



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
FEBRUARY 6, 2020**

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Louis Marshall asked the City to meet with residents in black neighborhoods to discuss crime. Christina Goosey shared information regarding a neighbor's vehicles that were frequently parked on a narrow street in her subdivision which she felt was a safety hazard.

CALL TO ORDER

The Regular Session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, February 6, 2020, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Elder Rashidah A. Leverett, Christ the Healer Church, guest of Councilwoman Stacey Streetman. 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 (Ward 12)

SPECIAL RECOGNITIONS

Mayor Pitts and Fire Chief Freddie Montgomery presented Certificates of Recognition to Flumencio Brinkley and Sergio Carrillo for rescuing Ingeborg Johnson who was trapped in one of four vehicles involved in a fiery crash on December 16, 2019 at the intersection of Warfield Boulevard and Rossview Road.

Mayor Pitts welcomed Austin Peay State University students in the audience who were members of the President's Emerging Leaders Program.

ZONING PUBLIC HEARING

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

ORDINANCE 56-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of CBP Properties, Christian Black-Agent, for zone change on property located at the intersection of Ashland City Road and Glenstone Boulevard from R-1 Single Family Residential District to R-2A Single Family Residential District

Christian Black said the proposed zoning would be in character with the existing area and would add density to this property while offering a moderate price range for new homeowners. In response to Councilman Richmond's question. Mr. Black said placement of driveway access would be determined during the subdivision review process. No one expressed opposition to this request.

ORDINANCE 57-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of William Boyd, Mid State Investments-Agent, for zone change on property located at the intersection of Cumberland Drive and Woodmont Boulevard-Hickory Grove Boulevard from R-3 Three Family Residential District to R-2A Single Family Residential District

No one expressed support for or opposition to this request.

ORDINANCE 58-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Michael Hanna, Dover Road, LLC, Chris Scogin-Agent, for zone change on property located at the intersection of Dover Road (US Hwy. 79) and Somerset Lane from C-1 Neighborhood Commercial District to C-5 Highway & Arterial Commercial District

Chris Scogin offered to answer questions. In response to Mayor Pitts' question regarding the sale of alcoholic beverages at this location, Mr. Scogin said the State of Tennessee had recommended the property be rezoned to be compliant. No one expressed opposition.

ORDINANCE 59-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Care, LLC, J. Chris Fielder-Agent, for zone change on property located at the intersection of Warfield Boulevard and Memorial Drive from R-4 Multiple Family Residential District to O-1 Office District

Mukesh Shah, owner of Care, LLC, offered to answer questions; none were asked. No one expressed opposition.

ORDINANCE 60-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Sam Lucas, Jr., Double Bogey Partners-Agent, for zone change on property located at the intersection of Reynolds Street and Dodd Street from R-3 Three Family Residential District to R-6 Single Family Residential District

J.R. Miller said this change would allow six homes to be constructed with sidewalks and said parking would not be allowed on the narrow street. No one expressed opposition to this request.

ORDINANCE 61-2019-20 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Kentucky-Tennessee Conference Association of Seventh Day Adventists, Inc., Ray Ormar, Capital Brands Group-Agent, for zone change on property located at the intersection of Northfield Drive and Glenhurst Way from R-1 Single Family Residential District to R-4 Multiple Family Residential District

Ray Ormar said this development would result in modern, affordable housing with a recreational space. No one expressed opposition.

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

ADOPTION OF ZONING

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 56-2019-20**; the recommendation of the Regional Planning Commission was for approval. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Burkhart. Councilman Allen noted that no one had expressed opposition to this request and the trend in residential development is for smaller lots. Councilman Holleman, Councillady Streetman, and Councilman Henley also supported the change. Councilman Burkhart supported the RPC Staff's recommendation of disapproval. Councilman Garrett said the new zoning would be consistent with the adopted land use plan. Councilman Chandler said details of the layout would not be determined until after the zoning was approved. Councilman Richmond was concerned about the property's ingress and egress. Councilman Chandler called for the question. A voice vote was taken; the motion to cease discussion passed without objection. The following vote was recorded:

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

NAY: Burkhart, Chandler, Richmond

The motion to adopt this ordinance on first reading passed.

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 57-2019-20**. 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 recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 58-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Holleman. 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 recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 59-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. 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

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

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 60-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. 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

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

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 61-2019-20**. Councilman Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Holleman. 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 50-2019-20** (Second Reading) Amending the Official Code relative to gas rates and interdistrict fees
2. **ORDINANCE 51-2019-20** (Second 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
3. **ORDINANCE 52-2019-20** (Second Reading) Amending the 2019-20 Operating and Capital Budget for Governmental Funds for various uses
4. **ORDINANCE 53-2019-20** (Second Reading) Accepting donation of property from Eagles Bluff Partnership for the Northeast Connector
5. **RESOLUTION 44-2019-20** Approving appointments to the Ethics Commission and correcting terms for appointments to the Audit Committee and Ethics Committee [*Removed; see New Business*]
 - *Audit Committee: Dr. Brandon Di Paolo Harrison and Joel Wallace - January 2020 through December 2021*
 - *Ethics Committee: Bridgett Lolla-Childs - February 2020 through June 2020*
6. Adoption of Minutes: January 2

Mayor Pitts requested removal of **RESOLUTION 44-2019-20** for separate consideration. Councilman Chandler made a motion to adopt the Consent Agenda. The motion was seconded by Councilwoman Smith. Councilman Burkhart abstained from voting on **ORDINANCE 53-2019-20**. 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 *Chairman Jeff Burkhart*

ORDINANCE 54-2019-20 (First Reading) Amending the Official Code relative to residential new construction plumbing permit fee

The recommendations of the Finance Committee and the Public Safety 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 ordinance on first reading unanimously passed.

ORDINANCE 55-2019-20 (First Reading) Accepting donation of property from the Industrial Development Board and Montgomery County Commission for Police District 3

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 Councillady 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 resolution unanimously passed.

RESOLUTION 39-2019-20 Authorizing retirement of Patrol Service Dog Leonidas from the K-9 Unit and further authorizing donation of same to Police Officer Gary Mefford

The recommendations of the Finance Committee and the Public Safety Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councillady 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 resolution unanimously passed.

RESOLUTION 40-2019-20 Authorizing a Mutual Aid Agreement with Austin Peay State University for police services

The recommendations of the Finance Committee and the Public Safety Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councillady 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 resolution unanimously passed.

RESOLUTION 41-2019-20 Authorizing an interlocal agreement with East Montgomery Utility District for sanitary sewerage services

The recommendations of the Finance Committee and the Gas & Water Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. 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 resolution unanimously passed.

RESOLUTION 42-2019-20 Authorizing an interlocal agreement with Todd County Fiscal Court for natural gas infrastructure

The recommendations of the Finance Committee and the Gas & Water Committee were for approval. Councilman Burkhart made a motion to adopt this resolution. 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 43-2019-20 Authorizing an Interlocal Agreement with the Tennessee Department of Safety and Homeland Security

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

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

The motion to adopt this resolution unanimously passed.

GAS & WATER COMMITTEE *Chairwoman Valerie Guzman*

Councilwoman Guzman shared the following monthly department statistics: 679 cubic feet of natural gas, 493 million gallons treated water, 11,000 call center responses, 4,467 work orders, and 290 after-hour calls.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairman David Allen*

Councilman Allen said City and Montgomery County participated in the 2020 Housing & Urban Development "Point In Time" count for twelve hours beginning at 8:00 p.m. on January 23rd to record the number of people experiencing homelessness and in emergency shelters, transitional housing, and safe havens.

PARKS & RECREATION COMMITTEE *Chairlady Valerie Guzman*

Councillady Guzman said a discussion was held during the recent committee meeting regarding an inclusion playground. She noted upcoming events including Clarksville U.S. Colored Troops at Fort Defiance and Black History Celebration at the Kleeman Center.

PUBLIC SAFETY COMMITTEE *Chairman Jeff Henley*

Councilman Henley shared the following monthly department statistics: Building & Codes - 2,007 construction inspections, 176 new enforcement cases, 678 enforcement inspections, 80 single-family building permits, 17 multi-family building permits, 14 commercial building permits, 26 abatement work orders; Police - 13,296 calls for service; Fire Rescue - 1,179 emergency runs. Councilman Henley said Clarksville Police and Clarksville Fire Rescue were beginning the process for new police officers and firefighters.

STREETS & GARAGE COMMITTEE *Chairman Tim Chandler*

Councilman Chandler said the November storm debris pickup was complete and expenses would be submitted to FEMA for reimbursement. He said overall expenses for the City Garage's 439 work orders were slightly higher than the previous year although fuel costs were down.

TRANSPORTATION COMMITTEE *Chairlady Wanda Smith*

Councillady Smith said Clarksville Transit System had recently received three new hybrid buses. CTS transported 51,271 passengers during January, including 6,772 seniors and 3,388 demand responses. The department was preparing for the Federal Tri-Annual Review in June.

INTERNAL SERVICE GUIDELINES

ORDINANCE 29-2019-20 (First Reading; Postponed January 2) Repealing the Internal Service Fund Guidelines and amending the Official Code approving new Internal Service Fund Guidelines

First reading on this ordinance was postponed during the January 2nd regular session. Councilman Allen made a motion to adopt this ordinance on first reading. The motion was seconded by Councillady Smith.

Councilman Garrett made a motion to amend this ordinance by adding language relative to outside counsel fees, increasing the Risk Manager's settlement authority to \$7,500, increasing the City Attorney's settlement authority to \$30,000, limiting the Finance Committee's settlement authority at \$150,000, and requiring settlement approval for more than \$150,000 by the City Council. The motion was seconded by Councilman Allen. The following vote was recorded:

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

NAY: Burkhart, Guzman, Norris, Pitts, Streetman

Councilman Garrett's amendment passed. Councilwoman Streetman felt these regulations would be a disadvantage to taxpayers. She said special meetings could cause scheduling conflicts and more involvement in settlement discussions could create a potential for leaked information. She noted all council members may attend meetings of the Finance Committee. Councilman Burkhart objected to the new policy and noted additional funds would require adoption of a budget amendment on two readings. Councilwoman Smith and Councilman Garrett felt all members of the City Council should be involved in settlements to properly represent their ward constituents. Councilwoman Guzman felt the Mayor's reporting proposal should be honored before restructuring the guidelines.

Councilman Allen called for the question. The question was seconded by Councilman Henley. A voice vote was taken; the motion to cease discussion passed without objection. The following vote on the motion as amended was recorded:

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

NAY: Burkhart, Guzman, Norris, Pitts, Streetman

The motion to adopt this ordinance as amended on first reading passed.

BOARD APPOINTMENTS

RESOLUTION 44 Approving board appointments

This resolution was removed from the original Consent Agenda. Councilman Burkhart made a motion to adopt this resolution. The motion was seconded by Councilman Garrett. Mayor Pitts made a motion to amend this resolution by deleting the appointment of Ernest Brockman to the Ethics Commission. The motion was seconded by Councilman Henley. Mayor Pitts said Mr. Brockman was currently serving at the Chaplain of Clarksville Fire Rescue which made him ineligible to serve on this commission. The following vote was recorded:

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

The amendment passed. The following vote on the 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 passed.

MAYOR AND COUNCIL MEMBER COMMENTS

Mayor Pitts announced City Offices would be closed Monday, February 17, in honor of Presidents Day.

ADJOURNMENT

The meeting was adjourned at 8:33 p.m.

ADOPTED: March 5, 2020