



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
JANUARY 2, 2020**

MINUTES

Scheduled for adoption February 6, 2020

PUBLIC COMMENTS:

Prior to call to order, Zach Roberts asked the City Council to disapprove ORDINANCE 47-2019-20, transferring interests in property located on South Second Street to Bikers Who care, on second reading.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, January 2, 2020, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

PRAYER

A prayer was offered by Richard Garrett, Sr., guest of Councilman Richard Garrett. 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; arrived 7:11 p.m.), David Allen, Mayor Pro Tem (Ward 8), Jeff Henley (Ward 9), Stacey Streetman (Ward 10), Gary Norris (Ward 11), Jeff Burkhart (Ward 12)

SPECIAL RECOGNITIONS

There were no special recognitions

ZONING PUBLIC HEARING

Councilman Garrett made a motion to conduct a public hearing to receive comments regarding a request for zone change. The motion was seconded by Councilman Chandler. There was no objection.

ORDINANCE 51-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of John Hadley for zone change on property located at the intersection of Wilma Rudolph Boulevard and Terminal Road from M-2 General Industrial District to C-5 Highway & Arterial Commercial District

John Hadley offered to answer questions; none were asked. There was no one present to express opposition to this request.

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

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 51-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Norris. 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 47-2019-20** (Second Reading) Authorizing transfer of South Second Street property interest to Bikers Who Care, Inc. *[Removed; See Finance Committee]*
2. **ORDINANCE 48-2019-20** (Second Reading) Amending the Official Code relative to Firefighter annual leave

3. **RESOLUTION 35-2019-20** Approving a Certificate of Compliance for Todd E. Morris for operation of Mulligan's

4. **RESOLUTION 36-2019-20** Approving a Certificate of Compliance for Ramesh Kasetty for operation of Caddy's Discount Liquor

5. **RESOLUTION 37-2019-20** Approving appointments to the Access Board of Appeals, Board of Adjustments & Appeals, Adult Oriented Establishment Board, Arts & Heritage Development Council, Common Design Review Board, Ethics Commission, and Human Relations Commission

- *Access Board of Appeals: Norm Brumbley, Charlie Gentry, Alex Morris, Matthew Kenny (Alternate) - January 2020 through December 2021*
- *Adjustments & Appeals Board: John Crabbe - January 2020 through June 2023*
- *Adult Oriented Establishment Board: Rachel Barrow - January 2020 through December 2020*
- *Arts & Heritage Development Council: Carolyn Ferrell, Valerie Hunter-Kelly, Thomasa Ross, Joel Wallace - January 2020 through June 2022*
- *Common Design Review Board: Sean Craft - January 2020 through December 2024*
- *Ethics Commission: Bishop Calvin Lockett - January 2020 through June 2022*
- *Human Relations Commission: Shawn'na Darden - January 2020 through June 2022; Lillian Vazquez - January 2020 through June 21*

6. Adoption of Minutes: December 5

Councilman Erb requested separate consideration of **ORDINANCE 47-2019-20**. Councilman Burkhart made a motion to adopt the Consent Agenda as amended. The motion was seconded by Councilman Garrett. 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 unanimously passed.

FINANCE COMMITTEE

ORDINANCE 50-2019-20 (First Reading) Amending the Official Code relative to gas rates and interdistrict fees

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Guzman. Councilman Burkhart offered an amendment to change the fee for “Firm Governmental Entity, Public or Private Utility” monthly meter charge from \$497.26 to \$12.050, and the usage charge per 100 cubic feet from \$0.110 to \$0.088. 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

Councilman Burkhart’s 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 ordinance on first reading as amended unanimously passed.

ORDINANCE 52-2019-20 (First Reading) Amending the 2019-20 Operating and Capital Budget for Governmental Funds for various uses

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

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

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

RESOLUTION 34-2019-20 Asking the Tennessee Department of Transportation for improvements to SR237/Rossvie Road from east of International Boulevard to Hayes Lane

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Chandler. 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 38-2019-20 Approving the Participating Employer Agreement with the State of Tennessee for Employee Deferred Compensation Plan II

The recommendation of the Finance Committee was for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Chandler. 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.

ORDINANCE 47-2019-20 (Second Reading) Authorizing transfer of South Second Street property interest to Bikers Who Care, Inc.

This ordinance was removed from the original Consent Agenda. Councilman Burkhart made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman Guzman.

Councilman Erb said there was no real plan for use of this property and the transfer would establish a precedent for future requests for donation of property. Councilwoman Smith noted the charity to receive the property had not yet been established. Councilman Chandler felt the City had followed proper procedure for this donation and made a motion to postpone action indefinitely to allow time for the non-profit organization to be officially formed. The motion was seconded by Councilman Henley. The following vote was recorded:

AYE: Chandler, Erb, Garrett, Henley, Richmond, Smith

NAY: Allen, Burkhart, Guzman, Holleman, Norris, Pitts, Streetman

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

AYE: Allen, Burkhart, Garrett, Guzman, Holleman, Norris, Pitts, Smith, Streetman

NAY: Chandler, Erb, Henley, Richmond

The motion to adopt this ordinance on second reading passed.

GAS & WATER COMMITTEE *Chairlady Valerie Guzman*

Councillady Guzman shared the following monthly department statistics: 692 million cubic feet of natural gas (35% capacity), 506 million gallons treated water (60% capacity), 10,000+ calls, 100,000+ meter reads, 88,000+ bills and notices.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairman David Allen*

Councilman Allen said the 2020 Point in Time Count was scheduled for January 22. A public meeting regarding the 2020 Consolidated Plan, 2020 Community Development Block Grant, and the Home Investment Partnership was scheduled for January 15. He said the City received its annual performance-assessment letter from Housing & Urban Development showing satisfactory progress for meeting the goals of the Consolidated Plan.

PARKS & RECREATION *Chairlady Valerie Guzman*

Councillady Guzman mentioned on-going activities including human resource and recreation center locations, and noted upcoming events including Snow Much Fun, Fit Fun Circuit Training, Johnsonville book launch, and Chocolate Affair,

PUBLIC SAFETY COMMITTEE *Chairman Jeff Henley*

Councilman Henley shared the following monthly department statistics: Building & Codes - 1,803 inspections, 279 enforcement cases, 102 single-family permits, 15 abatement work orders; Fire Rescue - 1,220 runs; Police - 12,157 calls for service. Councilman Henley congratulated seven new cadets who recently graduated from the Tennessee Law Enforcement Academy.

STREETS & GARAGE COMMITTEE *Chairman Tim Chandler*

Councilman Chandler said 2019 Garage expenses were up \$14,000 as compared to 2018, but more work orders were completed in less time. Unleaded fuel was purchased at \$1.82 per gallon and diesel fuel was purchased at \$2.06 per gallon.

The Street Department completed 123 work orders including continuation of storm debris pickup.

TRANSPORTATION COMMITTEE *Chairlady Wanda Smith*

Councillady Smith said Clarksville Transit System provided 229 rides to the Christmas Eve Warm Souls event at Austin Peay State University. Three new hybrid buses were expected to be delivered in January. CTS was in the process of completing its Recipient Information Requests in preparation for its Federal Tri-Annual Review in June. A request for proposal was recently completed for technology equipment which would

provide better reporting, faster vehicle tracking, and real time passenger information application. She said CTS had partnered with Crime Stoppers to place an information kiosk at the Transit Center. During December 2019, CTS transported 50,617 passengers including 6,513 senior citizens and completed 3,247 demand responses.

INTERNAL SERVICE FUND GUIDELINES

ORDINANCE 29-2019-20 (First Reading; Postponed October 3) Repealing the Internal Service Fund Guidelines and amending the Official Code approving new Internal Service Fund Guidelines

Councilman Allen made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Henley.

In response to Councilwoman Smith's question, City Attorney Lance Baker said the Finance Committee had authority to obligate payments up to the budgeted amount for the Internal Service Fund and noted additional funding would require a budget amendment to be approved by the City Council. Mr. Baker also responded to Councilwoman Smith stating that the highest settlement offered during his tenure was \$650,000, which was rejected, and the highest actual payment made during his tenure was \$275,000.

Mr. Baker responded to Councilman Garrett stating the proposed levels of settlement authority were \$7,500 Risk Manager, \$30,000 City Attorney, and more than \$30,000 Finance Committee. Councilman Garrett offered an amendment to limit the authority for Finance Committee to \$49,999. The motion was seconded by Councilman Allen. Councilwoman Streetman and Councilman Chandler said it could be difficult to gather a quorum on a last minute meeting notice. Councilwoman Smith said all members of the City Council were elected to make decisions including settlements. Councilman Burkhart felt the \$50,000 limit was too low for Finance Committee authority.

Councilman Erb called for the question. The question was seconded. A voice vote was taken; there was no objection to ceasing discussion on the amendment. The following vote was recorded:

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

Councilman Garrett's amendment to limit the Finance Committee's Settlement authority to \$49,000 failed. Councilman Allen made a motion to postpone action to the February 6, 2020 regular session to allow additional time to study the proposed changes and allow members to prepare their amendments. 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 postpone action to the February regular session unanimously passed.

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NORTHEAST CONNECTOR DONATION

Mayor Pitts said the current budget included funding for engineering, design, and right-of-way acquisition for the proposed Northeast Connector. Mayor Pro Tem Allen made a motion to consider **ORDINANCE 53-2019-20** on first reading. The motion was seconded by Councilman Garrett. Councilman Burkhart noted his intent to abstain from voting on this matter because he was part owner of the property being donated. The following vote was recorded:

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

ABSTAIN: Burkhart

The motion to consider passed with the required 3/4 majority approval.

ORDINANCE 53-2019-20 (First Reading) Accepting donation of property from Eagles Bluff Partnership for the Northeast Connector

Councilman Henley made a motion to adopt this ordinance on first reading. The motion was seconded by Councilwoman Smith. 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.

MAYOR AND COUNCIL MEMBER ANNOUNCEMENTS

Mayor Pitts announced City Offices would be closed Wednesday, January 1, New Years Day, and Monday, January 20, Dr. Martin Luther King, Jr.'s Birthday.

Councilman Richmond thanked Mayor Pitts and members of the City Council for their support during his first year as the representative for Ward 2.

Mayor Pitts thanked the members for their work during 2019.

ADJOURNMENT

The meeting adjourned at 8:20 p.m.