



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
MARCH 1, 2018, 7:00 P.M.**

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

AGENDA

1) CALL TO ORDER

2) PRAYER: *Stuart Salyer, Bethel Cumberland Presbyterian Church (guest of Councilman Mike Alexander, Ward 10)*

PLEDGE OF ALLEGIANCE: *Councilwoman Deanna McLaughlin*

3) ATTENDANCE

4) SPECIAL RECOGNITIONS

5) PLANNING COMMISSION: PUBLIC HEARING

1. **ORDINANCE 53-2017-18** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Paul Landrum for zone change on property located at the southern terminus of Landrum Place from O-1 Office-Medical-Institutional-Civic District to R-4 Multiple Family Residential District (*RPC: Approval/Approval*)

6) CONSENT AGENDA

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

1. **ORDINANCE 38-2017-18** (Second Reading) Accepting donation of property from Aspire Clarksville for extension of the Red River Trail
2. **ORDINANCE 39-2017-18** (Second Reading) Accepting donation of property located at 1026 Washington Street from Wesley Chapel Christian Methodist Episcopal Church and authorizing donation of same to Habitat For Humanity
3. **ORDINANCE 40-2017-18** (Second Reading) Amending the FY18 Operating and Capital Budget for City of Clarksville Governmental Funds for Safe Routes to School Grant Project
4. **ORDINANCE 41-2017-18** (Second Reading) Amending the Official Code pertaining to the power of the District Management Corporation for the Central Business Improvement District to recommend levy assessments on properties within the Central Business Improvement District and of the City Council to approve any such levy assessment
5. **ORDINANCE 42-2017-18** (Second Reading) Authorizing extension of utility services to 733 Hogan Road; request of Patrick Ferguson
6. **ORDINANCE 43-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Griffey Family Partnership for zone change on property located south of the east terminus of Allen Griffey Road and west of West Fork Creek from AG Agricultural District to R-2 Single Family Residential District
7. **ORDINANCE 44-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Griffey Family Partnership for zone change on property located in the southwest corner of Allen Griffey Road and Garner Hills Drive from AG Agricultural District to R-2 Single Family Residential District
8. **ORDINANCE 45-2017-18** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hare, LLC, Jimmy Bagwell/Moore Design Services-Agent, for zone change on property located at the intersection of Wilma Rudolph Boulevard and Wylma Van Allen Place from M-2 General Industrial District to C-5 Highway & Arterial Commercial District
9. **ORDINANCE 46-2017-18** (Second Reading) Authorizing extension of utility services to property on Charles Bell Road; request of Phyllis Casebolt
10. **ORDINANCE 47-2017-18** (Second Reading) Authorizing exercise of right of eminent domain to acquire easements, property, and rights of way for utility relocation required to facilitate construction of the TDOT roadway widening project along SR149/SR13 (Highway 48/Cumberland Drive) between Zinc Plant Road and the Cumberland River at 1300 Hwy. 48

11. **ORDINANCE 48-2017-18** (Second Reading) Amending the FY18 Capital Projects Budget for the Edmondson Ferry Road Capital Project
12. **RESOLUTION 25-2017-18** Renewing the Certificate of Compliance for Jesse A. Davie, Sr. (Wine Cellar, 4 Leland Drive) *(CPD: No Criminal History)*
13. **RESOLUTION 27-2017-18** Approving a Certificate of Compliance for Christine Wheatley, Carin L. Fike, and Diana L. Reynolds for sale of wine at Kroger #540, 2100 Lowes Drive *(CPD: No Criminal History)*
14. **RESOLUTION 28-2017-18** Approving a Certificate of Compliance for Christine Wheatley, Carin L. Fike, and Ronald E. Sanders for sale of wine at Kroger #544, 1489 Madison Street *(CPD: No Criminal History)*
15. **RESOLUTION 29-2017-18** Approving a Certificate of Compliance for Christine Wheatley, Carin L. Fike, and Kelly M. Nelson for sale of wine at Kroger #582, 110 Dover Crossing *(CPD: No Criminal History)*
16. Adoption of Minutes: February 1

7) FINANCE COMMITTEE

Jeff Burkhart, Chair

1. **ORDINANCE 49-2017-18** (First Reading) Amending the FY18 General Fund Budget to transfer funds to Clarksville Transit System for a grant for digital radios *(Finance Committee: Approval)*
2. **ORDINANCE 50-2017-18** (First Reading) Amending the FY18 Operating and Capital Budget for the 2012 Transportation Alternatives Grant for Greenway-Red River Trail Phase I *(Finance Committee: Approval)*

8) GAS & WATER COMMITTEE

Bill Powers, Chair

1. Department Reports

9) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

David Allen, Chair

1. Department Reports

10) PARKS & RECREATION

Valerie Guzman, Chair

1. Department Reports

11) PUBLIC SAFETY COMMITTEE

Geno Grubbs, Chair

1. Department Reports

12) STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

1. Department Reports

13) TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

1. Department Reports

14) NEW BUSINESS

1. **ORDINANCE 51-2017-18** (First Reading) Authorizing negotiations and an agreement for purchase of easements and/or rights of way or use of eminent domain for intersection improvements at International Boulevard and Dunlop Lane (*Councilman Alexander*)

2. **ORDINANCE 52-2017-18** (First Reading) Authorizing negotiations and an agreement to purchase easements and/or rights of way or use of eminent domain for drainage improvements at the intersection of Trenton Road & Tylertown Road (*Councilman Alexander*)

3. **RESOLUTION 26-2017-18** Approving an interlocal agreement between the City of Clarksville and the Industrial Development Board regarding the LG Project (*Mayor McMillan*)

4a. Approval to consider **RESOLUTION 30-2017-18** (*Councilman Grubbs*) [$\frac{3}{4}$ majority approval required]

4b. **RESOLUTION 30-2017-18** Rescinding **RESOLUTION 21-2017-18** and approving a Certificate of Compliance for Jack G. Miller, LLC, for operation of Sango Wine & Spirits (1049 Highway 76) (*Councilman Grubbs*)

5a. Approval to consider **RESOLUTION 31-2017-18** (*Mayor McMillan*) [$\frac{3}{4}$ majority approval required]

5b. **RESOLUTION 31-2017-18** Authorizing the City Attorney to pursue the opioid litigation (*Mayor McMillan*)

15) MAYOR AND STAFF REPORTS

16) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: March 1, 2018. The public hearing will be held on: March 1, 2018.

CITY ORD. #: 53-2017-18 RPC CASE NUMBER: Z-4-2018

Applicant: PAUL LANDRUM

Location: Two parcel located at the southern terminus of Landrum Place.

Ward #: 10

Request: O-1 Office, Medical, Institutional and Civic District .
 to
 R-4 Multiple-Family Residential District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING COMMISSION

STAFF REVIEW - ZONING

RPC MEETING DATE: 2/21/2018

CASE NUMBER: Z - 4 - 2018

NAME OF APPLICANT: Paul

Landrum

AGENT:

GENERAL INFORMATION

PRESENT ZONING: O-1

PROPOSED ZONING: R-4

EXTENSION OF ZONE

CLASSIFICATION: YES

APPLICANT'S STATEMENT Multi-Family

FOR PROPOSED USE:

PROPERTY LOCATION: Two parcel located at the southern terminus of Landrum Place.

ACREAGE TO BE REZONED: 2.20

DESCRIPTION OF PROPERTY North- O-1 (Office) East, West, South- R-4 (Res)

AND SURROUNDING USES:

GROWTH PLAN AREA:

CITY **TAX PLAT:** 065-N-J

PARCEL(S): 017.00 & 018.00

CIVIL DISTRICT: 11

CITY COUNCIL WARD: 10

COUNTY COMMISSION DISTRICT: 21

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:

2.

1a. COST TO ENGINEER/UTILITY DISTRICT:

**2. STREET DEPARTMENT/
COUNTY HIGHWAY DEPARTMENT:**

3.

2a. COST TO STREET/HIGHWAY DEPT.:

3. DRAINAGE COMMENTS:

4.

3a. DRAINAGE COST:

5.

4. CDE/CEMC:

4a. COST TO CDE/CEMC:

6.

5. CHARTER COMM./BELL SOUTH:

5a. COST TO CHARTER AND/OR BELLSOUTH:

7.

6. FIRE DEPT/EMERGENCY MGT.:

6a. COST FIRE DEPT/EMERGENCY MGT.:

8.

7. POLICE DEPT/SHERIFF'S OFFICE:

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

**8. CITY BUILDING DEPARTMENT/
COUNTY BUILDING DEPARTMENT:**

9.

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 Minimal
SURROUNDING DEVELOPMENT:

INFRASTRUCTURE:

WATER SOURCE: CITY

PIPE SIZE:

SEWER SOURCE: CITY

ACCESSIBILITY: LANDRUM PLACE

DRAINAGE:
SOUTH

DEVELOPMENT ESTIMATES:

APPLICANT'S ESTIMATES

HISTORICAL ESTIMATES

LOTS/UNITS:

26

ROAD MILES:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE COMPREHENSIVE PLAN ELEMENTS:

Medical District- This Planning area was driven by the former Hospital located within the district. With the hospital being relocated and the former site being redeveloped as commercial and is expected to trigger major changes in the area.

STAFF RECOMMENDATION: APPROVAL

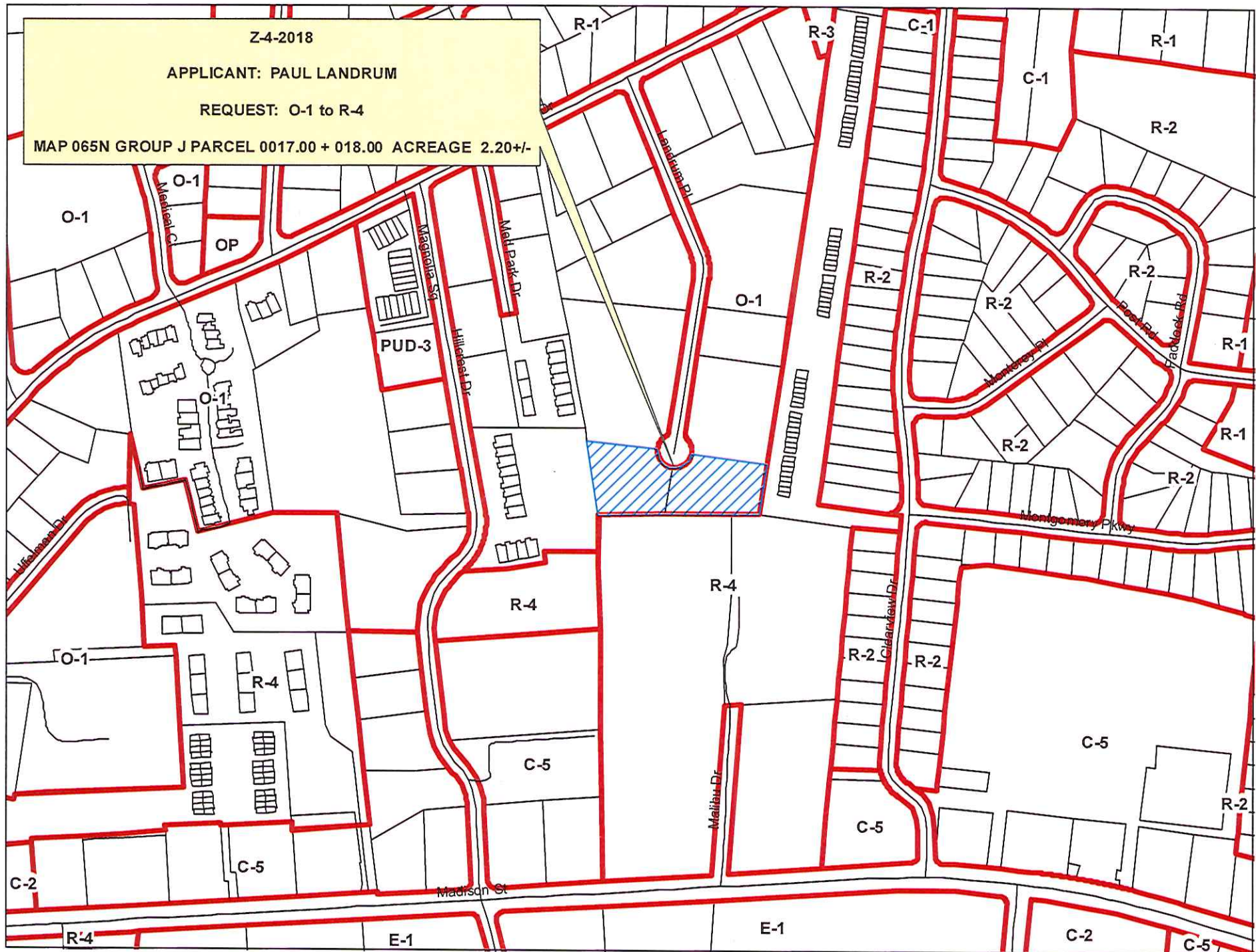
1. The proposed zoning request is consistent with Growth Plan (as in the City) and adopted Land Use Plan.
2. Adequate infrastructure serves the site.
3. No adverse environmental issues were identified relative to this request.
4. The request is an extension of the existing R-4 Multi-Family Zoning to the east, west & south.
- 5.

Z-4-2018

APPLICANT: PAUL LANDRUM

REQUEST: O-1 to R-4

MAP 065N GROUP J PARCEL 0017.00 + 018.00 ACREAGE 2.20+/-



CASE NUMBER: Z 4 2018 MEETING DATE 2/21/2018

APPLICANT: Paul Landrum

PRESENT ZONING O-1 PROPOSED ZONING R-4

TAX PLAT # 065-N-J PARCEL 017.00 & 018.00

GEN. LOCATION Two parcel located at the southern terminus of Landrum Place.

PUBLIC COMMENTS

None received as of 12:39 P.M on 2/21/2018. (A.L.)

ORDINANCE 53 -2017-18

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF PAUL LANDRUM FOR ZONE CHANGE ON PROPERTY LOCATED AT THE TERMINUS OF LANDRUM PLACE

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 O-1 Office-Medical- Institutional-Civic District, as R-4 Multiple Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being at the southern terminus of Landrum Place, said point being in the eastern right of way margin of the cul-de-sac of Landrum Place and further identified as the southwest corner of the Talus Land Company LLC property, thence in a easterly direction 227 +/- feet with the southern property line of the Talus Land Company LLC to a point, said point being in the western property boundary of the Todd Morris property, thence in a southerly direction 154 +/- with the western boundary of the Todd Morris property to a point, said point being in the northern boundary of the Ben Stanley property, thence in a westerly direction 476 +/- feet with the northern boundary of the Ben Stanley property and the northern boundary of the Hunter Chase TN LP to a point, said point being in the eastern boundary of the Hillcrest Commons Condominiums Inc., thence in a northerly direction 224 +/- feet to a point, said point being the southeast corner of the Dialysis Clinic Inc., thence in a easterly direction 211 +/- feet with the southern boundary of the Dialysis Clinic Inc., to a point, said point being in the western right of way margin of the cul-de-sac of Landrum Place, thence following the radius of the cul-de-sac of Landrum Place to the point of beginning of said herein described tract, said tract containing 2.2 +/- acres, further identified as Tax Map 65-N-J, Parcel(s) 17.00 & 18.00.

ORDINANCE 38-2017-18

AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY FROM ASPIRE CLARKSVILLE TO THE CITY OF CLARKSVILLE FOR THE PURPOSE OF EXTENDING THE CLARKSVILLE RED RIVER TRAIL

WHEREAS, Aspire Clarksville, an economic development foundation, has agreed to donate certain real property (more particularly described in “Exhibit A” attached hereto) to the City of Clarksville for the purpose of extending the Clarksville Red River Trail; and

WHEREAS, the Clarksville City Council finds that improvements to certain recreational developments within the City are a vital component to the residents’ quality of life; and

WHEREAS, the Clarksville City Council has determined that it is in the best interests of the City and its residents that the donation of said real property from Aspire Clarksville be accepted with appreciation;

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

1. The City of Clarksville hereby accepts the donation of certain real property from Aspire Clarksville, being a portion of property conveyed to Aspire Clarksville by deed of record in Official Record Book Volume 1150, page 1263, in the Register’s Office for Montgomery County, Tennessee, and more particularly described in “Exhibit A” attached hereto.
2. That upon acceptance of transfer documents, the City of Clarksville will assume ownership and responsibility for said real property.
3. The City of Clarksville shall develop said real property as part of the Clarksville Red River Trail within 10 years of donation.
4. That this ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING: February 1, 2018
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A

Portion of:

Map 42, Parcel 42.00

Recorded in Volume 1150, Page 1263, R.O.M.C.T.

Also described as follows:

Beginning at a new iron pin in the north margin of the City of Clarksville Property (Clarksville Greenway) Volume 630, Page 1476, having TN State Plane Coordinates of Northing 818480.22, Easting 1568895.28; thence along a new division as follows: North 29 Degrees 31 Minutes 01 Seconds East 102.21 feet to a new iron pin in the north line of a 50' Mid Valley Oil Line Easement; thence North 53 Degrees 39 Minutes 09 Seconds East 863.66 feet to a new iron pin; thence North 25 Degrees 02 Minutes 17 Seconds West 1027.50 feet to a new iron pin; thence North 80 Degrees 00 Minutes 17 Seconds East 323.18 feet to a new iron pin at the ordinary high water mark of the West Fork Red River; thence along the ordinary high water mark of said river South 21 Degrees 45 Minutes 42 Seconds East 135.69 feet to a point; thence South 51 Degrees 18 Minutes 51 Seconds East 266.64 feet to a point; thence South 47 Degrees 17 Minutes 29 Seconds East 241.48 feet to a point; thence South 42 Degrees 31 Minutes 15 Seconds East 705.01 feet to a point; thence South 38 Degrees 03 Minutes 03 Seconds East 262.77 feet to a point; thence South 30 Degrees 46 Minutes 29 Seconds East 167.94 feet to a point; thence South 38 Degrees 51 Minutes 11 Seconds East 258.47 feet to a point; thence South 57 Degrees 10 Minutes 23 Seconds East 164.91 feet to a new iron pin, said iron pin being the northeast corner of the Parent Tract (Parcel 1, Tract1, Volume 1150, Page 1263); thence along the Joseph L. Gendreau, ET UX Property (Volume 515, Page 1582) South 08 Degrees 37 Minutes 41 Seconds West 27.87 feet to a new iron pin; thence leaving margin of said property on a new division South 89 Degrees 38 Minutes 17 Seconds West 155.57 feet to a new iron pin; thence North 80 Degrees 24 Minutes 07 Seconds West 166.87 feet to a new iron pin; thence North 72 Degrees 59 Minutes 21 Seconds West 360.62 feet to a new iron pin; thence North 53 Degrees 42 Minutes 43 Seconds West 810.97 feet to a new iron pin in the south margin of a 50' Mid Valley Oil Line Easement; thence South 53 Degrees 39 Minutes 09 Seconds West 790.01 feet to a new iron pin; thence South 38 Degrees 05 Minutes 32 Seconds West 33.87 feet to a new iron pin; thence South 85 Degrees 03 Minutes 06 Seconds West 71.75 feet to a new iron pin; thence South 04 Degrees 56 Minutes 54 Seconds East 50.00 feet to a new iron pin in the north margin of the City of Clarksville Property (Volume 630, Page 1476; thence along said property South 85 Degrees 03 Minutes 06 Seconds West 43.35 feet to the point of beginning and containing an area of 23.00 acres as surveyed by James V. Weakley, RLS 1596 of Weakley Brothers Engineering on October 24, 2017. Job No. 17-516

ORDINANCE 39-2017-18

AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY FROM WESLEY CHAPEL CHRISTIAN METHODIST EPISCOPAL CHURCH TO THE CITY OF CLARKSVILLE FOR THE PURPOSE OF CITY DEMOLITION OF A STRUCTURE UPON SAID PROPERTY AND DONATION OF SAID PROPERTY TO HABITAT FOR HUMANITY (1026 WASHINGTON STREET)

WHEREAS, Wesley Chapel Christian Methodist Episcopal Church (hereinafter, “Wesley Chapel Church”) owns certain real property located at 1026 Washington Street, being Map and Parcel 66K-K-7.00 and of record at Official Record Book Volume 228, Page 604, in the Register’s Office for Montgomery County, Tennessee;

WHEREAS, Wesley Chapel Church plans to divide this real property into two parcels and has agreed to donate one parcel of real property, more particularly described in “Exhibit A” attached hereto and incorporated herein, to the City;

WHEREAS, a dilapidated and unused structure, constituting a safety hazard, is located on the parcel of real property to be donated to the City;

WHEREAS, the City plans to utilize Community Development Block Grant (hereinafter, “CDBG”) funds to demolish the aforementioned unused and unsafe structure and thereafter donate the said real property to Habitat for Humanity;

WHEREAS, Wesley Chapel Church’s property cannot be divided into two parcels and thus the donative transfer to the City cannot occur until after the unused and unsafe structure is demolished;

WHEREAS, to effectuate the demolition which will then allow for the donative transfer of real property, the City plans to enter into a contract with Citizens Savings Bank & Trust Co. and Wesley Chapel Church;

WHEREAS, the Clarksville City Council has determined that it is in the best interests of the City and its residents that the donation of said real property from Wesley Chapel Church be accepted with appreciation, that the aforementioned unused and unsafe structure be demolished, and that the real property received by the City be donated to Habitat for Humanity;

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

1. The City hereby accepts the donation of certain real property from Wesley Chapel Church, being a portion of property conveyed to the Church by deed of record in Deed Book 228, page 604, in the Register’s Office for Montgomery County, Tennessee, and more particularly described in “Exhibit A” attached hereto, conditioned upon and subject to partial release from Citizens Savings Bank & Trust Co.
2. That upon acceptance of transfer documents, the City will assume ownership and responsibility for said real property.

3. After demolition of the unused and unsafe structure is complete, the City will donate the real property acquired from Wesley Chapel Church and particularly described in "Exhibit A" to Habitat for Humanity.
4. That the City of Clarksville hereby authorizes the City Mayor, Kim McMillan, to enter into any and all contracts and/or agreements necessary to facilitate the transactions described herein, including but not limited to a contract between Citizens Savings Bank & Trust Co., Wesley Chapel Church, and the City.

FIRST READING: February 1, 2018

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an existing pk nail in the southern right-of-way of Washington Street, said pk nail being 200 feet, more or less, west of Greenwood Avenue, as measured along the southern right-of-way of Washington Street, said pk nail also being the northwestern corner of the Andrew Jessop property, as recorded in O.R.V. 1556, Page 2160, R.O.M.C.T.;

Thence leaving the southern right-of-way of Washington Street, and with the western line of the said Jessop property, and the western line of the Shaun M. Robertson property, as recorded in O.R.V. 1338, Page 1877, R.O.M.C.T., South 02 degrees 36 minutes 16 seconds East 169.50 feet to an existing ½" iron pin, cap #1780, said iron pin being in the northeastern corner of another piece of property owned by Shaun M. Robertson, and also recorded in O.R.V. 1338, Page 1877, R.O.M.C.T.;

Thence with the northern line of the said Robertson property, South 87 degrees 04 minutes 25 seconds West 107.25 feet to an iron pin (new);

Thence on a new severance line, North 02 degrees 36 minutes 16 seconds West 171.08 feet to an iron pin (new), said iron pin being in the southern right-of-way of Washington Street;

Thence with the southern right-of-way of Washington Street, North 87 degrees 55 minutes 12 seconds East 107.26 feet to the point of beginning.

Said Tract 1 contains 0.419 Acres (18,264.4 sq. ft.) more or less.

Property is subject to all easements, rights-of-way, covenants, and restrictions of record.

Property description is based on a physical survey by Billy Ray Suiter, PLS 1837, on November 17, 2017.

All new iron pins set are ½" x 18" rebar with plastic cap stamped "SUITER 1837".

ORDINANCE 40-2017-18

AN ORDINANCE AMENDING THE 2017-18 OPERATING AND CAPITAL BUDGET (ORDINANCE 75-2016-17) FOR THE GOVERNMENTAL FUNDS IN THE AMOUNT OF \$94,260 FOR THE 2016 SAFE ROUTES TO SCHOOL GRANT PROJECT

WHEREAS, on May 4, 2017 Clarksville City Council approved Ordinance 53-2016-17 accepting a 2016 Safe Routes to Schools Grant in the amount of \$119,240 to construct sidewalks, signage and crosswalks to benefit Kenwood Middle School; and

WHEREAS, after receiving consultant proposals, it is determined that additional funding is needed to complete the project; and

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

That the following Special Revenue Fund budget amendments be made:

Expenditure

33410003 4450 ST010	Construction Services	Increase:	\$29,260
33410003 4332 ST010	Engineering Services	Increase:	\$65,000

Revenue

3341000 39150 ST010	Transfer in From General Fund	Increase:	\$94,260
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BE IT FURTHER ORDAINED:

That the following General Fund budget amendment be made:

Expenditure

10470003 4910	Interfund Transfer Out	Increase:	\$94,260
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BE IT FURTHER ORDAINED:

That the funds from the general fund will be provided from the fund balance.

FIRST READING: February 1, 2018

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 41-2017-18

AN ORDINANCE AMENDING THE OFFICIAL CODE PERTAINING TO THE POWER OF THE DISTRICT MANAGEMENT CORPORATION FOR THE CENTRAL BUSINESS IMPROVEMENT DISTRICT TO RECOMMEND LEVY ASSESSMENT ON PROPERTIES WITHIN THE CENTRAL BUSINESS IMPROVEMENT DISTRICT AND OF THE CITY COUNCIL TO APPROVE ANY SUCH LEVY ASSESSMENTS

WHEREAS, pursuant to Tennessee Code Annotated Section 7-84-501 et. seq., and Ordinance 1-1997-98 (approved on second reading by the City Council on October 2, 1997 and published (and effective) on October 9, 1997), the City previously created a “central business improvement district” (*see* Tenn. Code Ann. Section 7-84-510), and further, *inter alia*, said ordinance specified the district boundaries (by specifying specific parcels fronting on a portion of Franklin Street in downtown Clarksville), specified that all properties within the boundaries of the district shall be subject to the levy of a special assessment, and specified the initial improvements, services, and projects authorized to be constructed, installed or provided within and for the district (known as the Franklin Street Sidewalk Improvements), specified the rate of levy of the special assessment (how it was to be paid, how it was to be calculated, and by whom the levy of assessment was to be paid), and further, said ordinance authorized the creation, appointment and incorporation of a “district management corporation,” (to be known as the “Clarksville CBID Management Corporation”) as provided for by Tenn. Code Ann. §7-84-501 et. seq. (*see attached* Exhibit A, apparently, this Ordinance 1-1997-98 was never codified), and further specified the organizational makeup of the board of directors of said district management corporation (and specifically named the first board of directors); and

WHEREAS, pursuant to Tenn. Code Ann. §7-84-501 et. seq., and Ordinance 41-1998-99 (adopted April 1, 1999, and codified at City Code of Ordinances, Title 12 (Streets and Other Public Ways and Places), Chapter 9 (Central Business Improvement District)), the City created, or continued to maintain, a “central business improvement district” (*see* Tenn. Code Ann. §7-84-510), and specified the boundaries thereof (enlarged from the previous boundaries specified in Ordinance 1-1997-98); and

WHEREAS, pursuant to Ordinance 41-1998-99, the “initial improvements, services, and projects,” were designated as follows (now codified at City Code §12-903):

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

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

- (1) Adoption and implementation of a comprehensive plan for the rebuilding and redevelopment of the district, including design criteria which will maintain the character of the district;
- (2) The construction of public facilities and improvements in connection therewith, improving downtown beautification and maintenance, and any and all activities associated with achieving the full-scale redevelopment and revitalization of the district.

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

; and

WHEREAS, pursuant to Ordinance 41-1998-99, the previous levy of assessment imposed by Ordinance 1-1997-98 was addressed as follows (now codified at City Code §12-904):

Sec. 12-904. Levy of special assessment.

No additional rate of levy of assessment is imposed to properties within the district boundaries. That levy of assessment for streetscape improvements to sidewalks, street lights, landscaping, and signage in accordance with the master design plan designated as the “Franklin Street Master Plan” formulated by Tunnell Spangler Architects dated August, 1991, and which was authorized by the enactment of Ordinance 1-1997-98 shall remain in full force and effect until the completion of the improvements authorized thereby and the payment in full of the assessment by affected property owners. Upon completion of those improvements, the district management corporation authorized to be created by Ordinance 1-1997-98 shall take appropriate steps to wind up its affairs and to dissolve its existence. Collection of any outstanding balance of the levy referred to above shall become the responsibility of the management corporation to be created pursuant to this chapter.

; and

WHEREAS, pursuant to Ordinance 41-1998-99, the City authorized (and in effect appointed) a “district management corporation to be chartered pursuant to the provisions of the Tennessee Nonprofit Corporation Act for the purpose of administering the activities for and within the district, the making of improvements within and for the district, and the provision of

services within and for the district,” said district management corporation was to be formally known as the “Clarksville CBID District Management Corporation of 1999,” (and formerly did business as and was known as the “Downtown District Partnership,” which d/b/a name was later changed to the “Two Rivers Company”), and which further specified the organizational makeup of the board of directors of the district management corporation (and which organizational makeup has since been amended several times); and

WHEREAS, Tenn. Code Ann. Section 7-84-502 sets forth the purpose of the General Assembly in enacting the “Central Business Improvement Act of 1990” (Tenn. Code Ann. Section 7-84-501 et. seq.) and provides *inter alia* that “the General Assembly finds that (1) Municipalities should be encouraged to create self-financing central business improvement districts and designate district management corporations to execute self-help programs to enhance their local business climates” (emphasis added); and

WHEREAS, Tenn. Code Ann. Section 7-84-505 provides, *inter alia*, that Tenn. Code Ann. Title 7 (Consolidated Governments and Local Governmental Functions and Entities), Chapter 84 (Central Business Improvement District Act of 1971), Part 5 (Central Business Improvement District Act of 1990), “shall constitute full authority for the making of improvements, creation of central business improvement districts, [and] levy of assessments ...”; and

WHEREAS, Tenn. Code Ann. Section 7-84-519 pertains to the creation or appointment of an “advisory board” as a “district management corporation” and provides in pertinent part as follows:

TCA 7-84-519. District management corporation.

- (a) The governing body of the municipality, in the establishment ordinance *or any other ordinance of the municipality, may create an advisory board, or appoint an existing organization, to act as an advisory board for the purpose of making recommendations for the use of special assessment revenues* and for the purpose of administering activities within and for the district, the making of improvements within and for the district, and the provision of services and projects within and for the district.
- (b) Such newly created board or existing organization so created or appointed shall be known and referred to in this part as the district management corporation.
- (c) The governing body may contract with the district management corporation for the services to be provided by such corporation. *Such district management corporation must comply with all applicable law, including this part, with all city resolutions and ordinances, and with all regulations lawfully imposed by the state auditor or other state agencies.*

- (d) ... [provision pertaining to appointment of Speaker of the Senate and Speaker of House of Representatives serving as ex officio members on board of directors for district management corporation]
- (e) *The district management corporation **shall** submit an annual budget for review and approval by the governing body. This budget **shall** include a statement of the improvements to be made, the services to be provided and the projects and activities to be conducted during the ensuing fiscal year, the proposed program budget, and a statement of the assessment rates for financing the proposed budget.*

(emphasis added); and

WHEREAS, Tenn. Code Ann. Section 7-84-521 pertains to “special assessments” and provides as follows:

TCA 7-84-521. Special assessments.

- (a) The *municipality* is hereby authorized to levy *special assessments* against all *properties* located within the central business improvement district to cover all costs and expenses of making public improvements within the district and providing the services, projects and activities of the district.
- (b) Such costs and expenses may include:
 - (1) All costs of acquisition, construction and maintenance of public improvements within the district;
 - (2) Costs of planning and feasibility studies, engineering, accounting, legal, surveying, consultant, and other professional fees;
 - (3) Administration expenses required in order to comply with the terms of this part, including costs incurred to establish the district, abstracts and other title costs, payment of principal of and premium and interest on any bonds, notes or other obligations issued ...;
 - (4) Funding of necessary reserves for debt service, maintenance, depreciation or other items, *payment of all costs and expenses of the district management corporation that are authorized in this part and approved by the governing body pursuant to the budget review process described in this part or otherwise approved by the governing body*; and
 - (5) Provision for additional costs or losses of assessment revenue for the development and construction of such improvements and provision of such services and activities as are authorized by the governing body.

- (c) *The assessment authorized in this section includes all such costs, even though some of the construction, engineering, inspection, and administrative or other services necessary are performed by the municipality.*

(emphasis added); and

WHEREAS, Tenn. Code Ann. Section 7-84-522 pertains to the “apportionment of assessments” and provides as follows:

TCA 7-84-522. Apportionment of assessments.

- (a) *The governing body of the municipality **shall** determine annually the total costs and expenses to be paid from the special assessments, and annually apportion such costs and expenses upon the various properties located within the district in accordance with the benefits conferred upon the various properties.*
- (b) In determining the benefits to each lot or parcel of property within the district, the governing body may consider any of the following factors: square footage, front footage, assessed value, type of use, business classification, property location, zones of benefit, or a combination of such factors.
- (c) The fact that assessments may be spread uniformly over a large area within the district shall not be conclusive that such assessment was arbitrarily made.
- (d) *Special assessments **shall be imposed and collected annually**, or on another basis specified in the ordinance establishing the central business improvement district.*
- (e) Changes may be made in the rate or additional rate of the special assessment as specified in the ordinance establishing the district.
- (f) The governing body must hold a public hearing to change the rate or impose an additional rate of special assessment.

(emphasis added); and

WHEREAS, Tenn. Code Ann. Section 7-84-524 pertains to the requirement for preparation of an “assessment roll” and provides as follows:

TCA 7-84-524. Assessment roll.

*After all assessments have been determined, an assessment roll **shall** be prepared by the governing body, which shall show the location of the property, the owner of the property as shown in the records of the assessor, and the amount of the assessment.*

(emphasis added); and

WHEREAS, Tenn. Code Ann. Sections 7-84-526, and 7-84-527, and 7-84-528 pertains to the effect of the assessment on the affected property, to redemption, and authorizes and prescribes a late penalty, and provide as follows:

TCA 7-84-526. Lien on property affected.

An assessment, any interest accruing on the assessment, and the costs of collection of the assessment *shall* constitute a lien on and against the property upon which the assessment is levied as of the effective date of the ordinance levying the assessment, which lien *shall* be superior to the lien of any trust deed, mortgage, mechanic's or material supplier's lien, or other encumbrance, except those of the state, county, or municipality for taxes.

TCA 7-84-527. Redemption.

In case any assessment shall become or has become delinquent and the property subject to the delinquency has been or shall be sold to the municipality for the delinquency, redemption of such property shall be permitted upon payment, not later than one (1) year after the date of sale, of the full amount due, plus interest, any taxes paid by the municipality, and accrued costs and redemption fees as may be prescribed by ordinance of the municipality, unless, in the judgment of the governing body of the municipality, the interest of the municipality will be subserved by accepting a lesser sum in settlement for the delinquency.

TCA 7-84-528. Penalty for late payment.

In case of failure to pay any assessment or installment provided for under this part on or before the date prescribed by the governing body for such payment, there shall be added to the assessment both interest of one percent (1%) per month and a penalty of one percent (1%) per month of the amount of such assessment or installment.

; and

WHEREAS, the City Council finds from all of the forgoing that state law requires a "budget review process" regarding the activities of the district management corporation and the management of the central business improvement district, and said process involves both the district management corporation and the City Council as the "governing body," and requires the levy of special assessments to cover all costs and expenses for the making of any and all public improvements or projects within and for the district, or for providing services or activities within and for the district, and that the City Council desires to be in full compliance with state law in regard to the "budget review process" and the "self-financing" of the public improvements or projects, services and activities within and for the district, but without prohibiting or limiting the

raising of revenue by the district management corporation through solicitation and acceptance of private donations to the district management corporation for use toward improvements or projects , services and activities within and for the district, it being the intent of the City Council simply to fully comply with state law and to be good stewards of taxpayer funds and to treat all property and business owners fairly, to include those outside the district.

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

- (1) That the Official Code of the City of Clarksville, Title 12 (Streets and Other Public Ways and Places), Chapter 9 (Central Business Improvement District), Section 12-904 (Levy of special assessment) is hereby amended by deleting same in its entirety, and substituting therefore the following new Section 12-904:

Section 12-904. Budget review process and levy of special assessment.

- (a) The budget review process as specified and required in the “Central Business Improvement District Act of 1990” (codified at Tenn. Code Ann. §7-84-501, et. seq.) as may be amended from time to time by the Tennessee General Assembly, and all other provisions of said state law, shall be followed and adhered to by the district management corporation designated, created, appointed and / or authorized by the City Council to manage the affairs of the Clarksville Central Business Improvement District, and by the City and the governing body of the City (the City Council), to include all provisions pertaining to the levy of a special assessment on property within the district, on an annual basis, and said central business improvement district budget review process shall occur and be conducted in accordance with the general timeline of the City’s annual budget process. For such timeline purposes the district management corporation budget shall treated like the separate departments of the City are treated, and said budget shall be voted on separately from the City general fund and all other City budgets / enterprise funds. Any state law required public notice shall be given and public hearing shall be conducted pertaining to any levy of special assessment or change in the rate of same.
- (b) The district management corporation shall submit an annual proposed budget for review and approval by the City Council. This proposed budget shall include a statement of the public improvements to be made, the services to be provided, and the projects and activities to be conducted, during the ensuing fiscal year, within and for the district, the proposed budget for same, and a statement of proposed recommended assessment rate(s) for financing the proposed budget.

- (2) The funds previously appropriated by the City Council for the benefit of the district management corporation (“Two Rivers Company”) shall continue to be available for reimbursement of qualified expenses of the Two Rivers Company in administering and managing the activities of the district for the remainder of the fiscal year 2017-18.
- (3) The provisions of paragraph one above pertaining to the budget review process and the levy of a special assessment shall apply starting with the City’s annual budget process for fiscal year 2018-19.

FIRST READING: February 1, 2018
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 42-2017-18

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF PATRICK FERGUSON FOR PROPERTY LOCATED AT 733 HOGAN ROAD, CMAP 88 PARCEL 132.00.

WHEREAS, proper application has been made by Cal Burchett, PE, RLS on behalf of Patrick Ferguson for extensions of City utility service to property located at Cmap 88, Parcel 132.00 with the property address of 733 Hogan 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:

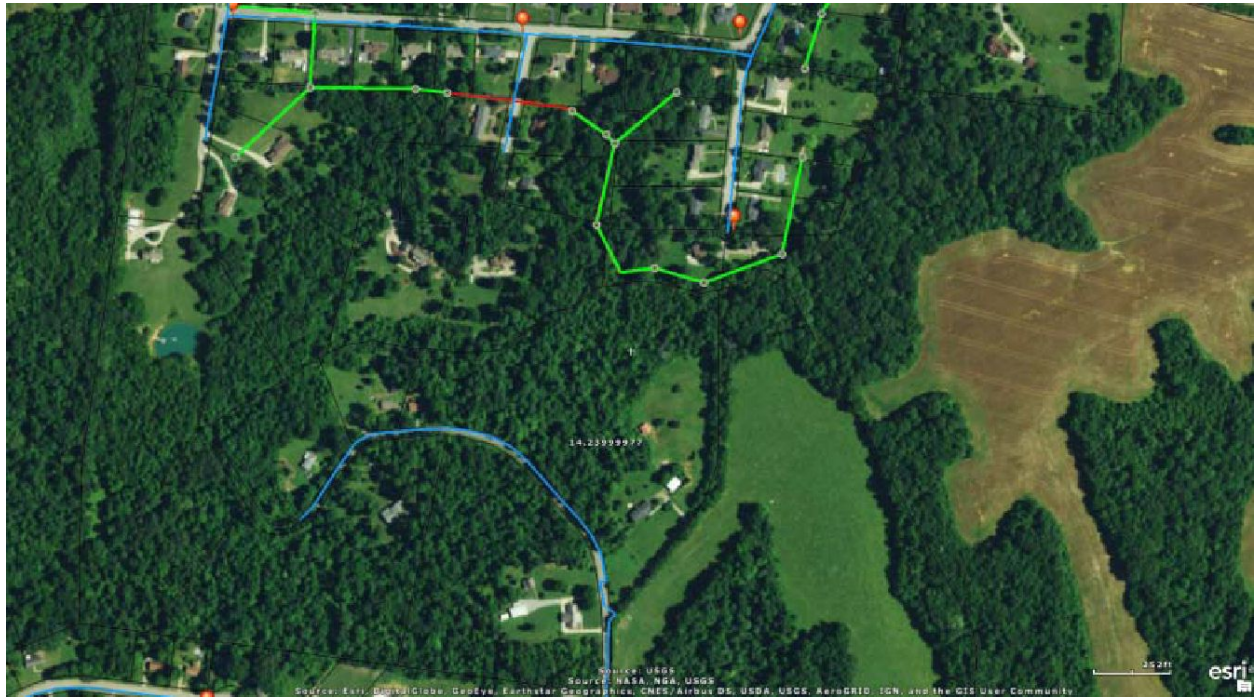
That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 88, Parcel 132.00 with the property address of 733 Hogan Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: February 1, 2018

SECOND READING:

EFFECTIVE DATE

EXHIBIT A



ORDINANCE 43-2017-18

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GRIFFEY FAMILY PARTNERSHIP FOR ZONE CHANGE ON PROPERTY LOCATED SOUTH OF THE EAST TERMINUS OF ALLEN GRIFFEY ROAD AND WEST OF WEST FORK CREEK

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: February 1, 2018

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at the southeast corner of the proposed Lot 55 of Griffey Estates, Section 1B, h

aving TN State Plane Coordinates of Northing 827101.62, Easting 1565631.53; thence North 03 Degrees 50 Minutes 09 Seconds East 139.13 feet to a point; thence North 56 Degrees 31 Minutes 43 Seconds East 718.44 feet to a point; thence South 38 Degrees 35 Minutes 16 Seconds East 1372.26 feet to a point; thence South 66 Degrees 17 Minutes 17 Seconds East 467.58 feet to a point; thence South 73 Degrees 56 Minutes 50 Seconds East 377.10 feet to a point; thence South 02 Degrees 40 Minutes 08 Seconds East 742.51 feet to a point; thence South 72 Degrees 17 Minutes 03 Seconds West 1798.40 feet to a point; thence North 17 Degrees 09 Minutes 03 Seconds West 617.78 feet to a point; thence North 21 Degrees 41 Minutes 06 Seconds West 591.33 feet to a point; thence North 31 Degrees 58 Minutes 49 Seconds West 488.26 feet to a point; thence North 16 Degrees 06 Minutes 46 Seconds East 363.19 feet to a point; thence North 83 Degrees 53 Minutes 15 Seconds West 29.30 feet to a point; thence North 03 Degrees 45 Minutes 52 Seconds East 163.12 feet to a point; thence North 00 Degrees 30 Minutes 00 Seconds East 50.08 feet to the point of beginning and containing an area of 81.27 +/- acres (Tax map 31, Parcel 40.00 p/o)

ORDINANCE 44-2017-18

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF GRIFFEY FAMILY PARTNERSHIP FOR ZONE CHANGE ON PROPERTY LOCATED IN THE SOUTHWEST CORNER OF ALLEN GRIFFEY ROAD AND GARNER HILLS DRIVE

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

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

PUBLIC HEARING: February 1, 2018

FIRST READING: February 1, 2018

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an existing iron pin in the south margin of Allen Griffey Road, said iron pin being the northeast corner of Lot 219, Peachtree, Section 4A (Plat Book F, Page 399); thence along margin of said road South 67 Degrees 21 Minutes 52 Seconds East 129.86 feet to a point; thence with a curve turning to the right with an arc length of 39.27', with a radius of 25.00', with a chord bearing of South 22 Degrees 21 Minutes 52 Seconds East, with a chord length of 35.36' to a point in the west margin of Garner Hills Drive; thence along margin of said road South 22 Degrees 38 Minutes 08 Seconds West 10.11 feet to a point; thence with a curve turning to the left with an arc length of 74.10', with a radius of 275.00', with a chord bearing of South 14 Degrees 54 Minutes 57 Seconds West, with a chord length of 73.88' to an existing iron pin; thence South 07 Degrees 11 Minutes 46 Seconds West 165.71 feet to an existing iron pin; thence leaving margin of said road North 82 Degrees 48 Minutes 14 Seconds West 130.00 feet to an existing iron pin in the east line of Peachtree, Section 4A; thence North 07 Degrees 11 Minutes 46 Seconds East 314.00 feet to the point of beginning and containing an area of 0.90 +/- acres (Tax Map 31, Parcel 40.02)

ORDINANCE 45-2017-18

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF HARE, LLC, JIMMY BAGWELL/MOORE DESIGN SERVICES-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF WILMA RUDOLPH BOULEVARD AND WYLMA VAN ALLEN PLACE

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

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

PUBLIC HEARING: February 1, 2018

FIRST READING: February 1, 2018

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point being in the northwest right-of-way of U.S. Highway 79/ Wilma Rudolph Boulevard, said point being North 35 degrees 54 minutes 22 seconds East for a distance of 495.83 feet, more or less, from the centerline intersection of U.S. Highway 79 and Old Trenton Road; Thence leaving the right-of-way of [U.S. Highway 79 North 42](#) degrees 43 minutes 46 seconds West for a distance of 484.69 feet to a point; Thence North 04 degrees 36 minutes 36 seconds East for a distance of 149.32 feet to a point; Thence North 04 degrees 35 minutes 35 seconds East for a distance of 33.51 feet to a point; Thence South 81 degrees 25 minutes 41 seconds East for a distance of 389.35 feet to a point; Thence North 08 degrees 44 minutes 36 seconds East for a distance of 258.13 feet to a point; Thence South 78 degrees 43 minutes 14 seconds East for a distance of 621.92 feet to a point in the northwest margin of US Highway 79; Thence along the margin of US Highway 79 for the remaining calls: South 79 degrees 56 minutes 35 seconds West for a distance of 15.13 feet to a point; Thence South 47 degrees 10 minutes 28 seconds West for a distance of 288.01 feet to a point; Thence South 47 degrees 17 minutes 45 seconds West for a distance of 404.00 feet to a point; Thence South 57 degrees 48 minutes 14 seconds West for a distance of 163.00 feet to a point; Thence South 47 degrees 18 minutes 40 seconds West for a distance of 80.31 feet to the point of beginning. Said property contains 8.36 +/- acres (Tax Map 56, Parcel 63.00 p/o)

ORDINANCE 46-2017-18

AN ORDINANCE AUTHORIZING EXTENSION OF CITY OF CLARKSVILLE UTILITY SERVICES OUTSIDE THE CLARKSVILLE CITY LIMITS; REQUEST OF PHYLLIS CASEBOLT FOR PROPERTY LOCATED AT CHARLES BELL ROAD, CMAP 34 PARCEL 49.03.

WHEREAS, proper application has been made by Cal McKay on behalf of Phyllis Casebolt for extensions of City utility service to property located at Cmap 34, Parcel 49.03 with the property address of Charles Bell 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:

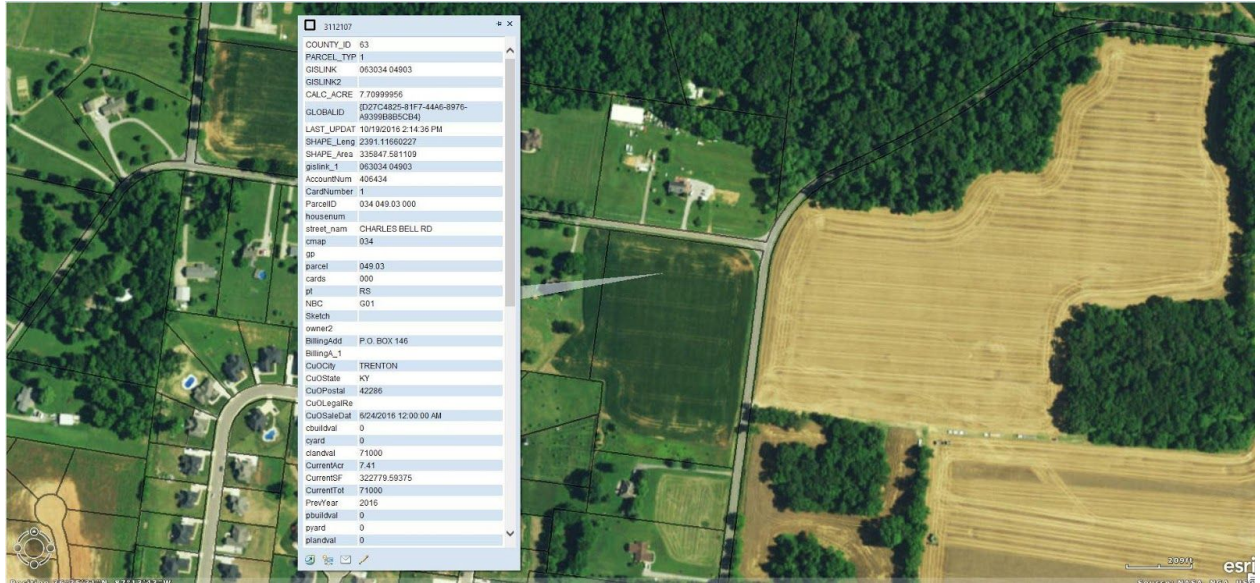
That the City of Clarksville Gas, Water and Sewer Department is hereby authorized to extend utility service to property located at Cmap 34, Parcel 49.03 with the property address of Charles Bell Road outside the City corporate limits as described in Exhibit A attached hereto and incorporated herein and subject to and in accordance with the provisions of the City Code and Ordinance 37-2009-10.

FIRST READING: February 1, 2018

SECOND READING: February 1, 2018

EFFECTIVE DATE

EXHIBIT A



ORDINANCE 47-2017-178

AN ORDINANCE AUTHORIZING THE EXERCISE OF RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS, PROPERTY AND RIGHTS OF WAY FOR UTILITY RELOCATION REQUIRED TO FACILITATE CONSTRUCTION OF THE TDOT ROADWAY WIDENING PROJECT ALONG SR149/SR13 (HWY 48, CUMBERLAND DRIVE) BETWEEN ZINC PLANT ROAD AND THE CUMBERLAND RIVER AT 1300 HIGHWAY 48

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements, property and/or rights of way for the purpose of utility relocation required to facilitate construction of the TDOT roadway widening project along S.R. 149 / S.R. 13 (Hwy 48, Cumberland Drive); and

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

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

That, if negotiation efforts are not timely or effective, the City of Clarksville, Tennessee is hereby authorized to exercise the right of eminent domain and institute condemnation actions in the appropriate court for acquisition of any and all necessary property rights from affected property owners for the purpose of utility relocation required to facilitate construction of the TDOT roadway widening project along S.R. 149 / S.R. 13 (Hwy 48, Cumberland Drive) at the address listed below:

- 1300 Hwy. 48

FIRST READING: February 1, 2018
SECOND READING:
EFFECTIVE DATE:

ORDINANCE 48 -2017-18

AN ORDINANCE AMENDING THE 2017-18 CAPITAL PROJECTS FUND BUDGET (ORDINANCE 75-2016-17) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE APPROPRIATIONS FOR THE EDMONDSON FERRY/41-A BYPASS INTERSECTION IMPROVEMENTS CAPITAL PROJECT

WHEREAS, the services for construction of the intersection improvement on Edmondson Ferry/41-A Bypass have been bid; and

WHEREAS, the bid amount is more than the funds that have been previously appropriated; and

WHEREAS, the additional funding required to complete this project is \$300,000.

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

That the following Capital Projects Fund budget amendments be made:

4041000 39310	Bond Proceeds Revenue	Increase: \$300,000
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40431003 4450 14301	Construction Edmondson Ferry Rd/41-A	Increase: \$300,000
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BE IT FURTHER ORDAINED that this additional \$300,000 funding will be added to the anticipated bond issue for the FY2017-18 Capital Projects.

FIRST READING: February 1, 2018

SECOND READING: February 1, 2018

EFFECTIVE DATE:

RESOLUTION 25-2014-15

A RESOLUTION RENEWING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR JESSE A. DAVIE, SR. FOR OPERATION OF THE WINE CELLAR

WHEREAS, Jesse A. Davie, Sr. has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for operation of The Wine Cellar, 4 Leland Drive; and

WHEREAS, according to a local criminal history check, the applicant who are to be in actual charge of said business has not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*; and

WHEREAS, the applicant has secured a location which complies with all restrictions of the laws, ordinances, or resolutions; and

WHEREAS, the applicant has complied with the residency provision; and

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Jesse A. Davie, Sr. for operation of The Wine Cellar, 4 Leland Drive, Clarksville, Tennessee.

ADOPTED

RESOLUTION 27-2017-18

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE
AT KROGER #540 LOCATED AT 2100 LOWES DRIVE

WHEREAS, Christine Wheatley, Carin L. Fike, and Diana L. Reynolds have applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Kroger #540, located at 2100 Lowes Drive; and

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

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

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Christine Wheatley, Carin L. Fike, and Diana L. Reynolds for sale of wine at Kroger #540, 2100 Lowes Drive, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 28-2017-18

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE
AT KROGER #544 LOCATED AT 1489 MADISON STREET

WHEREAS, Christine Wheatley, Carin L. Fike, and Ronald E. Sanders have applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Kroger #544, located at 1489 Madison Street; and

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

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

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Christine Wheatley, Carin L. Fike, and Ronald E. Sanders for sale of wine at Kroger #544, 1489 Madison Street, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 29-2017-18

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE
AT KROGER #582, 110 DOVER CROSSING

WHEREAS, Christine Wheatley, Carin L. Fike, and Kelly M. Nelson have applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Kroger #582, located at 110 Dover Crossing; and

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

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

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

That the Clarksville City Council hereby approves a Certificate of Compliance for Christine Wheatley, Carin L. Fike, and Kelly M. Nelson for sale of wine at Kroger #582, 110 Dover Crossing, Clarksville, Tennessee.

ADOPTED:



CLARKSVILLE CITY COUNCIL REGULAR SESSION FEBRUARY 1, 2018

MINUTES

PUBLIC COMMENTS

During the scheduled public comment period, Lewis Marshall made a personal attack on CPD Officer Keith Jones and also claimed Officer Jones was aggressive during a recent incident involving an arrest. Jeff Robinson cited several timeline events involving the Robinson v. City case. Nabil Joyiens had requested to speak, but was not present. Dr. Jodi Robinson rescheduled her comments to the March regular session earlier this day.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Kim McMillan on Thursday, February 1, 2018, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Mike Gluff, guest of Councilman Jeff Henley, Ward 9; the Pledge of Allegiance was led by Councilman Ron Erb, Ward 3

ATTENDANCE

PRESENT: Richard Garrett (Ward 1; arrived 7:27 p.m.), Deanna McLaughlin (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4), Valerie Guzman, Mayor Pro Tem (Ward 5), Wanda Smith (Ward 6), Geno Grubbs (Ward 7), Jeff Henley (Ward 9), Mike Alexander (Ward 10), Bill Powers (Ward 11), Jeff Burkhart (Ward 12)

ABSENT: David Allen (Ward 8; excused)

SPECIAL RECOGNITIONS

Mayor McMillan welcomed members of the Mayor's Youth Council and Boy Scouts who were in attendance.

Mayor McMillan presented a Certificate of Appreciation to CPD Officers Donald Gipson and Darren Koski for their heroic actions in rescuing an individual from a burning house on January 6, 2018. Police Chief Al Ansley presented the officers with the Medal of Valor.

DIRECTOR OF SCHOOLS

Millard House, Director of the Clarksville-Montgomery County School System, updated the City Council on his "RISE" report. Mr. House noted that of the 35,000 students attending the 39 schools, 60% will choose to attend college after graduation. Mr. House said 11th and 12th grade students were being offered dual enrollment classes at Austin Peay State University to receive college credits prior to high school graduation. He said CMCSS is providing the other 40% of students with various programs and tools to be career-ready when they graduate.

PUBLIC HEARING

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

ORDINANCE 43-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Griffey Family Partnership for zone change on property located south of the east terminus of Allen Griffey Road and west of West Fork Creek from AG Agricultural District to R-2 Single Family Residential District

James Hembree, representing the Griffey family, said the change would provide for future development of Griffey Estates. No one expressed opposition.

ORDINANCE 44-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Griffey Family Partnership for zone change on property located in the southwest corner of Allen Griffey Road and Garner Hills Drive from AG Agricultural District to R-2 Single Family Residential District

No one spoke for or against this request.

ORDINANCE 45-2017-18 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Hare, LLC, Jimmy Bagwell/Moore Design Services-Agent, for zone change on property located at the intersection of Wilma Rudolph Boulevard and Wylma Van Allen Place from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

Todd Ray said this change would allow for the development of a Mitsubishi auto dealership. No one expressed opposition.

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

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 43-2017-18**. Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhardt. Councilman Chandler felt Allen Griffey Road could not accommodate additional traffic generated by construction of 324 new homes. The following vote was recorded:

AYE: Burkhardt, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers

NAY: Alexander, Chandler, Smith

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 44-2017-18**. 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, Burkhardt, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 45-2017-18**. 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, Burkhardt, Chandler, Erb, Garrett, Grubbs, Guzman, Henley, McLaughlin, Powers, Smith

The motion to adopt this ordinance on first reading passed.

CONSENT AGENDA

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

1. **ORDINANCE 35-2017-18** (Second Reading) Amending the FY18 Purchasing Department
2. **ORDINANCE 36-2017-18** (Second Reading) Amending the FY18 appropriation for Clarksville Gas & Water for fire hydrant and water line repairs
3. Adoption of Minutes: January 4
4. Approval of Board Appointments:

Housing Authority: Brenda Lenor - October 2017 through September 2022

Museum Board: Carol Daniels, Dixie Dennis, Jamie Durrett, - January 2018 through December 2020; Thomasa Ross - February 2018 through December 2020; Ron Erb - January 2018 through December 2018

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

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

The motion to adopt the Consent Agenda as presented passed.

FINANCE COMMITTEE

Jeff Burkhart, Chair

ORDINANCE 38-2017-18 (First Reading) Accepting donation of property from Aspire Clarksville for extension of the Red River Trail

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 Chandler. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 39-2017-18 (First Reading) Accepting donation of property located at 1026 Washington Street from Wesley Chapel Christian Methodist Episcopal Church and authorizing donation of same to Habitat For Humanity

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 Grubbs. The following vote was recorded:

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

ABSTAIN: Henley

The motion to adopt this ordinance on first reading passed.

ORDINANCE 40-2017-18 (First Reading) Amending the FY18 Operating and Capital Budget for City of Clarksville Governmental Funds for Safe Routes to School Grant Project

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 Grubbs. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 41-2017-18 (First Reading) Amending the Official Code pertaining to the power of the District Management Corporation for the Central Business Improvement District to recommend levy assessments on properties within the Central Business Improvement District and of the City Council to approve any such levy assessment

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. Councilwoman McLaughlin stated her intent to abstain from voting because she was an employee of Two Rivers Company. The following vote was recorded:

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

ABSTAIN: McLaughlin

The motion to adopt this ordinance on first reading passed.

GAS & WATER COMMITTEE

Bill Powers, Chair

ORDINANCE 42-2017-18 (First Reading) Authorizing extension of utility services to 733 Hogan Road; request of Patrick Ferguson

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

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 46-2017-18 (First Reading) Authorizing extension of utility services to property on Charles Bell Road; request of Phyllis Casebolt

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

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

The motion to adopt this ordinance on first reading passed.

ORDINANCE 47-2017-18 (First Reading) Authorizing exercise of right of eminent domain to acquire easements, property, and rights of way for utility relocation required to facilitate construction of the TDOT roadway widening project along SR149/SR13 (Highway 48/Cumberland Drive) between Zinc Plant Road and the Cumberland River at 1300 Hwy. 48

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

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

The motion to adopt this ordinance on first reading passed.

Councilman Powers shared the following monthly department statistics: Service Department - 4,290 work orders, 355 after-hours calls, 96,349 meter readings; Billing

Department - 69,102 billings; Water Division - 66 cold water leak repairs, 200 hydrant flushes, 325 backflow device tests; Gas Division - 101 gas odor responses; Water Treatment Plant - 497 million gallons treated water pumped; Wastewater Treatment Plant - 381 million gallons treated sewage

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

Ron Erb

Councilman Erb announced Montgomery County had the highest urban county score in the THDA low income housing tax credit program which could possibly result in two new local projects. He said the department would soon host a meeting of developers, elected officials, and housing authority board members.

PARKS & RECREATION

Valerie Guzman, Chair

Councilwoman Guzman announced the re-opening of recently renovated Valleybrook Park and mentioned two new B-Cycle locations. She said a parks and greenspace master plan should be completed by September.

PUBLIC SAFETY COMMITTEE

Geno Grubbs, Chair

Councilman Grubbs shared the following monthly department statistics: Building & Codes Construction Division - 1,246 inspections, Building & Codes Enforcement Division - 185 cases, Building & Codes Administration - 44 single family permits, Building & Codes Abatement Division - 13 work orders; Fire & Rescue - 1,198 runs, Police - 13,255 responses.

STREETS & GARAGE COMMITTEE

Mike Alexander, Chair

Councilman Alexander shared the following monthly statistics: Streets - 199 work orders; Garage - unleaded fuel \$2.24/gallon and diesel fuel \$2.18/gallon.

Councilman Alexander expressed appreciation to the Streets & Garage Departments for quick clearing of roadways during the mid-January snow events.

TRANSPORTATION COMMITTEE

Deanna McLaughlin, Chair

Councilwoman McLaughlin said Clarksville Transit System transported 51,090 passengers during the month of January and said full bus service would be provided on Presidents Day, Monday, February 19th.

NEW BUSINESS

ORDINANCE 48-2017-18 (First Reading) Amending the FY18 Capital Projects Budget for the Edmondson Ferry Road Capital Project

Councilman Grubbs made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. The following vote was recorded:

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

The motion to adopt this ordinance on first reading passed.

RESOLUTION 24-2017-18 Approving an interlocal agreement between the City of Clarksville/CPD and Emergency Management System

Councilman Grubbs made a motion to adopt this resolution. The motion was seconded by Councilman Alexander. Councilman Grubbs said this agreement would allow CPD to train an emergency responder as a tactical paramedic. The following vote was recorded:

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

The motion to adopt this resolution passed.

MAYOR AND STAFF REPORTS

In response to Lewis Marshall's public comment regarding a police officer, Councilman Alexander said the City Council should consider hearing public comments at the end of the meeting. Mayor McMillan said members are not required to be present for public comments.

ADJOURNMENT

The meeting adjourned at 8:12 p.m.

ORDINANCE 49-2017-18

AN ORDINANCE AMENDING THE 2017-2018 GENERAL FUND BUDGET (ORDINANCE 75-2016-17) AUTHORIZING THE CITY OF CLARKSVILLE TO INCREASE THE TRANSFER OUT TO THE CLARKSVILLE TRANSIT SYSTEM IN THE AMOUNT OF \$62,748.00 AND TO ACCEPT A STATE GRANT IN THE AMOUNT OF \$188,243.00 FOR DIGITAL RADIOS

WHEREAS, the Clarksville Transit System has been selected for funding under the Improve Act by the Tennessee Department of Transportation for a digital radio system upgrade at an estimated cost of \$250,991.00: and

WHEREAS, the Clarksville Transit System has been awarded \$188,243.00 in state funds; and

WHEREAS, the Clarksville Transit System will be required to provide 25% local match in the amount of \$62,748.00.

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

That the following Budget Amendments be made:

General Fund:

Transfer to Transit	10491004-4740	Increase:	\$62,748.00
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BE IT FURTHER ORDAINED that the source of funding for this \$62,748.00 shall be from the fund balance of the General Fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 50-2017-18

AN ORDINANCE AMENDING THE 2017-18 OPERATING AND CAPITAL BUDGETS (ORDINANCE 75-2016-17) IN THE AMOUNT OF \$90,000 FOR THE 2012 TRANSPORTATION ALTERNATIVES GRANT PROJECT FOR THE CLARKSVILLE GREENWAY-RED RIVER TRAIL PHASE I

WHEREAS, the City of Clarksville was awarded a 2012 Transportation Alternatives Grant to construct and complete a major section of the city's pedestrian trail known as the Clarksville Greenway-Red River Trail funded through Tennessee's Department of Transportation (TDOT); and

WHEREAS, due to weather causing construction delays, it was necessary to obtain TDOT authorization to extend the grant period to September 1, 2019; and

WHEREAS, the project is near completion but the extension of the grant period has resulted in unexpected cost overruns not included in the original grant project budget, it is determined that additional funding is needed to complete the project; and

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

The following Capital Projects Fund budget amendments be made:

Expense			
40450003 4450 13501	Clarksville River Trail	Increase:	
\$90,000			
Revenue			
4041000 39150	Transfer in From General Fund	Increase:	\$90,000

BE IT FURTHER ORDAINED:

That the following General Fund budget amendment be made:

Expenditure			
10470003 4914	Transfer Out to Cap.Proj.Fund	Increase:	\$90,000

BE IT FURTHER ORDAINED:

That the funds from the General Fund will be provided from the fund balance.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 51-2017-18

AN ORDINANCE OF THE CITY OF CLARKSVILLE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO CONDUCT NEGOTIATIONS AND TO ENTER AN AGREEMENT FOR PURCHASE OF EASEMENTS AND/OR RIGHTS OF WAY, OR SHOULD NEGOTIATIONS FAIL, TO PURSUE CONDEMNATION THROUGH USE OF EMINENT DOMAIN FOR ACQUISITION OF PROPERTY FOR A PUBLIC PURPOSE FOR THE INTERSECTION IMPROVEMENTS PROJECT (INTERNATIONAL BOULEVARD & DUNLOP LANE)

WHEREAS, the Clarksville City Council finds that improvements to certain intersections within the City are a vital component to the proper function of the transportation system and enhanced quality of life for city residents; and

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements and/or rights of way for the purpose of constructing improvements to the intersection of International Boulevard and Dunlop Lane.

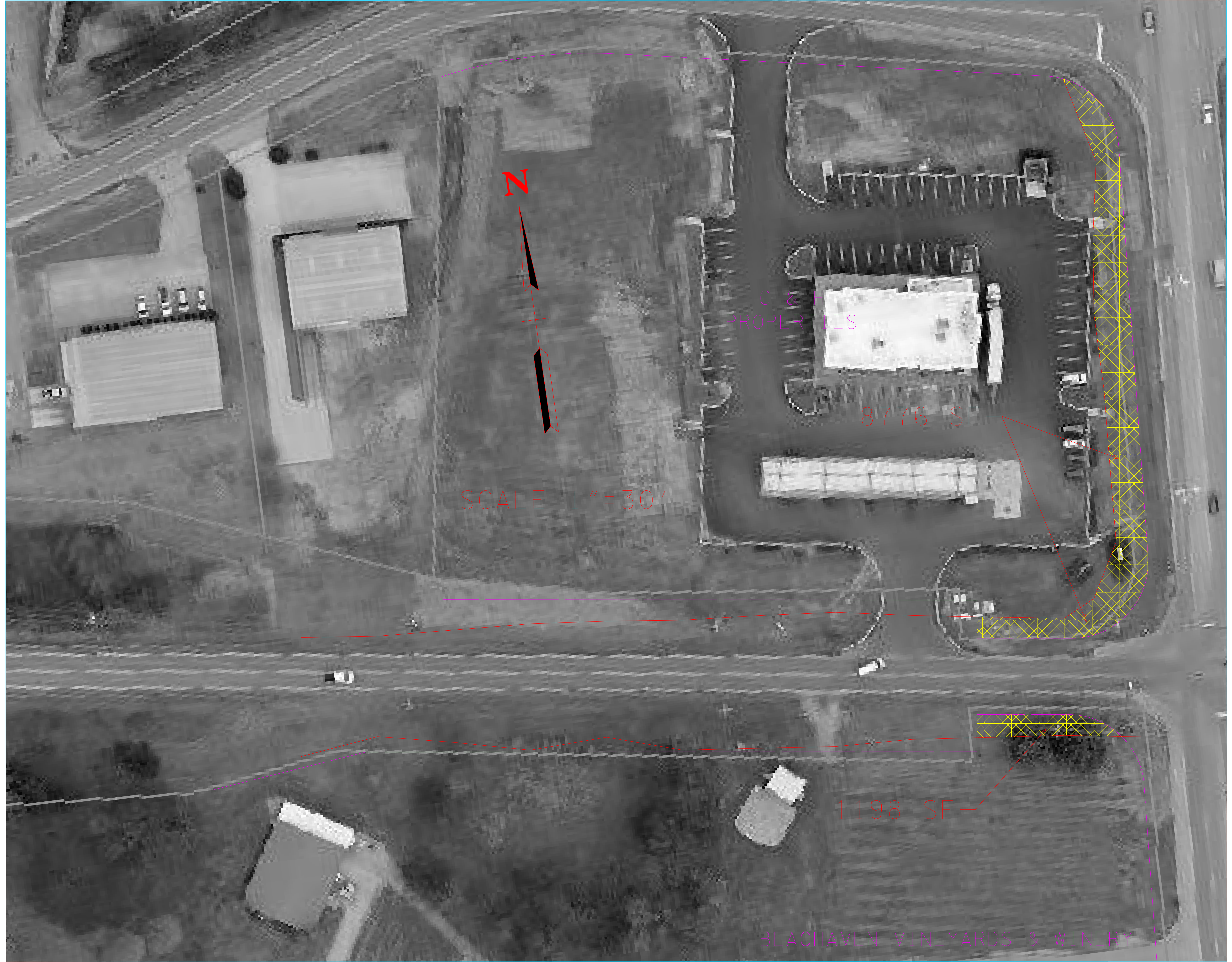
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

That the Mayor, or his designee, may negotiate and enter into an agreement for the purchase of any necessary property rights from affected property owners for the Intersection Improvements Project at International Boulevard and Dunlop Lane, and further, that if agreements cannot be reached on a reasonable purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute a condemnation action in the appropriate court for acquisition of any necessary property rights from affected property owners for the Intersection Improvements Project, and said negotiations, acquisitions, and /or exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:



N

SCALE 1"=30'

C & H
PROPERTIES

8776 SF

1198 SF

BEACHAVEN VINEYARDS & WINERY

ORDINANCE 52-2017-18

AN ORDINANCE OF THE CITY OF CLARKSVILLE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO CONDUCT NEGOTIATIONS AND TO ENTER AN AGREEMENT FOR PURCHASE OF EASEMENTS AND/OR RIGHTS OF WAY, OR SHOULD NEGOTIATIONS FAIL, TO PURSUE CONDEMNATION THROUGH USE OF EMINENT DOMAIN FOR ACQUISITION OF PROPERTY FOR A PUBLIC PURPOSE FOR THE DRAINAGE IMPROVEMENTS PROJECT (TRENTON ROAD & TYLERTOWN ROAD)

WHEREAS, the Clarksville City Council finds that improvements to the areal drainage in the area of Trenton and Tylertown Roads within the City are a vital component to the proper function of the drainage system economic growth, and enhanced quality of life for city residents; and

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements and/or rights of way for the purpose of constructing improvements to the drainage of the Trenton Road – Tylertown Road area;

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

That the Mayor, or his designee, may negotiate and enter into an agreement for the purchase of any necessary property rights from affected property owners for the Drainage Improvements Project at Trenton Road and Tylertown Road, and further, that if agreements cannot be reached on a reasonable purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute a condemnation action in the appropriate court for acquisition of any necessary property rights from affected property owners for the Intersection Improvements Project, and said negotiations, acquisitions, and /or exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

ORDINANCE



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CONSTRUCTION PLANS FOR
TYLER TOWN/ TRENTON ROAD
REGIONAL DRAINAGE PROJECT
PHASE III & IV
CITY OF CLARKSVILLE
MONTGOMERY COUNTY
TENNESSEE

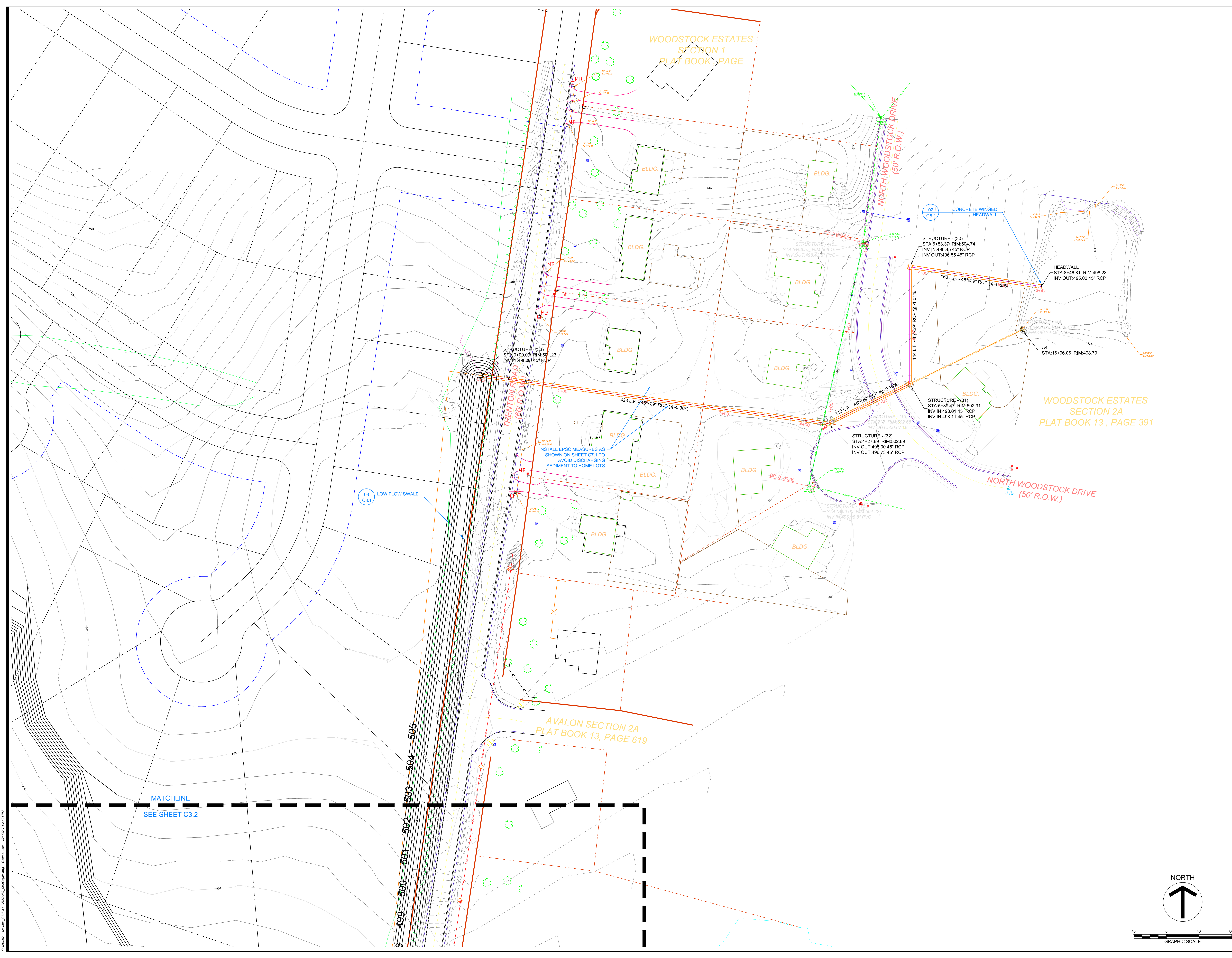
OPTION 2

Revision		
No.	Date	Description

DETAIL GRADING AND SPOT
ELEVATION PLAN A

C3.1

PROJECT: 42615.01
DATE: JULY XX, 2017



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PHASE III & IV
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TENNESSEE

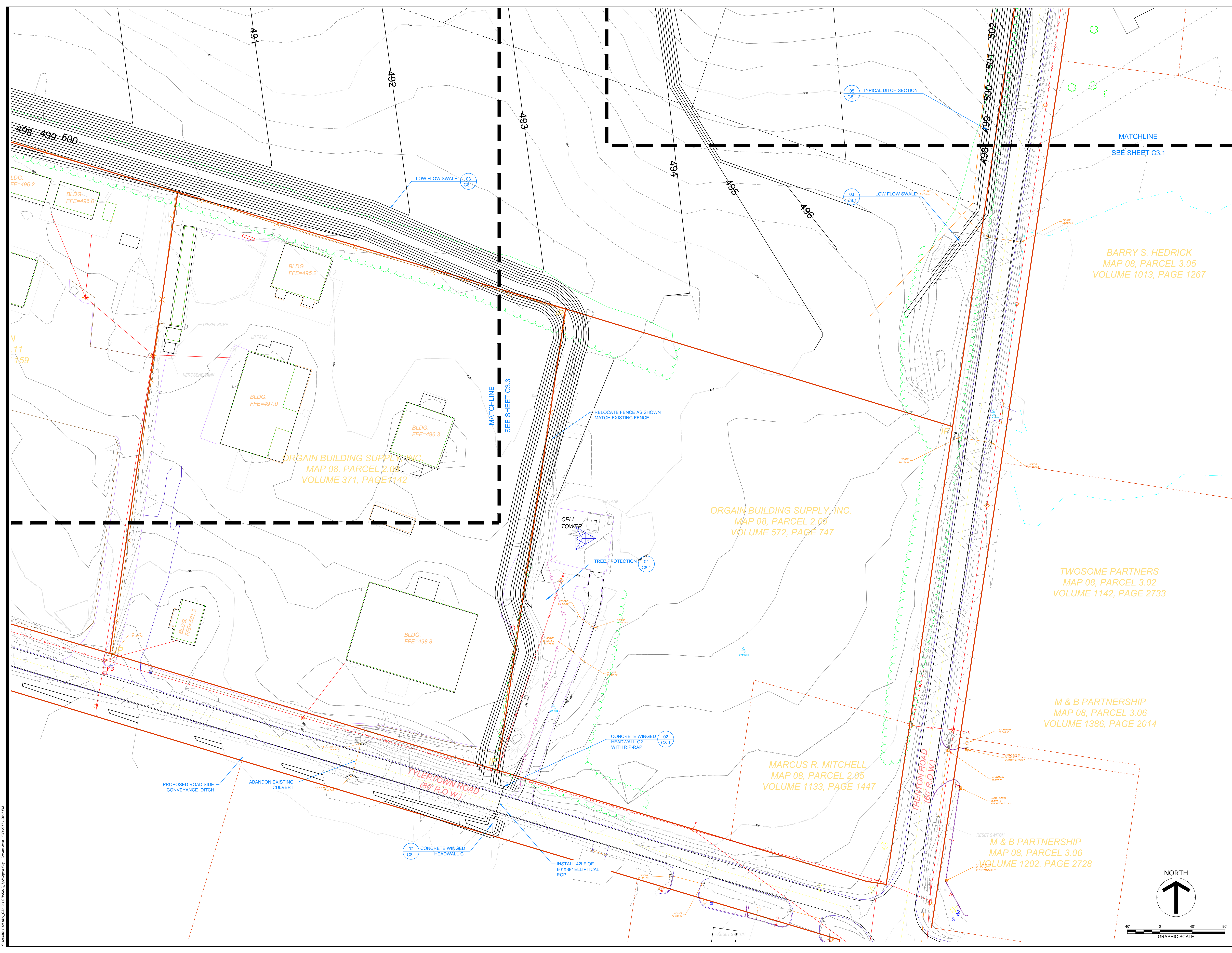
OPTION 2

Revision		
No.	Date	Description

DETAIL GRADING AND SPOT
ELEVATION PLAN B

C3.2

PROJECT: 42615.01
DATE: JULY XX, 2017



MATCHLINE
SEE SHEET C3.1

BARRY S. HEDRICK
MAP 08, PARCEL 3.05
VOLUME 1013, PAGE 1267

ORGAIN BUILDING SUPPLY, INC.
MAP 08, PARCEL 2.04
VOLUME 371, PAGE 1142

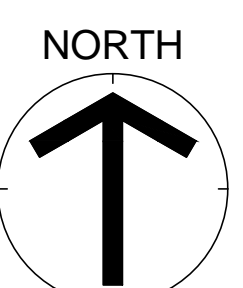
ORGAIN BUILDING SUPPLY, INC.
MAP 08, PARCEL 2.09
VOLUME 572, PAGE 747

TWOSOME PARTNERS
MAP 08, PARCEL 3.02
VOLUME 1142, PAGE 2733

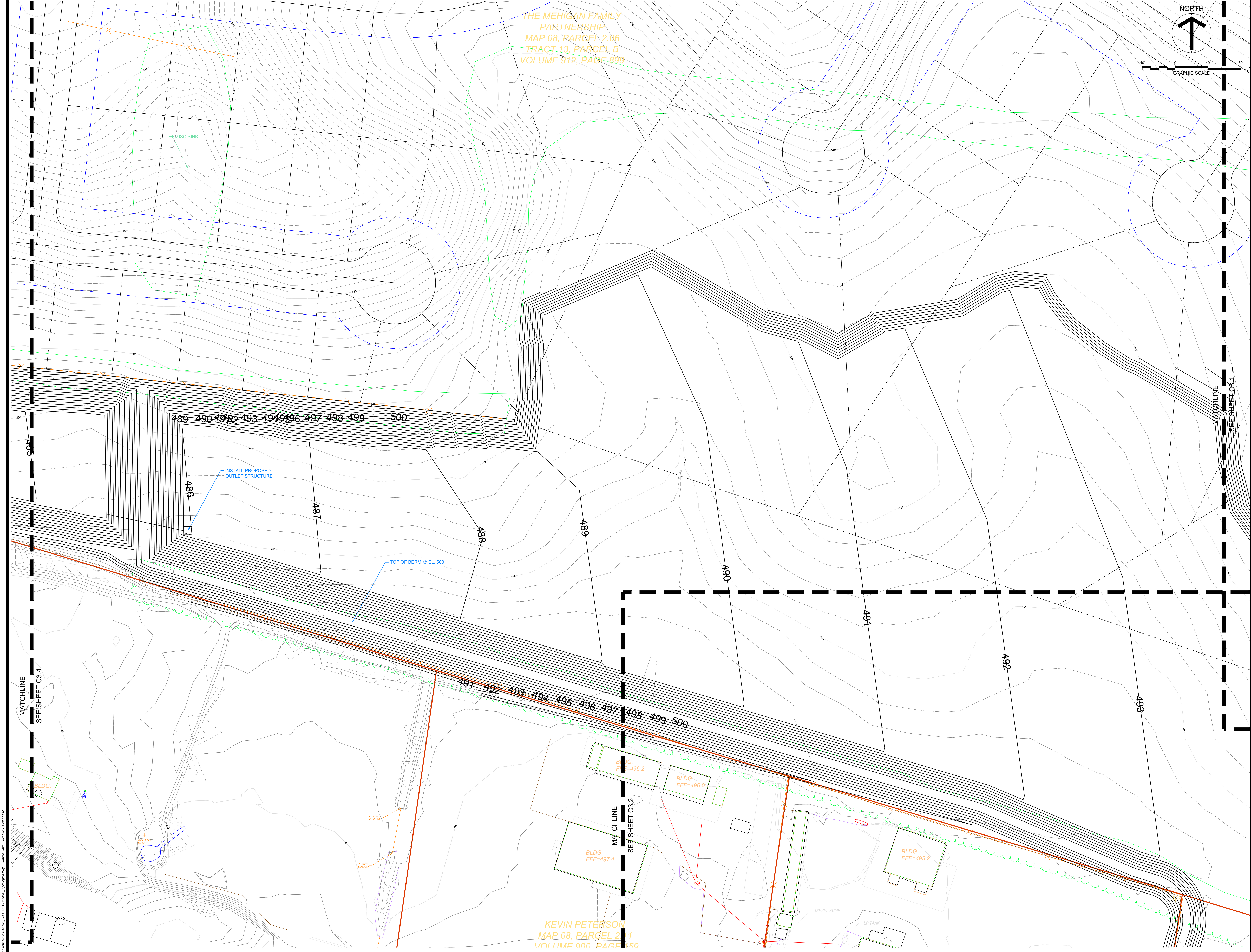
M & B PARTNERSHIP
MAP 08, PARCEL 3.06
VOLUME 1386, PAGE 2014

MARCUS R. MITCHELL
MAP 08, PARCEL 2.05
VOLUME 1133, PAGE 1447

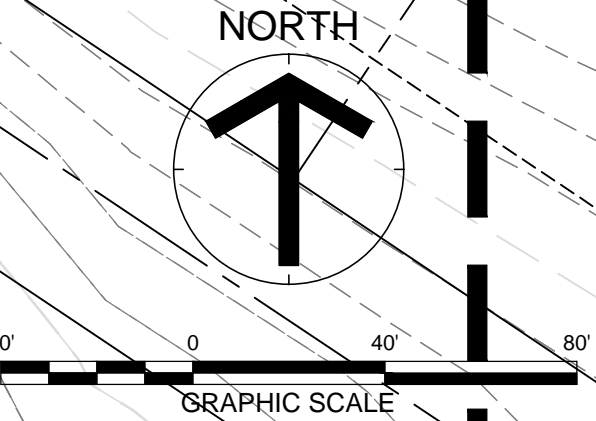
M & B PARTNERSHIP
MAP 08, PARCEL 3.06
VOLUME 1202, PAGE 2728



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THE MEHIGAN FAMILY
PARTNERSHIP
MAP 08, PARCEL 2.06
TRACT 13, PARCEL B
VOLUME 912, PAGE 899



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OPTION 2

Revision		
No.	Date	Description

DETAIL GRADING AND SPOT
ELEVATION PLAN C

C3.3

PROJECT: 42615.01
DATE: JULY XX, 2017

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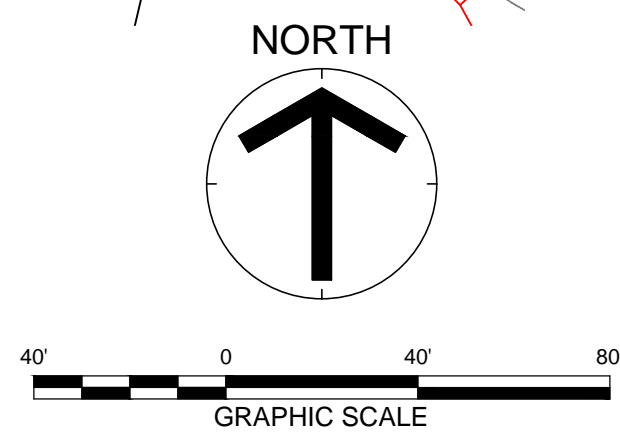
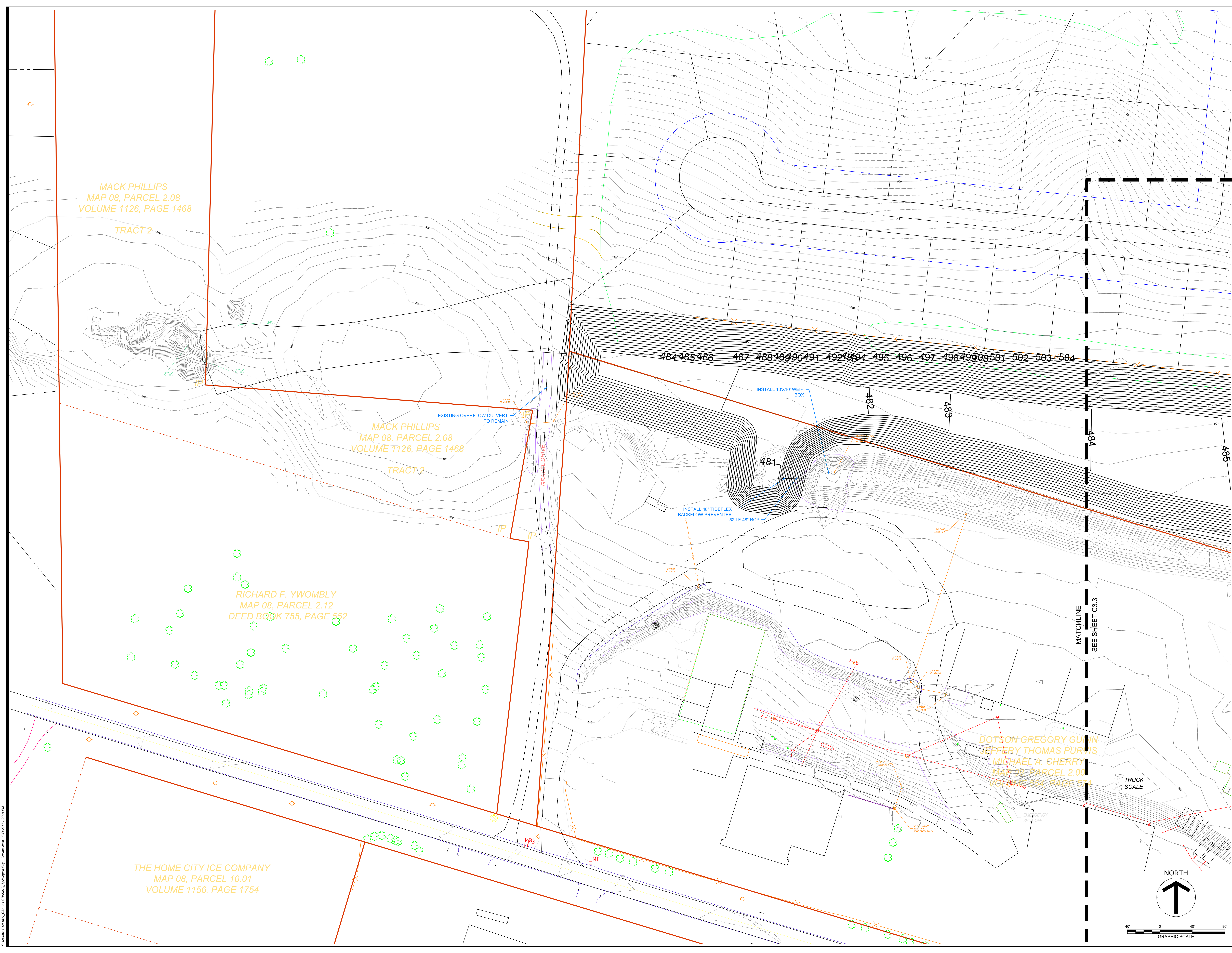
OPTION 2

Revision		
No.	Date	Description

DETAIL GRADING AND SPOT
ELEVATION PLAN D

C3.4

PROJECT: 42615.01
DATE: JULY XX, 2017



RESOLUTION 30-2017-18

A RESOLUTION RESCINDING RESOLUTION 21-2017-18 AND APPROVING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR JACK G. MILLER, LLC, FOR OPERATION OF SANGO WINE & SPIRITS

WHEREAS, a retail liquor store Certificate of Compliance was approved for Michael Miller for operation of Sango Wine & Spirits, 1049 Highway 76, by the Clarksville City Council on January 4, 2018; and

WHEREAS, the City of Clarksville has been notified by the Alcoholic Beverage Commission that the Certificate of Compliance approved for Michael Miller was issued in error and should be approved for Jack G. Miller, LLC, owner of Sango Wine & Spirits; and

WHEREAS, Jack G. Miller, owner of Jack G. Miller, LLC, has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for operation of Sango Wine & Spirits, 1049 Highway 76; and

WHEREAS, according to a local criminal history check, the applicant who are to be in actual charge of said business has not been convicted of a felony within a ten year period immediately preceding the date of the application and, if a corporation, that the executive officers, or those in control, have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further that it is the undersigned's opinion that the applicant will not violate any provisions of *Tennessee Code Annotated, Title 57, Chapter 3*; and

WHEREAS, the applicant has secured a location which complies with all restrictions of the laws, ordinances, or resolutions; and

WHEREAS, the applicant has complied with the residency provision; and

WHEREAS, the issuance of this license will not exceed the numerical limit established in City Code Sec. 2-205.

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

That RESOLUTION 21-2017-18 is hereby rescinded and the Clarksville City Council hereby approves a Certificate of Compliance for Jack G. Miller, LLC, for operation of Sango Wine & Spirits, 1049 Highway 76, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 31-2017-18

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PURSUE OPIOID LITIGATION

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

The City Attorney is hereby authorized and directed to take any legal actions necessary to pursue opioid litigation on behalf of the City of Clarksville.

ADOPTED: