

**Clarksville\_CBD**

CDB	Color
2002 CBD Change	Light Purple
Original CBD	Yellow
Proposed 2006	Red

INTRODUCTION...APPENDIX-N0# 5 & 6  
The True Story and Definition, as what Happen after the 99' Disaster  
Planning Commission Director...David Riggins...  
Set forth Resolution...56-1998-99  
To Establish...The CBID-CBD  
Feb.4, 1999

Shortly after the Jan. 22 Tornado, hit Clarksville Tennessee...the Planning Director David Riggins, quickly form a task-force, using potential conflict interest people to reinvest and take control of the destroyed downtown damaged properties...

...Property owners...were rezoned and condemn instantly of their rights to stay, or rebuild their repairable Buildings with Federal Assistance...

...Some owners had as little time as 1-hour to go on or be allowed back in-side their property, by these illegal Task Forces or boards, formed 13 days after the tornado, tearing down building prematurely before a re-plan study could be done..., under-cutting property owners ability by these illegal forces, did violate their rights to get Federal help, for inside an unbearable personal controlled district established...

...The City simply took what little insurance money they had and destroyed their relationship to build...The City Council was ignorant enough to allow these uncontrollable action take place...

...The attached PDF files...to this cover-sheet...is to help certify this Web-site better for a better understanding, how scam-artist carried-this out... Contributing to various layers of ongoing DISASTER-FRAUDS...

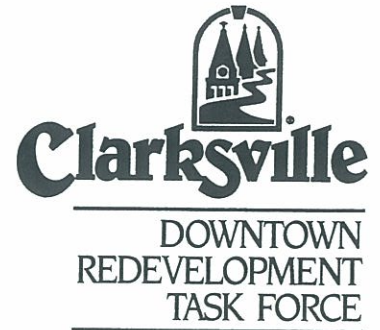
Tennesseepetitions.com

This Site will continue to be up-dated for LEGAL PURPOSES  
Certification... OF THIS SITE 1/1/2008

48 PDF Pages

Exhibit... 103-4199

Exhibit #  
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Cover photo by Toril Starmer, ©1999 The Leaf Chronicle

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**Downtown Clarksville Redevelopment Task Force**

**Voting Members**

David Riggins, Chairman  
Jeff Bibb  
Mark Holleman  
Larry Meriwether  
Mabel H. Larson  
Donita Piper  
F. Gene Washer  
Rufus S. Johnson, III  
Rep. Kim McMillan  
Earl Bradley  
Dr. Sal D. Rinella  
James T. Mann  
George Halford  
Charles Hand  
Judge John H. Peay  
Kathy Armistead  
Dan Hanley

**Ex-Officio Members**

John E. Piper, Mayor  
Douglas Weiland, County Executive  
Ned Crouch, Interim Museum Director  
Ron Edmondson, Mayor Pro Tem  
Lane Lyle  
Kevin Kennedy  
Sidney Brown

**Planning & Design Committee**  
**Dan Hanley, Chair**

Lane Lyle	Lyle-Cook Architects
Rudy Johnson	Rufus Johnson & Associates
Martha Elliott	Martha Elliott Interiors
Ed Hadley	Building & Codes, Director
Mark Holleman	Clarksville City Council
Norman Lewis	Montgomery County Sheriff
Dr. Sal Rinella	President, Austin Peay State University
Joe Pitts	Chamber of Commerce
Dr. Allen Henderson	Austin Peay State University
Joe Bishop	Regional Planning Commission
Gary Violette	Violette Architecture
Jerry Zachry	Zachry Construction
Brad Martin	Lyle-Cook Architects
Jerry Clark	Jerry Clark & Associates
Carolyn Pierce	First American Bank

**Communications Liaison**

Doug Barber	North TN Private Industry Council
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**Ex-Officio**

Mayor John E. Piper	City of Clarksville
Douglas Weiland	Montgomery County Executive
David Riggins	Regional Planning Commission
Doug Barber	North TN Private Industry Council
Dr. Phillip Kemmerly	River District Commission

**Planning & Design Review Board**  
**Dan Hanley & Carolyn Pierce, Co-Chair**

Jerry Zachry	Zachry Construction
Brad Martin	Lyle-Cook Architects
Jerry Clark	Jerry Clark & Associates
Rudy Johnson	Rufus Johnson & Associates

**Ex-Officio**

Ed Hadley	Building & Codes, Director
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**Downtown Organization & Structure Committee**  
**Earl Bradley, Chair**

Dick Batson	Batson, Nolan, Brice, Harvey & Williamson
Walton Smith, Jr.	Mann & Smith
Ross Hicks	Cunningham, Mitchell, Hicks & Rocconi
Ron Tedford	Regional Planning Commission
Jack Turner	Jack B. Turner & Associates

**Communications Liaison**

George Halford	Economic Development Council
Michelle Dickerson	Economic Development Council

**Ex-Officio**

Mayor John E. Piper	City of Clarksville
Douglas Weiland	Montgomery County Executive
David Riggins	Regional Planning Commission

**Legal Counsel**

David Haines	City of Clarksville
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**Downtown Property Owners Committee**  
**Kim McMillan, Chair**

Larry McMillan	McMillan & McMillan
Wayne Wilkinson	Clarksville Parking Authority & CM&H Commercial Properties
Ross Hicks	Cunningham, Mitchell, Hicks & Rocconi
Coy Baggett, Jr.	Baggett Construction
Lane Lyle	Lyle-Cook Architects
Mary Jo Dozier	Clarksville City Council
Ray Balthrop	Neblett's Frame Outlet
Ed Hadley	City of Clarksville
Judge John Peay	TN Court of Criminal Appeals
Gene Washer	The Leaf Chronicle
Julia Smith	Attorney
Carmack Shell	Marks, Shell & Maness
John Brice	Batson, Nolan, Brice, Harvey & Williamson
Paul Schaaf	Heritage Bank
Jan Massey	Our City

**Communications Liaison**

Kathy Armistead	Karma Marketing Concepts
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**Ex-Officio**

Mayor John E. Piper	City of Clarksville
Douglas Weiland	Montgomery County Executive
David Riggins	Regional Planning Commission

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**Historical Preservation Committee**  
**Jim Mann, Chair**

Dee Boaz	
Gary Cook	Lyle-Cook Architects
Ned Crouch	Clarksville-Montg. County Museum
Carol Dorris	Leadership Clarksville
Kathy Hadley	Traditions
George Halford	Economic Development Council
Dr. Allen Henderson	Austin Peay State University
Miles Kimball	Doghill Resident
Fred Landiss	Farmers & Merchents Bank
Alane Megna	The Leaf Chronicle
Jack Mitchell	Cunningham, Mitchell, Hicks & Rocconi
Joe Pitts	Chamber of Commerce
David Riggins	Regional Planning Commission
Dr. Sal Rinella	Austin Peay State University
Elise Shelton	Montgomery County Schools
Eleanor Williams	Montgomery County Historian

**Communications Liaison**

Elise Shelton      Montgomery County Schools



**Infrastructure Sub-Committee**  
**Mark Holleman, Chair**

Stan Williams	Planning Commission
Jimmy Durrett	City of Clarksville Street Department
Ken Spradlin	Clarksville Department of Electricity
Ronnie Camp	Clarksville Department of Electricity
Dwight Luton	Gas and Water Department
Wayne Wilkinson	Clarksville Parking Authority
Ed Hadley	City of Clarksville
Fred Landiss	Farmers & Merchents Bank
Larry Hallums	Parson Telcom
Gary Hamm	Montgomery County Building Maintenance
Steve Crozat	Bellsouth
Bradley Martin	Lyle Cook Architects
Richard Hembree	Charter Communications

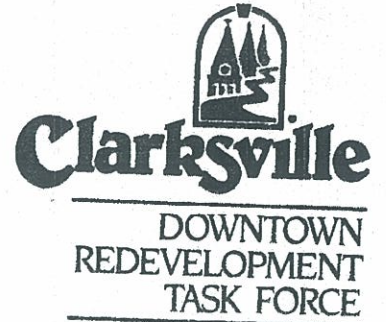
**Communications Liaison**

Dr. Stan Groppe Austin Peay State University

**Ex-Officio**

Mayor John E. Piper	City of Clarksville
Douglas Weiland	Montgomery County Executive
David Riggins	Regional Planning Commission

**Exhibit #**  
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**Communications & Public Relations Committee**  
**George Halford, Chair**

Michelle Dickerson  
Jay Albertia  
Dr. Stan Groppel  
Kathy Armistead  
Elise Shelton  
Doug Barber

Economic Development Council  
Progressive Directions, Inc.  
APSU Business & Community Solution Center  
Karma Marketing Concepts  
Montg. County Schools  
North Tennessee Private Industry Council

**Ex-Officio**

David Riggins  
Jeff Bibb

Regional Planning Commission  
Bibb, Lott & Fryer

**COMMUNICATIONS & PUBLIC RELATIONS COMMITTEE  
DOWNTOWN REDEVELOPMENT TASK FORCE  
George Halford, Chairman**

**INTRODUCTION**

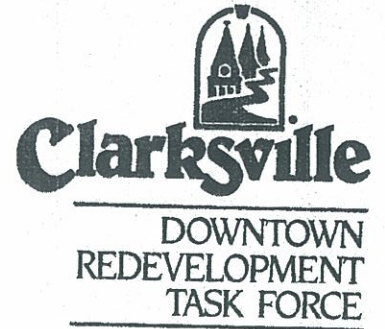
The purpose of the Communications Committee was primarily threefold:

- 1.) To communicate to our various "publics" and "customers" that while Clarksville had indeed suffered a tragedy, we were, in fact, "open for business." This objective was accomplished primarily through news releases, meetings with key economic and tourist development officials in Nashville, and targeted phone calls to economic development consultants.
- 2.) To serve in a communications/public relations role for the Downtown Redevelopment Task Force and its various sub-committees.
- 3.) To develop and implement a strategy that would result in the approval of the proposed Central Business Improvement District (CBID) by City Council. This objective was accomplished through a "CBID Yes!" campaign consisting of news releases, affected property owner mailings, mass distribution of "CBID Yes!" stickers and information sheets, mailouts to chamber membership urging them to lobby for the proposal, and a phone bank to targeted business leaders.

**RECOMMENDATIONS TO MAYOR PIPER**

Not Applicable

**Exhibit #**  
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**Budget & Finance Committee**  
**Mabel Larson, Chair**

Charles Hand  
Joe Pitts

Budweiser of Clarksville  
Chamber of Commerce

**Communications Liaison**  
Jay Albertia

Progressive Directions

**City of Clarksville, Tennessee  
Downtown Redevelopment Task Force  
Budget**

**Mabel Larson, Chair  
Budget & Finance Sub-Committee  
Charles Hand  
Joe Pitts**

<u>No.</u>	<u>Item</u>	<u>Description</u>	<u>Amount</u>
1.	Professional Services	Contract with Odell Associates for Master Plan Development	\$29,500.00
2.	Travel, Postage, Long Distance Comm., And Reproduction	Est. expenses for Odell Associates	\$13,000.00
3.	Supplies	Paper and expenses for meetings	\$ 2,000.00
4.	Communications	Postage for mailings to property owners and business owners, long-distance communications	\$ 2,000.00
5.	Copies	Duplication of mailings	\$ 500.00
6.	Contracted Services	Temporary clerical support	\$ 3,000.00
	<b>TOTAL</b>		<b>\$50,000.00</b>

3/26/99

Attachment 1

Operating Revenues, Expenditures and Other Financing Sources and Uses

attachment 1 Description	FY 1999 Actual	FY 2000		FY 2001
		Budget	Amended	Estimated
Public Library (operating)	\$ 507,275	\$ 668,275	\$ 668,275	\$ 610,730
Public Library (loan on library furnishings)	\$ 34,375	\$ 34,375	\$ 34,375	\$ 34,375
Regional Airport	\$ 100,000	\$ 100,000	\$ 100,000	\$ -
Museum	\$ 281,631	\$ 272,978	\$ 272,978	\$ 292,998
Criminal Justice Complex	\$ 65,000	\$ -	\$ -	\$ -
Girls Home	\$ 6,117	\$ -	\$ -	\$ -
CBID	\$ 55,000	\$ 195,000	\$ 195,000	\$ 195,000
Human Relations Commission	\$ -	\$ 1,200	\$ 1,500	\$ 1,585
Emergency Management	\$ 28,710	\$ -	\$ 28,710	\$ 28,710
Reappraisal of Property	\$ 26,390	\$ 28,297	\$ 28,297	\$ 35,786
E911	\$ -	\$ 185,734	\$ 185,734	\$ 374,593
22.2% Share of In Lieu of Tax, Dept. of Electricity	\$ 250,486	\$ 299,970	\$ 338,342	\$ 360,145
50% Share of State Liquor Taxes	\$ 136,318	\$ 130,000	\$ 145,283	\$ 145,429
Acquisition of Howell School Building	\$ 200,000	\$ -	\$ -	\$ -
State of Tennessee 15% of Business Taxes	\$ 176,705	\$ 182,082	\$ 186,693	\$ 208,736
Volunteer State Vocational Center	\$ 23,963	\$ -	\$ -	\$ -
YMCA Teen Activity Center	\$ 220,000	\$ 200,000	\$ 205,000	\$ -
Industrial Development Commission	\$ 213,911	\$ 225,266	\$ 225,266	\$ 240,268
Progressive Directions	\$ 12,500	\$ 12,500	\$ 12,500	\$ 12,500
Community Action	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,855
Main Street	\$ 35,000	\$ -	\$ -	\$ 24,000
North Tennessee Private Industry Council (PIC)	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Senior Citizens Center	\$ 50,000	\$ 55,000	\$ 55,000	\$ 75,000
Humane Society	\$ 20,000	\$ 20,000	\$ 20,000	\$ 20,000
Tourism Commission	\$ 15,000	\$ -	\$ -	\$ -
Pratt Museum	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Fort Campbell Statue	\$ -	\$ -	\$ -	\$ 25,000
Project Save	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
TN Small Business Center (APSU)	\$ -	\$ -	\$ -	\$ 15,000
Arts and Culture Commission	\$ -	\$ -	\$ -	\$ 50,627
Total Miscellaneous Agencies	\$ 3,246,128	\$ 3,235,017	\$ 3,219,479	\$ 3,315,712
Total Operating Expenditures	\$ 39,193,452	\$ 39,456,561	\$ 37,671,509	\$ 44,247,825
Other Financing Uses				
Debt Service (transfers to debt service fund)	\$ 3,085,559	\$ 5,917,469	\$ 4,146,740	\$ 4,732,904
Clarksville Transit System-Operating	\$ 715,970	\$ 721,970	\$ 729,809	\$ 744,422
Clarksville Transit System-Capital	\$ 86,012	\$ -	\$ -	\$ 45,600
Capital Projects Fund	\$ 610,221	\$ 890,000	\$ 4,403,821	\$ 4,001,220
Parking Authority	\$ 6,820	\$ 7,500	\$ 7,500	\$ -
Downtown Redevelopment Fund	\$ 50,000	\$ -	\$ -	\$ -
Transfer to Extraordinary Occurrence/Emergency Fund (city's share of FEMA/TEMA eligible costs)	\$ -	\$ 1,306,190	\$ 1,306,190	\$ -
Total Other Financing Uses	\$ 4,554,582	\$ 8,843,129	\$ 10,594,060	\$ 9,524,146

**CITY COUNCIL  
CLARKSVILLE, TENNESSEE  
REGULAR SESSION  
FEBRUARY 4, 1999**

**MINUTES**

Prior to the beginning of the meeting, Lynn Carter, Jackson's Body Shop, inquired why bids were not requested for repairs of city vehicles damaged by the recent tornado. Purchasing Agent Steve Yarbrough stated that Bob Frost, the city's agent for Commerce Companies, had directed that repairs be made by Wayne's Body Shop.

The regular session of the Clarksville City Council was called to order by Mayor Johnny Piper on Thursday, February 4, 1999 at 7:30 p.m. in City Hall Council Chambers, 108 Public Square, Clarksville, Tennessee.

A prayer was offered by Pastor Warren Broomer, Reconciliation Christian Church; the pledge to the national colors was led by Councilman Wallace Redd.

Roll call by the City Clerk registered as follows:

**PRESENT:** Barbara Johnson, Staton Shelby, Gabriel Segovia, Wallace Redd, John Aldridge, Mark Holleman, Mary Jo Dozier, Tad Bourne, Ron Edmondson, Curtis G. Johnson, Morrell Boyd, M. E. Alexander

Mayor Piper presented a Mayor's Certificate of Appreciation in memory of Regina Gray for her tireless efforts and never-ending dedication to the children of Clarksville. Mrs. Gray's life was ended in a tragic automobile accident in December 1998. The certificate was accepted by her husband, Gas-Water-Sewer employee Mike Gray.

Councilman Boyd made a motion to go into public hearing to consider zone change requests. The motion was seconded by Councilman Shelby. A voice vote was taken; the motion unanimously passed.

**ORDINANCE 36-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of Charter Communications, LLC (Dennis Rice, Agent) for zone change from R-3 Two & Three Family Residential District to C-2 General Commercial District

No one spoke for or against this request.

**ORDINANCE 37-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of J. Mark Young for zone change from R-1 Single Family Residential District to O-1 Office-Medical-Institutional-Civic District

Mark Young offered to answer any questions. No one spoke in opposition.

**ORDINANCE 38-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of William J. Stokes for zone change from R-4 Multiple Family Residential District to O-1 Office-Medical-Institutional-Civic District

No one spoke for or against this request.

**ORDINANCE 39-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of James H. Maynard for zone change from AG Agricultural District to R-2 Single Family Residential District

No one spoke for or against this request.

Councilman Aldridge made a motion to revert to regular session. The motion was seconded by Councilman Bourne. A voice vote was taken; the motion unanimously passed.

Based on the recommendations of the Regional Planning Staff and Commission, Councilman Boyd made a motion to adopt **ORDINANCE 36-1998-99** on first reading. The motion was seconded by Councilman Aldridge. A vote was taken; the motion unanimously passed by a vote of 12 to 0.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 37-1998-99**; however, the recommendation of the Regional Planning Commission was for approval. Councilman Boyd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. Councilman Edmondson stated that no residents of his ward has voiced opposition to this change. A vote was taken; the motion unanimously passed by a vote of 12 to 0.

The recommendation of the Regional Planning Staff was for disapproval of **ORDINANCE 38-1998-99**; however; the recommendation of the Regional Planning Commission was for approval. Councilman Boyd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Alexander. A vote was taken; the motion unanimously passed by a vote of 12 to 0.

Based on the recommendations of the Regional Planning Staff and Commission, Councilman Boyd made a motion to adopt **ORDINANCE 39-1998-99** on first treading. The motion was seconded by Councilman Shelby. A vote was taken; the motion unanimously passed by a vote of 12 to 0.

#### 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. A member may request that an item be removed form the consent agenda, placed under the appropriate committee call, and considered in normal sequence as part of the general order:*

1. **ORDINANCE 20-1998-99** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of John Teeter for zone change from AG Agricultural District to C-5 Highway & Arterial Commercial District
2. **ORDINANCE 33-1998-99** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jehovah's Witnesses (Lawrence Cue, Agent) for zone change from R-1 Single Family Residential District to C-2 General Commercial District
3. **ORDINANCE 34-1998-99** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Department of Veterans Affairs (Joe McClure, Agent) for zone change from R-1 Single Family Residential District to OP Office-Professional District



4. **ORDINANCE 35-1998-99** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mossland LLC (Benny Weakley, Agent) for zone change from R-2 Single Family Residential District to C-2 General Commercial District *[removed from consent agenda]*
5. **RESOLUTION 52-1998-99** Authorizing a contract with Atkins Construction Company to allow exchange of sanitary sewer lift stations for Charlestown Estates Subdivision
6. **RESOLUTION 53-1998-99** Authorizing a Golf Pass for any mayor or member of the City Council who no longer serves in such official capacity
7. **RESOLUTION 54-1998-99** Authorizing grant applications with the Federal Transit Administration
8. **RESOLUTION 55-1998-99** Establishing the position of Informational Technology Analyst
9. **RESOLUTION 56-1998-99** Initiating the establishment of the Clarksville Central Business Improvement and Redevelopment District
10. **RESOLUTION 57-1998-99** Waiving purchasing requirements for the Downtown Clarksville Redevelopment Task Force
11. Authorization of lease with Larry Metcalf for premises located at 701 Red River Street for use by the Police Department
12. Renewal of Certificate of Compliance for retail liquor license for Louvisia Harris (University Package Store, 303 College Street)
13. Adoption of Minutes: Regular Session – January 7, 1999, and Special Session – January 25, 1999

*End of Consent Agenda*

Councilman Segovia requested that Item #4, **ORDINANCE 35-1998-99**, be removed for discussion. Councilman Alexander made a motion to adopt the Consent Agenda with the exception of Item #4. The motion was seconded by Councilman Redd. A vote was taken; the motion unanimously passed by a vote of 12 to 0. Councilman Alexander and Councilman Aldridge abstained from voting on Item #13.

Planning Director David Riggins elaborated on the purpose of **RESOLUTION 56-1998-99** relative to establishing the Clarksville Central Business Improvement and Redevelopment District. The area affected would not include only the immediate downtown area, but certain outlying areas as well. The Downtown Clarksville Redevelopment Task Force planned to report its recommendations to the Council within sixty days.

**COMMUNITY PLANNING & ENVIRONMENTAL ENHANCEMENT COMMITTEE**  
*Mark Holleman, Chairman*

Councilman Holleman reported that Mayor Piper had appointed the Downtown Clarksville Redevelopment Task Force to formulate rebuilding guidelines and regulations for the downtown area recently destroyed by a tornado.

*FINANCE & ADMINISTRATION COMMITTEE*  
*Ron Edmondson, Chairman*

**ORDINANCE 35-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mossland, LLC (Benny Weakley, Agent) for zone change from R-2 Single Family Residential District to C-2 General Commercial District

This ordinance was removed from the original consent agenda. Councilman Segovia made a motion to disapprove the request on second reading. The motion was seconded by Councilman Edmondson. Councilman Segovia displayed an aerial photo of the property in question. He felt this would be considered "spot zoning" and expressed concern regarding potential flooding and draining problems. Councilman Segovia recognized several residents in the audience who opposed the proposed zone change and presented a petition of signatures of 787 individuals who were against this rezoning. Councilman Redd called for the question; a vote was taken. The motion to cease discussion unanimously passed by a vote of 12 to 0. A vote was taken on the original motion. The motion to disapprove on second reading failed by a vote of 4 to 8. Councilman Aldridge made a motion to adopt this ordinance on second reading. The motion was seconded by Councilman Shelby. A vote was taken; the motion passed by a vote of 10 to 2. A roll call vote was not requested; however, members were polled the following day on how they voted. The results were as follows:

On the motion to disapprove **ORDINANCE 35-1998-99** on second reading (motion failed):

AYE: Barbara Johnson, Gabriel Segovia, Ron Edmondson, Mike Alexander

NAY: Staton Shelby, Wallace Redd, John Aldridge, Mark Holleman, Mary Jo Dozier, Tad Bourne, Curtis Johnson, Morrell Boyd

On the motion to approve **ORDINANCE 35-1998-99** on second reading (motion passed):

AYE: Staton Shelby, Wallace Redd, John Aldridge, Mark Holleman, Mary Jo Dozier, Tad Bourne, Ron Edmondson, Curtis Johnson, Morrell Boyd, Mike Alexander

NAY: Barbara Johnson, Gabriel Segovia

Councilman Edmondson made a motion to approve the position of Chief Administrative Officer for the Mayor's Office. The motion was seconded by Councilman Aldridge. In response to Councilman Segovia's questions, Councilman Edmondson stated that the Finance & Administration Committee had approved the concept of this position and that the responsibilities were more extensive than that of the former position of Public Affairs Director. Mayor Piper stated that this position was placed in Level T of the employee pay matrix. Councilman Redd called for the question. A vote was taken; the motion to cease discussion unanimously passed by a vote of 12 to 0. A vote on the original motion was taken; the motion to approve the position passed by a vote of 11 to 0 with 1 abstention. A roll call vote was not requested.

*GAS & WATER COMMITTEE*  
*Mike Alexander, Chairman*

No report.

*INTERNAL SERVICES COMMITTEE (Garage, Building Maintenance,  
Cemetery)*  
*Wallace Redd, Chairman*

Councilman Redd referred the Council to the attached Garage, Building Maintenance, and Cemetery department reports.

*PARKING AUTHORITY*  
*Curtis Johnson, Council Representative*

Councilman Johnson mentioned that the Parking Authority would be experiencing significant revenue loss as a result of tornado damage. Two employees had been temporarily transferred to the Police Department. Mayor Piper requested that consideration be given to redesigning parking meters as the rebuilding of the area progresses.

*PARKS & RECREATION COMMITTEE (Parks, Recreation, Golf Courses)*  
*Morrell Boyd, Chairman*

Councilman Boyd announced that the City of Clarksville would be hosting the Tennessee Senior Games through the year 2000.

Councilman Boyd stated that insurance should cover tornado damage in Valleybrook Park and Heritage Park. An invitational softball tournament had been scheduled for March in Heritage Park.

*PUBLIC SAFETY COMMITTEE (Fire, Police)*  
*Tad Bourne, Chairman*

Councilman Bourne referred the Council to the attached Fire Department report. No report was submitted from the Police Department as their entire administrative facility was destroyed by the tornado.

*PUBLIC WORKS COMMITTEE (Streets, Transportation, Building Codes)*  
*John Aldridge, Chairman*

**ORDINANCE 40-1998-99** (First Reading) Amending the Official Code relative to establishing a code of ethics (elected officials)

Councilman Aldridge made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Boyd. A voice vote was taken; the motion unanimously passed.

Councilman Aldridge expressed appreciation to all departments of the city for their professional actions during the tornado emergency.

Mayor Piper invited the public to a Disaster Relief fund raiser sponsored by Ramada Inn Riverview on February 5<sup>th</sup>. The hotel planned to match each dollar donated to the fund during this event.

The meeting adjourned at 8:13 p.m.

**ADOPTED:** March 4, 1999

RESOLUTION 56-1998-99

A RESOLUTION INITIATING THE ESTABLISHMENT OF THE CLARKSVILLE  
CENTRAL BUSINESS IMPROVEMENT AND REDEVELOPMENT DISTRICT

*WHEREAS*, the destruction of a major portion of the Clarksville central business district by tornado on January 22, 1999 is a threat to the property tax and other revenue sources of the City of Clarksville and is detrimental to the safety, health, morals and general economic welfare of the community; and

*WHEREAS*, the repair and restoration of property and the modernization and general improvement of such central business district by governmental action is considered necessary to promote the public health, safety and welfare of the City of Clarksville; and the restoration of such central business district is an appropriate subject for remedial legislation; and

*WHEREAS*, the Tennessee General Assembly has concluded that (1) municipalities should be encouraged to create self-financing central business improvement districts and designate district management corporations to execute self-help programs to enhance their local business climates; and (2) municipalities should be given the broadest possible discretion in establishing self-help programs most consistent with their local needs, goals and objectives; now, therefore,

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

That there is hereby initiated, by the adoption of this resolution, and of Ordinance 41-1998-99, the establishment of a central business improvement district, to be known as the "Clarksville Central Business Improvement and Redevelopment District".

*BE IT FURTHER RESOLVED* that the boundaries of the District shall be as follows:

Beginning at the intersection of South Second Street and Crossland Avenue; thence westerly along Crossland Avenue to Cumberland River; thence northerly along the city limits to Red River; thence easterly at the center of Red River to Highway 41-A; thence southerly to the center of North Second Street; thence along North Second Street to College Street; thence along College Street to Seventh Street; thence southerly to Madison Street; thence westerly along Madison Street to Cumberland Drive; thence along Cumberland Drive to Crossland Avenue; thence along Crossland Avenue to the point of beginning. The boundary of the District shall extend to properties located on both sides of the streets enumerated herein.

*BE IT FURTHER RESOLVED* that the improvements, services, and projects proposed to be provided within and for the District are as follows:

Adoption and implementation of a comprehensive plan for the rebuilding and redevelopment of the District, including design criteria which will maintain the historical character of the District; the construction of public facilities and improvements in connection therewith, and any and all activities associated with achieving the full-scale redevelopment of the District.

*BE IT FURTHER RESOLVED* that the City Council hereby finds that the total estimated costs of the proposed improvements, services, and projects cannot be accurately calculated, but that it is anticipated at this time that no levy of any special assessment to properties within the District boundaries will be required to accomplish the purposes for which the district is to be created.

*BE IT FURTHER RESOLVED* that this resolution is adopted pursuant to the provisions of Tennessee Code Annotated Title 7, Chapter 84, Part 5. The Clarksville Central Business Improvement and Redevelopment District initiated hereby shall be established and administered pursuant to the provisions contained therein.

*BE IT FURTHER RESOLVED* that a public hearing shall be held to determine whether the Clarksville Central Business Improvement and Redevelopment District shall be established. Such hearing shall be held not less than thirty (30) nor more than forty-five (45) days following the adoption of this resolution. Notice of the public hearing shall be given by publishing a notice once a week for three (3) consecutive weeks in the Clarksville Leaf-Chronicle. Such notice shall state in summary detail those facts contained herein. The time and place of such public hearing shall be at least seven (7) days following the date of publication of the third and final notice. Such notice shall also be given by mail to each owner of real property within the proposed district.

*ADOPTED:* February 4, 1999

ORDINANCE 41-1998-99

AN ORDINANCE CREATING THE "CLARKSVILLE CENTRAL BUSINESS IMPROVEMENT AND REDEVELOPMENT DISTRICT"

WHEREAS, the destruction of a substantial portion of the Clarksville central business district by tomado on January 22, 1999, is a threat to the property tax and other revenue sources of the City of Clarksville and is detrimental to the safety, health, morals and general economic welfare of the community; and

WHEREAS, the repair and restoration of property, the elimination of urban blight and decay, and the modernization and general improvement of such central business district by governmental action is considered necessary to promote the public health, safety and welfare of the City of Clarksville; and the restoration of such central business district is an appropriate subject for remedial legislation; and

WHEREAS, the Tennessec General Assembly has concluded that (1) municipalities should be encouraged to create self-financing central business improvement districts and designate district management corporations to execute self-help programs to enhance their local business climates; and (2) municipalities should be given the broadest possible discretion in establishing self-help programs most consistent with their local needs, goals and objectives, now therefore;

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

SECTION 1. Pursuant to the authority granted to municipalities in Tennessee Code Annotated Title 7, Chapter 84, Part 5, there is herehy created a central business improvement district, to be known as the "Clarksville Central Business Improvement and Redevelopment District" (the "District").

SECTION 2. The boundaries of the District shall be as follows:

Beginning at the intersection of South Second Street and Crossland Avenue; thence westerly along Crossland Avenue to Cumberland River; thence northerly along the city limits to Red River; thence easterly at the center of Red River to Highway 41-A; thence southerly to the center of North Second Street; thence along North Second Street to College Street; thence along College Street to Seventh Street; thence southerly to Madison Street; thence westerly along Madison Street to Cumberland Drive; thence along Cumberland Drive to Crossland Avenue; thence along Crossland Avenue to the point of beginning. The boundary of the District shall extend to lots of record in the Office of the Montgomery County Assessor of Property located on both sides of the streets cnumerated herein.

SECTION 3. The initial improvements, services, and projects authorized to be provided within the District shall be as follows:

Adoption and implementation of a comprehensive plan for the rebuilding and redevelopment of the District, including design criteria which will maintain the character of the District; the construction of public facilities and improvements in connection therewith, improving downtown beautification and maintenance, and any and all activities associated with achieving the full-scale redevelopment and revitalization of the District. For these purposes, there is appropriated the sum of \$55,000 for activities undertaken from the effective date of this ordinance through June 30, 1999.

SECTION 4. No additional rate of levy of special assessment is imposed to properties within the District boundaries. That levy of assessment for Streetscape improvements to sidewalks, street lights, landscaping, and signage in accordance with the master design plan designated as the "Franklin Street Master Plan" formulated by Tunnell Spangler Architects dated August, 1991, and which was authorized by the enactment of Ordinance 1-1997-98 shall remain in full force and effect until the completion of the improvements authorized thereby and the payment in full of the assessment by affected property owners. Upon completion of those improvements, the district management corporation authorized to be created by Ordinance 1-1997-98 shall take appropriate steps to wind up its affairs and to dissolve its existence. Collection of any outstanding balance of the levy referred to above shall become the responsibility of the management corporation to be created pursuant to this Ordinance. In addition, the management corporation created pursuant to this ordinance shall assume the responsibilities for implementation and administration of the provisions of Ordinance 7-1998-99 relative to festivals, street fairs, and other similar public functions conducted in the Central Business District.

SECTION 5. There is authorized a district management corporation to be chartered pursuant to the provisions of the Tennessee Nonprofit Corporation Act for the purpose of administering the activities for and within the district, the making of improvements within and for the district, and the provision of services within and for the district. The district management corporation shall be governed by a board of directors consisting of eleven (11) members. A member of the Tennessee State Senate, as determined by the Speaker of the Senate shall be appointed, and a member of the Tennessee House of Representatives, as determined by the Speaker of the House of Representatives, shall be appointed. Seven members shall be owners of property, or persons whose principle place of business in headquartered within the District. At least one of these seven members shall reside within the District. All of the seven members shall be residents of Montgomery County, Tennessee. One member shall be appointed based upon a recommendation from the Montgomery County Commission, and one member shall be a member of the City Council. The terms of the latter nine members shall be three (3) years after the initial terms established below. No member may serve more than two (2) consecutive three-year terms. In addition, the Mayor, the Montgomery County Executive, and the Chairman of the Clarksville-Montgomery County Economic Development Council shall serve as ex officio, non-voting members of the board. The President of Austin Peay State University shall also serve as an ex-officio, non-voting member of the board. Vacancies on the board shall be filled by the City Council, based on the recommendation of the Mayor. Any voting member may be removed for cause by a majority vote of the City Council. Such removal may be recommended by any member of the City Council or the Mayor. The initial terms and the members of the initial board shall be as follows:

Initial one-year term:	1. Alan Henderson	2. Sammy Stuard	3. Ray Balthrop
Initial two-year term:	1. Richard Batson	2. Jan Massey	3. Warren Broomer
Initial three-year term:	1. Wallace Redd	2. Bill Hadley	3. Richard Swift

SECTION 6. This ordinance is adopted pursuant to the provisions of Tennessee Code annotated Title 7, Chapter 84, Part 5. The Clarksville Central Business Improvement and Redevelopment District is established and shall be administered pursuant to the provisions contained therein, and only to the extent that they are within the scope of improvements, services, and programs authorized by Section 3 of this ordinance or amendments thereto, the district management corporation is hereby delegated those powers necessary to carry out the improvements, services, or programs authorized by Section 3 of this ordinance, and shall specifically have the following powers:

- (1) To acquire, construct or maintain Parking facilities
- (2) To acquire, construct or maintain public improvements;
- (3) To acquire real property or an interest therein in connection with a public improvement;

(4) To provide services for the improvement and operation of the district, including, but not limited to:

- (A) Promotion and marketing;
- (B) Advertising;
- (C) Health and sanitation;
- (D) Public safety;
- (E) Security;
- (F) Elimination of problems related to traffic and parking;
- (G) Recreation;
- (H) Cultural enhancements;
- (I) Consulting with respect to planning, management, and development activities;
- (J) Maintenance of improvements;
- (K) Activities in support of business or residential recruitment, retention, or management development;
- (L) Aesthetic improvements, including the decoration, restoration or renovation of any public place or of building facades and exteriors in public view which confer a public benefit;
- (M) Furnishing of music in any public place;
- (N) Professional management, planning and promotion of the district; and
- (O) Design assistance;
- (P) Such other services as municipalities are authorized to provide pursuant to Tennessee Code Annotated and by the Clarksville City Council;

(5) To enter into contracts and agreements, including but not limited to, a contract with the Clarksville-Montgomery County Economic Development Council for staff services in connection with the implementation of the plan adopted herein;

(6) To hire employees or retain agents, engineers, architects, planners, consultants, attorneys and accountants;

(7) To acquire, construct, install and operate public improvements contemplated by the establishment ordinance and all property, rights, or interests incidental or appurtenant thereto and dispose of real and personal property and any interest therein, including leases and easements in connection therewith;

(8) To manage, control and supervise:

- (A) All the business and affairs of the district;
- (B) The acquisition, construction, installation and operation of public improvements within the district; and
- (C) The operation of district services therein;

(9) To construct and install improvements across or along any public street, alley, highway, stream of water or watercourse;

(10) To construct and operate child care facilities;

(11) To accept, administer and comply with the conditions and requirements respecting any appropriation of funds or any gift, grant or donation of property or money to the central business improvement district;

(12) To exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this Ordinance or by state law. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of this Ordinance. As provided by state law, the boundaries of the District may be changed, or improvements, services, and projects authorized to be provided may be added to, or the rates to be charged for improvements, services and projects may be changed after a public hearing is held to consider such changes.



(13) Pursuant to the authority granted in subsection (4)(L) above, the district management corporation shall promulgate exterior design criteria applicable to construction, alteration, or renovation of properties located within the boundaries of the district. Until such time as other design criteria are adopted by the district management corporation, the corporation shall review all applications for the construction, reconstruction, alteration, or extension of commercial buildings or other commercial structures within the district and shall approve such application upon a determination that the exterior design of the project is to be undertaken in conformance with the Design Review Guidelines Manual-Clarksville Main Street District developed by Thomason and Associates, dated August 1994.

The district management corporation shall review and decide all such requests within thirty (30) days of receipt of a request. Any property within the CBID which is also within an area designated as part of the H-1 Historic Overlay District shall have an application approved upon a showing that it has obtained the approval of the Clarksville Regional Historic Zoning Commission.

SECTION 7. All meetings of the district management corporation shall be open meetings, pursuant to Tennessee Code Annotated Section 8-44-102, et seq. All records of the district management corporation shall be deemed public records, subject to the provisions of Tennessee Code Annotated Section 10-7-503.

SECTION 8. Appeals to the Clarksville City Council may be taken by any person aggrieved by any decision of the district management corporation board based in whole or in part upon the implementation of the provisions of Section 6(13) of this ordinance or amendments thereto. The City Council shall hear and decide any such appeal at its next regular session. A 2/3 majority vote of those council members in attendance at such hearing shall be required to modify or overturn the decision which forms the basis for an appeal.

SECTION 9. Section 5-1002(a)(2) of the Official Code of the City of Clarksville is amended by deleting the second sentence of the subsection and by substituting instead the following: Permits for such functions held in the Central Business District shall be issued by the Clarksville CBID Management Corporation created pursuant to Ordinance 41-1998-99.

<i>PUBLIC HEARING:</i>	March 8; continued March 29; concluded April 1, 1999
<i>DISAPPROVED:</i>	March 8, 1999
<i>FIRST READING:</i>	March 11, 1999 as amended
<i>SECOND READING:</i>	April 1, 1999 as amended
<i>PUBLICATION DATE:</i>	April 13, 1999

CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
MARCH 8, 1999  
MINUTES

Exhibit #  
3899

A special session of the Clarksville City Council was called to order by Mayor Johnny Piper on Monday, March 8, 1999, at 3:45 p.m. at the Riverview Inn ballroom, 50 College Street, Clarksville, Tennessee.

A prayer was offered by Mayor Pro Ron Edmondson; the pledge to the national colors was led by Councilman Mike Alexander.

Roll call by the City Clerk registered attendance as follows:

PRESENT: Barbara E. Johnson, Gabriel Segovia, Wallace Redd, John Aldridge, Mary Jo Dozier, Tad Bourne, Ron Edmondson, Morrell Boyd, M. E. Alexander

ABSENT: Staton Shelby, Mark Holleman, Curtis G. Johnson

Special Session Agenda:

**ORDINANCE 41-1998-99 (First Reading) Creating the Clarksville Central Business Improvement & Redevelopment District**

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

Councilwoman Dozier read a letter the Red River Residential Advisory Council requesting appointment of a representative the Red River District and Lincoln Homes housing area to the Downtown Redevelopment Task Force. Councilwoman Dozier made a motion that the request be made a part of the official record and the request be considered. The motion was seconded by Councilman Redd. A voice was taken; the motion unanimously passed.

Mayor Piper agreed to announce the members of the new district prior to second reading.

With regard to Section 3, Mayor Piper stated that \$55,000 had been appropriated for district board activities.

Councilman Bourne stated his reservations about delegating such broad powers to an appointed board made a motion to remove the words "but without limitation" in Section 6. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion unanimously passed.

Councilwoman Dozier recommended an appeal process to a council committee be established and consideration be given to shrinking the proposed boundaries of the district.

City Attorney David Haines stated that the City Council is the only body with assessing or taxing powers.

Exhibit #  
F199

Councilwoman Dozier made a motion to inject the process of appeals to a council committee. The motion was seconded by Councilman Redd. Mr. Haines stated that the proposed ordinance would allow appeals through Chancery Court. Planning Director David Riggins said that the ordinance establishes a mechanism for the City Council to delegate any authorities listed in Section 6 to the district board through an annual budget process. Councilman Alexander also expressed concern regarding the appeals process. No action was taken on Councilwoman Dozier's motion.

Task Force member Earl Bradley elaborated on the factors which determined the proposed district boundaries.

Mayor Piper reminded the Council that activities of the proposed board would be controlled through the annual budget process.

Task Force Co-Chair David Riggins restated the purpose and the fundamentals of the CBIRD. The Downtown Redevelopment Task Force was appointed by the Mayor following the tornado disaster of January 22, 1999. Recommendations for implementation of guidelines for enhancing and rebuilding the Central Business District were to be reported to the City Council within sixty days. Mr. Riggins said because of the state's limited authority to cities for design

**Exhibit #**  
F/A9

review, the creation of the district appeared to be the most viable tool to implement any proposed guidelines

Co-Chair Jeff Bibb elaborated on the specifics of the CBIRD. He stated that the first priority of the district board would be to deal with the commercial vitalization of the downtown area. Without some control the city could suffer urban blight, vacant buildings and lots, and erosion of the tax base. Efforts would be made to obtain federal and state assistance and to encourage private investments. New and reconstruction costs were estimated at \$150 million.

Councilman Boyd made a motion that an area homeowner be appointed to the district board. The motion was seconded by Councilman Bourne. A voice vote was taken; the motion unanimously passed. Councilman Boyd questioned whether owners of Cumberland Wholesale Company (Hiter Street) would be allowed to reconstruct the building as it was prior to the storm damage. Mr. Riggins said the façade must comply with the new regulations.

In response to Councilman Alexander's question, Mr. Haines stated that the district board meetings would be open to the public and activities would be public record.

In response to Councilwoman Dozier's question, Mr. Haines said that if an assessment is applied to the area, church properties would be affected the same as other properties.

Councilman Redd called for the question. The question was seconded by Councilman Aldridge. A voice vote was taken; the motion to cease discussion passed. Councilman Alexander voted "no."

A roll call vote to adopt **ORDINANCE 41-1998-99** on first reading as amended registered as follows:

AYE: John Aldridge, Ron Edmondson, Morrell  
Boyd

NAY: Barbara Johnson, Gabriel Segovia, Wallace  
Redd, Tad Bourne, Mike Alexander

ABSTAIN: Mary Jo Dozier

The motion failed.

**Exhibit #**  
F1A9

**ORDINANCE 44-1998-99** (Second Reading) Amending the Official Code of the City of Clarksville relative to various changes in the Central Business District

Councilwoman Dozier made a motion to adopt this ordinance on second and final reading. The motion was seconded by Councilman Segovia. A voice vote was taken; the motion unanimously passed.

The Council adjourned its special session at 4:45 p.m. Thereafter, a public hearing was begun to hear comments from property owners within the proposed Central Business Improvement District to be created by ORDINANCE 41-1998-99. That public hearing was recessed at 5:50 p.m.

*ADOPTED:* May 6, 1999

CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
MARCH 11, 1999  
MINUTES

Exhibit #  
FL99 3-1199

A special session of the Clarksville City Council was called to order by Mayor Johnny Piper on Thursday, March 11, 1999, at 3:45 p.m. in the conference room of the Building & Codes Department, 100 S. Spring Street, Clarksville, Tennessee.

The prayer was offered by Mayor Pro Tem Ron Edmondson; the pledge to the national colors was led by Councilman Tad Bourne.

Roll call by the City Clerk registered as follows:

PRESENT: Gabriel Segovia, Wallace Redd, John Aldridge, Mary Jo Dozier, Tad Bourne, Ron Edmondson, Curtis G. Johnson, Morrell Boyd, M. E. Alexander

ABSENT: Barbara E. Johnson, Staton Shelby, Mark Holleman

Special Session Agenda:

**RESOLUTION 64-1998-99** Authorizing an encroachment agreement with First Baptist Church for a pedestrian overpass

Councilman Edmondson made a motion to adopt this resolution. The motion was seconded by Councilman Aldridge. A voice vote was taken; the motion unanimously passed.

**RESOLUTION 65-1998-99** Authorizing creation of an additional Captain position in the Police Department

Councilman Edmondson made a motion to adopt this resolution. The motion was seconded by Councilwoman Dozier. In response to Councilman Aldridge's question, Chief Lavoyed Hudgins said initially this would be an administrative position. Councilwoman Dozier called for the question. The motion was seconded by Councilman Bourne. A voice vote was taken; the motion to cease discussion unanimously passed. A voice vote was taken; the motion unanimously passed.

**RESOLUTION 66-1998-99** Imposing a moratorium on issuance of sign permits in the Central Business District

Councilman Edmondson made a motion to adopt this resolution. The motion was seconded by Councilman Redd. Mayor Piper explained that signage was being addressed by the Downtown Redevelopment Task Force. A voice vote was taken; the motion unanimously passed.

**RESOLUTION 67-1898-99** Authorizing creation of an additional clerical position for the Building & Codes Department

Councilman Edmondson made a motion to adopt this resolution. The motion was seconded by Councilman Alexander. Councilman Edmondson stated that Interim Building & Codes Director Ed Hadley had requested approval of this position along with the elimination of one position of Building Inspector. No additional funding would be necessary. A voice was taken; the motion unanimously passed.

**ORDINANCE 41-1998-99** (First Reading, Amended) Creating the  
Clarksville Central Business Improvement & Redevelopment District

Councilman Redd made a motion to suspend the rules of procedure as they apply to a motion to reconsider. The motion was seconded by Councilman Alexander. A two-thirds vote of approval was required. A voice vote was taken; the motion to suspend the rules unanimously passed. Councilman Redd made a motion to reconsider action on **ORDINANCE 41-1998-99**, as amended, which was disapproved on first reading on March 8, 1999. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion to reconsider unanimously passed. Mayor Piper presented the following timetable for CBID implementation: March 11, 1999: reconsideration of adoption of the ordinance on first reading as amended; March 19, 1999: Notice of Continuation of Public Hearing mailed to property owners; March 25, 1999: Amendments to be reviewed by the Finance & Administration Committee; March 29, 1999: Continuation of Public Hearing, discussion during Executive Session with downtown organizations and structure subcommittee

to develop proposed amendments; March 30, 1999, 4:00 p.m.: Deadline for submitting proposed amendments in writing to the City Attorney (No objections were stated.); April 1, 1999: Conclusion of Public Hearing, consideration of proposed amendments, and adoption or rejection on second and final reading. City Attorney David Haines agreed to assist in drafting the proposed amendments. Co-Chair David Riggins expressed appreciation to the Council on behalf of the Downtown Redevelopment Task Force for their reconsideration. Mr. Haines stated that the boundaries of the district can be amended once only. Mayor Piper thanked the Council for their support. Councilman Redd called for the question. A voice vote was taken; the motion to cease discussion unanimously passed. A voice vote was taken on the motion to adopt **ORDINANCE 41-1998-99** as amended on first reading. The motion passed; Councilman Segovia voted "no."

The meeting adjourned at 4:20 p.m.

*ADOPTED:* May 6, 1999

**Exhibit #**  
F1A9

**Exhibit #**  
F1A9

The district management corporation shall review and decide all such requests within thirty (30) days of receipt of a request. Any property within the CBID which is also within an area designated as part of the H-1 Historic Overlay District shall have an application approved upon a showing that it has obtained the approval of the Clarksville Regional Historic Zoning Commission.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

PUBLIC HEARING: March 8, 1999  
FIRST READING: Disapproved March 8, 1999  
Reconsidered and Adopted as Amended, March 11, 1999  
SECOND READING:  
PUBLICATION DATE:

CITY COUNCIL  
CLARKSVILLE, TENNESSEE  
REGULAR SESSION  
APRIL 1, 1999

MINUTES

Exhibit #  
4199

Prior to the meeting, Ewing Burchett, former member of the City Council and Public Utilities Committee, addressed the Council regarding the recent termination of Gas-Water-Sewer Department General Manager Dwight Luton.

David Riggins presented the final report of the Downtown Redevelopment Task Force. Brief comments were made by committee chairs Dan Hanley, Earl Bradley, Representative Kim McMillan, James Mann, Councilman Mark Holleman, and Rudy Johnson.

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The regular session of the Clarksville City Council was called to order by Mayor Johnny Piper on Thursday, April 1, 1999, at 7:30 p.m. in City Hall Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Rev. Leroy Burgess; the pledge to the national colors was led by Councilman Tad Bourne.

Roll call by the City Clerk registered attendance as follows:

PRESENT: Barbara E. Johnson, Staton Shelby, Gabriel Segovia, Wallace Redd, John Aldridge, Mark Holleman, Mary Jo Dozier, Tad Bourne, Ron Edmondson, Curtis G. Johnson, Morrell Boyd, M. E. Alexander

Mayor Piper presented a Mayor's Certificate to Police Sgt. Chuck Denton for helping save the life of a heart attack victim on December 15, 1998.

Mayor Piper recognized Fire Chief Eugene Keel who had announced his retirement as of July 1, 1999, after 47 years of service with the city. Mayor Piper assigned department head duties to Assistant Fire Chief Mike Roberts for the following few weeks.

Mayor Piper read his letter to County Executive Doug Weiland encouraging the return of county offices to the downtown area.

Councilman Boyd made a motion to go into public hearing to consider requests for zone changes and vacation of property. The motion was seconded by Councilman Redd.

**ORDINANCE 41-1998-99** (Second Reading) Creating the Clarksville Central Business Improvement and Redevelopment District

No one spoke in favor of this ordinance. Local Attorney Bob Marks expressed concern that proper parliamentary procedure had not been followed in establishing the district.

Exhibit #  
F1A9 4199

**ORDINANCE 47-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mildred Davidson (Larry Sundstrom, Agent) for zone change from R-1 Single Family Residential District to O-1 Office-Medical-Institutional-Civic District

Larry Sundstrom spoke on behalf of the applicant. No one opposed the request.



**ORDINANCE 48-1998-99** Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mary E. Hayes (Anthony L. Underwood, Agent) for zone change from R-1 Single Family Residential District to C-2 General Commercial District

No one spoke for or against this request.

**ORDINANCE 49-1998-99** Amending the Official Code of the City of Clarksville relative to signs in the Central Business District

No one spoke for or against this ordinance.

**RESOLUTION 68-1998-99** Approving vacation of a portion of Acuff Road; request of City of Clarksville

No one spoke for or against this request.

Councilman Boyd made a motion to revert to regular session. The motion was seconded by Councilman Shelby. A voice vote was taken; the motion unanimously passed.

Mayor Piper expressed appreciation to the City Council for their support and determination to create the Clarksville Central Business Improvement and Redevelopment District and thanked the one hundred-plus members of the Downtown Redevelopment Task Force for their efforts in developing the ordinance. Councilman Boyd made a motion to adopt **ORDINANCE 41-1998-99** on second reading as previously amended. The motion was seconded by Councilman Redd. Councilman Redd made a motion to amend the ordinance as follows:

**Exhibit #**  
F/199

*Amendment No. 1:*

1. By adding the following: Section 7 – “All meetings of the district management corporation shall be open meetings pursuant to *Tennessee Code Annotated* Section 8-44-102, et seq. All records of the district management corporation shall be deemed public records subject to the provisions of *Tennessee Code Annotated* Section 10-7-503.”

2. Delete the following sentence in Section 5 – “Seven members shall be owners of property, at least one residential property owner, or persons who conduct business in the District.” Substitute instead the following: “Seven members shall be owners of property, or persons whose principle place of business is headquartered within the District. At least one of these seven members shall reside within the District. All of the seven members shall be residents of Montgomery County, Tennessee.”

3. Add the following language to Section 5 – “The President of Austin Peay State University shall also serve as an ex-officio, non-voting member of the board.”

4. Delete the introductory language in Section 6 in its entirety and substitute instead the following: "This ordinance is adopted pursuant to the provisions of *Tennessee Code Annotated* Title 7, Chapter 84, Part 5. The Clarksville Central Business Improvement and Redevelopment District is established and shall be administered pursuant to the provisions contained therein, and only to the extent that they are within the scope of improvements, services, and programs authorized by Section 3 of this ordinance or amendments thereto. The district management corporation is hereby delegated those powers necessary to carry out the improvements, services, or programs authorized by Section 3 of this ordinance and shall specifically have the following powers:"

5. Add a new Section 8 as follows: Section 8 – "Appeals to the Clarksville City Council may be taken by any person aggrieved by any decision of the district management corporation board based in whole or in part upon the implementation of the provisions of Section 6(13) of this ordinance or amendments thereto. The City Council shall hear and decide any such appeal at its next regular session. A 2/3 majority vote of those council members in attendance at such hearing shall be required to modify or overturn the decision which forms the basis for an appeal."

6. Delete the second sentence of Section 6(13) and substitute instead the following: "Until such time as other design criteria are adopted by the district management corporation, the corporation shall review all applications for the construction, reconstruction, alteration, or extension of commercial buildings or other commercial structures within the district and shall approve such application upon a determination that the exterior design of the project is to be undertaken in conformance with the *Design Review Guidelines Manual-Clarksville Main Street District* developed by Thomason & Associates, dated August 1994."

The motion was seconded by Councilman Holleman. A voice vote was taken; the motion to adopt Amendment No. 1 unanimously passed. Councilman Alexander made a motion to amend the ordinance as follows:

*Amendment No. 2:*

1. By adding a new Section 9 as follows: Section 9 – Section 5-1002(a)(2) of the Official Code of the City of Clarksville is hereby amended by deleting the second sentence of the subsection and by substituting instead the following: "Permits for such functions held in the Central Business Improvement District shall be issued by the Clarksville CBID Management Corporation created pursuant to ORDINANCE 41-1998-99."

2. By adding the following language at the end of Section 4: "In addition, the management corporation created pursuant to this ordinance shall assume the responsibilities for implementation and administration of the provisions of ORDINANCE 7-1998-99 relative to festivals, street fairs, and other similar public functions conducted in the Central Business District."

**Exhibit #**  
**Flag**

The motion was seconded by Councilman Redd. A voice vote was taken; the motion to adopt Amendment No. 2 unanimously passed. Councilman Redd made a motion amend the ordinance as follows:

*Amendment No. 3:*

1. By adding the following to Section 5: "Any voting member may be removed for cause by a majority vote of the City Council. Such removal may be recommended by any member of the City Council or the Mayor."

2. By also adding the following in Section 5: One Year: Alan Henderson, Sammy Stuard, Ray Balthrop; Two Years: Richard Batson, Jan Massey, Warren Broomer; Three Years: Wallace Redd, Bill Hadley, Richard Swift

The motion was seconded by Councilman Bourne. A voice vote was taken; the motion to adopt Amendment No. 3 unanimously passed.

Mayor Piper stated that the existing Design Review Committee would be asked to continue serving in that capacity. City Attorney David Haines said that individual situations would determine whether the city would be liable for damages caused by demolition in which the city is a party. Mayor Piper informed the Council that efforts were being made to obtain federal reimbursement to those property owners who demolished their buildings at their own expense. Mr. Haines also stated that in his opinion the CBID ordinance was adopted according to proper procedure. David Riggins said that a flyer mailed to CBID property owners was mailed as an information tool and was not used to gain support for the ordinance. Councilman Shelby called for the question. A voice vote was taken; the motion to cease discussion unanimously passed.

**Exhibit #**  
4198

**Exhibit #**  
103 4-1-99

A voice vote was taken on the original motion. The motion to adopt **ORDINANCE 41-1998-99** as amended unanimously passed. Mayor Piper announced the members of the CBID board as stated in Amendment No. 3 as well as Representative Kim McMillan and Senator Rosalind Kurita.

Based on the recommendations of the Regional Planning Staff and Commission, Councilman Boyd made a motion to adopt **ORDINANCE 47-1998-99** on first reading. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion unanimously passed.

Based on the recommendations of the Regional Planning Staff and Commission, Councilman Boyd made a motion to adopt **ORDINANCE 48-1998-99** on first reading. The motion was seconded by Councilman Alexander. A voice vote was taken; the motion unanimously passed.

Based on the recommendations of the Regional Planning Staff and Commission, Councilman Boyd made a motion to adopt **ORDINANCE 49-1998-99** on first reading. The motion was seconded by Councilman Redd. A voice vote was taken; the motion unanimously passed.

Councilman Boyd made a motion to delay action on **RESOLUTION 68-1998-99** for one month. The motion was seconded by Councilman Holleman. A voice vote was taken; the motion 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. A member may request that an item be removed from the consent agenda, placed under the appropriate committee call, and considered in normal sequence as part of the general order:*

1. **ORDINANCE 42-1998-99** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Baggett, Goad & Harvey (Aubrey Harvey, Agent) for zone change from C-5 Highway & Arterial Commercial District to R-1 Single Family Residential District
2. **ORDINANCE 43-1998-99** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Tucker Corporation for zone change from C-5 Highway & Arterial Commercial District to R-4 Multiple Family Residential District
3. **ORDINANCE 45-1998-99** (Second Reading, Amended) Amending the Official Code of the City of Clarksville relative to open burning
4. **ORDINANCE 46-1998-99** (Second Reading) Limiting length of service on appointed boards and commissions
5. **ORDINANCE 50-1998-99** (First Reading) Amending the Official Code of the City of Clarksville relative to "Pennies for Parks"
6. **RESOLUTION 69-1998-99** Adopting the 1999-00 through 2003-04 Capital Projects Budget
7. **RESOLUTION 70-1998-99** Authorizing contracts for placement of signs on CTS vehicles
8. **RESOLUTION 71-1998-99** Authorizing a contract with Mossland, LLC, for installation of a sewer line in Mossland Subdivision
9. **RESOLUTION 72-1998-99** Authorizing a contract with Eddie Burchett Construction Co. for installation of a sewer line in Woodlawn Estates Subdivision
10. Authorizing a grant agreement with Tennessee Emergency Management for costs incurred as a result of flooding January 17 through February 1, 1999
11. Approval of 1999 Riverfest budget (\$150,000)
12. Approval of amendment to McGregor Park Facility Use & Rental Policy relative to rental fees
13. Approval of purchase (ball field) and lease (parking lot) of property at Heritage Park from the Clarksville-Montgomery County School system

14. Approval of positions of Program Specialist and Operations Supervisor for the Clarksville Transit System
15. Authorization of lease agreement with Clarksville Housing Authority for property on Lincoln Drive for the Police Department
16. Appointments to River District Commission: Bruce Wilson, Donita Piper, Anderson Grant – April 1999 through March 2001
17. Appointments to Board of Adjustments & Appeals: Lane Lyle, Larry McMillan, Ben Shepard – April 1999 through March 2003
18. Appointments to Tree Board: Laurina Lyle – April 1999 through June 1999 (fill unexpired term of Jim Gary)
19. Appointments to Senior Citizens Board: Zoot Parker, Betty Cheatham, Ruby Cox – May 1999 through April 2001
20. Adoption of Minutes: Special Session January 1, 1999, and Regular Session March 4, 1999

**Exhibit :**  
4199-17

*End of Consent Agenda*

Councilman Alexander made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Redd. A voice vote was taken; the motion unanimously passed.

**COMMUNITY PLANNING & ENVIRONMENTAL ENHANCEMENT COMMITTEE**  
*Mark Holleman, Chairman*

No report.

**FINANCE & ADMINISTRATION COMMITTEE (Finance, Human Resources)**  
*Ron Edmondson, Chairman*

**ORDINANCE 40-1998-99** (Second Reading) Amending the Official Code of the City of Clarksville relative to establishment of code of ethics for elected officials and members of boards and commissions

Re-implementation of Personnel Policy 99-1 relative to establishment of code of ethics for city employees

Councilman Edmondson made a motion to postpone action one month on both issues regarding codes of ethics. The motion was seconded by Councilman Shelby. A voice vote was taken; the motion unanimously passed.

Authorization of Sister City agreement with Kun-po, Korea

Councilman Edmondson made a motion to approve this agreement. The motion was seconded by Councilman Bourne. A voice vote was taken; the motion unanimously passed.

Mayor Piper introduced newly hired Chief Administrative Officer Brett Sciotto.

GAS & WATER COMMITTEE

*Mike Alexander, Chairman*

Councilman Alexander referred the Council to the attached Gas-Water-Sewer department report.

INTERNAL SERVICES COMMITTEE (Garage, Building Maintenance, Cemetery)

*Wallace Redd, Chairman*

Councilman Redd referred the Council to the attached Garage, Building Maintenance, and Cemetery department reports.

PARKS, RECREATION & GOLF COMMITTEE

*Morrell Boyd, Chairman*

Councilman Boyd referred the Council to the attached Recreation and Golf Course department reports.

Councilman Boyd reported on the first annual Heritage Softball Tournament held the previous weekend. Approximately 500 players and visitors attended.

Councilman Boyd announced that Flo Morgan won first runner-up and the talent competition in the Ms. Senior Tennessee pageant.

Councilman Boyd announced that local Senior Games would be held the week of April 5<sup>th</sup>. The Queen City Road Race was scheduled for May 2<sup>nd</sup>.

PUBLIC SAFETY COMMITTEE (Fire, Police)

*Tad Bourne, Chairman*

Councilman Bourne stated that the Police Department would establish a "substation" in the Lincoln Homes housing area.

PUBLIC WORKS COMMITTEE (Streets, Transportation, Building & Codes)

*John Aldridge, Chairman*

Authorization of grant agreement with Tennessee Department of Transportation for installation of temporary and permanent signals in downtown Clarksville

Councilman Aldridge made a motion to approve the grant agreement. The motion was seconded by Councilman Bourne. A voice vote was taken; the motion unanimously passed.

Mayor Piper introduced his daughter, Heather, visiting from college.

The meeting adjourned at 8:43 p.m.

*ADOPTED: May 6, 1999*



**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
JANUARY 6, 2005**

**MINUTES**

Prior to the meeting, Nancy Telford asked the Council to reconsider the mandatory sidewalk ordinance amendment. John Aldridge asked that closer attention be paid to zone classifications when issuing property taxes after rezoning.

The regular session of the Clarksville City Council was called to order by Mayor Donald W. Trotter on Thursday, January 6, 2005, at 7:30 p.m. in City Council Chambers, 108 Public Square, Clarksville, Tennessee.

A prayer was offered by Rev. Claude Weatherford; the Pledge of Allegiance was led by Councilman Jim Doyle.

Roll Call registered all members present:

**PRESENT:** Barbara Johnson (1), Ken Takasaki (2), Gabriel Segovia (3), Wallace Redd (4), Diana Ward (5), Ann Henderson (6), Mary Nell Wooten (7), Jim Doyle (8), Richard Swift (9), A. D. Caldwell (10), Morrell Boyd (11), Wayne Harrison (12)

Mayor Trotter presented a Certificate of Retirement to Linda Williams for 34 years of service with the City of Clarksville, and a Mayor's Certificate of Appreciation to Richard Molar, Clarksville Fire Department, for rescuing the victim of a vehicle accident on December 9, 2004.

**PUBLIC HEARING**

Councilman Boyd made a motion to conduct a public hearing. The motion was seconded by Councilman Redd. A voice vote was taken; the motion unanimously passed.

**RESOLUTION 25-2004-05** Approving issuance of \$20,000,000 revenue bonds by Nashville-Davidson County Metropolitan Government for Vanderbilt University LifeFlight helicopter at Gateway Medical Center

John Callison, Vanderbilt Medical Center, said local government support of the issue is required when medical services are provided for the city. There were no public comments.

**ORDINANCE 38-2004-05** (Postponed December 2<sup>nd</sup>) Amending the Zoning Ordinance and Map of the City of Clarksville, application of WLW Realty for zone change from R-4 Multiple Family Residential District to C-2 General Commercial District (Madison & Seventh)

There were no comments for or against this request.

Councilman Segovia made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilwoman Johnson. Councilman Redd and Councilman Takasaki registered a "no" vote on Item #3 (**ORDINANCE 37-2004-05**). The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Boyd, Harrison

The motion to adopt the consent agenda passed.

#### BUILDING & CODES COMMITTEE

*Ann Henderson, Chair*

No report.

#### FINANCE & ADMINISTRATION COMMITTEE

*Gabriel Segovia, Chair*

**ORDINANCE 43-2004-05** (First Reading; Postponed December 2<sup>nd</sup>)  
Establishing a budget for the 2005 Extraordinary Emergency Fund

Without objection, first reading on this ordinance was postponed to the February regular session.

**ORDINANCE 47-2004-05** (First Reading) Amending the *Official Code* relative to process for City Council agendas

Councilman Segovia made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Boyd

NAY: Harrison

The motion to adopt this ordinance on first reading passed.

**RESOLUTION 26-2004-05** Honoring Rev. Lester Claude Weatherford

This resolution was read in its entirety by the City Clerk. Councilman Segovia made a motion to adopt this resolution. The motion was seconded by Councilwoman Johnson. The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Boyd, Harrison

The motion to adopt this resolution unanimously passed.

#### GAS & WATER COMMITTEE

*Morrell Boyd, Chair*

No report.

#### GENERAL SERVICES

*Wayne Harrison, Chair*

No report.

#### PARKS & RECREATION COMMITTEE

*Mary Nell Wooten, Chair*



ORDINANCE 43-2004-05

AN ORDINANCE ESTABLISHING THE 2004-05 BUDGET FOR THE EXTRAORDINARY/EMERGENCY FUND

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

That the total authorized expenditures of the extraordinary/emergency fund shall be \$152,000.

*BE IT FURTHER ORDAINED* that the source of funding shall be from the fund balance of the extraordinary/emergency fund.

**Exhibit #**  
3-03-05

*POSTPONED:* December 2, 2004; January 6, 2005  
*FIRST READING:* February 3, 2005  
*SECOND READING:* March 3, 2004  
*PUBLICATION DATE:* March 6, 2005

March 29, 2004

Fed.



**Exhibit #**  
**2-3-05**

**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
FEBRUARY 3, 2005**

**MINUTES**

Prior to the meeting, Shirley Tomasi gave a brief presentation on the Clarksville Youth Chorus as well as other Arts & Heritage Development Council programs.

Jeff Burkhart, Todd Harvey, Jim Maynard, and Jerry Drum urged the Council to deny a proposal for mandatory sidewalks.

\*\*\*\*\*

The regular session of the Clarksville City Council was called to order by Mayor Donald W. Trotter on Thursday, February 3, 2005, at 7:30 p.m. in City Council Chambers, 108 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilwoman Barbara Johnson; the Pledge of Allegiance was led by Councilman Jim Doyle.

Roll call registered all members present:

PRESENT: Barbara Johnson (1), Ken Takasaki (2), Gabriel Segovia (3), Wallace Redd (4), Diana Ward (5), Ann Henderson (6), Mary Nell Wooten (7), Jim Doyle (8), Richard Swift (9), A. D. Caldwell (10), Morrell Boyd (11), Wayne Harrison (12)

Mayor Trotter presented a Mayor's Certificate of Appreciation to Cpt. Tony Taylor and Sgt. Lucas Resnic, U. S. Army, for their assistance in apprehending an armed robbery suspect at a local auto parts business on January 20, 2005.

Councilwoman Wooten recognized Nick Riley who was observing the proceedings in an effort to earn his Eagle Scout badge.

**REAPPLICATION FOR ZONE CHANGE**

**RESOLUTION 31-2004-05** Authorizing reapplication for disapproved zone change within twelve months; request of Jeff Long

Councilman Boyd made a motion to adopt this resolution. The motion was seconded by Councilman Redd. Mr. Long had purchased adjacent C-2 property to be combined with the property to be rezoned to provide for both sufficient square footage and road frontage. The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Boyd, Harrison

The motion to adopt this resolution unanimously passed.

5. **ORDINANCE 48-2004-05** (Second Reading) Amending the ORDINANCE 65-2003-04 relative to effective date of storm water management regulations
6. **ORDINANCE 54-2004-05** (First Reading) Amending the 2005 Operating and Capital Projects Budget for Wilma Rudolph Pavillion roof replacement (\$11,295)
7. **ORDINANCE 55-2004-05** (First Reading) Amending the 2005 Capital Projects Budget to combine funds for traffic signalization (\$23,305)
8. **ORDINANCE 56-2004-05** (First Reading) Amending the 2005 Operating Budget to accept a donation for Street Department American Flag replacement and/or other roadway standards (\$1,000)
9. **ORDINANCE 57-2004-05** (First Reading) Amending the *Official Code* relative to adoption of the Standard Property Maintenance Code
10. **RESOLUTION 28-2004-05** Requesting the Tennessee General Assembly amend the *Official Charter* relative to weed control
11. Authorization for fireworks display at China King Restaurant, 2088 Lowe's Drive, February 9, 2005
12. Approval of appointments to Parking Authority: Jane Olson - February 2005 through December 2008; Evans Peay (fill unexpired term of Larry McMillan) and Richard Swift - February 2005 through December 2005
13. Approval of appointments to Power Board: Nancy Telford and Ronnie Hunter: March 2005 through February 2008
14. Approval of appointments to River District Commission: Jeff Robinson - April 2005 through March 2008; Susan Turner (fill unexpired term of Ed Stiener) - February 2005 through March 2007
15. Adoption of Minutes: January 1, January 4, January 6, 2005

Councilman Boyd said the applicant had requested a one-month postponement for second reading on **ORDINANCE 23-2004-05**. There was no objection. Councilman Segovia made a motion to adopt the Consent Agenda with the exception of Item #1. The motion was seconded by Councilman Takasaki. The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Boyd, Harrison

The motion to adopt the Consent Agenda unanimously passed.

#### BUILDING & CODES COMMITTEE

*Wayne Harrison, Chair*

No report.

#### FINANCE & ADMINISTRATION COMMITTEE

*Morrell Boyd, Chair*

**ORDINANCE 43-2004-05** (First Reading; Postponed January 6<sup>th</sup>) Establishing a budget for the 2005 Extraordinary Emergency Fund

Councilman Boyd made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Redd. John Brannom, attorney for Herb Patrick, said the amount appropriated by this ordinance would be a full settlement for Mr. Patrick's claims on his 111 South Third Street property. Councilman Redd called for the question. The motion was seconded by Councilman Takasaki. The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten,  
Doyle, Swift, Caldwell, Boyd

**Exhibit 1**  
2-3-05

NAY: Harrison

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

AYE: Johnson, Takasaki, Segovia, Redd, Ward, Henderson, Wooten,  
Doyle, Caldwell, Boyd

NAY: Swift, Harrison

The motion to adopt this ordinance on first reading passed.

**RESOLUTION 33-2004-05** Approving an Interlocal Agreement between the City of Clarksville, Montgomery County, and the Tourist Commission for the City of Clarksville and Montgomery County

Councilman Boyd made a motion to adopt this resolution. The motion was seconded by Councilman Redd. Councilman Takasaki and Councilwoman Henderson did not support the additional funding for the Tourist Commission and felt any such requests should be submitted during the normal budget process. Councilman Doyle and Councilman Boyd praised Tourist Commission Director Theresa Harrington for her dedication to promoting tourism. Councilman Boyd called for the question. The motion was seconded by Councilman Redd. The vote was recorded as follows:

AYE: Johnson, Redd, Ward, Caldwell, Boyd, Harrison

NAY: Takasaki, Segovia, Henderson, Wooten, Doyle, Swift

Mayor Trotter voted "yes." The motion to cease discussion passed. The vote on the original motion was recorded as follows:

AYE: Johnson, Segovia, Redd, Ward, Wooten, Doyle, Swift, Caldwell,  
Boyd

NAY: Takasaki, Henderson, Harrison

The motion to adopt the resolution passed.

Councilman Boyd made a motion to approve conveyance of a portion of the Franklin Street parking lot and a lot on South Second Street to Downtown District Partnership. The motion was seconded by Councilwoman Johnson. Councilman Takasaki make a motion to postpone action one month on this request and asked the Community Revolving Investment Board to report how transactions would occur, how commissions and/or profits will be accounted for, and to clarify any perceived conflicts of interest. The motion was seconded by Councilman Harrison. The vote was recorded as follows:

AYE: Johnson, Takasaki, Segovia, Redd, Wooten, Doyle, Caldwell,  
Boyd, Harrison

NAY: Ward, Henderson

ABSTAIN: Swift

The motion to postpone action passed.



**Exhibit #**  
**3-03-05**

**CLARKSVILLE CITY COUNCIL  
REGULAR SESSION  
MARCH 3, 2005**

**MINUTES**

The regular session of the Clarksville City Council was called to order by Mayor Pro Tem Morrell Boyd on Thursday, March 3, 2005, at 7:30 p.m. in City Council Chambers, 108 Public Square, Clarksville, Tennessee.

Joe Pitts informed the Council that Mayor Donald W. Trotter had been hospitalized following severe stomach pains.

A prayer was offered by Councilman Wayne Harrison; the Pledge of Allegiance was led by Councilman Ken Takasaki.

Attendance was recorded as follows:

**PRESENT:** Barbara Johnson (1), Ken Takasaki (2), Wallace Redd (4), Diana Ward (5), Ann Henderson (6), Mary Nell Wooten (7), Jim Doyle (8), Richard Swift (9), A. D. Caldwell (10), Morrell Boyd (11), Wayne Harrison (12)

**ABSENT:** Mayor Don Trotter

**NOTE:** Councilman Gabriel Segovia, Ward 3, resigned from the City Council effective March 1, 2005

**ZONING**

Councilman Caldwell made a motion to conduct a public hearing to consider requests for zone change and code amendments. The motion was seconded by Councilwoman Wooten. A voice vote was taken; the motion unanimously passed.

**ORDINANCE 58-2004-05** Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eddie Burchett for zone change from AG Agricultural District to R-4 Multiple Family Residential District (North Ford Street & Shortridge Drive)

Eddie Burchett offered to answer questions. There was no expressed opposition.

**ORDINANCE 59-2004-05** Amending the Zoning Ordinance and Map of the City of Clarksville, application of Frederick L. Clark, Edgar E. Fulcher-Agent, for zone change from R-1 Single Family Residential District to C-2 General Commercial District (Ft. Campbell Boulevard & Maple Street)

David Smith, DBS & Associates, said the zone change was necessary to reposition the proposed building because of drastic slopes on the property. There was no expressed opposition.

AYE: Johnson, Takasaki, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Harrison

The motion to adopt the Consent Agenda as amended unanimously passed.

**BUILDING & CODES COMMITTEE**  
*Ann Henderson, Chair*

No report.

**FINANCE & ADMINISTRATION COMMITTEE**  
*Mary Nell Wooten*

**ORDINANCE 43-2004-05 (Second Reading)** Establishing a budget for the 2005 Extraordinary Emergency Fund

This item was removed from the original Consent Agenda. Councilwoman Wooten made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman Johnson. Responding to Councilman Doyle, City Attorney David Haines said this ordinance would appropriate funds for payment of a settlement with Attorney Herbert Patrick (111 South Third Street). In response to Councilman Takasaki's question, Mr. Haines said only owners whose property was demolished following the January 1999 tornado signed hold-harmless agreements. Responding to Councilwoman Ward's question, Mr. Haines said an agreement had not been finalized with adjacent property owner Gary Hodges. Mr. Haines said whether Mr. Patrick had property insurance was not relevant, and said the City was still responsible for some unfinished work on Mr. Patrick's building. Councilwoman Johnson called for the question. The motion was seconded by Councilwoman Wooten. The vote was recorded as follows:

**Exhibit #**  
3-03-05

AYE: Johnson, Takasaki, Wooten, Doyle, Swift, Caldwell

NAY: Redd, Ward, Henderson, Harrison

The motion to cease discussion passed. The vote on the main motion was recorded as follows:

AYE: Johnson, Takasaki, Ward, Henderson, Wooten, Swift, Caldwell

NAY: Redd, Doyle, Harrison

The motion to adopt this ordinance on second reading passed.

**RESOLUTION 35-2004-05** Implementing provisions of RESOLUTION 37-2003-04

This item was removed from the original Consent Agenda. Councilwoman Wooten made a motion to adopt this resolution (appropriation for the Emergency Vehicle Trust Fund). The motion was seconded by Councilwoman Henderson. The vote was recorded as follows:

AYE: Johnson, Takasaki, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell, Harrison

The motion to adopt this resolution unanimously passed.

Councilwoman Wooten made a motion to convey a portion of the Franklin Street parking lot and a lot on South Second Street to the Downtown District Partnership (postponed February 3<sup>rd</sup>). The motion was seconded by Councilman Swift. Councilman Takasaki made a motion to postpone action until the DDP can establish policies and procedures for sale and purchase of property in the downtown area. The motion was seconded by Councilman Harrison. Councilman Swift said these lots will be sold, improved, and become tax-producing properties. In response to Councilwoman Henderson's question, City Attorney David Haines said her husband's (Alan Henderson) membership on the DDP Board did not present a conflict of interest. Councilman Takasaki said the relationship between the real estate company (CMH Commercial Properties), the Downtown District Partnership, The Economic Development Council, and the City Council could be perceived as a conflict of interest. The vote was recorded as follows:

AYE: Takasaki, Harrison

NAY: Johnson, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell

The motion to postpone action failed. The vote on the main motion was recorded as follows:

AYE: Johnson, Redd, Ward, Henderson, Wooten, Doyle, Swift, Caldwell

NAY: Takasaki, Harrison

The motion to convey said properties passed.

**ORDINANCE 47-2004-05** (Second Reading) Amending the *Official Code* relative to general rules of order pertaining to establishment of the agenda for regular sessions of the City Council

Councilwoman Wooten made a motion to adopt this ordinance on second reading. The motion was seconded by Councilwoman Johnson. Councilwoman Wooten noted an amendment that would exclude the Regional Planning Commission from the provisions of this ordinance. There was no objection to the amendment. Following discussion regarding "new business" agenda items, Councilman Redd made a motion to send this ordinance back to the Finance & Administration Committee. The motion was seconded by Councilman Takasaki. The vote was recorded as follows:

AYE: Johnson, Takasaki, Redd, Ward, Henderson, Wooten, Doyle, Swift, Harrison

NAY: Caldwell

**ORDINANCE 65-2004-05** (First Reading) Amending the 2005 Operating and Capital Projects budgets for a courtesy boat dock in McGregor Park (\$400,000)

**ORDINANCE 66-2004-05** (First Reading) Amending the 2005 Operating and Capital Projects budgets for the Fort Defiance Interpretive Park (\$265,000)

Since the Finance Committee did not have a recommendation for action on these budget amendments, Councilwoman asked that these ordinances be discussed under the Parks & Recreation Committee call. There was no objection.

Exhibit #  
303-05

8. **ORDINANCE 54-2004-05** (Second Reading) Amending the 2005 Operating and Capital Projects Budget for Wilma Rudolph Pavilion roof replacement (\$11,295)
9. **ORDINANCE 55-2004-05** (Second Reading) Amending the 2005 Capital Projects Budget to combine funds for traffic signalization (\$23,305)
10. **ORDINANCE 56-2004-05** (Second Reading) Amending the 2005 Operating Budget to accept a donation for Street Department American Flag replacement and/or other roadway standards (\$1,000)
11. **ORDINANCE 57-2004-05** (Second Reading) Amending the *Official Code* relative to adoption of the Standard Property Maintenance Code
12. **ORDINANCE 64-2004-05** (First Reading) Authorizing exercise of right of eminent domain to obtain easements and/or right-of-way for Peachers Mill Road Improvements Phase II
13. **ORDINANCE 67-2004-05** (First Reading) Amending the 2005 Operating Budget for City Hall water line repair (\$10,032)
14. **ORDINANCE 68-2004-05** (First Reading) Amending the Official Code relative to relative to compensation of an acting city judge and ordinance violations
15. **RESOLUTION 35-2004-05** Implementing provisions of RESOLUTION 37-2003-04 [*Removed; See Finance Committee*]
16. Approving conveyance of a portion of the Franklin Street parking lot and a lot on South Second Street to the Downtown District Partnership (postponed February 3<sup>rd</sup>) [*Removed; See Finance Committee*]
17. Approval of Certificate of Compliance: Katherine Beach (Riverside Package Store, 1058 S. Riverside Drive)
18. Approval of Certificate of Compliance: James Horace Heggie, Jr. (Pal's Package Store, 1810 Madison Street)
19. Renewal of Certificate of Compliance: Lovisia Harris (University Package Store, 303 College Street)
20. Appointments to Audit Committee: Gil Bowers, Lawrence Baggett, Joyce Norris, Bob Yates, A. D. Caldwell - March 2005 through December 2005
21. Appointment to Beer Board: Tommie Graves - April 2005 through March 2007
22. Appointment to E-911 Board: Jim Doyle (fill unexpired term of Joe Couch) - March 2005 through November 2005
23. Adoption of Minutes: Regular Session - February 3<sup>rd</sup>

Councilman Harrison requested Item #1 be removed for discussion; Councilwoman Henderson requested Item #15 be removed for discussion; Councilman Takasaki requested Item #16 be removed for discussion. Councilwoman Johnson made a motion to adopt the Consent Agenda ad amended. The motion was seconded by Councilman Redd. The vote was recorded as follows: