department of Electricity, owns certain property located adjacent to Franklin Street, being Map & Parcel Number 66E-E-2.00, and property located adjacent to Arrow Lane, being Map & Parcel Number 63-12.00, the same being used for the purpose of power transmission lines;

WHEREAS, the Tennessee Valley Authority (hereinafter, "TVA") requires certain transmission line easements on the above described property relating to certain transmission line improvements, said easements being described in collective Exhibit A, attached hereto;

WHEREAS, the City of Clarksville has agreed to sell the required easements to TVA for the total sum of Sixty-Six Thousand Two Hundred Twenty-Five and 00/100 Dollars (\$66,225.00), and other good and valuable consideration;

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

That the Clarksville City Council hereby authorizes the sale of the Transmission Line Easements shown in Exhibit A to TVA for the total sum of Sixty-Six Thousand Two Hundred Twenty-Five and 00/100 Dollars (\$66,225.00) and, further, that any and all necessary forms required to effectuate said sale and transfer be executed by the Mayor after approval of the City Attorney.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 12-2017-18

A RESOLUTION DESIGNATING THE CLARKSVILLE PERFORMING ARTS AND CONFERENCE CENTER AS THE CITY'S DESIGNATED PROJECT WITHIN THE DOWNTOWN TIF DISTRICT

WHEREAS, there is currently an Economic Impact Plan with an area defined downtown with tax increment financing (TIF); and

WHEREAS, the City of Clarksville adopted RESOLUTION 6-2016-17 on August 4, 2016 approving participation in the TIF program; and

WHEREAS, the City Council believes it is in the best interest of the city to grow the tax base and expand cultural and economic options to its citizens; and

WHEREAS, in fiscal year 2018 the Clarksville City Council approved further funding for design, development and construction of the Clarksville Performing Arts and Conference Center (CPAC); and

WHEREAS, the City's designation of a project within the TIF area allows 10% of the increment to be reserved for the identified project; and

WHEREAS, any revenues derived from this TIF shall be utilized to assist with bringing this project to fruition (including construction). Once construction is completed the reserved increment will be used to assist with funding operations and maintenance of the CPAC.

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

The Clarksville Performing Arts and Conference Center (CPAC) is the City's designated project approved and specified in Section V.a.ii(A) of the Economic Impact Plan ... "to reimburse the City for costs of maintaining public projects in the Plan Area or to pay other eligible costs relating to development within the Plan Area in order to promote economic development ...". The stated project is intended for full compliance with all applicable portions of Section V of the Economic Impact Plan adopted (RESOLUTION 6-2016-17).

BE IT FURTHER RESOLVED that, when available, ten percent (10%) of the funds will be derived from the increment of tax collected above the base year as defined in the Plan

ADOPTED:

RESOLUTION 6-2016-17

A RESOLUTION APPROVING A TAX INCREMENT FINANCING AGREEMENT WITH MONTGOMERY COUNTY AND THE CLARKSVILLE-MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT BOARD

WHEREAS, the City Council has determined that a developed and economically vibrant downtown area is of tremendous benefit to the City and its residents generally and to increasing the property tax base; and

WHEREAS, the City Council finds that the downtown area of the City is in decline and in need of government assistance and incentives to spur economic development and the revitalization of the downtown area; and

WHEREAS, the City Council finds that the public interest would be served by creating appropriate economic incentives as permitted by our City Charter, Tennessee law generally and specifically by Tennessee Code Annotated Section 7-53-101, et seq.; and

WHEREAS, the Industrial Development Board for the County of Montgomery has developed an “Economic Impact Plan for the Civic Plaza Development Area” (see attached Exhibit A incorporated hereto) located in downtown Clarksville, as well as “Policies and Procedures for Tax Increment Incentive Program for Civic Plaza Development” (see attached Exhibit B incorporated hereto) in order to accomplish the forgoing purposes; and

WHEREAS, the City Council finds that approval of, participation in, and implementation of the Economic Impact Plan for the Civic Plaza Development Area and of the Policies and Procedures for the Tax Increment Incentive Program for Civic Plaza Development would serve the public interest and further the goals of downtown development, revitalization, and increasing the tax base; and

WHEREAS, the Industrial Development Board and the County of Montgomery, as required by statute, has previously approved the Economic Impact Plan and the Policies and Procedures (see attached Exhibit C incorporated hereto).

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

That the agreements with the Industrial Development Board of the County of Montgomery, and with the County of Montgomery, Tennessee, attached hereto and incorporated herein, Exhibit A (Economic Impact Plan for the Civic Plaza Development Area) and Exhibit B (Policies and Procedures for Tax Increment Incentive Program for Civic Plaza Development), are hereby approved.

ADOPTED: August 4, 2016

ORDINANCE 12-2017-18

AN ORDINANCE AMENDING THE OFFICIAL CODE, TITLE 12, CHAPTER 12, RELATIVE TO ADMINISTRATIVE PROCESSING FEE FOR DESIGNATION OF PUBLIC PROPERTY

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

That the Official Code of the City of Clarksville, Tennessee, Title 12, “Streets and Other Public Ways and Places,” Chapter 12, “Designations Committee; Streets and Public Place Designations,” Sec. 12-1212, “Application filing procedure and administrative fee” is hereby amended by ~~adding the following language as the second sentence of Sec. 12-1212:~~

~~If the designations request is denied, one hundred seventy five dollars (\$175.00) will be refunded to the applicant within sixty (60) days from the date of denial.~~

deleting the section in its entirety and by substituting instead the following language:

The application for nomination and an administrative processing fee in the amount of three hundred dollars (\$300.00) shall be filed with the city clerk and addressed to the Clarksville Designations Committee.

If the designations request is denied, two hundred twenty five dollars (\$225.00) will be refunded to the applicant within sixty (60) days from the date of denial.

BE IT FURTHER ORDAINED that Section 12-1214, “Evaluation of application,” is hereby amended by adding the following language identified as paragraph (d):

Any application that is not fully completed will not be accepted.

POSTPONED: September 7, 2017
FIRST READING:
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 20-2017-18

AN ORDINANCE AMENDING THE 2017-18 OPERATING AND CAPITAL BUDGET (ORDINANCE 75-2016-17) OF GOVERNMENTAL FUNDS AUTHORIZING THE CITY OF CLARKSVILLE TO PROVIDE ADDITIONAL FUNDS TO AN EXISTING CAPITAL PROJECT IN THE AMOUNT OF \$279,354

WHEREAS, the City of Clarksville previously approved the creation of a capital project #17102 (Ordinance 56-2016-17) for the purchase of property and mitigation of a sinkhole on the property formerly known as Embassy House Furniture; and

WHEREAS, the City of Clarksville applied for and has been awarded TEMA/FEMA funds for acquisition, demolition and hazard mitigation of the property; and

WHEREAS, the grant process requires an updated appraisal prior to commencing work and upon further investigation, additional environmental work is necessary. As a result the total cost of the project has increased; and

WHEREAS, the Clarksville City Council finds it in the public interest to further participate in grant program to receive additional funds for the acquisition of the property at 3051 Fort Campbell Blvd. for the purpose of flood hazard mitigation.

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

The following Capital Projects Fund and General Fund budget amendments be made:

Capital Projects Fund

Expenditure:

40410004 4710 17102 FEMA Flood Buyout (land)	Increase:	\$134,904
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40410003 4450 17102 FEMA Flood Buyout (demo/environmental)	Increase:	\$144,450
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Revenue:

4041000 33130 17102 FEMA Flood Buyout (federal)	Increase:	\$209,515
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4041000 33430 17102 FEMA Flood Buyout (state)	Increase:	\$ 34,919
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4041000 39150 Transfer in from General Fund	Increase:	\$ 34,920
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General Fund

Expenditure:

10470003 4914 Transfer out to Capital Projects Fund	Increase:	\$ 34,920
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BE IT FURTHER ORDAINED That the General Fund transfer out will come from the fund balance of the General Fund, and;

BE IT FURTHER ORDAINED That the Mayor, acting through the City Attorney or his designee, may negotiate and enter into an agreement for the purchase of the property at 3051 Fort Campbell Blvd., not to exceed the appraised value plus reasonable closing costs..

FIRST READING:

SECOND READING:

THIRD READING: