



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
AUGUST 1, 2019, 7:00 P.M.**

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

AGENDA

PUBLIC COMMENTS:

- 6:55 p.m. Louis Marshall

- 1) CALL TO ORDER *Mayor Joe Pitts*
- 2) PRAYER *Councilman David Allen*
- 3) PLEDGE OF ALLEGIANCE *Councillady Valerie Guzman*
- 4) ATTENDANCE *City Clerk*
- 5) SPECIAL RECOGNITIONS *Mayor Joe Pitts*
- 6) PLANNING COMMISSION *Councilman Richard Garrett*

PUBLIC HEARING

1. **RESOLUTION 12-2019-20** Annexing territory south of Hankook Road and east of Interstate 24

2. **RESOLUTION 13-2019-20** Adopting a Plan of Services for annexed territory south of Hankook Road and east of Interstate 24
3. **ORDINANCE 5-2019-20** (Second Reading) Reapportioning annexed territory on Gratton Road, on Highway 76 at I-24, and on Hankook Road at I-24 (*Proposed Amendment*)
4. **ORDINANCE 11-2019-20** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Michael Connerth for zone change on property located at the intersection of Martin Luther King Parkway (SR76) and Vaughan Road from C-5 Highway & Arterial Commercial District to C-2 General Commercial District *RPC: Approval/Approval*
5. **ORDINANCE 12-2019-20** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Shirley A. Stewart Revocable Living Trust for zone change on property located at the intersection of Old Ashland City Road and Proctor Drive from O-1 Office District to M-1 Light Industrial District *RPC: Approval/Approval*
6. **ORDINANCE 13-2019-20** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jim Flake, Vernon Weakley-Agent, for zone change on property located at the intersection of Tracy Lane and Whitfield Road from R-1 Single Family Residential District to R-4 Multiple Family Residential District *RPC: Approval/Approval*
7. **ORDINANCE 14-2019-20** (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eagles Bluff Partnership for zone change on property located west of Wilma Rudolph Boulevard, east of Old Trenton Road, and south of Wylma Van Allen Place from C-5 Highway & Arterial Commercial District to C-2 General Commercial District *RPC: Approval/Approval*

7) **CONSENT AGENDA** *City Clerk*

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

1. **ORDINANCE 1-2019-20** (Second Reading) Accepting donation of certain real property from the Industrial Development Board for the purpose of a water storage tank
2. **ORDINANCE 2-2019-20** (Second Reading) Authorizing purchase of property at 111 Cunningham Lane for the Gas & Water North Service Center

3. **ORDINANCE 3-2019-20** (Second Reading) Authorizing purchase of property for the Gas & Water new Meadowbrook Sewer Pump Station Equalization Basin

4. **ORDINANCE 4-2019-20** (Second Reading) Authorizing exercise of right of eminent domain to acquire easements and/or rights-of-way for the Trenton Road and Meriwether Road Project, the Tylertown-Oakland Road Improvements Project, and the Whitfield Road Improvements Project

5. **ORDINANCE 6-2019-20** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eric Huneycutt for zone change on property located at the intersection of Charlotte Street and Blackman Street from R-3 Three Family Residential District to R-6 Single Family Residential District

6. **ORDINANCE 7-2019-20** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reber Kennedy for zone change on property located at the north terminus of Lancelot Lane, the west terminus of Winesap Road, and the west terminus of Core Drive from AG Agricultural District to R-1 Single Family Residential District

7. **ORDINANCE 8-2019-20** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of CVHC3, LLC, C&E Partners-Agent, for zone change on property located at the intersection of 41-A Bypass/Ashland City Road and Riverwood Place C-5 Highway & Arterial Commercial District and R-4 Multiple Family Residential District to C-2 General Commercial District

8. **RESOLUTION 8-2019-20** Approving a Certificate of Compliance for sale of wine at Dollar General (1945 Madison Street) *CPD: No Criminal History*

9. **RESOLUTION 9-2019-20** Approving a Certificate of Compliance for retail liquor sales at Elite Wine & Spirits (1875 Madison Street) *CPD: No Criminal History*

10. **RESOLUTION 14-2019-20** Approving appointments to the Human Relations Commission, Parking Commission, Senior Citizens Board

- *Human Relations Commission: Ronald Dayley (fill unexpired term of Mark Kelly-resigned) - August 2019 through June 2022*
- *Parking Commission: Morgan Knight (replace Linda Shepard-term expired) - September 2019 through August 2021*
- *Senior Citizens Board: Norma Deal (reappointment) - March 2019 through April 2022, Mary New (replace Daniel Dell-resigned), Jimmy Parker (replace Glenda Warren-resigned) - August 2019 through April 2022*

11. Adoption of Minutes: July 2

8) FINANCE COMMITTEE *Chairman Jeff Burkhart*

1. **ORDINANCE 9-2019-20** (First Reading) Amending the FY20 General Fund Operating Budget to increase operating budgets for departments/entities for the purpose of paying for items planned in FY19 but will necessitate funding in FY20 *Finance Committee: Approval*
2. **RESOLUTION 10-2019-20** Authorizing a mutual aid/interlocal agreement between the City of Clarksville and Austin Peay State University for police services *Finance Committee and Public Safety Committee: Approval*
3. **RESOLUTION 11-2019-20** Declaring the City's intent to reimburse itself not to exceed \$15,620,000.00 for certain project expenditures with proceeds of general obligation bonds, notes, or other debt obligations *Finance Committee: Approval*

9) GAS & WATER COMMITTEE *Chairlady Valerie Guzman*

1. Department Reports

10) HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairman David Allen*

1. Department Report

11) PARKS & RECREATION *Chairlady Valerie Guzman*

1. Department Report

12) PUBLIC SAFETY COMMITTEE *Chairman Jeff Henley*

1. Department Reports

13) STREETS & GARAGE COMMITTEE *Chairman Tim Chandler*

1. Department Reports

14) TRANSPORTATION COMMITTEE *Chairlady Wanda Smith*

1. Department Reports

15)NEW BUSINESS

1. **ORDINANCE 10-2019-20** (Second Reading) Establishing the FY20 Certified Tax Rate (Tax Year 2019) *Mayor Pitts*
- 2a. Approval to consider **ORDINANCE 15-2019-20** on first reading ($\frac{3}{4}$ majority approval required) *Councillady Guzman*
- 2b. **ORDINANCE 15-2019-20** (First Reading) Authorizing negotiations and agreements for purchase of easements and/or rights of way and/or condemnation through use of eminent domain for acquisition of property for the TDOT Rossview Road widening project *Councillady Guzman*
3. Public Hearing: Comprehensive Growth Plan *(5 minutes each)*

16) MAYOR AND COUNCILMEMBER REPORTS *Mayor Joe Pitts*

17) ADJOURNMENT

CITY ZONING ACTIONS

The following case(s) will be considered for action at the formal session of the Clarksville City Council on: August 1, 2019. The public hearing will be held on: July 25, 2019.

CITY ORD. #: 11-2019-20 RPC CASE NUMBER: Z-16-2019

Applicant: MICHAEL CONNERTH

Agent:

Location: Property with frontage on the north right of way of Martin Luther King Parkway (SR 76) 1,460 +/- feet west of the Martin Luther King Parkway & Vaughan Road intersection.

Ward #: 10

Request: C-5 Highway and Arterial Commercial District
to
C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 12-2019-20 RPC CASE NUMBER: Z-17-2019

Applicant: THE SHIRLEY A STEWART REVOCABLE LIVING TRUST

Agent:

Location: Property fronting on the south right of way frontage of Old Ashland City Rd. 500 +/- feet east of the Old Ashland City Rd. & Proctor Dr. intersection.

Ward #: 7

Request: O-1 Office District
to
M-1 Light Industrial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 13-2019-20 RPC CASE NUMBER: Z-18-2019

Applicant: JIM FLAKE

Agent: Vernon Weakley

Location: Property fronting on the south frontage of Tracy Lane, 1,255 +/- feet east of the Tracy Ln. & Whitfield Rd. intersection

Ward #: 11

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

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CITY ORD. #: 14-2019-20 RPC CASE NUMBER: Z-19-2019

Applicant: EAGLES BLUFF PARTNERSHIP

Agent:

Location: Property located west of Wilma Rudolph Blvd., east of Old Trenton Rd. & south Wylma Van Allen Place.

Ward #: 9

Request: C-5 Highway and Arterial Commercial District
 to
 C-2 General Commercial District

STAFF RECOMMENDATION: APPROVAL

PLANNING COMMISSION RECOMMENDATION: APPROVAL

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE 7/24/2019

CASE NUMBER: Z - 16 -2019

NAME OF APPLICANT Michael

Connerth

AGENT:

GENERAL INFORMATION

TAX PLAT: 64

PARCEL(S): 062.03

ACREAGE TO BE REZONED: 2.9

PRESENT ZONING: C-5

PROPOSED ZONING: C-2

EXTENSION OF ZONING

CLASSIFICATION: YES TO THE WEST

PROPERTY LOCATION: Property with frontage on the north right of way of Martin Luther King Parkway (SR 76) 1,460 +/- feet west of the Martin Luther King Parkway & Vaughan Road intersection.

CITY COUNCIL WARD: 10

COUNTY COMMISSION DISTRICT: 2

CIVIL DISTRICT: 11

DESCRIPTION OF PROPERTY Elevated level grassland tract.
AND SURROUNDING USES:

APPLICANT'S STATEMENT Extension of existing zoning.
FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: Sango Planning Area

PREVIOUS ZONING HISTORY: Z-30-2012

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

No traffic assessment required. No new driveway access to SR 76.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY: SANGO
MIDDLE SCHOOL: ROSSVIEW
HIGH SCHOOL: ROSSVIEW

Rossvie middle is currently 110% capacity, and Rossvie High School is currently at 106% capacity. Rossvie has 7 portable classrooms, and Rossvie High has 3 portable classrooms. This continued student growth necessitates additional action to address building capacity and bus needs in the fastest growing region in Montgomery County.

9. FT. CAMPBELL:

10. OTHER COMMENTS:



CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Request will permit mixed use commercial & residential.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: No new driveway access to MLK Blvd. Compliant access must be created & shared with adjoining property.

DRAINAGE COMMENTS: Varies

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE LAND USE PLAN

Sango Planning Area: Growth rate for this area is above the overall county average. US 41-A South is the major east-east corridor spanning this area & provides an alternative to I-24 as a route to Nashville. SR 12 is also a corridor that provides a good linkage to employment, shopping and schools and should continue to support future growth in this portion of the planning area.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.
3. The proposed C-2 Zoning classification affords mixed use (commercial/multi-family residential) development potential.
4. New driveway access will not be permitted to MLK Blvd. A shared driveway access meeting the adopted road frontage requirements must be submitted and approved prior to approval of any development plan.
- 5.



Z-16-2019

APPLICANT:
MICHAEL CONNERTH

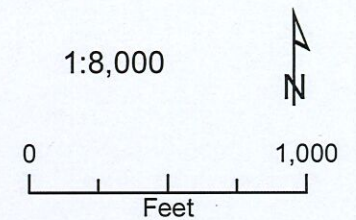
REQUEST:
C-5 TO C-2

MAP AND PARCEL

064 06203

+/- ACRES
2.9

1:8,000



7/24/2019



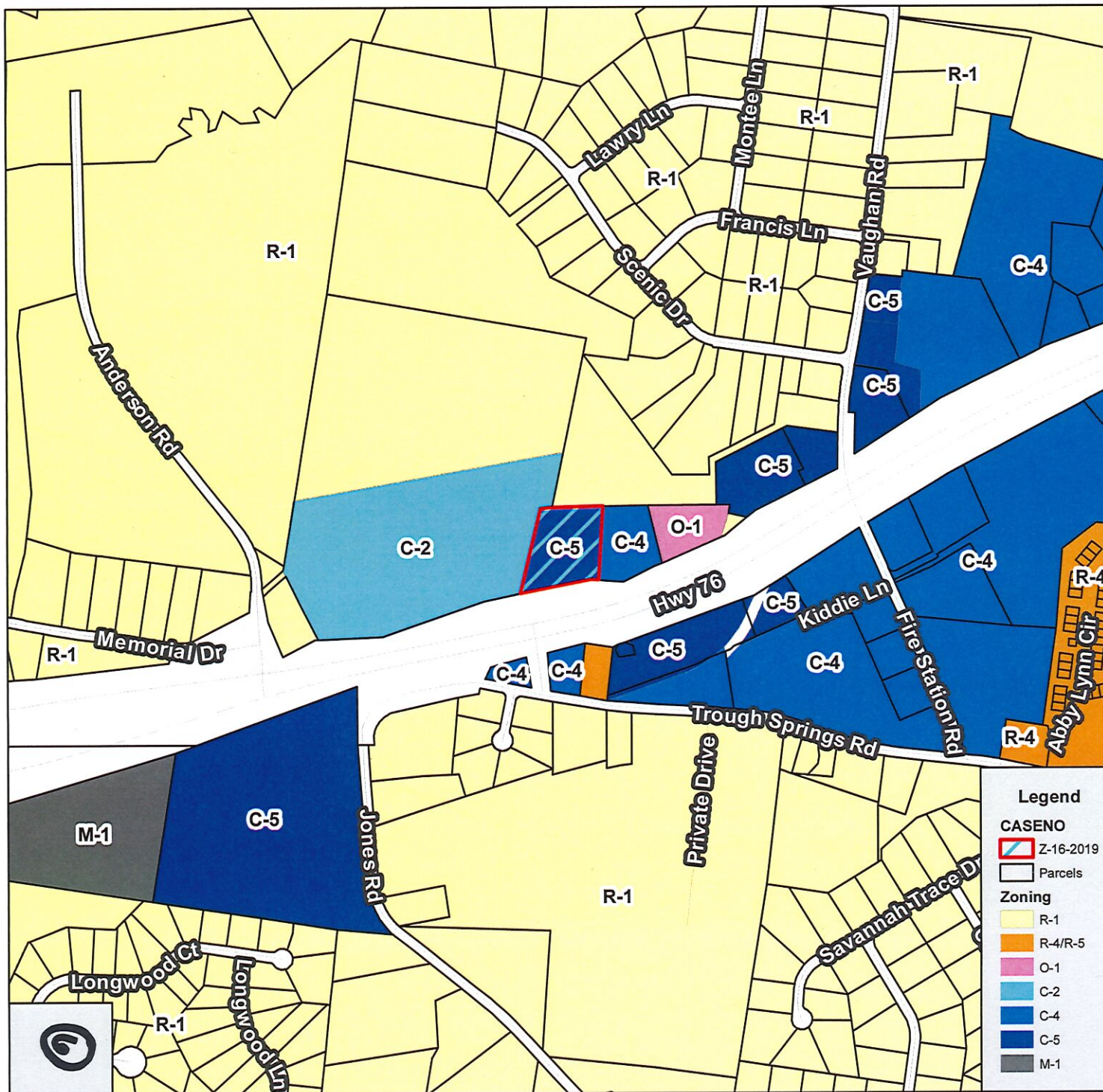
Z-16-2019

APPLICANT:
MICHAEL CONNERTH

REQUEST:
C-5 TO C-2
MAP AND PARCEL

064 06203

+/- ACRES
2.9



Z-16-2019

APPLICANT:
MICHAEL CONNERTH

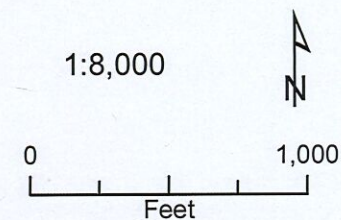
REQUEST:
C-5 TO C-2

MAP AND PARCEL

064 06203

+/- ACRES
2.9

1:8,000



7/24/2019

CASE NUMBER: Z 16 2019 **MEETING DATE** 7/24/2019

APPLICANT: Michael Connerth

PRESENT ZONING C-5 **PROPOSED ZONING** C-2

TAX PLAT # 64 **PARCEL** 062.03

GEN. LOCATION Property with frontage on the north right of way of Martin Luther King Parkway (SR 76) 1,460 +/- feet west of the Martin Luther King Parkway & Vaughan Road

PUBLIC COMMENTS

None received as of 10:00 A.M. on 7/24/2019 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 7/24/2019

CASE NUMBER: Z - 17 - 2019

NAME OF APPLICANT: The Shirley A Stewart Revocable Living Trust

AGENT:

GENERAL INFORMATION

TAX PLAT: 80-F-A

PARCEL(S): 3.00

ACREAGE TO BE REZONED: 2.5

PRESENT ZONING: O-1

PROPOSED ZONING: M-1

EXTENSION OF ZONING

CLASSIFICATION: Yes to the west and south.

PROPERTY LOCATION: Property fronting on the south right of way frontage of Old Ashland City Rd. 500 +/- feet east of the Old Ashland City Rd. & Proctor Dr. intersection.

CITY COUNCIL WARD: 7

COUNTY COMMISSION DISTRICT: 20

CIVIL DISTRICT: 11

DESCRIPTION OF PROPERTY Formerly a private school structure/location.

AND SURROUNDING USES:

APPLICANT'S STATEMENT Property is under contract for purchase with Thomas Development (Tenant - Thomas
FOR PROPOSED USE: Lumber Co.). Buyer owns adjoining property to one side and rear. Buyer needs zoning
to meet their existing zoning to allow for expansion.

GROWTH PLAN AREA: CITY

PLANNING AREA: Hilldale Planning Area

PREVIOUS ZONING HISTORY: Z-4-1965
Z-16-2009

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Old Ashland City Road

DRAINAGE COMMENTS: Varies

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

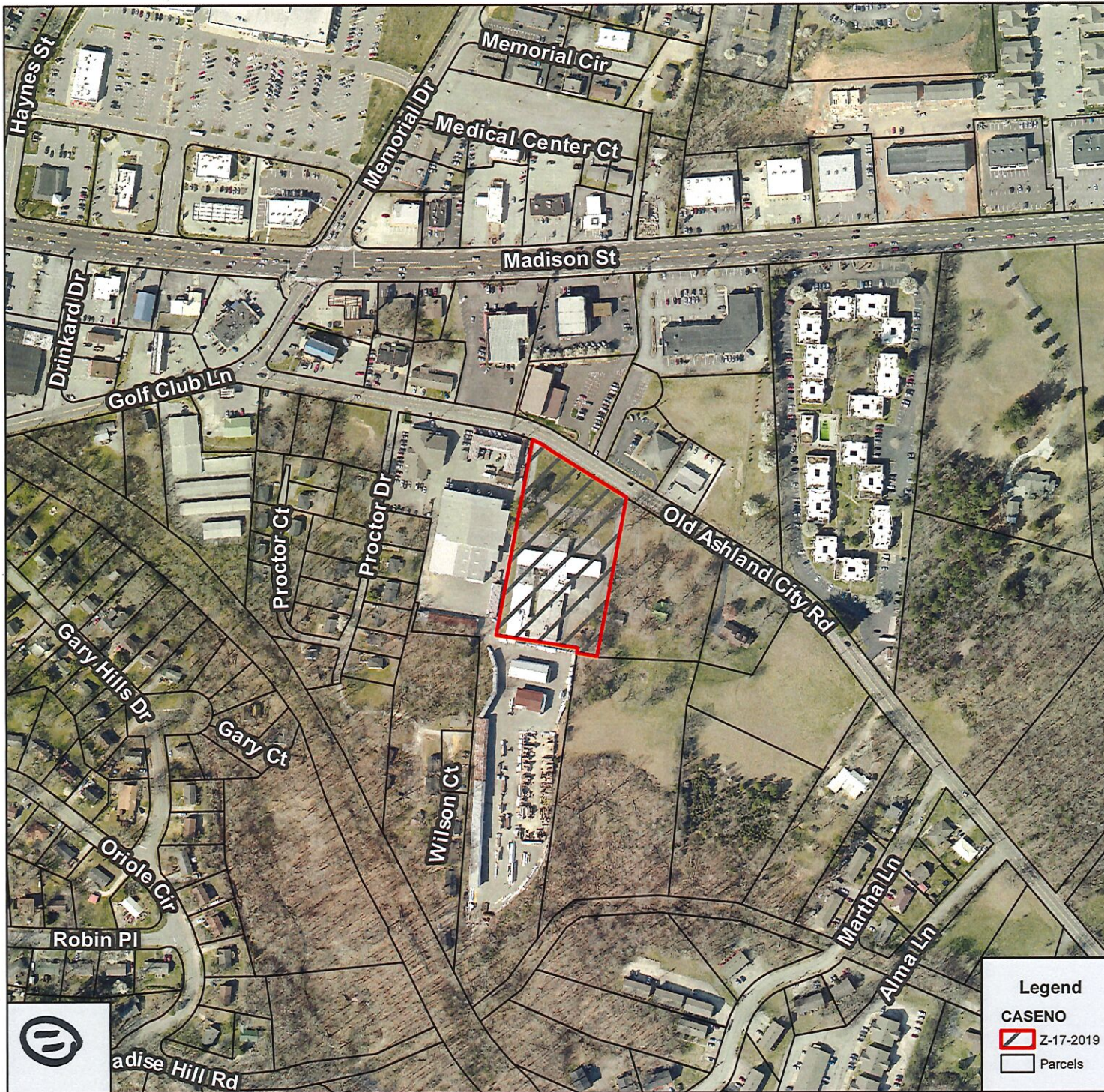
APPLICABLE LAND USE PLAN

Hilldale Planning Area- One of the most stable single family residential areas of the city. Its central location gives its convenient proximity to most areas of the city.

STAFF RECOMMENDATION: APPROVAL

1. The proposed zoning request is inconsistent with the adopted Land Use Plan, however an approval by City Council in 2017 to expand the M-1 Zoning District east, beyond this parcel gives additional standing to the existing M-1 Zoning Classification.
2. The M-1 zoning request is an extension of the existing M-1 Zoning district to the west and the south.
3. This request will afford an established business to expand their operation.
4. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.
- 5.





Z-17-2019

APPLICANT:

**THE SHIRLEY A
STEWART REVOCABLE
LIVING TRUST, ET AL**

REQUEST:

O-1 TO M-1

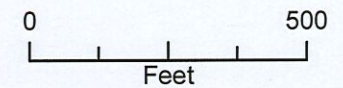
MAP AND PARCEL

080F A 00300

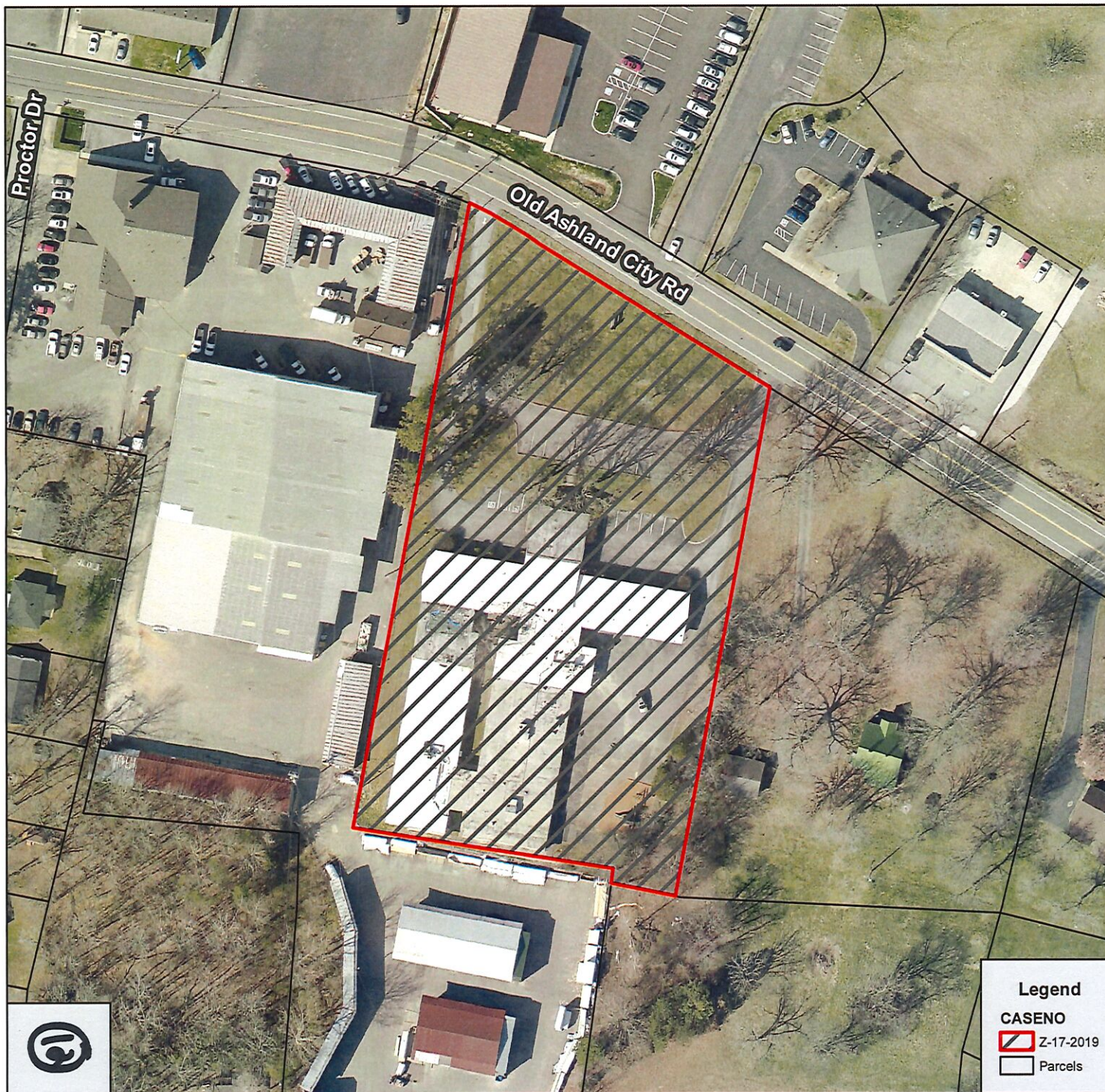
+/- ACRES

2.5

1:4,000



7/24/2019



Z-17-2019

APPLICANT:

**THE SHIRLEY A
STEWART REVOCABLE
LIVING TRUST, ET AL**

REQUEST:

O-1 TO M-1

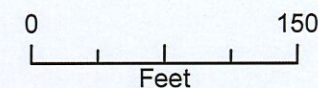
MAP AND PARCEL

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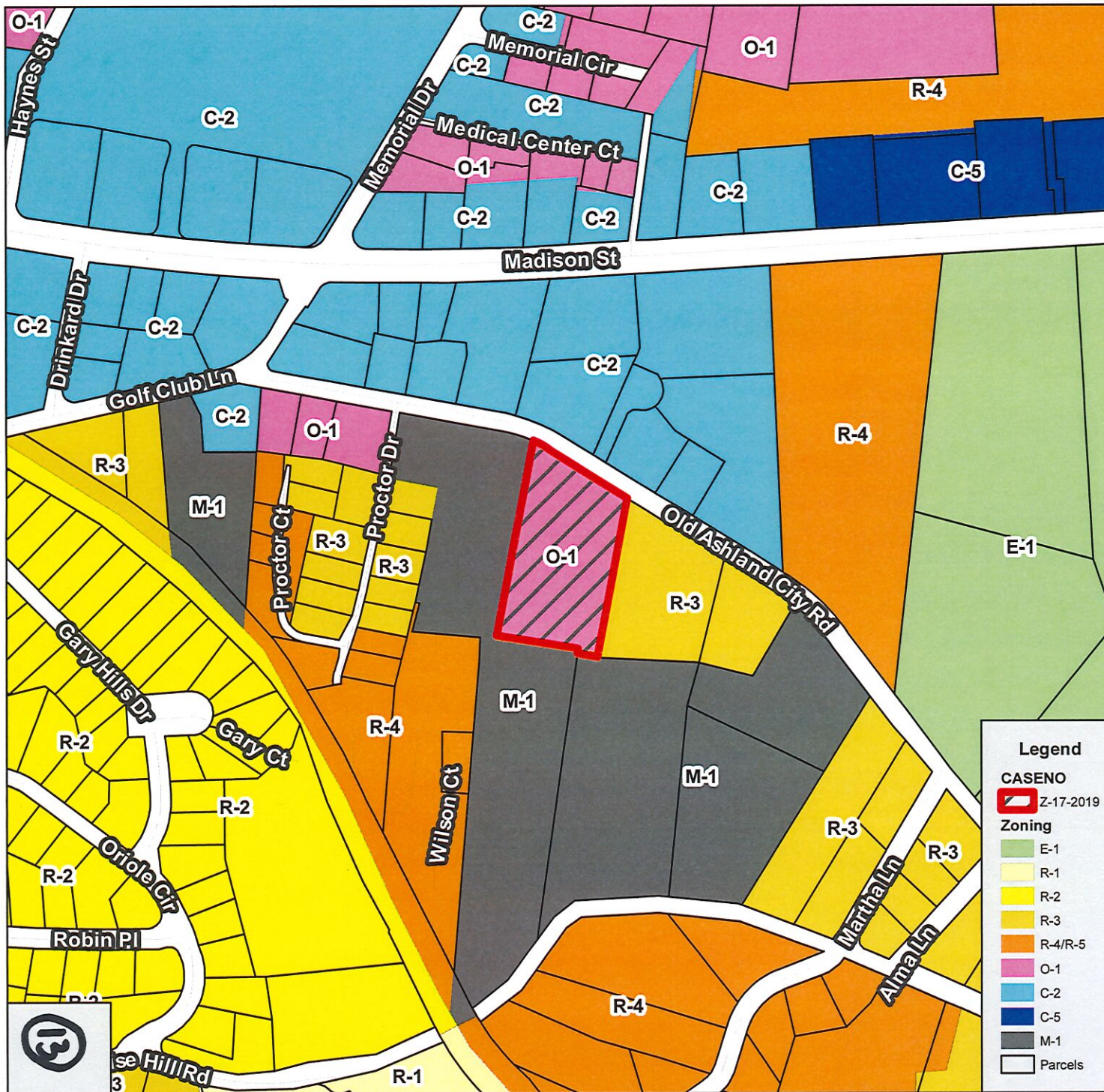
+/- ACRES

2.5

1:1,250



7/24/2019



Z-17-2019

APPLICANT:

THE SHIRLEY A
STEWART REVOCABLE
LIVING TRUST, ET AL

REQUEST:

O-1 TO M-1

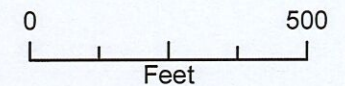
MAP AND PARCEL

080F A 00300

+/- ACRES

2.5

1:4,000



7/24/2019

CASE NUMBER: Z 17 2019

MEETING DATE 7/24/2019

APPLICANT: The Shirley A Stewart

Revocable Living Trust

PRESENT ZONING O-1

PROPOSED ZONING M-1

TAX PLAT # 80-F-A

PARCEL 3.00

GEN. LOCATION Property fronting on the south right of way frontage of Old Ashland City Rd. 500 +/- feet east of the Old Ashland City Rd. & Proctor Dr. intersection.

PUBLIC COMMENTS

None received as of 10:00 A.M. on 7/24/2019 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 7/24/2019

CASE NUMBER: Z - 18 - 2019

NAME OF APPLICANT: Jim

Flake

AGENT: Vernon

Weakley

GENERAL INFORMATION

TAX PLAT: 41

PARCEL(S): 45.00

ACREAGE TO BE REZONED: 24.00

PRESENT ZONING: R-1

PROPOSED ZONING: R-4

EXTENSION OF ZONING

CLASSIFICATION: Yes to the east.

PROPERTY LOCATION: Property fronting on the south frontage of Tracy Lane, 1,255 +/- feet east of the Tracy Ln. & Whitfield Rd. intersection

CITY COUNCIL WARD: 11

COUNTY COMMISSION DISTRICT: 14

CIVIL DISTRICT: 6

DESCRIPTION OF PROPERTY AND SURROUNDING USES: Wooded tract with varying mild to steep topography.

APPLICANT'S STATEMENT FOR PROPOSED USE: Rezoning request to make property compatible with existing developed apartments to the east.

GROWTH PLAN AREA: CITY

PLANNING AREA: Trenton Road Planning Area

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Water & Sewer offsite system upgrades may be necessary.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

A traffic assessment is required. Clks. Street Dept. has received and reviewed the traffic assessment. The report was deemed acceptable. A copy of the full CSD comment is available in the case file.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

Comments received from department and they had no concerns.

8. SCHOOL SYSTEM:

Glenellen elementary is currently at 94% capacity and has 2 portable classrooms. This continued student growth necessitates additional action to address building capacity and bus needs in Montgomery County.

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

10. OTHER COMMENTS:



CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING
STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

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

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Tracy Lane

DRAINAGE COMMENTS: South

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS: 285

POPULATION: 769

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

HIGH SCHOOL STUDENTS:

APPLICABLE LAND USE PLAN

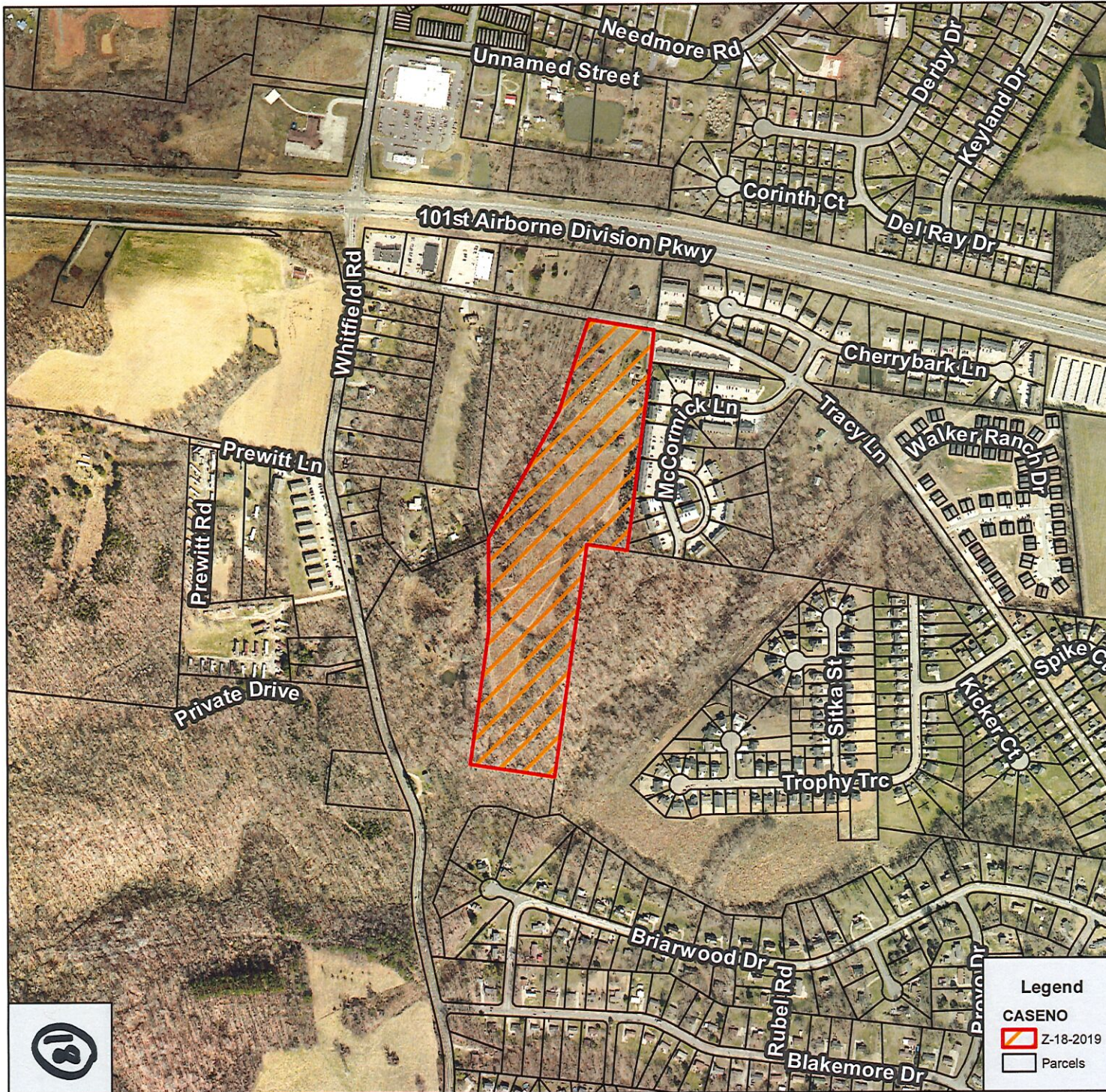
Trenton Road Planning Area: The dominant transportation corridor in the area is I-24, strongly supported by Wilma Rudolph Blvd. & 101st Airborne Parkway. Exit 1 I-24 interchange with Trenton Road has seen tremendous growth since 2000.

STAFF RECOMMENDATION: **APPROVAL**

1. The proposed zoning request is consistent with the adopted Land Use Plan.
2. The request is an extension of the R-4 Multi-Family Zoning District to the east & is not out of character with the surrounding area.
3. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.

4.

5.



Z-18-2019

APPLICANT:

JIM FLAKE

REQUEST:

R-1 TO R-4

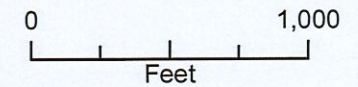
MAP AND PARCEL

041 04500

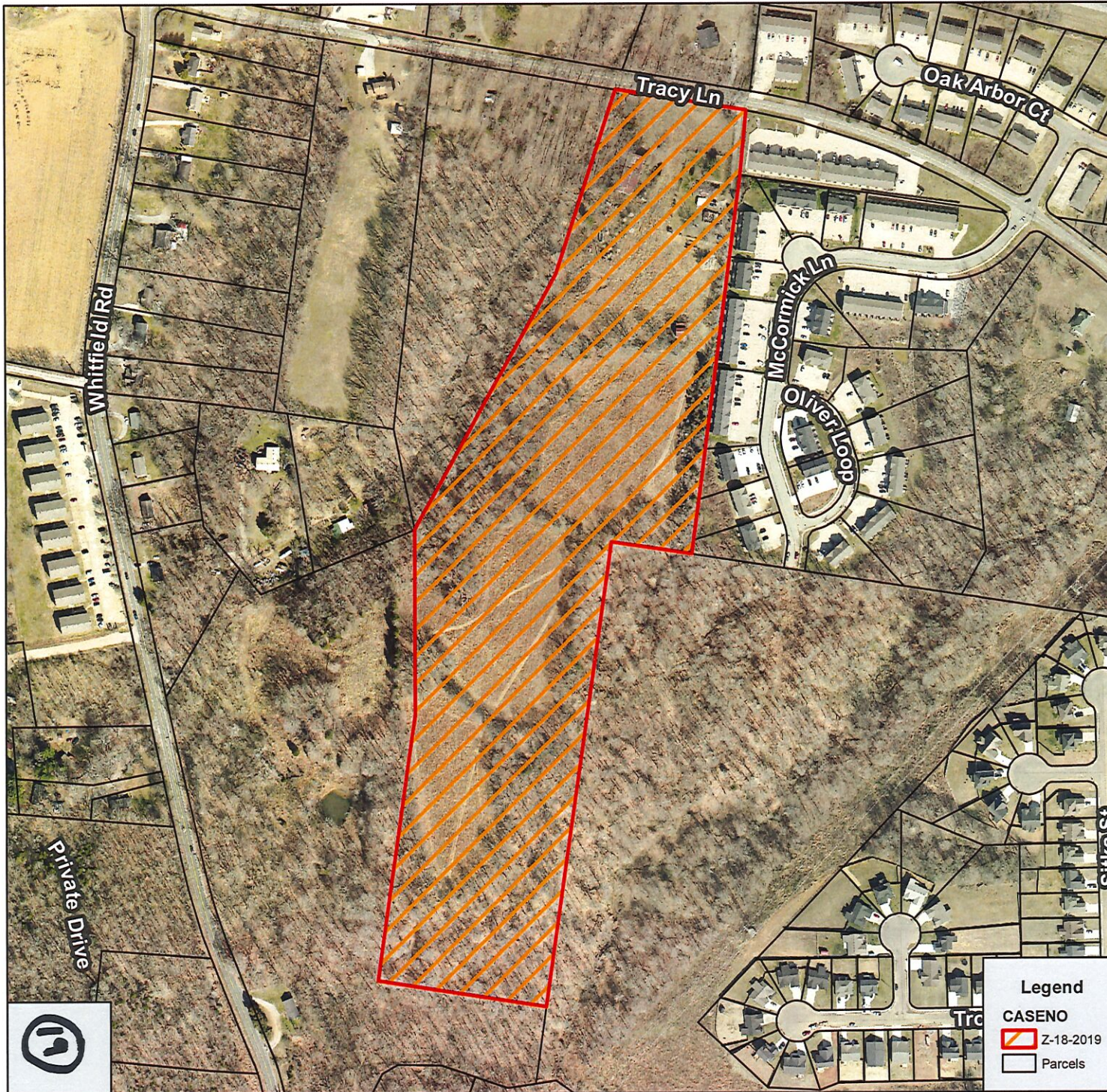
+/- ACRES

24

1:8,000



7/24/2019



Z-18-2019

APPLICANT:

JIM FLAKE

REQUEST:

R-1 TO R-4

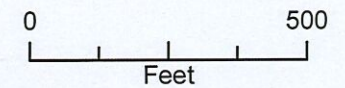
MAP AND PARCEL

041 04500

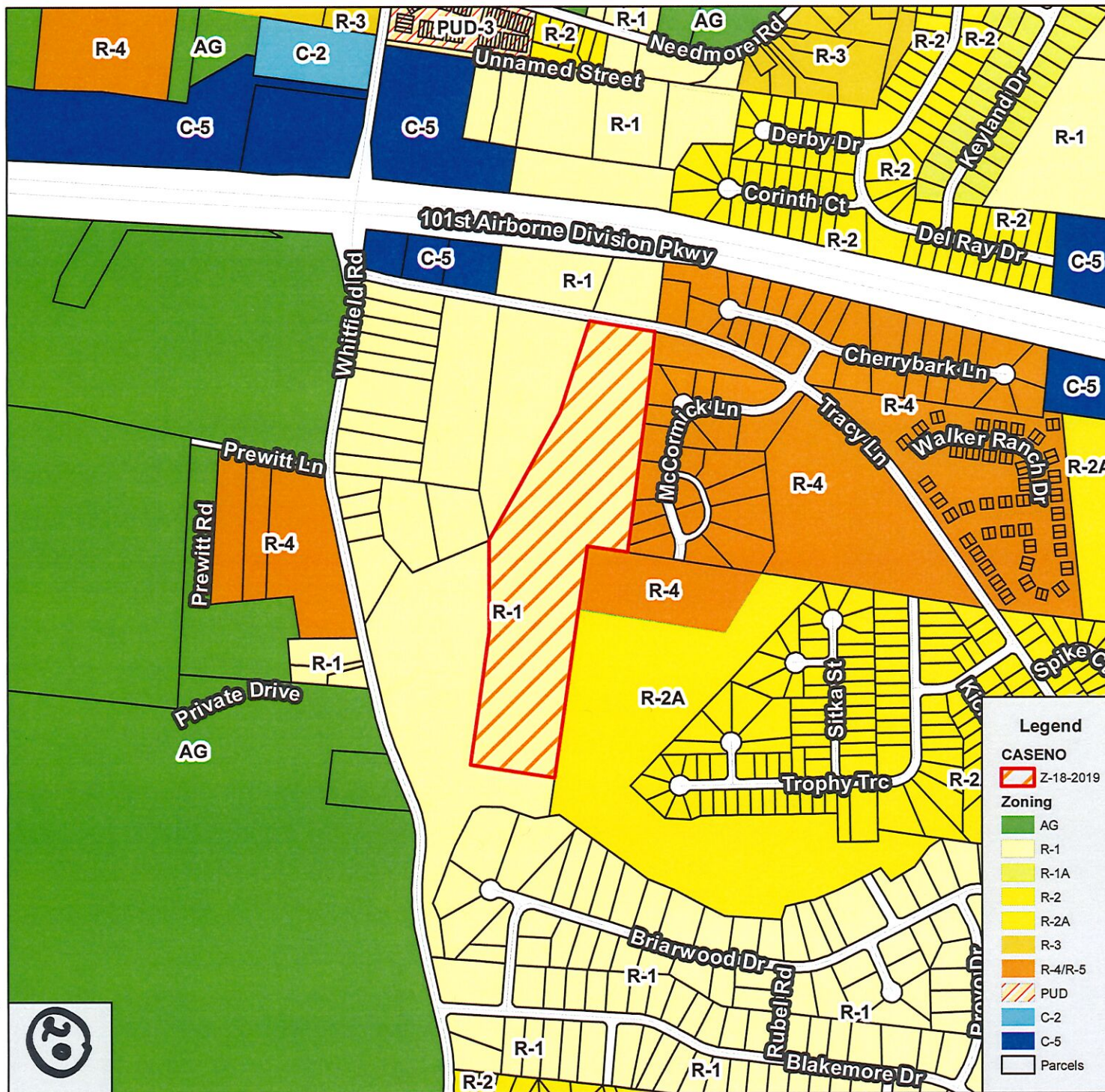
+/- ACRES

24

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7/24/2019



Z-18-2019

APPLICANT:

JIM FLAKE

REQUEST:

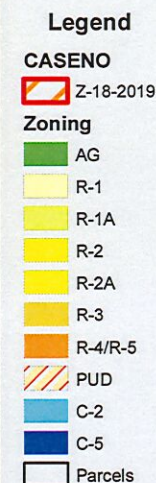
R-1 TO R-4

MAP AND PARCEL

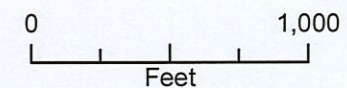
041 04500

+/- ACRES

24



1:8,000



7/24/2019

CASE NUMBER: Z 18 2019 **MEETING DATE** 7/24/2019

APPLICANT: Jim Flake

PRESENT ZONING R-1

PROPOSED ZONING R-4

TAX PLAT # 41

PARCEL 45.00

GEN. LOCATION Property fronting on the south frontage of Tracy Lane, 1,255 +/- feet east of the
Tracy Ln. & Whitfield Rd. intersection

PUBLIC COMMENTS

None received as of 10:00 A.M. on 7/24/2019 (A.L.)

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

RPC MEETING DATE: 7/24/2019

CASE NUMBER: Z - 19 - 2019

NAME OF APPLICANT: Eagles Bluff

Partnership

AGENT:

GENERAL INFORMATION

TAX PLAT: 56

PARCEL(S): 62.00

ACREAGE TO BE REZONED: 31.24

PRESENT ZONING: C-5

PROPOSED ZONING: C-2

EXTENSION OF ZONING

CLASSIFICATION: NO

PROPERTY LOCATION: Property located west of Wilma Rudolph Blvd., east of Old Trenton Rd. & south Wylma Van Allen Place.

CITY COUNCIL WARD: 9

COUNTY COMMISSION DISTRICT: 14

CIVIL DISTRICT: 12

DESCRIPTION OF PROPERTY Existing site in development phase.

AND SURROUNDING USES:

APPLICANT'S STATEMENT Rezone request to down zone to a mixed use zone.

FOR PROPOSED USE:

GROWTH PLAN AREA: CITY

PLANNING AREA: Trenton Road Planning Area

PREVIOUS ZONING HISTORY:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

DEPARTMENT COMMENTS

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

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

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

1. CITY ENGINEER/UTILITY DISTRICT:

Comments received from department and they had no concerns.

2. STREET DEPARTMENT/ COUNTY HIGHWAY DEPARTMENT:

Comments received from department and they had no concerns. No traffic assessment required.

3. DRAINAGE COMMENTS:

Comments received from department and they had no concerns.

4. CDE/CEMC:

No Comment(s) Received

5. FIRE DEPT/EMERGENCY MGT.:

Comments received from department and they had no concerns.

6. POLICE DEPT/SHERIFF'S OFFICE:

Comments received from department and they had no concerns.

7. CITY BUILDING DEPARTMENT/ COUNTY BUILDING DEPARTMENT:

No Comment(s) Received

8. SCHOOL SYSTEM:

ELEMENTARY:

MIDDLE SCHOOL:

HIGH SCHOOL:

9. FT. CAMPBELL:

10. OTHER COMMENTS:

CLARKSVILLE-MONTGOMERY COUNTY REGIONAL PLANNING

STAFF REVIEW - ZONING

PLANNING STAFF'S STUDY AND RECOMMENDATION

IMPACT OF PROPOSED USE ON SURROUNDING DEVELOPMENT: Request will permit mixed use commercial & residential.

INFRASTRUCTURE:

WATER SOURCE: CITY

SEWER SOURCE: CITY

STREET/ROAD ACCESSIBILITY: Wilma Rudolph Blvd., Old Trenton Road & Wylma Van Allen Place

DRAINAGE COMMENTS: Varies

RESIDENTIAL DEVELOPMENT

APPLICANT'S ESTIMATES HISTORICAL ESTIMATES

LOTS/UNITS:

POPULATION:

ELEMENTARY SCHOOL STUDENTS:

MIDDLE SCHOOL STUDENTS:

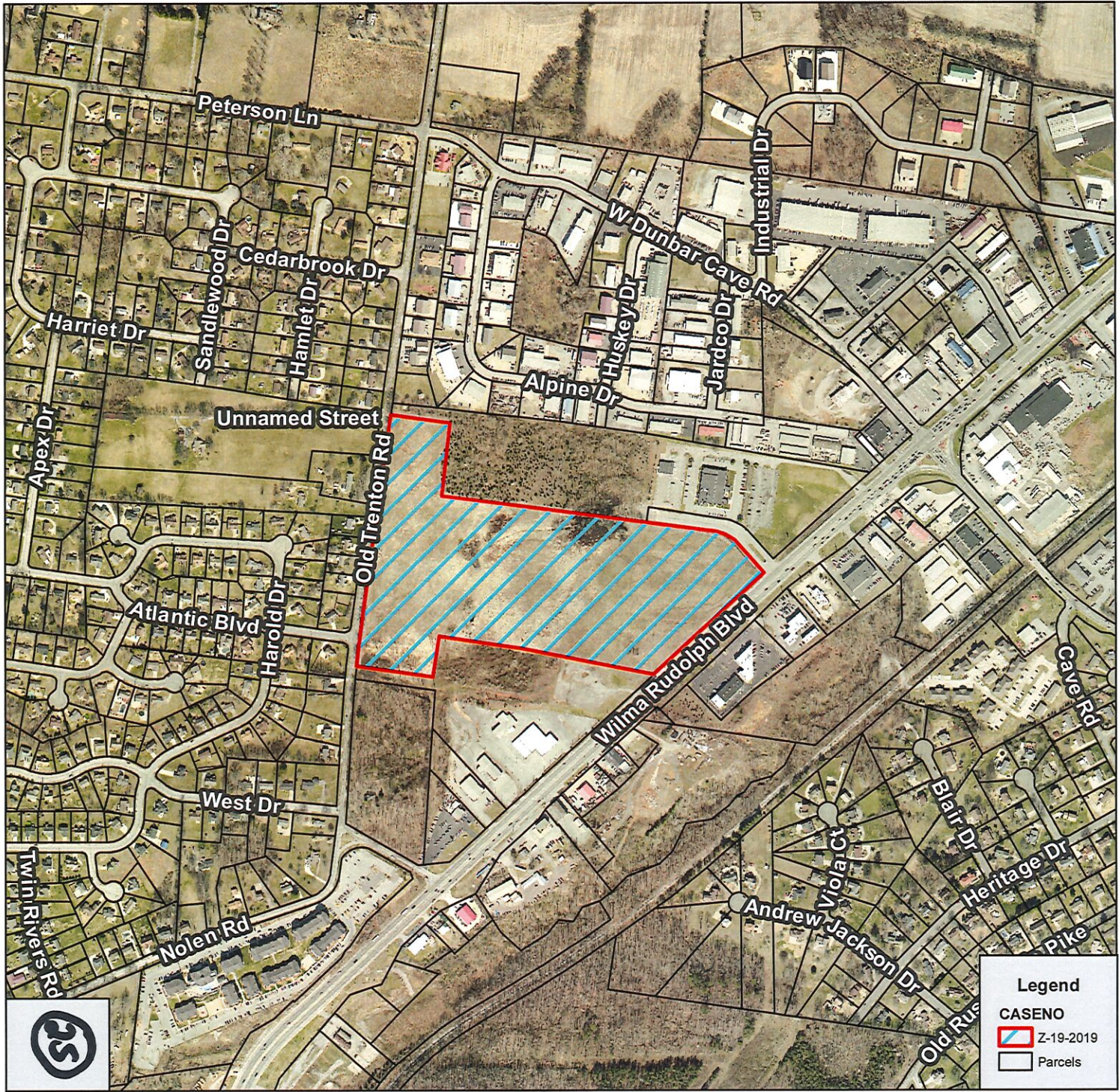
HIGH SCHOOL STUDENTS:

APPLICABLE LAND USE PLAN

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 the adopted Land Use Plan.
2. The proposed C-2 Zoning classification affords mixed use (commercial/multi-family residential) development potential.
3. The adopted Land Use Plan states that mixed use, residential & commercial developments should be encouraged.
4. Adequate infrastructure serves the site & no adverse environmental issues were identified relative to this request.
- 5.



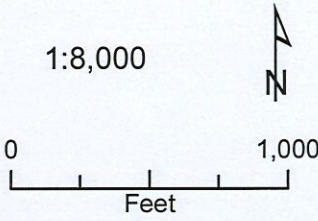
Z-19-2019

APPLICANT:
**EAGLES BLUFF
PARTNERSHIP**

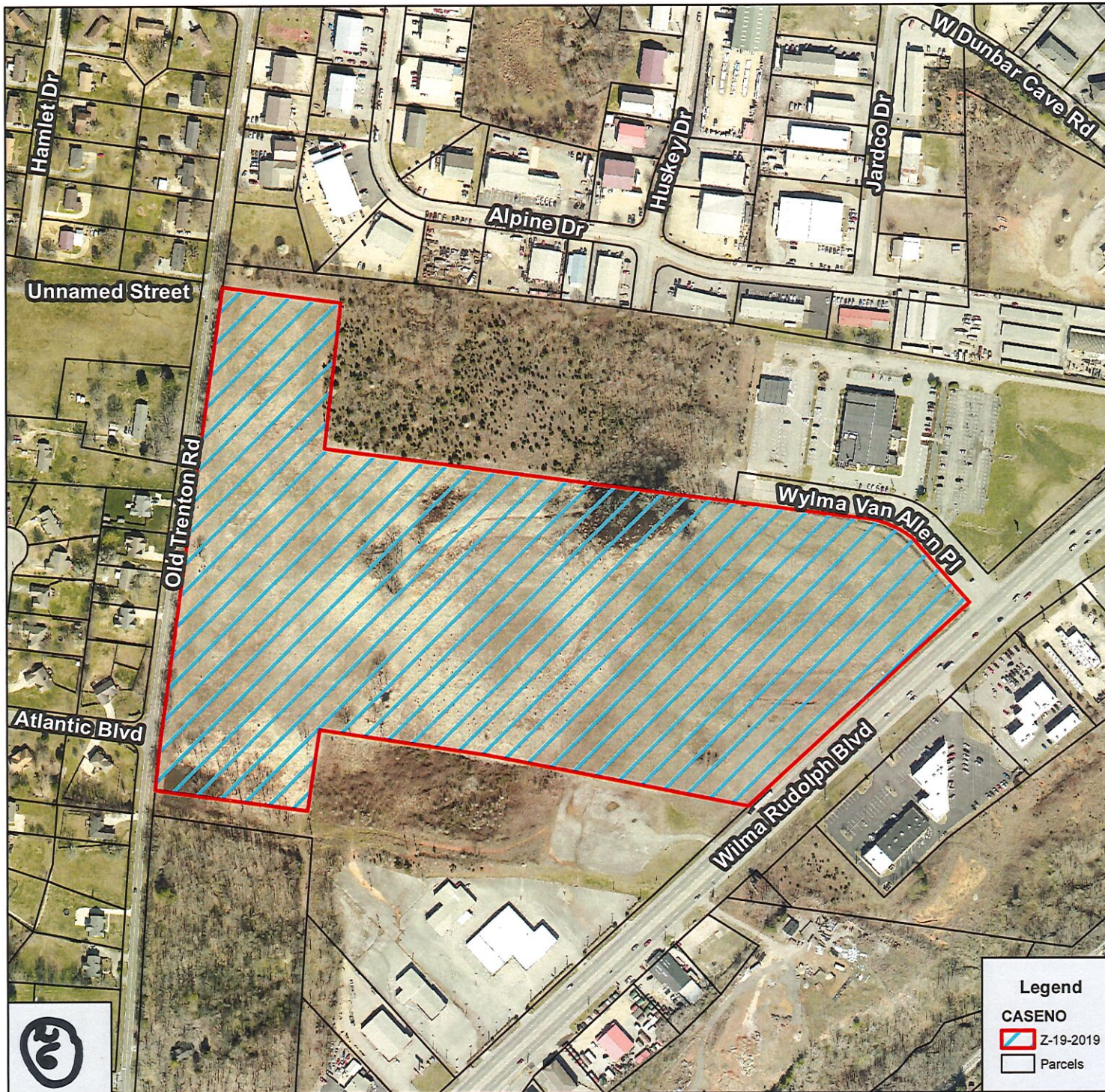
REQUEST:
C-5 TO C-2

MAP AND PARCEL
056 06200

+/- ACRES
31.24



7/24/2019



Z-19-2019

APPLICANT:

**EAGLES BLUFF
PARTNERSHIP**

REQUEST:

C-5 TO C-2

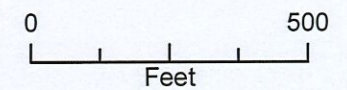
MAP AND PARCEL

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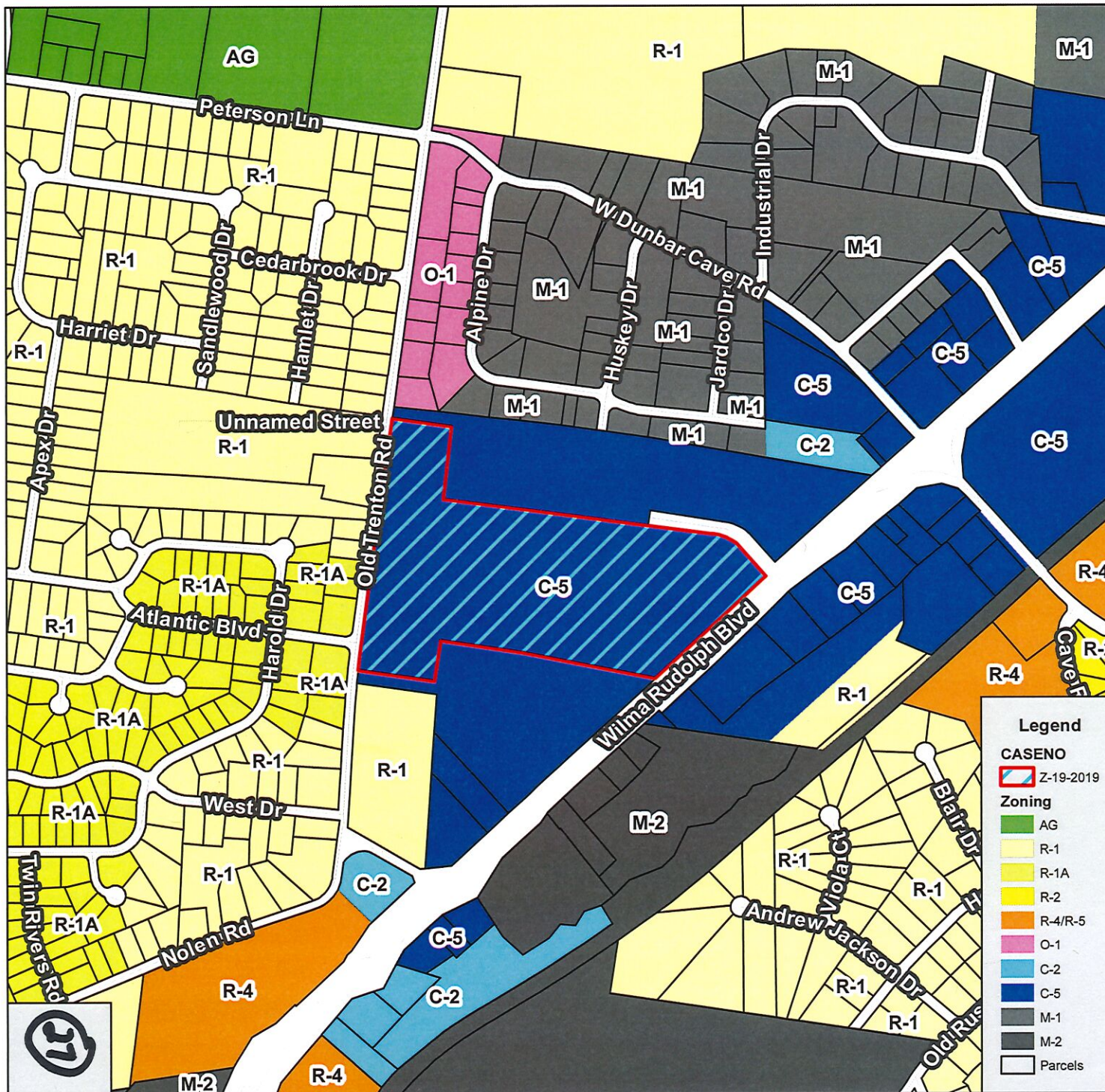
+/- ACRES

31.24

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7/24/2019



Z-19-2019

APPLICANT:

**EAGLES BLUFF
PARTNERSHIP**

REQUEST:

C-5 TO C-2

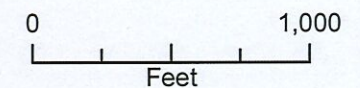
MAP AND PARCEL

056 06200

+/- ACRES

31.24

1:8,000



7/24/2019

CASE NUMBER: Z 19 2019 **MEETING DATE** 7/24/2019

APPLICANT: Eagles Bluff Partnership

PRESENT ZONING C-5 **PROPOSED ZONING** C-2

TAX PLAT # 56 **PARCEL** 62.00

GEN. LOCATION Property located west of Wilma Rudolph Blvd., east of Old Trenton Rd. & south
Wylma Van Allen Place.

PUBLIC COMMENTS

None received as of 10:00 A.M. on 7/24/2019 (A.L.)

RESOLUTION 12-2019-20

A RESOLUTION ANNEXING TERRITORY SOUTH OF HANKOOK ROAD EAST OF INTERSTATE 24

WHEREAS, the City of Clarksville is considering annexation of an area described in attached legal description (See “Exhibit A”) as requested by C & H Properties owners Glen Craig and Ronnie Hollingsworth; and

WHEREAS, per *Tennessee Code Annotated* 6-51-104 additional properties may be annexed if two-thirds of the property owners within the territory consent in writing, AND the total area owned by owners consenting is more than one-half of the territory proposed for annexation, AND the proposed annexation consists of nine or fewer parcels; a parcel of land with no recorded owner currently used as a cemetery and described in the legal description shall also be annexed; and

WHEREAS, the annexation of this territory is deemed beneficial to the welfare of the residents and property owners thereof and to the City of Clarksville as a whole.

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

That pursuant to authority conferred by *6-51-102, Tennessee Code Annotated*, there is hereby annexed to the City of Clarksville, Tennessee, and incorporated within the same corporate boundaries thereof, the territory described by “Exhibit A” attached, and shown on “Exhibit B” map attached, adjoining the present corporate boundaries.

BE IT FURTHER RESOLVED that this resolution shall be effective from and after its final passage and publication in accordance with *Article III, Section 6* of the Official Charter of the City of Clarksville, Tennessee.

PUBLIC HEARING:

ADOPTED:

EFFECTIVE DATE: August 31, 2019

EXHIBIT A
Tract

Being a parcel of land in the 1st Civil District of Clarksville, Montgomery County, Tennessee, said parcel being the C&H Properties Property as recorded in Volume (Vol.) 1840, page 1663-1664 Register's Office Montgomery County, Tennessee (ROMCT) the C&H Properties Property as recorded in Volume (Vol.) 1840, page 1644-1646 Register's Office Montgomery County, Tennessee (ROMCT) and a cemetery with no lot reference found said parcel being generally described as south of Hankook Road, east of Interstate 24, west of International Blvd in Clarksville, Tennessee, 37043, said parcel being more particularly described as follows:

Beginning at an iron pin at a culvert in the south right of way of Rossvie Road, said point of beginning being South 89 degrees 55 minutes 20 seconds East 777.17 feet from the intersection of Rossvie Road with the westbound on ramp of I-24, said point of beginning also being the northeast corner of the John Mitchell, et ux, et al, property of record in ORBV 245 Page 883, ROMCT and running thence with the south right of way of Rossvie Road South 90 degrees 00 minutes 00 seconds East 158.22 feet to an iron pin;

Thence, continuing east along the C&H Properties property line as recorded in Volume 1840 pgs 1644-1646 South 90 degrees 00 minutes 00 seconds East 176 feet to the northeast corner of Old Road Bed as described in Lot 1 of the James Reese Property shown in Plat E page 209 referenced in Sean & Melinda Richards Deed recorded in Volume 1611 page 1195 ROMCT;

Thence, South 10 degrees 21 minutes 22 seconds East 258.62 feet to a point; thence continuing South 12 degrees 39 minutes 46 seconds East 84.31 feet to a point thence continuing South 8 degrees 35 minutes 13 seconds 125.75 feet to the southeast corner of the C&H Properties property;

Thence, along the Sean & Melinda Richards property recorded in Volume 1611 page 1195 ROMCT South 82 degrees 30 minutes 00 seconds West 186 feet;

Thence, continuing along the said Sean & Melinda Richards Property South 8 degrees 00 minutes 00 seconds East 123.75 feet;

Thence, continuing North 90 degrees 00 minutes 00 seconds West 115.5 feet to the northwest corner of said Sean & Melinda Richards property and of John L Mitchell property recorded in V245 page 883 ROMCT;

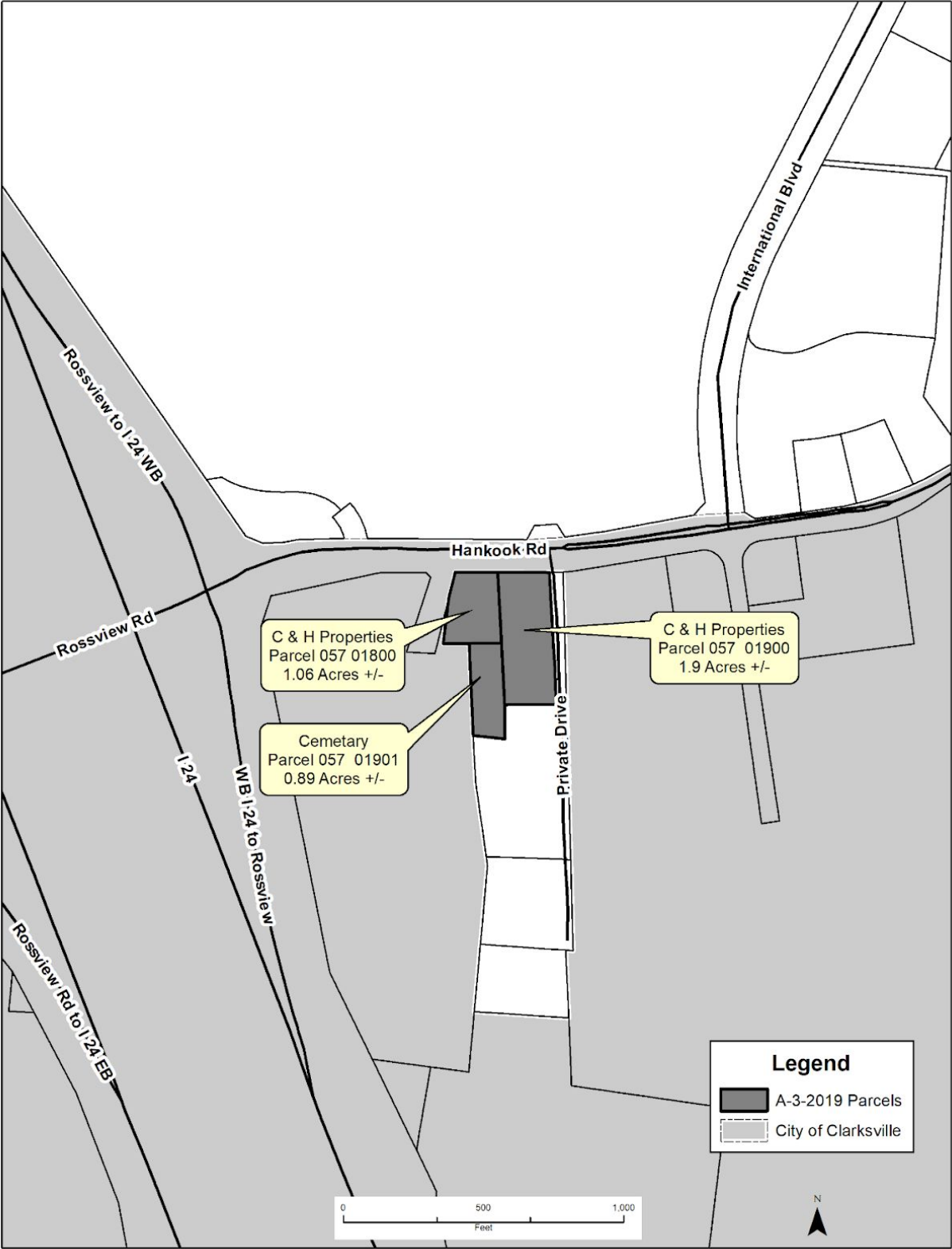
Thence, along John L Mitchell property recorded in V245 page 883 ROMCT in a northwestern direction approximately 328 feet to the C&H Properties property in ORBV 245 Page 883, ROMCT;

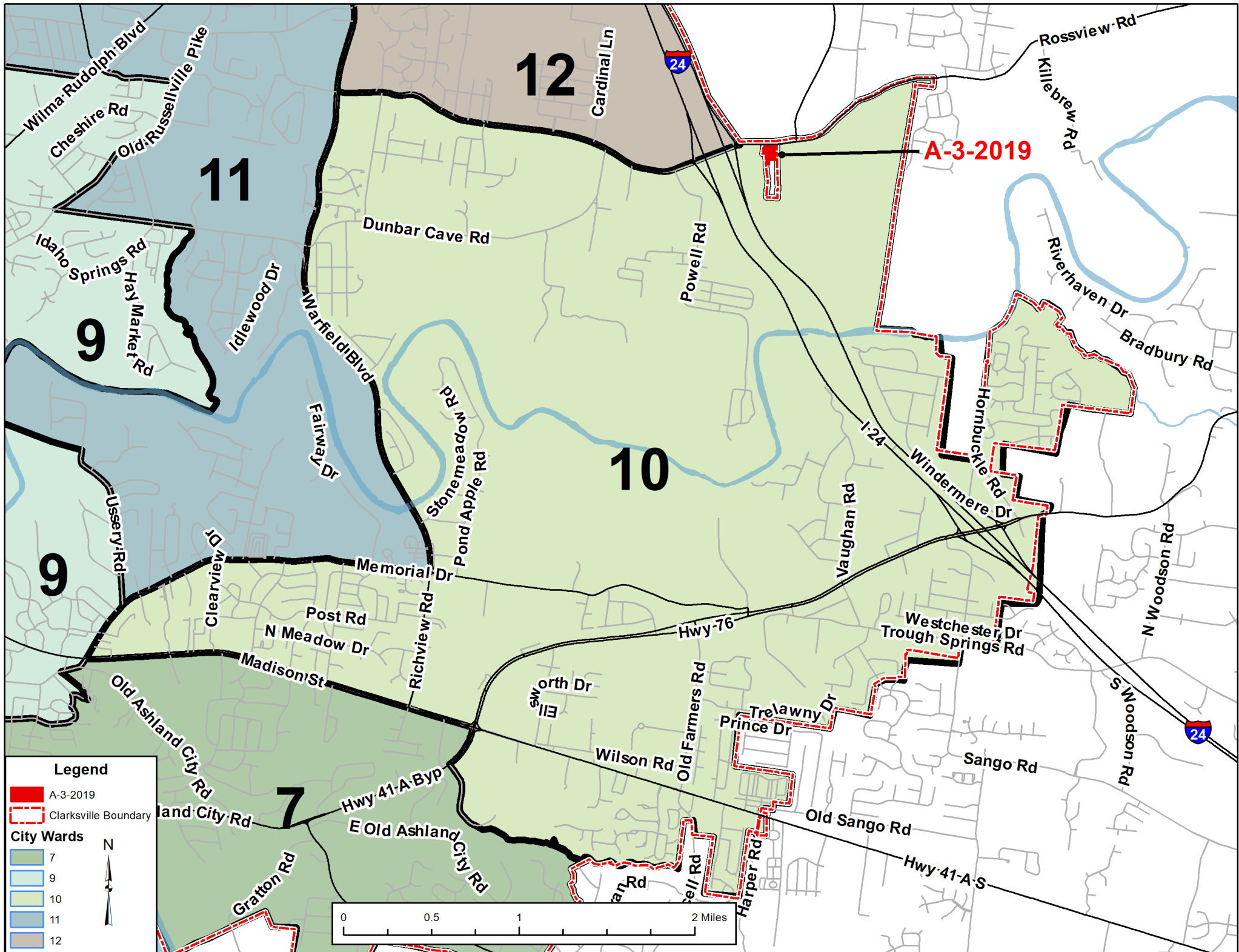
Thence, along said John L. Mitchell property South 88 degrees 44 minutes 27 seconds West 93 feet to the southwest corner of the C&H Properties property;

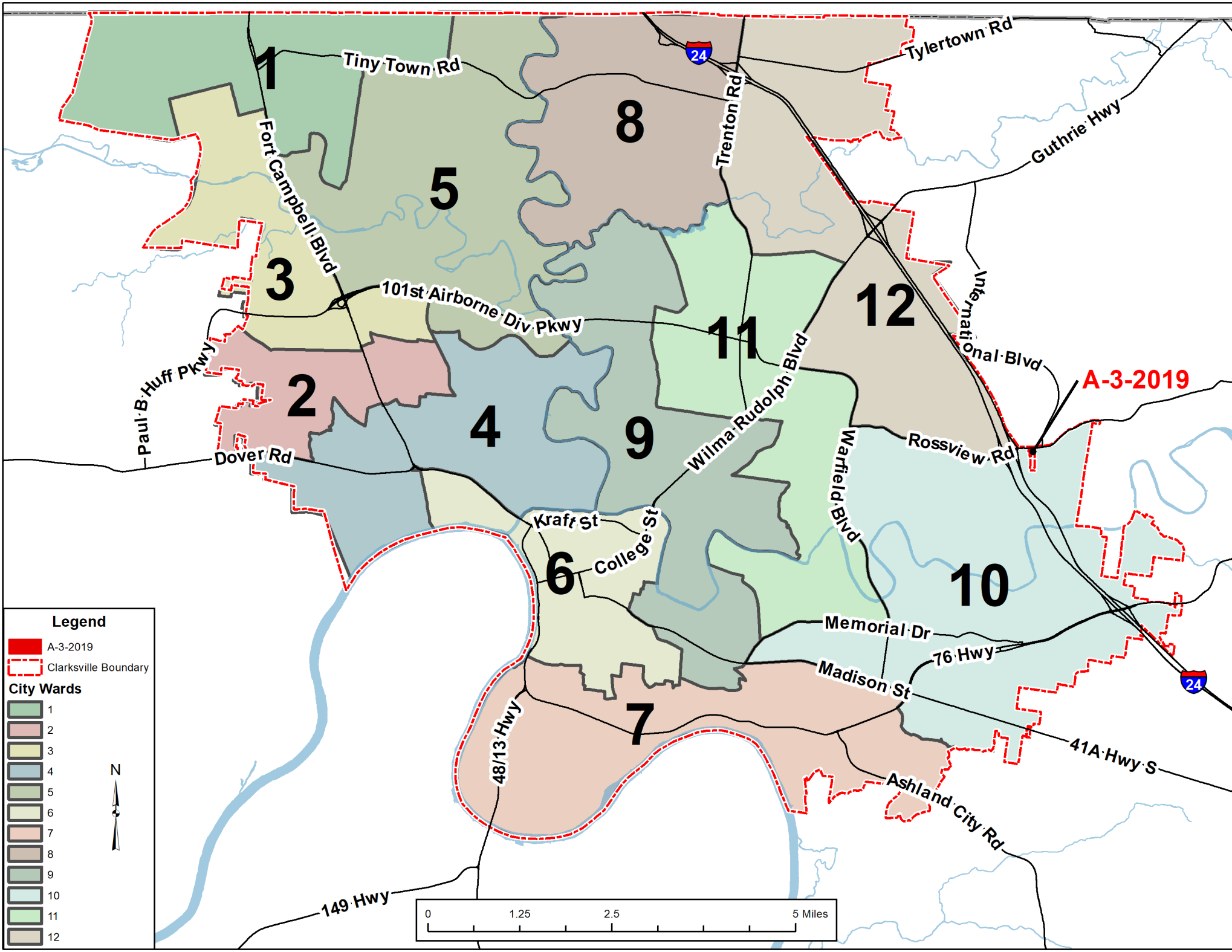
Thence, continuing along said John L. Mitchell property North 07 degrees 20 minutes 21 seconds East 168.37 feet to an iron pin in a ditch;

Thence North 14 degrees 20 minutes 49 seconds East 87.91 feet to the point of beginning, said parcel containing 3.85 Acres, more or less. This description was taken from Official Record Book Volume 1840 pgs 1663-1664, Volume 1840 pgs 1644-1646, and Plat E page 209 ROMCT.

Exhibit B







RESOLUTION 13-2019-2020

A RESOLUTION ADOPTING A PLAN OF SERVICE FOR ANNEXED TERRITORY SOUTH OF HANKOOK ROAD AND EAST OF INTERSTATE 24

WHEREAS, T.C.A. Section 6-51-102 requires that a plan of services be adopted by the governing body of a city; and

WHEREAS, the City of Clarksville is considering annexation of an area described in attached legal description (See “Exhibit A”), and as shown on the attached map (See “Exhibit B”), as requested by C & H Properties owners Glen Craig and Ronnie Hollingsworth and a cemetery with no recorded owner.

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

SECTION 1. Pursuant to the provisions of Section 6-51-102, Tennessee Code Annotated, there is hereby adopted, for the area bounded as described in “Exhibit A” and shown on “Exhibit B”, the following plan of service.

POLICE

The reference annexation presents no issues for the Clarksville Police Department. They have established a growth plan pertaining to personnel over the next six years which takes into consideration projected growth within the City of Clarksville.

FIRE

The annexation of these properties will not require new resources for Clarksville Fire Rescue. Station 12, one of the newest stations is within 1 mile.

CLARKSVILLE DEPARTMENT OF ELECTRICITY

Within the year CDE Lightband expects to upgrade and extend existing overhead three-phase electric power line and fiber optic cable infrastructure along Hankook Road as part of a previous annexation in the Exit 8 area, A-1-2018. There should be no additional cost in this new annexation as the cost to expand the electric boundary was covered in the previous annexation.

CUMBERLAND ELECTRIC MEMBERS COOPERATIVE – CEMC

CEMC does not currently serve any members within the proposed annexation area.

GAS, WATER, AND SEWER (CGW)

The 3.85 +/- acres off Hankook (Rossvie) Road that are being considered for annexation into the City limits of Clarksville, Tennessee currently lie within the service area of Clarksville Gas and Water (CGW). CGW owns, operates, and maintains water, sanitary sewer, and natural gas mains currently present along Gratton Road and the Beacon Hills neighborhood to the north and Gratton Estates neighborhood to the east. Any public main extensions of these utilities into the proposed annexation area would be the responsibility of the developer of the property, including any and all costs. Upon completion of public utility main extension work by the developer, CGW would assume ownership of the new mains.

The proposed annexation area is relatively small in size and is situated well within the existing service area. Therefore we do not anticipate any additional improvements, equipment, materials, or personnel which the CGW department will need to service this area. Any incidental costs incurred by CGW to operate and maintain these new facilities, such as utility location, valve maintenance, meter reading, or main repair, would generally be offset by revenue generated from water, sewer, and natural gas usage by the new customer base. These operation and maintenance activities can be handled by existing CGW labor force.

SOLID WASTE

Current policies of the Bi-County Solid Waste Management System for areas within the city limits of Clarksville will extend into the newly annexed area upon the effective date of annexation.

STREETS

The City of Clarksville Street Department will begin enforcing its regulations on the effective date of annexation. No additional personnel or equipment are anticipated to be required.

Any future improvements of this property will be the responsibility of the Developer and/or property owner(s). Emergency maintenance of streets (repair of hazardous potholes and measures necessary for traffic flow) will begin once streets are dedicated to the public. Routine maintenance, on a daily basis, will begin once the streets are dedicated to the public. Construction of streets, installation of storm drain facilities, construction of curb and gutters, and other such major improvements will be accomplished under City policies.

PLANNING AND ZONING

The 3.85 +/- acres has not requested a zone change as part of the annexation. The parcels will be able to develop under city zoning after the City Council has adopted the annexation resolution. Any future zone changes will need to be requested with the RPC and go through the normal process.

ADDRESSING / E-911

E-911 Center does not have any objection to this annexation.

Addressing will be accomplished through the normal process during site plan or subdivision review.

CLARKSVILLE TRANSIT SERVICES

The Clarksville Transit System (CTS) receives funding from the Federal Transit Administration to operate within the urbanized area. These parcels are outside of the urbanized area. Until it becomes part of the urbanized area, CTS cannot provide service.

CITY FINANCE DEPARTMENT

There would be no additional cost to Finance and Revenue Department with this annexation.

BUILDING AND CODES

On the effective date of annexation the Building and Codes Department will provide the following services:

- (1) Construction and Sign Permits, Administration, and Inspections
- (2) Code Enforcement, Property Maintenance and Abatement
- (3) Planning and Zoning

The mission of the Building & Codes Department is to ensure public health and safety in construction and property by enforcing local, state, and federal codes and zoning ordinances to facility and ensure quality construction, orderly development, and a high standard of living for our citizens. The annexation of this property will not create a hardship for the City Building & Codes Department.

ELECTION COMMISSION

As this area goes through the process with City Council it should be included, in whole, in the City Ward 10 boundary.

ASSESSOR

An effective date for taxation is set as January 1 the next full calendar year to begin the tax roll in line with TCA requirements. This avoids pro-rations of taxes which is time consuming for the assessor's office and is confusing to the land owners. Minimal changes to services will be required.

PARKS AND RECREATION

The City of Clarksville Parks and Recreation Department does not adequately serve this area of the city to comply with our desired standards. We do not have park property in City Council Ward 10 in which this proposed annexation would be located. This ward is currently only served by 14.1 acres with the closest developed park being the County's Rotary Park on the 41A Bypass.

In 2018, three hundred acres were purchased by the city at I-24, Exit 8, and it is the city's plan for this property to be developed into a Regional Athletic Complex. This acreage is on the boarder of Ward 12 and Ward 10. A park at this location would significantly raise and surpass the National Standards for park property per 1,000 citizen in Ward 10. The equipment and manpower to maintain this park property cannot be determined at this point in the planning process.

It is the opinion of Parks and Recreation that the annexation of the 3.95 acres and addition of retail properties and a cemetery will not significantly change the current need for park land in this area of town.

SECTION 2. This resolution shall be effective 30 days from and after its adoption (August 31, 2019).

PUBLIC HEARING:

ADOPTED:

EFFECTIVE: August 31, 2019

EXHIBIT A
Tract
**LAND DESCRIPTION OF THE C&H PROPERTIES AND THE CEMETERY
PROPERTY**

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Thence, continuing east along the C&H Properties property line as recorded in Volume 1840 pgs 1644-1646 South 90 degrees 00 minutes 00 seconds East 176 feet to the northeast corner of Old Road Bed as described in Lot 1 of the James Reese Property shown in Plat E page 209 referenced in Sean & Melinda Richards Deed recorded in Volume 1611 page 1195 ROMCT;

Thence, South 10 degrees 21 minutes 22 seconds East 258.62 feet to a point; thence continuing South 12 degrees 39 minutes 46 seconds East 84.31 feet to a point thence continuing South 8 degrees 35 minutes 13 seconds 125.75 feet to the southeast corner of the C&H Properties property;

Thence, along the Sean & Melinda Richards property recorded in Volume 1611 page 1195 ROMCT South 82 degrees 30 minutes 00 seconds West 186 feet;

Thence, continuing along the said Sean & Melinda Richards Property South 8 degrees 00 minutes 00 seconds East 123.75 feet;

Thence, continuing North 90 degrees 00 minutes 00 seconds West 115.5 feet to the northwest corner of said Sean & Melinda Richards property and of John L Mitchell property recorded in V245 page 883 ROMCT;

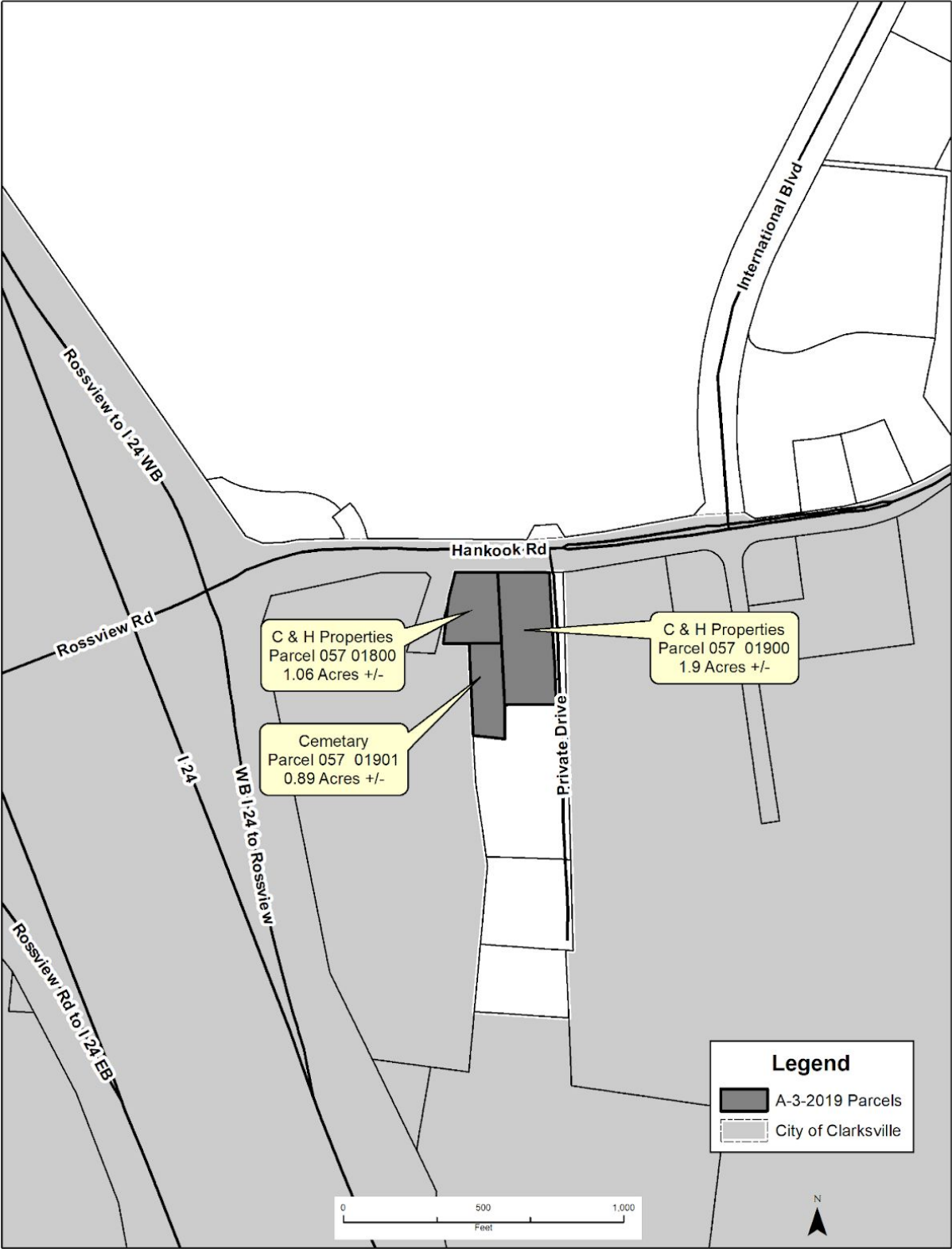
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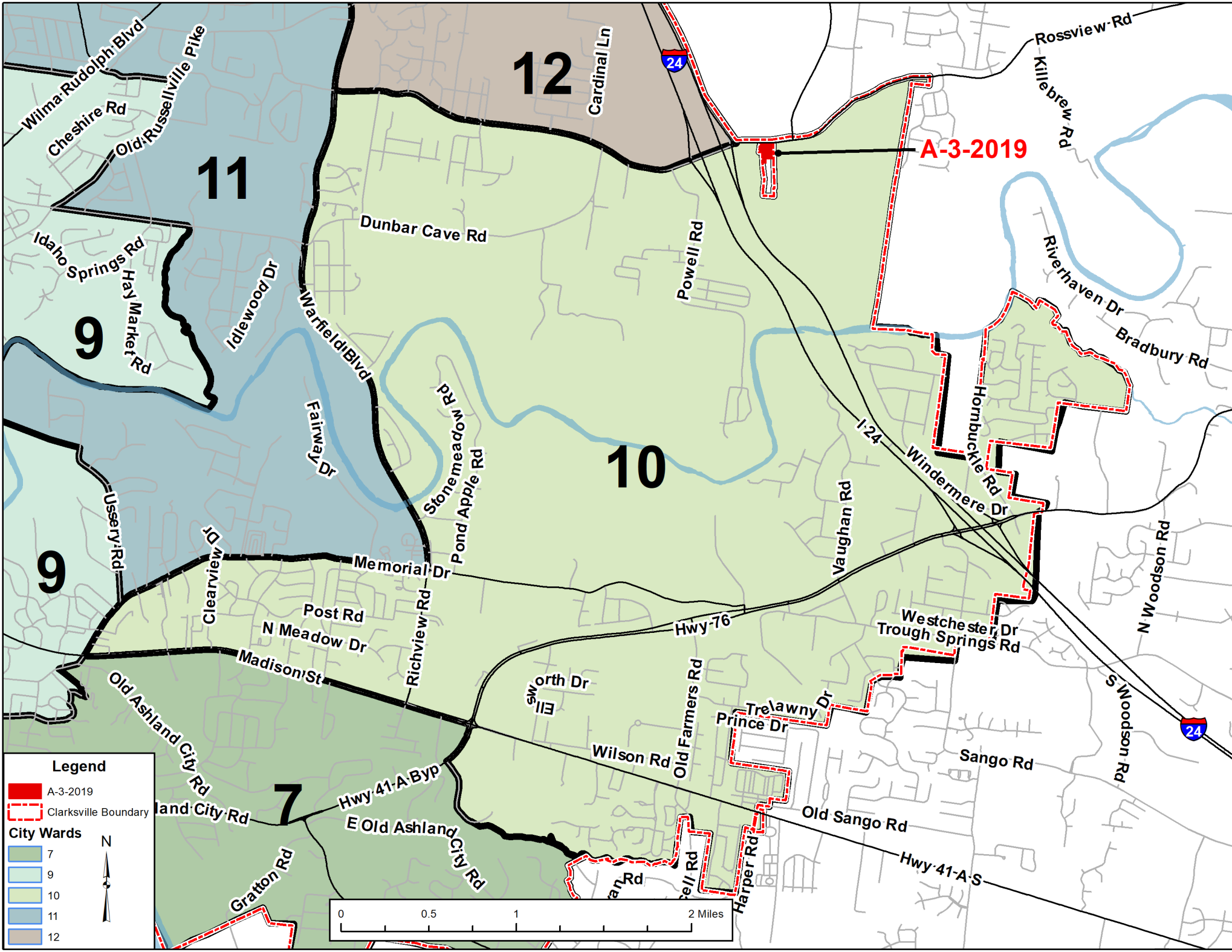
Thence, along said John L. Mitchell property South 88 degrees 44 minutes 27 seconds West 93 feet to the southwest corner of the C&H Properties property;

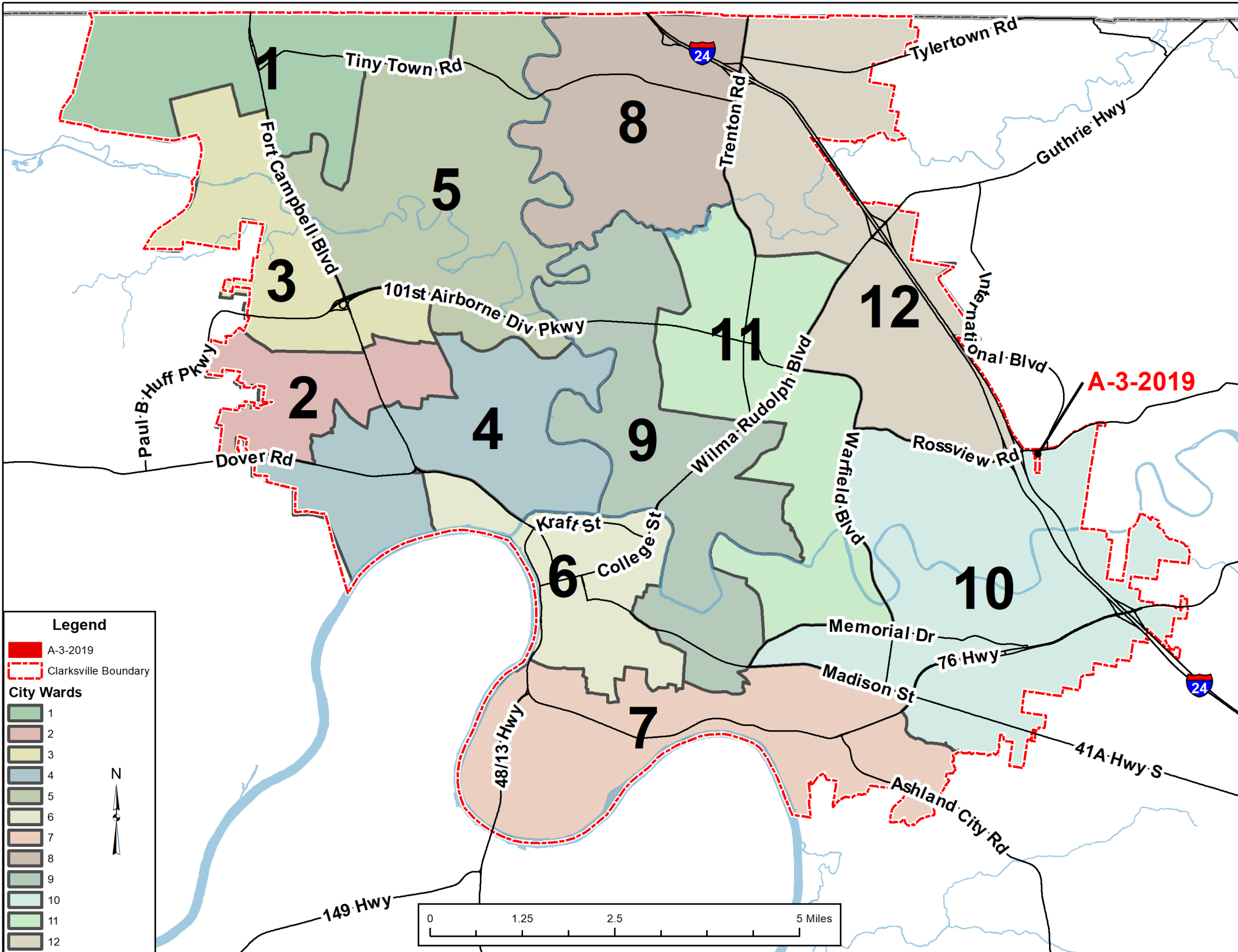
Thence, continuing along said John L. Mitchell property North 07 degrees 20 minutes 21 seconds East 168.37 feet to an iron pin in a ditch;

Thence North 14 degrees 20 minutes 49 seconds East 87.91 feet to the point of beginning, said parcel containing 3.85 Acres, more or less. This description was taken from Official Record Book Volume 1840 pgs 1663-1664, Volume 1840 pgs 1644-1646, and Plat E page 209 ROMCT.

Exhibit B







ORDINANCE 5-2019-20
PROPOSED AMENDMENTS

AN ORDINANCE AMENDING THE OFFICIAL CODE OF THE CITY OF CLARKSVILLE REAPPORTIONING THE CITY OF CLARKSVILLE FOR THE PURPOSE OF ELECTING PERSONS FOR THE OFFICE OF CITY COUNCIL MEMBER [ANNEXED TERRITORY OFF HIGHWAY 76 EAST OF INTERSTATE 24/EXIT 11, ALONG GRATTON ROAD, **AND ON HANKOOK ROAD EAST OF INTERSTATE 24**]

WHEREAS, *Tennessee Code Annotated* §6-54-102 provides that municipalities may redistrict into new wards whenever, for proper reasons, they deem it expedient to do so; and

WHEREAS, the Charter of the City of Clarksville, Article II, Section 1., subsection (a), provides that the City shall be divided into twelve (12) wards for the purpose of electing twelve (12) persons for the office of Councilman; and

WHEREAS, the Charter of the City of Clarksville, Article II, Section 1, subsection (b) provides that the City Council shall by ordinance divide the city into twelve (12) wards to apportion the City Council so that the Councilmen elected from wards shall represent substantially equal populations; and

WHEREAS, the Charter of the City of Clarksville, Article II, Section 1, subsection (b) provides that the City Council may reapportion at any time thereafter, if it deems such action necessary to maintain substantially equal representation based on population; and

WHEREAS, the City, through enactment of Ordinance 13-2011-12, adopted September 1, 2011, codified at City Code Section 1-101, has previously approved a redistricting of wards for re-apportionment purposes based on substantially equal populations; and

WHEREAS, the City recently annexed property into the City limits by approval of RESOLUTION 4-2019-20 and RESOLUTION 6-2019-20 on July 2, 2019, **and RESOLUTION 12-2019-20 on August 1, 2019**; which contains metes and bounds legal descriptions of the annexed territories, and which is incorporated herein; and

WHEREAS, due to the recent annexations, it is necessary to apportion the recently annexed areas into appropriate wards for the purpose of electing persons to the office of City Council member in such a way as to maintain substantially equal representation among the wards based on population and the principle of “one person, one vote;” and

WHEREAS, the Clarksville City Council finds that these objectives can and should be achieved by adding part of the recently annexed properties to the current boundaries of Ward 7, and by adding a separate part of the recently annexed properties to the current boundaries Ward 10, thereby enlarging the territorial area of each such ward, while maintaining a substantially equal representation of population between or among each ward, based on the latest census

population data, all as depicted in and on the maps labeled Exhibit 1 (new overall ward boundary map, to include the additional annexed areas added to Wards 7 and 10, and showing no change to any other ward boundary); Exhibit 2 (close-up view of Ward 7 showing additional annexed area being added to Ward 7); Exhibit 3 (close-up view of Ward 10 (Hwy. 76) showing additional annexed area being added to Ward 10), and Exhibit 4 (close-up view of Ward 10 (Hankook Road) showing additional annexed area being added to Ward 10) attached hereto and incorporated herein.

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

That Section 1-101 of the Official Code of the City of Clarksville is hereby amended by deleting the existing language in its entirety, and by substituting instead the following:

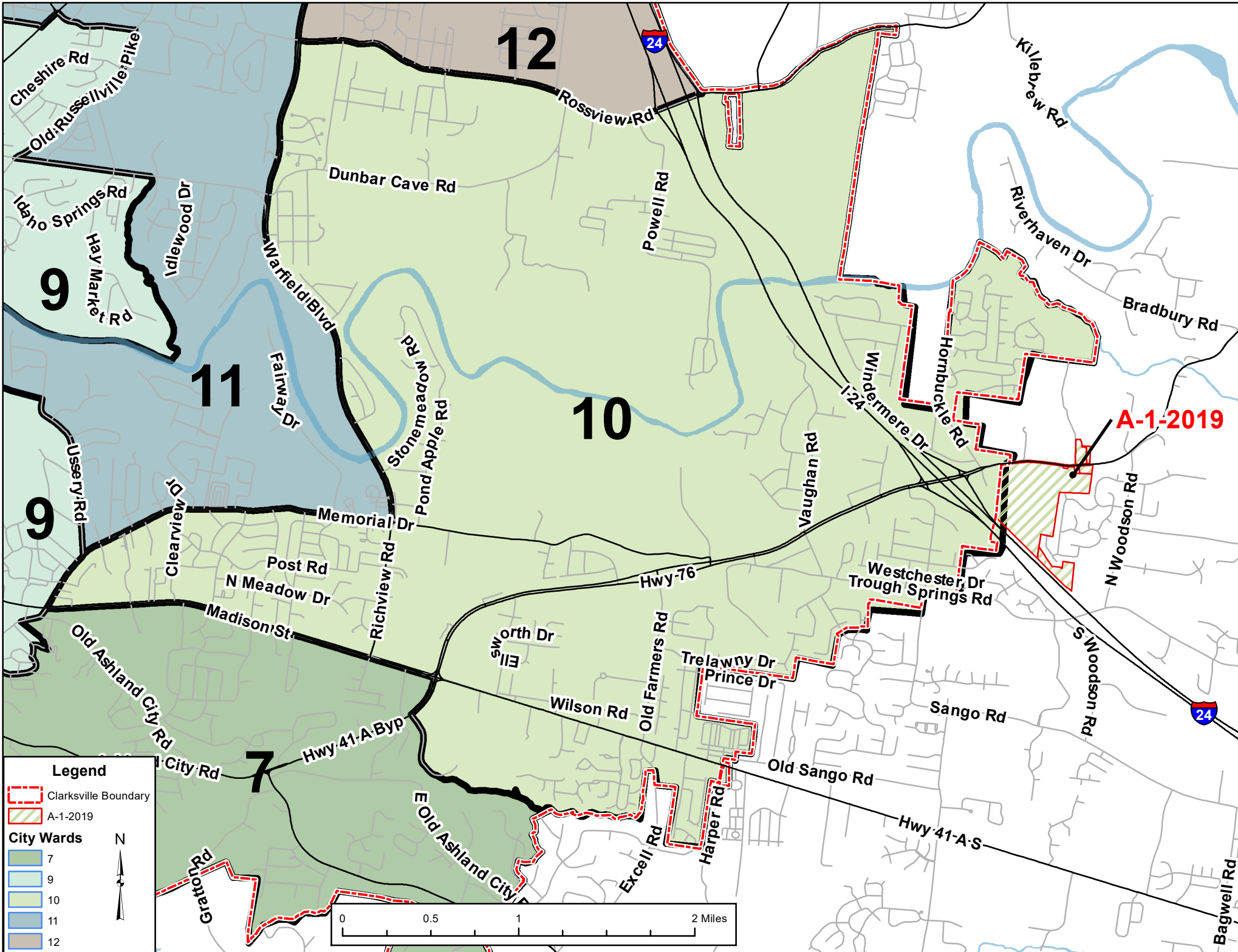
The City of Clarksville is hereby divided into twelve (12) wards of substantially equal population for the purpose of electing twelve city council members in accordance with Article II, Section 1 of the Charter of the City of Clarksville, in accordance with the map attached hereto and incorporated herein as “Exhibit 1 – City Council Wards – 2019.”

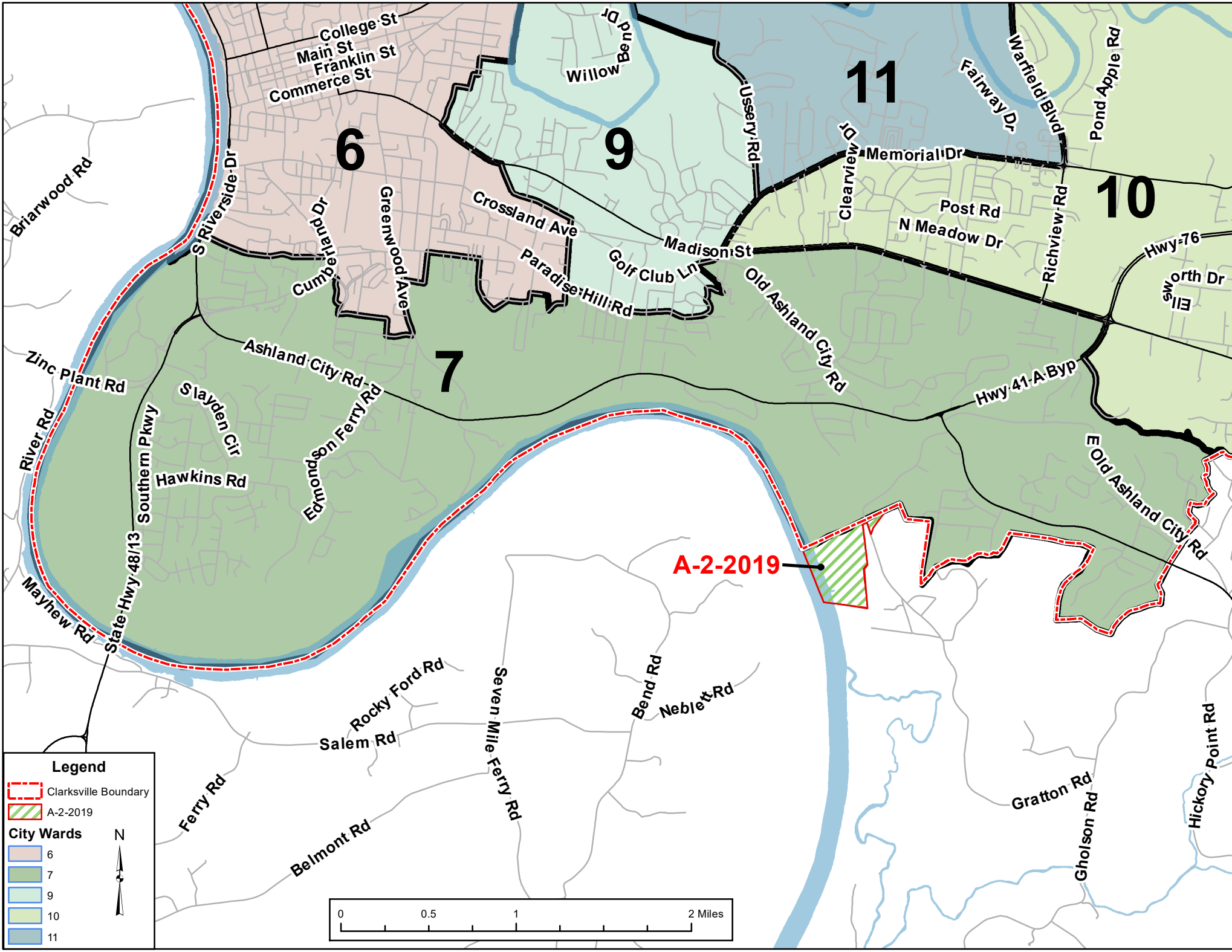
The map of the above-described ward boundaries shall be maintained on file in the office of the City Clerk, and a copy in the office of the Regional Planning Commission or any successor agency thereto.

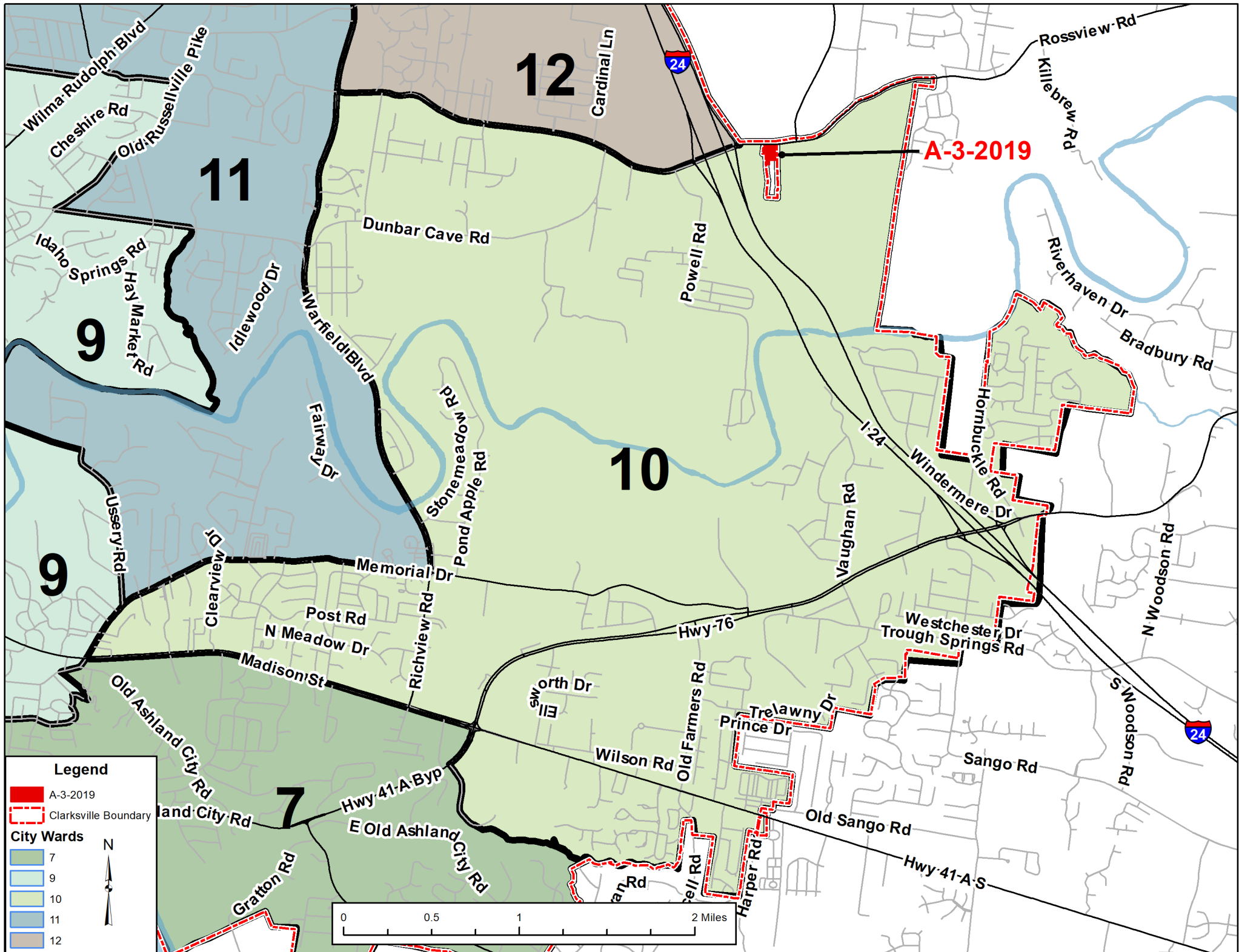
FIRST READING: July 2, 2019

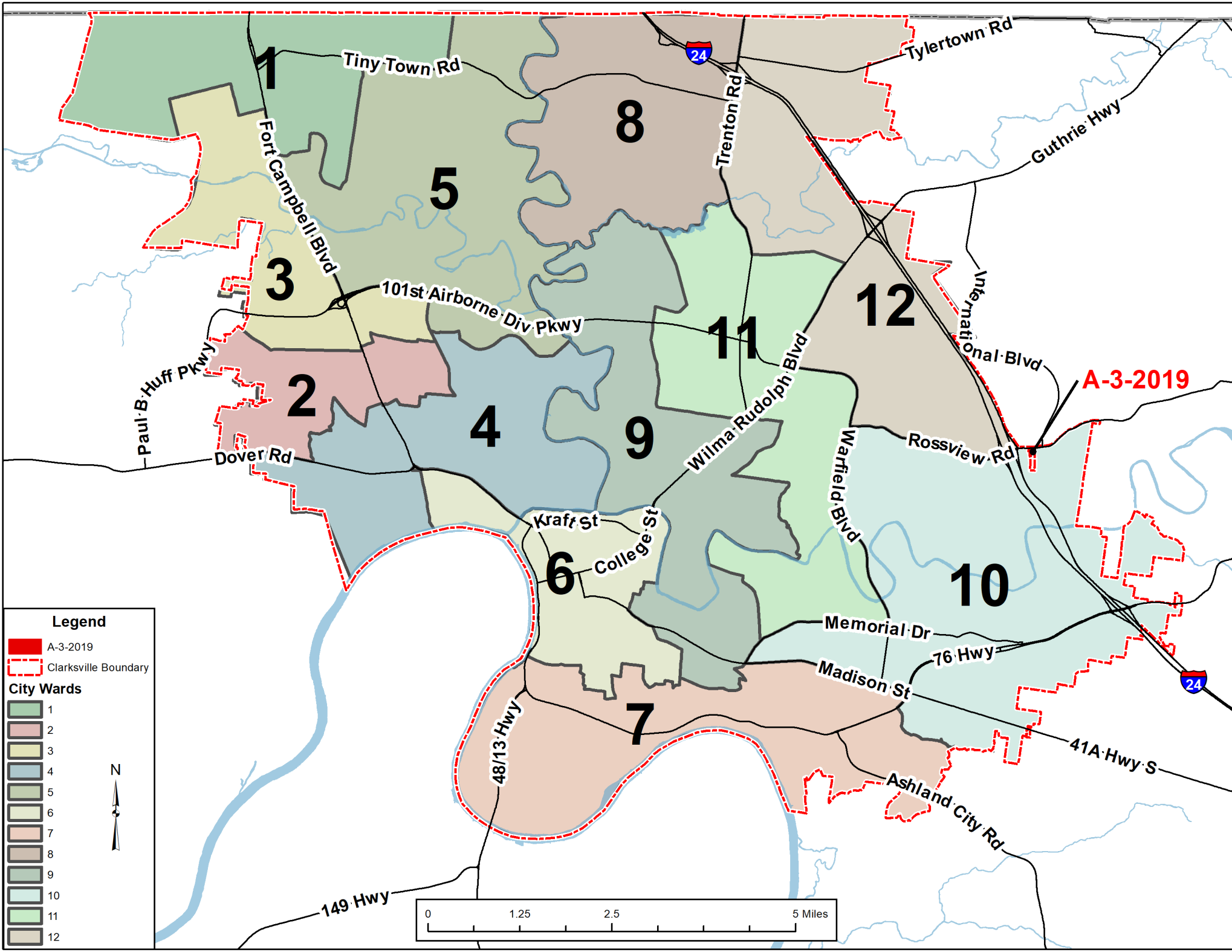
SECOND READING:

EFFECTIVE DATE:









ORDINANCE 11-2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF MICHAEL CONNERETH FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF MARTIN LUTHER KING PARKWAY (SR76) AND VAUGHAN 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 C-5 Highway & Arterial Commercial District, as C-2 General Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an existing concrete marker located in the northerly right of way line of Highway 76 Connector Road (Westbound Lane), said point of beginning being Dillow's southeast corner, thence leaving said right of way line of Highway 76 Connector Road and with a fence line at Dillow's east line North 9 degrees 37 minutes 48 seconds east 421.78 feet to an iron pin; thence with Dillow's south line North 79 degrees 57 minutes 53 seconds east 50.87 feet to an iron pin; said iron pin being Elliott's southwest corner; thence with Elliott's South line North 84 degrees 20 minutes 54 seconds East 250.07 feet to an iron pin; thence leaving Elliott's South line South 00 degrees 28 minutes 25 seconds East 358.40 feet to an iron pin located in the said Northerly right of way line of said Highway 76 Connector Road (Westbound Lane); thence with the westbound lane of Highway 76 Connector Road South 89 degrees 3 minutes 17 seconds West 38.00 feet to a concrete marker; thence south 74 degrees 53 minutes 19 seconds West 346.45 feet to the point of beginning, said tract containing 2.9 +/- acres, further identified as Tax Map 64, Parcel 62.03

ORDINANCE 12-2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF SHIRLEY A. STEWART REVOCABLE LIVING TRUST FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF OLD ASHLAND CITY ROAD AND PROCTOR 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 O-1 Office District, as M-1 Light Industrial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 340 +/- feet east of the Old Ashland City Road & Proctor Drive intersection, said point being the northeast corner of the Thomas Development property and the northwest corner of the herein described tract, said point also being in the southern right of way margin of Old Ashland City Road, thence in a southeasterly direction 265 +/- feet with the southern right of way margin of Old Ashland City Road to a point, said point being the northwest corner of the James L. Powell, Jr. property, thence in a southerly direction 392 +/- feet with the eastern boundary of the Powell property to a point, said point being in the northern boundary of the Thomas Development property, thence in a westerly direction with the 256 +/- feet with the northern boundaries of the Thomas Development properties to a point, said point being the southeast corner of the Thomas Development property, thence in a northerly direction 480 +/- feet to the point of being, said tract containing 2.5 +/- acres, further identified as Tax Map 80-F-A, Parcel 3.00

ORDINANCE 13 -2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF JIM FLAKE, VERNON WEAKLEY-AGENT, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF TRACY LANE AND WHITFIELD ROAD

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-1 Single Family Residential District, as R-4 Multiple Family Residential District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an existing iron pin in the south margin of Tracy Lane, said point being the northwest corner of Lot 1, Stone Terrace Apartments (Plat Book G, Page 204); thence leaving margin of said road South 07 Degrees 59 Minutes 39 Seconds West 151.93 feet to an existing iron pin; thence South 07 Degrees 10 Minutes 18 Seconds West 924.01 feet to an existing iron pin; thence North 82 Degrees 51 Minutes 18 Seconds West 231.00 feet to a point; thence South 07 Degrees 04 Minutes 29 Seconds West 1151.72 feet to a point; thence North 81 Degrees 08 Minutes 17 Seconds West 418.50 feet to a point; thence North 06 Degrees 50 Minutes 38 Seconds East 726.29 feet to a point; thence North 02 Degrees 40 Minutes 35 Seconds West 461.91 feet to a point; thence North 40 Degrees 55 Minutes 28 Seconds East 66.00 feet to a point; North 24 Degrees 24 Minutes 58 Seconds East 464.85 feet to a point; thence North 34 Degrees 15 Minutes 40 Seconds East 492.82 feet to a point; thence North 10 Degrees 01 Minutes 43 Seconds East 112.97 feet to a point; thence South 79 Degrees 58 Minutes 17 Seconds East 328.60 feet to the point of beginning and containing an area of 22.62 acres.

ORDINANCE 14-2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF EAGLES BLUFF PARTNERSHIP FOR ZONE CHANGE ON PROPERTY LOCATED WEST OF WILMA RUDOLPH BOULEVARD, EAST OF OLD TRENTON ROAD, AND SOUTH OF 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 C-5 Highway & Arterial Commercial District, as C-2 General Commercial District.

PUBLIC HEARING:

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at an existing iron pin in the east margin of Old Trenton Road, said iron pin being North 03 Degrees 30 Minutes 53 Seconds West 135.20 feet from the centerline intersection of Old Trenton Road and Atlantic Blvd; thence along margin of said road North 07 Degrees 51 Minutes 29 Seconds East 1264.49 feet to an existing iron pin, said iron pin being the southwest corner of the State of Tennessee Property (ORV 1429, Page 509); thence leaving margin of said road along said property South 80 Degrees 41 Minutes 26 Seconds East 286.69 feet to an existing iron pin; thence South 07 Degrees 49 Minutes 50 Seconds West 354.81 feet to an existing iron pin; thence South 81 Degrees 17 Minutes 13 Seconds East 1003.95 feet to a new iron pin at the southwest terminus of Wilma Van Allen Place; thence along south margin of said road South 81 Degrees 27 Minutes 56 Seconds East 358.10 feet to a new iron pin; thence with a curve turning to the right with an arc length of 69.15 feet, with a radius of 100.00 feet, with a chord of South 61 Degrees 21 Minutes 57 Seconds East 67.78 feet to a new iron pin; thence South 41 Degrees 52 Minutes 58 Seconds East 191.29 feet to a new iron pin in the north margin of Wilma Rudolph Blvd, aka US Highway 79, aka State Route 13; thence along margin of said road South 47 Degrees 51 Minutes 24 Seconds West 400.53 feet to a new iron pin; thence South 16 Degrees 09 Minutes 25 Seconds West 59.84 feet to a new iron pin; thence South 47 Degrees 07 Minutes 15 Seconds West 270.00 feet to a new iron pin; thence South 80 Degrees 26 Minutes 30 Seconds West 21.15 feet to a new iron pin; thence leaving margin of said road along the north line of the H.A.R.E. LLC Property (ORV 948, Page 49) North 78 Degrees 43 Minutes 13 Seconds West 622.20 feet to an existing iron pin; thence along the north line of the H.A.R.E. LLC Property (ORV 1232, Page 1056) North 81 Degrees 18 Minutes 06 Seconds West 406.76 feet to an existing iron pin; thence South 08 Degrees 38 Minutes 33 Seconds West 198.15 feet to a new iron

pin; thence North 82 Degrees 00 Minutes 00 Seconds West 370.36 feet to the point of beginning and containing an area of 31.24 +/- acres.

ORDINANCE 1-2019-20

AN ORDINANCE ACCEPTING THE DONATION OF CERTAIN REAL PROPERTY FROM THE INDUSTRIAL DEVELOPMENT BOARD TO THE CITY OF CLARKSVILLE FOR THE PURPOSE OF A WATER STORAGE TANK

WHEREAS, The Industrial Development Board has agreed to donate certain real property and ingress/egress easement to the City of Clarksville for the operation of an existing water tank; and

WHEREAS, the Clarksville City Council has determined that it is in the best interest of the City and its residents that the donation from the Industrial Development Board be accepted with appreciation.

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

1. That the City of Clarksville hereby accepts the donation of certain real property and ingress/egress easement from the Industrial Development Board, being a portion of the property conveyed to donor by deeds of record in Official Record Book Volume 1262, Page 2490 & Volume 1244, Page 2574, in the Register's Office for Montgomery County, Tennessee, and being more particularly described in "Exhibit A", attached hereto.
2. That upon acceptance of transfer documents, the City will assume ownership and responsibility for said property and easement.
3. That this Ordinance shall be in full force and effect from and after its passage and approval.

FIRST READING: July 2, 2019

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Land Description
of the
Industrial Development Board of Montgomery County Property
Jim Johnson Road, Clarksville, TN 37043

Being a portion of the Industrial Development Board of Montgomery County Property in the 1st Civil District of Montgomery County, Tennessee, said property being a portion of Tax Map # 015, Parcel # 003.01 (Volume 1262 Page 2490), and of Tax Map # 009, Parcel # 014.02 Volume (ORV) 1244 Page (PG) 2574, all recorded in the Register's Office of Montgomery County, Tennessee (ROMCT), said property is generally bounded on the west and south by Jim Johnson Road, and on the north by Life is Good Road. Being more particularly described as follows:

Commencing at a set ½" iron pin capped "DBS & Associates" located at Tennessee State Plane coordinates (NAD 83) coordinates of Northing 838556.71, Easting 1600845.50 in the eastern right of way of Jim Johnson Road. Said POINT OF BEGINNING being South 20°31'10" West a distance of 101.29 feet from the southwest corner of the Industrial Development Board of Montgomery County Property ORV 1855 PG 2267. Thence leaving said right of way of Jim Johnson Road and with the said southern proposed right of way (ROW) of Life is Good Road, South 81°00'14" East a distance of 304.81 feet to a new iron rod capped "DBS & Assoc."

Thence leaving said ROW on four new severance lines (NSL) as follows:

South 29°55'19" West a distance of 45.07 feet to a new iron rod capped "DBS & Assoc."; thence, North 83°12'33" West a distance of 78.18 feet to a new iron rod capped "DBS & Assoc."; thence, generally, one-foot East of a fence line, South 05°36'07" West a distance of 270.36 to an iron rod capped "DBS & Assoc."; thence, approximately one-foot south of the fence line, North 82°23'25" West a distance of 257.56 to an new iron rod capped "DBS & Assoc." in said East ROW of Jim Johnson Road;

Thence, North 19°53'31" East a distance of 83.34 feet to a point;

Thence, North 12°42'56" East a distance of 234.37 feet to a point;

Thence, North 08°12'34" East a distance of 5.51 feet to said POINT OF BEGINNING, containing 76,492.19 SQ FT or 1.76 acres more or less.

Together with and subject to any easements, covenants, right of ways, and conveyances that are of record and not of record. According to a survey by W. Logan McCraw, TN RLS#2887 of DBS Engineering & Associates, Job # CC 98231, dated June 17, 2019.

Ingress and Egress Easement

Commencing at a set ½" iron pin capped "DBS & Associates" located in the eastern right of way of Jim Johnson Road, said pin being in the southwest corner of the Water Tower Boundary. Said pin having Tennessee State Plane Coordinates Northing 838244.27, Easting 1600764.77. Thence, leaving said iron pin South 82°23'25" East at a distance of 60.09 feet to the northwest corner and the true point of beginning for this description.

Thence, with South boundary South 82°23'25" East at a distance 10.00 feet to a point, also the width of the Ingress/Egress easement;

Thence South 07°15'34" West at a distance of 44.32 feet to a point;

Thence along a curve to the right having a radius of 35.00 feet, a delta of 090°00'00", an arc distance of 54.98, a chord bearing of South 52° 15'34" and a chord distance of 49.50 feet to a point;

Thence, North 82°44'26" West at a distance of 52.96 feet to a point in the east right of way of Jim Johnson Road;

Thence, with Jim Johnson Road, North 19°53'31" East at a distance of 10.25 feet to a point;

Thence South 82°44'26" East at a distance of 50.72 feet to point being the start of a curve;

Thence northeasterly an arc distance of 39.27 feet along a curve to the left having a radius of 25.00 feet, a delta of 090°00'00", chord bearing of North 52°15'34" East and a chord distance of 35.36 feet to a point;

Thence North 07°15'34" East at a distance of 44.38 feet to the point of beginning containing 1,433.12 SQ FT or 0.03 Acres more or less.

Together with and subject to any easements, covenants, right of ways, and conveyances that are of record and not of record. According to a survey by W. Logan McCraw, TN RLS#2887 of DBS Engineering & Associates, Job # CC 98231, dated June 17, 2019.

ORDINANCE 2-2019-20

AN ORDINANCE AUTHORIZING PURCHASE OF PROPERTY AT 111 CUNNINGHAM LANE FOR THE CITY OF CLARKSVILLE GAS & WATER DEPARTMENT NORTH SERVICE CENTER

WHEREAS, property acquisition is necessary for the relocation of the City of Clarksville Gas & Water Department North Service Center; and

WHEREAS, the City of Clarksville Gas & Water Department has agreed to purchase property located at 111 Cunningham Lane from First Tennessee Bank National Association for the price of \$435,000.00 plus additional cost and closing fees.

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

That the Clarksville City Council hereby authorizes the purchase of property at 111 Cunningham Lane (CMAP 43, Parcel 1.01) for the City of Clarksville Gas & Water Department North Service Center, not to exceed \$445,000.00.

FIRST READING: July 2, 2019
SECOND READING:
EFFECTIVE DATE:

EXHIBIT A



ORDINANCE 3-2019-20

AN ORDINANCE AUTHORIZING PURCHASE OF PROPERTY FOR CLARKSVILLE GAS & WATER'S NEW MEADOWBROOK SEWER PUMP STATION EQUALIZATION BASIN

WHEREAS, property acquisition is necessary to construct a new equalization basin for the new Meadowbrook Sewer Pump Station; and

WHEREAS, the City of Clarksville Gas & Water Department has agreed to purchase property located at Fort Campbell Boulevard from Baggett & Harvey and Mehigan Family Partnership for the price of \$481,000.00 plus any additional costs and closing fees.

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

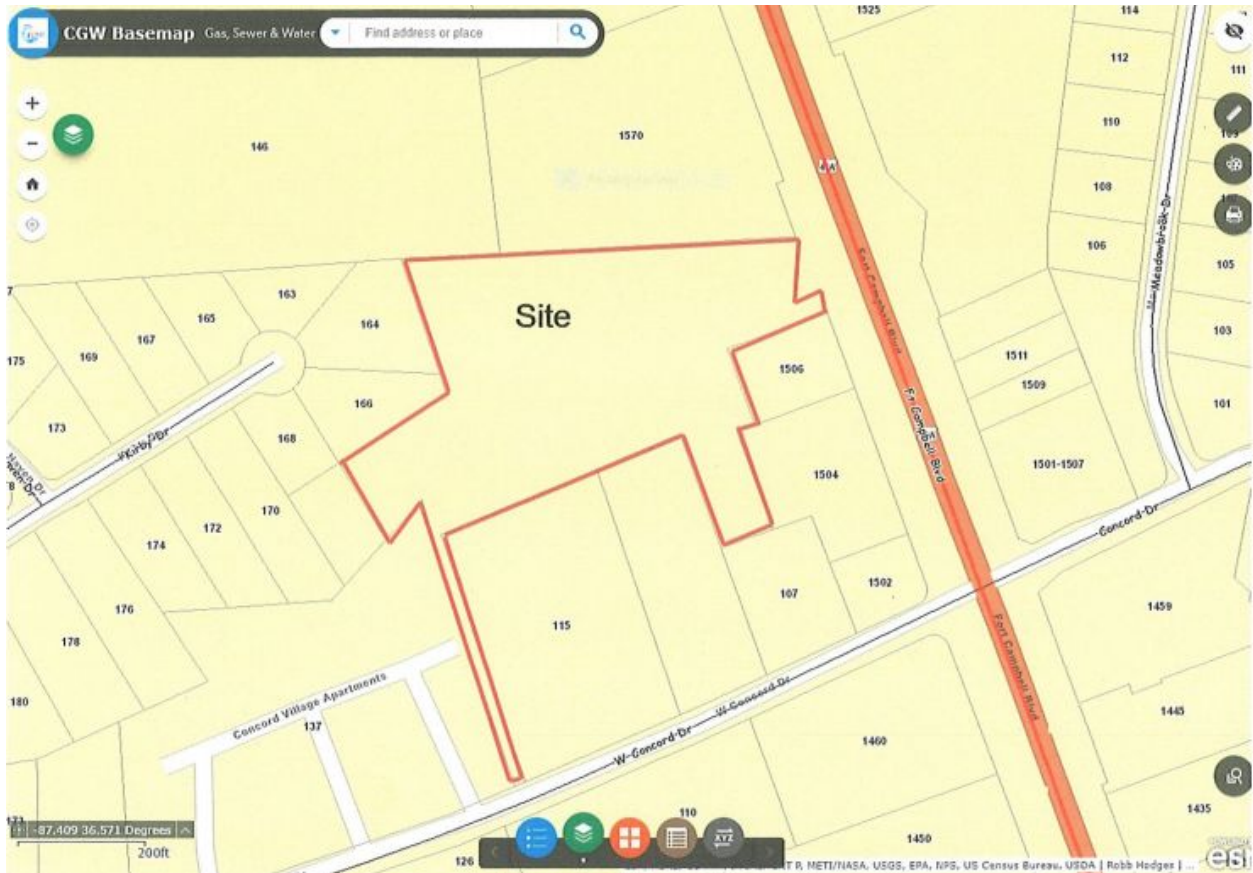
That the Clarksville City Council hereby authorizes purchase of property at Fort Campbell Boulevard (CMAP 43J, Parcel 30.00) for the new Meadowbrook Sewer Pump Station Equalization Basin, not to exceed \$491,000.00.

FIRST READING: July 2, 2019

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A



ORDINANCE 4-2019-20

AN ORDINANCE 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 SPOT INTERSECTION IMPROVEMENTS FOR THE TRENTON ROAD AND MERIWETHER ROAD PROJECT, THE TYLERTOWN-OAKLAND ROAD IMPROVEMENTS PROJECT, AND THE WHITFIELD ROAD IMPROVEMENTS PROJECT

WHEREAS, the Clarksville City Council finds that improvements to roads and 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 right of way rights for the purpose of constructing improvements to Trenton Road and Meriwether Road, Tylertown Road and Oakland Road, and Whitfield Road and Needmore Road.

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 any necessary property rights from affected property owners for the Spot Intersection Improvements for the Trenton Road and Meriwether Road Project, the Tylertown-Oakland Road Improvements Project, and the Whitfield Road Improvements Project, and further, that if agreement 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 Spot Intersection Improvements for the Trenton Road and Meriwether Road Project, the Tylertown-Oakland Road Improvements Project, and the Whitfield Road 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 and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.

FIRST READING: July 2, 2019

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 6-2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF ERIC HUNEYCUTT FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF CHARLOTTE STREET AND BLACKMAN STREET

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

That the Zoning Ordinance and Map of the City of Clarksville, Tennessee are hereby amended by designating the zone classification of the property described in Exhibit A, currently zoned R-3 Three Family Residential District, as R-6 Single Family Residential District.

PUBLIC HEARING: July 2, 2019

FIRST READING: July 2, 2019

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning an iron pin (old), said pin being the southeastern corner of the Gary Sinks Properties as recorded in Vol. 1375, page 532 ROMCT, said pin being N 12° 06' W for a distance of 49 from the centerline intersection of Blackman Street and Charlotte Street, said also being the southwestern corner of the herein described parcel; Thence, along said Sinks property for the next 3 calls, North 14 degrees 42 minutes 04 seconds East for a distance of 74.96 feet to an iron pin old, said pin having the coordinates of Northing 798644.92 and an Easting of 1569096.70; Thence, South 81 degrees 56 minutes 29 seconds East for a distance of 167.98 feet to an iron pin old; Thence, North 01 degrees 04 minutes 06 seconds East for a distance of 102.77 feet to an iron pin old, said point being the northwestern corner of the herein described parcel and having the coordinates of Northing 798724.13 and Easting of 1569264.94; Thence, leaving said Sinks property and along a common southern property line of the Joseph Matlock as described in Vol. 1779, page 1152 ROMCT, South 86 degrees 23 minutes 39 seconds East a distance of 91.82 feet to an iron pin old, said pin also being the northwestern corner of the Edward Vanderbilt property as described in Vol. 1716, page 672; Thence, leaving said Matlock property and with said Vanderbilt property, South 55 degrees 19 minutes 13 seconds East for a distance of 6.52 feet to an iron pin new, said point being the northeastern corner of the herein described parcel, said pin also being the northwestern corner of the Diana Maxfield property as described in Vol. 1132, page 398; Thence, leaving said Vanderbilt property and with said Maxfield property, South 39 degrees 18 minutes 40 seconds West for a distance of 309.65 feet to an iron pin old located on north right of way of Charlotte Street, said point being the southeastern corner of the herein described parcel; Thence, leaving said Maxfield property and along the eastern right of way of Charlotte Street, North 42 degrees 08 minutes 22 seconds West for a distance of 131.29 feet to the point of beginning, said parcel containing 25,280 Square Feet or 0.58 Acres, more or less.

ORDINANCE 7-2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF REBER KENNEDY FOR ZONE CHANGE ON PROPERTY LOCATED AT THE NORTH TERMINUS OF LANCELOT LANE, THE WEST TERMINUS OF WINESAP ROAD, AND THE WEST TERMINUS OF CORE 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-1 Single Family Residential District

PUBLIC HEARING: July 2, 2019

FIRST READING: July 2, 2019

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning a point, said point located in the eastern property line of the Michael Kennedy Property as recorded in Vol. 1725, page 640, R.O.M.C.T., said point being North 48 degrees 47 minutes West for a distance of 240.00' \pm from the centerline intersection of Lancelot Lane and Camelot Drive, said point also being the southwest corner of herein described parcel; Thence, with said Kennedy property line, North 05 degrees 10 minutes 13 seconds East for a distance of 960.81 feet to a point; Thence, continuing with said Kennedy property, North 18 degrees 33 minutes 19 seconds East for a distance of 922.30 feet to a point located in the southwest corner of the Justin Burchell Property as recorded in Vol. 1842, page 43, R.O.M.C.T., said point also being the northwest corner of herein described parcel; Thence, leaving said Kennedy and with said Burchell property South 71 degrees 20 minutes 34 seconds East for a distance of 549.00 feet to a point located on the western line of the Ted Johnson Property as recorded in Vol. 431, page 1014, ROMCT; Thence leaving said Burchell property and with said Johnson property, South 03 degrees 57 minutes 37 seconds West for a distance of 212.55 feet to a point; Thence, continuing with said Johnson property South 88 degrees 34 minutes 55 seconds East for a distance of 439.13 feet to a point located in northwest corner of lot 269 of the Apple Grove Sec. 3A S/D as recorded in Plat Book E, page 773, R.O.M.C.T., said point being the northeast corner of herein described parcel; Thence, leaving said Johnson property and with said lots 269 and 270 of said Apple Grove Sec. 3A and also continuing on same line of lots

302 through 307 of the Apple Grove Sec.4B S/D as recorded in Plat Book E, page 1114, R.O.M.C.T., South 07 degrees 27 minutes 01 seconds West for a distance of 1492.99 feet to a point located in the northwest corner of lot 308 of the said Apple Grove Sec. 4B S/D; Thence, with lots 308 through 311 of the said apple Grove Sec. 4B for next 2 calls as follows South 04 degrees 26 minutes 03 seconds West for a distance of 263.78 feet to a point; Thence, South 05 degrees 51 minutes 26 seconds West for a distance of 19.57 feet to a point located in the southeast corner of the open space in the Camelot Hills Sec. 2 S/D as recorded in Plat Book G, page 93, R.O.M.C.T., said point being the southeast corner of herein described property; Thence, with said open space and lots 107 and 108 and lots 117 and 118 of the said Camelot Sec. 2 S/D for next 2 calls as follows North 48 degrees 32 minutes 16 seconds West for a distance of 434.98 feet to a point; Thence, North 86 degrees 55 minutes 13 seconds West for a distance of 783.71 feet to the point of beginning, said parcel containing 1,913,385 Square Feet or 43.92 +/- Acres.

ORDINANCE 8-2019-20

AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF CLARKSVILLE, APPLICATION OF CVHC3, LLC, FOR ZONE CHANGE ON PROPERTY LOCATED AT THE INTERSECTION OF 41-A BYPASS/ASHLAND CITY ROAD AND RIVERWOOD 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 C-5 Highway & Arterial Commercial and R-4 Multiple Family Residential District, as C-2 General Commercial District.

PUBLIC HEARING: July 2, 2019

FIRST READING: July 2, 2019

SECOND READING:

EFFECTIVE DATE:

EXHIBIT A

Beginning at a point, said point being 83 +/- feet south of the center line of the Ashland City Road & Riverwood Place intersection, said point being the southeast corner of the Riverwood Place and Ashland City Road right of way margin & the northwest corner of the herein described tract, thence in a easterly direction 478 +/- feet with the southern right of way margin of Ashland City Road to a point, said point being the northwest corner of the 1170 Ashland LLC property, thence in a southerly direction 506 +/- feet with the western boundary of the 1170 Ashland LLC property to a point, said point being the northeast corner of the Cumberland Manor Apartments LLC property, thence in a westerly direction 528 +/- feet with the northern boundary of the Cumberland Manor Apartments LLC property to a point, said point being the southeast corner of the Autozone Inc. #64 property thence in a northerly direction 308 +/- feet with the eastern boundary of the Autozone Inc. #64 property to a point, thence in a westerly direction 156 +/- feet with the northern boundary of the Autozone Inc. #64 property to a point, said point being in the eastern right of way margin of Riverwood place, thence in a northerly direction 8 +/- feet with the eastern right of way margin of Riverwood place to the point of beginning, said herein described tract containing 4.51 +/- acres.

RESOLUTION 8-2019-20

A RESOLUTION APPROVING A CERTIFICATE OF COMPLIANCE FOR SALE OF WINE
AT DOLLAR GENERAL (1945 MADISON STREET)

WHEREAS, Steven R. Deckard has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for sale of wine at Dollar General #9805, located at 1945 Madison Street; and

WHEREAS, the Clarksville Police Department has conducted a review of local criminal history and found the applicant(s) 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, according to the Clarksville Building & Codes Department, the applicant(s) 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 Steven R. Deckard for sale of wine at Dollar General #9805, 1945 Madison Street, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 9-2019-20

A RESOLUTION RENEWING A RETAIL LIQUOR STORE CERTIFICATE OF COMPLIANCE FOR ELITE WINE & SPIRITS

WHEREAS, Todd Morris has applied for a Certificate of Compliance from the City of Clarksville according to regulations of the Tennessee Alcoholic Beverage Commission, for operation of Elite Wine & Spirits, 1895 Madison Street; 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 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 retail liquor store Certificate of Compliance for Todd Morris for operation of Elite Wine & Spirits, 1875 Madison Street, Clarksville, Tennessee.

ADOPTED:

RESOLUTION 14-2019-20

A RESOLUTION APPROVING BOARD APPOINTMENTS FOR HUMAN RELATIONS COMMISSION, PARKING COMMISSION, SENIOR CITIZENS BOARD

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

That the Clarksville City Council hereby approves the following board appointments:

Human Relations Commission: Ronald Dayley - August 2019 through June 2022

Parking Commission: Morgan Knight - September 2019 through August 2021

Senior Citizens Board: Norma Deal - March 2019 through April 2022, Mary New, Jimmy Parker - August 2019 through April 2022

ADOPTED:



CLARKSVILLE CITY COUNCIL REGULAR SESSION JULY 2, 2019

MINUTES

PUBLIC COMMENTS:

Prior to the meeting, Barry Schmittou said the Industrial Development Board should comply with the open meetings law because they receive funding from taxpayer dollars. He questioned the approval process for the Atlas BX industrial plant.

Dr. Virginia Leon shared her frustration with the constant noise and disruptions coming from Tarboosh Restaurant which was located next to her apartment at 117 Franklin Street.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Tuesday, July 2, 2019, at 7:00 p.m. in the City Council Chambers, 106 Public Square, Clarksville, Tennessee. This meeting was rescheduled from the original meeting date of July 4, 2019, upon the adoption of **ORDINANCE 69-2018-19**.

A prayer was offered by Councilman Jeff Burkhart; the Pledge of Allegiance was led by Councilman Ron Erb.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Vondell Richmond (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4) Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Travis Holleman (Ward 7), David Allen, Mayor Pro Tem (Ward 8), Jeff Henley (Ward 9), Stacey Streetman (Ward 10), Gary Norris (Ward 11), Jeff Burkhart (12)

SPECIAL RECOGNITIONS

Mayor Pitts welcomed Senator Bill Powers who was in the audience.

PLANNING COMMISSION

Councilman Garrett made a motion to conduct a public hearing to receive comments from the public regarding proposed annexations, reapportionment, and requests for zone change. The motion was seconded by Council Henley. There was no objection.

RESOLUTION 4-2019-20 Annexing territory at off Highway 76 east of Interstate 24 Exit 11

The following individuals spoke in opposition to this proposed annexation:

Keith Boyd, Diana Larkins, Connie Baber, Deanna Theisgea, Barry Schmittou, Linda Reggins, Crissa Hubert, Joshua Beal, Jordan Lavato, Jennifer Smith, Keya Somera, Yvonne Kuchenmeister, Lane (inaudible), Michael Wilkinson, Ben Sanders, Gary Davis, Leland Sharnhorst, Dustin Geiberst, Cheryl McMichael, Carolyn Wilkinson, Brian Winning, Olivia Smith, Glenn Lightner, and Grace Mitchell.

Reasons stated for objection were loss of community identification, land is not in the Urban Growth Boundary, possible addition of 2,200 residents, annexation would be considered urban sprawl, potential R-4 zoning would not be in character of the area, over crowded school, failing hotels in the surrounding area, residents oppose additional retail development, concern for school safety, increased traffic congestion, Highway 76 cannot support additional traffic, no state plans to improve Highway 76, no existing infrastructure, annexation would benefit only two builders, development could lower the cost of labor and a possible influx of large corporations; land preparation causing environmental concerns, no existing sidewalks on Highway 76, possible reduction in property values, possible escalation in crime, and risk of road collapse caused by sinkholes

Bill Belew, applicant, said a traffic study would be conducted if annexation of the properties is approved.

RESOLUTION 5-2019-20 Approving a Plan of Services for annexed territory off Highway 76 east of Interstate 24/Exit 11

There were no public comments.

RESOLUTION 6-2019-20 Annexing territory along Gratton Road

There were no public comments.

RESOLUTION 7-2019-20 Approving a Plan of Services for annexed territory on Gratton Road

There were no public comments.

ORDINANCE 5-2019-20 (First Reading) Reapportioning annexed territory on Gratton Road and at I-24 and Highway 76

There were no public comments.

ORDINANCE 6-2018-19 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eric Huneycutt for zone change on property located at the intersection of Charlotte Street and Blackman Street from R-3 Three Family Residential District to R-6 Single Family Residential District

Cal Burchett, McKay-Burchett Engineers, said the proposed development would consist of five single-family homes. There was no expressed opposition.

ORDINANCE 7-2018-19 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reber Kennedy for zone change on property located at the north terminus of Lancelot Lane, the west terminus of Winesap Road, and the west terminus of Core Drive from AG Agricultural District to R-1 Single Family Residential District

Cal McKay, McKay-Burchett Engineers, offered to answer questions. Linda Hall Drake expressed concern about traffic. Councilman Henley said if this zoning is approved, approximately 80 homes could be built in two phases.

ORDINANCE 8-2018-19 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of CVHC3, LLC, C&E Partners-Agent, for zone change on property located at the intersection of 41-A Bypass/Ashland City Road and Riverwood Place C-5 Highway & Arterial Commercial District and R-4 Multiple Family Residential District to C-2 General Commercial District

Cal Burchett, McKay-Burchett Engineers, speaking on behalf of the applicant, said C-2 zoning would better suit the property for development. There was no expressed opposition.

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

ADOPTION OF ANNEXATION, REAPPORTIONMENT, AND ZONING

Councilman Garrettman Garrett made a motion to adopt **RESOLUTION 4-2019-20**. The motion was seconded by Councilman Burkhart. Council lady Guzman made a motion to postpone this vote to the next regular session to allow members to gather additional information. The motion was seconded by Councilman Chandler. Council lady Streetman expressed support for the annexation stating the land was already developable and the City would benefit from the revenue which would provide services to the properties. Councilman Chandler said a “mega” apartment complex would hinder fire service and consideration should be given to the effect a development would have on area schools. The following vote was recorded:

AYE: Chandler, Erb, Guzman, Pitts, Richmond

NAY: Allen, Burkhardt, Garrett, Henley, Holleman, Smith, Streetman

The motion to postpone failed. The following vote on the main motion was recorded:

AYE: Allen, Burkhardt, Garrett, Henley, Holleman, Norris, Pitts, Streetman

NAY: Chandler, Erb, Guzman, Richmond, Smith

The motion to adopt this resolution passed.

Councilman Chandler requested a recess at 8:35 p.m.; there was no objection. The Council reconvened at 8:44 p.m.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 5-2019-20**. Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councilman Burkhardt. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

Councilman Garrett made a motion to adopt **RESOLUTION 6-2019-20**. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **RESOLUTION 7-2019-20**. Councilman Garrett made a motion to adopt this resolution. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

Councilman Garrett made a motion to adopt **ORDINANCE 5-2019-20** on first reading. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Allen, Burkhardt, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, it's, Richmond, smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 6-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 7-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Streetman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 8-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously 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 55-2018-19** (Second Reading) Amending the Official Code pertaining to the designation of the District Management Corporation from the Two Rivers Company to the Economic Development Council
2. **ORDINANCE 78-2018-19** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Maynard Family Company for zone change on property located at the intersection of Tobacco Road and Jack Miller Boulevard from R-1A Single Family Residential District to R-4 Multiple Family Residential District
3. **ORDINANCE 79-2018-19** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Yvonne Rhodes, Mark Holleman-Agent, for zone change on property located south of Madison Street and east

of Greenwood Avenue from R-3 Three Family Residential District to R-4 Multiple Family Residential District

4. **ORDINANCE 80-2018-19** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders for zone change on property located at the intersection of Dotsonville Road and Arrowfield Drive from R-1 Single Family Residential District to R-2 Single Family Residential District

5. **RESOLUTION 3-2019-20** Approving appointments to Board of Adjustments & Appeals, Economic Development Council, and Board of Zoning Appeals *[Removed; see below]*

- *Adjustments & Appeals: Herb Baggett (correct dates of term approved June 6) - July 2018 through June 2022*
- *Economic Development Council: Gary Norris - July 2019 through June 2021*
- *Board of Zoning Appeals: Cindy Green - July 2019 through December 2021*

6. Adoption of Minutes: May 29, June 6, June 13, June 20

Mayor Pitts requested separate consideration of **RESOLUTION 3-2019-20**. Councilman Burkhart made a motion to adopt the amended Consent Agenda. The motion was seconded by Councilwoman Smith. Councilman Chandler registered a “nay” vote on **ORDINANCE 79-2018-19**. Councilman Holleman registered an abstention on **ORDINANCE 79-2018-19**. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt the Consent Agenda as amended passed.

BOARD APPOINTMENTS

RESOLUTION 3-2019-20 Approving appointments to the Board of Adjustments & Appeals, Economic Development Council, and Board of Zoning Appeals

This resolution was removed from the original Consent Agenda. Mayor Pitts made a motion to adopt this resolution. The motion was seconded by Councilman Burkhart. Mayor Pitts made a motion to amend this resolution by adding the appointment of Kunal Shah to the Power Board [July 2019 through June 2022]. The motion was seconded by Councilman Burkhart. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

Mayor Pitts’ amendment unanimously passed. The following vote on the main motion as amended was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution as amended unanimously passed.

FINANCE COMMITTEE

ORDINANCE 1-2019-20 (First Reading) Accepting donation of certain real property from the Industrial Development Board for the purpose of a water storage tank

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

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 2-2019-20 (First Reading) Authorizing purchase of property at 111 Cunningham Lane for the Gas & Water North Service Center

The recommendations of the Gas & Water Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. The following vote was recorded:

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 3-2019-20 (First Reading) Authorizing purchase of property for the Gas & Water new Meadowbrook Sewer Pump Station Equalization Basin

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

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this ordinance on first reading unanimously passed.

ORDINANCE 4-2010-20 (First Reading) Authorizing exercise of right of eminent domain to acquire easements and/or rights-of-way for the Trenton Road and Meriwether Road Project, the Tylertown-Oakland Road Improvements Project, and the Whitfield Road Improvements Project

The recommendations of the Street Committee and the Finance Committee were for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Chandler. Councilman Burkhart said he would abstain because he owns an affected property. The following vote was recorded:

AYE: Allen, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

ABSTAIN: Burkhart

The motion to adopt this ordinance on first reading passed.

RESOLUTION 1-2019-20 Asking the Tennessee Department of Transportation for improvements to SR374/Warfield Boulevard from south of Dunbar Cave Road to SR112/Madison Street

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

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

RESOLUTION 2-2019-20 Authorizing an interlocal agreement between the City of Clarksville and the E-911 Emergency Communication District

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

AYE: Allen, Burkhart, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

GAS & WATER COMMITTEE

Chairlady Guzman shared the following monthly department statistics: 5,071 work orders, 370 calls, almost 100,000 meter readings, 68,947 billings, and 2,970 requests.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Chairman Allen said three demolitions for the new Loaves & Fishes facility had been completed. He announced the Tennessee Housing Development Agency had approved an application for the 2019 Emergency Solutions Grant in the amount of \$161,250.

Chairman Allen congratulated Housing & Community Development Director Keith Lampkin for being selected as a member of the Executive Committee of the National Community Development Association.

PARKS & RECREATION

Chairlady Guzman announced the new branding for Parks & Recreation as “Parks and Rec and You.” She said the Mayor’s Summer Lights events had been successful. Chairlady Guzman mentioned the Independence Day Celebration on July 3rd in Liberty Park, the Food Truck Rally in McGregor Park on July 11, and the Taste of Liberty Park scheduled for July 18.

PUBLIC SAFETY COMMITTEE

Chairman Henley shared the following monthly department statistics: Building & Codes - 2,132 inspections, 352 enforcement cases, 82 single family permits, and 96 abatement work orders; Fire Rescue - 676 calls; Police - 13,459 responses.

STREETS & GARAGE COMMITTEE

Chairman Chandler shared the following monthly department statistics: Streets - 201 work orders including storm debris pickup through the month of July; Garage - 502 work orders in 1,229 man hours, unleaded fuel \$2.06/gallon, diesel fuel \$2.09/gallon

TRANSPORTATION COMMITTEE

Chairlady Smith shared the following monthly department statistics: Clarksville Transit System - 51,326 passengers including 6,693 senior citizens, and 1,750 youth free rides. She said construction of the Ebenezer Church shelter was complete. Chairlady Smith said CTS would offer free rides all day on all routes on July 3rd and would provide a free shuttle to the Independence Day Celebration in Liberty Park from designated locations.

MAYOR AND STAFF REPORTS

Mayor Pitts recognized Councilman Norris who invited the Mayor and City Council to a Volunteer Appreciation Dinner on July 11 at the First Presbyterian Church sponsored by Loaves & Fishes.

Mayor Pitts reminded the public that fireworks are permitted through July 5th at 10:00 p.m.

ADJOURNMENT

The meeting was adjourned at 9:14 p.m.

ORDINANCE 9-2019-20

AN ORDINANCE AMENDING THE 2019-20 GENERAL FUND OPERATING BUDGET (ORDINANCE 76-2018-19) AUTHORIZING THE CITY OF CLARKSVILLE INCREASE OPERATING BUDGETS FOR DEPARTMENTS/ ENTITIES FOR THE PURPOSE OF PAYING FOR ITEMS PLANNED IN FY2018-19 BUT WILL NECESSITATE FUNDING IN FY2019-20

WHEREAS, FY2018-19 budgeted funds and appropriations expired at June 30th. At fiscal year end all unexpended appropriations roll to unassigned fund balance of the general fund.

WHEREAS, Due to various reasons, delay in manufacturing, contract delays and/or back order three (3) departments/entities are requesting to roll funds forward from FY2018-19 to FY2019-20.

WHEREAS, At the close of FY2018-19 any unexpended funds become part of the fund balance, available for appropriation.

WHEREAS, The departments/entity need to appropriate/budget the funds for FY2019-20 to cover expenditures that will occur in FY2019-20.

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

That the following Amendment be made:

General Fund

Parks and Recreation:

10451004-4742 – F450 previously delivered	Increase	\$53,689
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Garage:

10419603-4650 – Replace laptop computer	Increase	1,800
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Airport:

10462003-4860 –Capital Projects	Increase	\$455,892
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BE IT FURTHER ORDAINED that the source of funding for this \$511,381 shall be from the fund balance of the General Fund.

FIRST READING:

SECOND READING:

EFFECTIVE DATE:

RESOLUTION 10-2019-20

A RESOLUTION AUTHORIZING A MUTUAL AID/INTERLOCAL AGREEMENT
BETWEEN THE CITY OF CLARKSVILLE AND AUSTIN PEAY STATE UNIVERSITY
FOR POLICE SERVICES

WHEREAS, the City of Clarksville and Austin Peay State University have discussed the feasibility of requesting assistance from each other in special situations involving danger to life or property; and

WHEREAS, both parties have agreed to outline the procedure to be followed in the event of a request for assistance by one of the parties.

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

That the Clarksville City Council hereby authorizes a Mutual Aid/Interlocal Agreement, attached hereto as Exhibit A, between the City of Clarksville and Austin Peay State University for police services.

ADOPTED:

MUTUAL AID AGREEMENT

This Mutual Aid Agreement entered into by and between AUSTIN PEAY STATE UNIVERSITY, acting through its Chief of Police (APSU), and the CITY OF CLARKSVILLE, TENNESSEE, a fourth class Tennessee Municipal Corporation, acting through its Chief of Police (Clarksville), this 9th day of July, 2019.

WHEREAS, the parties have heretofore discussed the feasibility of requesting assistance from each other in special situations involving danger to life or property; and

WHEREAS, the parties desire to outline the procedure to be followed in the event of a request for assistance by one of the parties;

NOW, THEREFORE, in consideration of the mutual promises and considerations specified herein, the parties hereto agree as follows:

1. In the event an emergency occurs in the jurisdiction of the APSU Police Department, the Executive Authority (President or other designated person) of APSU, the APSU Chief of Police, or the highest-ranking APSU police officer present at the site of such emergency may request assistance from the Clarksville Police Department when the requesting person has established the need for additional manpower or equipment. Likewise, in the event an emergency occurs in the jurisdiction of the Clarksville Police Department, the Executive Authority (Mayor or other designated person) of the City of Clarksville, the Clarksville Chief of Police, or the highest-ranking Clarksville police officer present at the site of such emergency may request assistance from the APSU Police Department when the requesting person has established the need for additional manpower or equipment, and pursuant to TCA 49-7-118 (e)(1) and (e)(2).

2. In the event of such request, the executive authority of the responding agency, the Police Chief of the responding agency, or the highest-ranking officer of the responding agency may, in his or her discretion, provide aid and assistance requested, when in his or her opinion, the manpower and equipment is available, and will not significantly impair the ability of the responding agency to provide for the safety and security within its jurisdiction.

3. If the responding agency agrees to provide mutual aid, all personnel of the responding agency shall report to and shall work under the direction and supervision of the highest-ranking officer of the responding agency who is present at the site of the emergency.

4. All personnel and equipment may be recalled by the highest-ranking on site officer of the responding agency when the officer determines that the emergency no longer exists, the situation is beyond the capabilities of the responding agency, or the personnel and equipment are needed by the responding agency to maintain the safety and security of citizens or property within its jurisdiction.

5. Reimbursement for services and equipment, if any, shall be determined based on the size and duration of the response.

6. Communications between agencies shall be conducted on the requesting agency's police radio frequency, if possible. Users of this frequency shall use "plain language" and identify themselves with agency name and unit number when contacting other agencies.

7. The Clarksville Police Department and the Austin Peay State University State Police Department shall each be liable for the actions of its employees as required by law, and the requesting party shall indemnify and hold harmless the responding party from and against any and all claims, suits, actions, debts, damages, costs, charges and expenses, including court costs and attorney fees, and against all liability, losses, and damages of any nature whatever, that the responding party shall or may at any time sustain or be put to by reason of the actions or inactions of the requesting party under this Mutual Aid Agreement.

8. Any images (video or photographs) made or captured by either party will be primary custody of the requesting party and can be distributed through formal request for same. All images taken or obtained by the responding agency will be relinquished to the requesting agency when the emergency no longer exists, if not sooner.

AUSTIN PEAY STATE UNIVERSITY
POLICE DEPARTMENT

CITY OF CLARKSVILLE, TENNESSEE
CLARKSVILLE POLICE DEPARTMENT

By: 
Sammie Williams, Chief of Police

By: _____
Al Ansley, Chief of Police

Date: 6/7/19

Date: _____

RESOLUTION 11-2019-20

A RESOLUTION DECLARING THE INTENT OF THE CITY OF CLARKSVILLE, TENNESSEE TO REIMBURSE ITSELF IN A NOT TO EXCEED AMOUNT OF \$15,620,000 FOR CERTAIN PROJECT EXPENDITURES WITH THE PROCEEDS OF GENERAL OBLIGATION BONDS, NOTES OR OTHER DEBT OBLIGATIONS TO BE ISSUED BY THE CITY

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

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

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

WHEREAS, the City Council of the City wishes to state its intentions with respect to reimbursements for said expenditures, in a not to exceed amount of \$15,620,000, in accordance with the requirements of final regulations applicable thereto promulgated by the United States Department of the Treasury.

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

SECTION 1. It is reasonably expected that the City will reimburse itself for certain expenditures, in a not to exceed amount of \$15,620,000, made by the City in connection with the activities hereinabove described. The City further reasonably expects to reimburse all such expenditures from the proceeds of its general obligation bonds, notes or other debt obligations. The expenditures made prior to the issuance of said bonds, notes or other debt obligations are expected to be paid from the General Fund of the City, and reimbursement shall be made to the General Fund. Debt service on the bonds, notes or other debt obligations is expected to be paid from unlimited ad valorem taxes to be levied on all taxable property within the corporate limits of the City.

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

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

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

ADOPTED:

ORDINANCE 10-2019-20

AN ORDINANCE ESTABLISHING THE TAX RATE FOR FISCAL YEAR 2020 (TAX YEAR 2019) AT ONE DOLLAR AND TWO CENTS AND NINETY-SIX TEN-THOUSANDTHS (\$1.0296) IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE 76-2018-19

WHEREAS, the FY2020 Budget was prepared assuming acceptance of the Certified Tax Rate for revenue neutral property tax billing; and

WHEREAS, the Certified Tax Rate was not received from the Montgomery County Assessor of Property in time for the budget approval, but has now been received; and

WHEREAS, the Mayor and the Finance Committee have recommended acceptance of the Certified Tax Rate.

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

The governing body of the City of Clarksville has determined the Certified Tax Rate will be sufficient to meet funding for the FY2020 Budget effective July 1, 2019.

BE IT FURTHER ORDAINED that the City Council hereby establishes the tax rate for Fiscal Year 2020 (Tax Year 2019) at \$1.0296 as set by the Montgomery County Assessor of Property as the Certified Tax Rate.

FIRST READING: July 25, 2019

SECOND READING:

EFFECTIVE DATE:

ORDINANCE 15-2019-20

AN ORDINANCE 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 TDOT ROSSVIEW ROAD WIDENING PROJECT (FROM I-24 TO CARDINAL LANE / TDOT PROJECT #63LPLM-F2-029, PIN 112874.00)

WHEREAS, the City of Clarksville finds that improvements to roads and 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 right of way rights for the purpose of constructing improvements to Rossview Road.

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 any necessary property rights from affected property owners for the TDOT Rossview Road Widening Project (From I-24 To Cardinal Lane / TDOT Project #63LPLM-F2-029, Pin 112874.00) and further, that if agreement 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 TDOT Rossview Road Widening Project (From I-24 To Cardinal Lane / TDOT Project #63LPLM-F2-029, Pin 112874.00), and said negotiations, acquisitions, and/or exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies and the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.

FIRST READING:

SECOND READING:

EFFECTIVE DATE: