



TRANSIT, STREET & GARAGE AGENDA

DATE: February 13, 2024

LOCATION:

Clarksville Street Department

Large Conference Room

199 10th Street

TIME: 3:45 pm

1. CALL TO ORDER

2. ATTENDANCE

a) Introduction of Members

3. ADOPTION OF MINUTES - January 10, 2024

4. DEPARTMENT REPORTS

a) Transit Report – Mike Ringgenberg

Ridership Report for January 2024:

35,741 riders on fixed routes

6,192 seniors on fixed routes

3,538 riders on paratransit

Financial report - Lori Wallis:

b) Street Report

Department Report - Orville Sykes

We had 221 work orders completed in the month of January.

Tornado Update

Capital Project Update - Chris Cowan

Sidewalk Project Update

c) Garage Report

Department Report - Bill Lee

Work order and fuel reports

5. COMMITTEE ACTION

6. CITY COUNCIL ACTION

ORDINANCE 63-2023-24, Councilperson Reynolds

ORDINANCE 71-2023-24, Ringgold Rd Sidewalk

ORDINANCE 72-2023-24, School Sidewalks

7. NEW BUSINESS

8. OLD BUSINESS

9. PUBLIC COMMENTS (3 individuals 5 minutes each unless waived by Chair)

10. ADJOURNMENT

Transportation Committee Meeting Minutes

Tuesday, January 9th at 3:45 pm
Street Department Conference Room

Members Present:

Wanda Smith, Chairperson
Wanda Allen, Councilperson
Karen Reynolds, Councilperson

Members Absent:

Deanna McLaughlin, Councilperson
Wallace Redd, Councilperson

Transit

Michael Ringgenberg, Director

Street

David Smith, Director
Chris Cowan, Senior Engineering Manager
Orville Sykes, Operations Manager
Bonny Blyzes, Administrative Support Supervisor

Garage

Bill Lee, Director
Stacey Burney, Administrative Support Technician

Internal Audit

Stephanie Fox

CALL TO ORDER:

January 9, 2024 at 3:45 p.m...Transportation, Street & Garage Committee (TSG) meeting was called to order by Chairperson Wanda Smith. The members in attendance were Wanda Allen and Karen Reynolds. Members not in attendance were Deanna McLaughlin and Wallace Redd. There was a motion to accept the October 2023 and November 2023 minutes. The motion was accepted and seconded.

TRANSPORTATION

Departmental Report:

RIDERSHIP REPORT:

Mr. Mike Ringgenberg went over the Ridership for December 2023:

43,058 total riders, including 3,573 Demand Response, and 5,674 Senior Citizens on FX routes.

FINANCIAL REPORT:

Mr. Ringgenberg provided the November Financial statement.

The year-to-date combined net under budget was \$472,693.46. The total revenues over budget year to date for November was \$25,469.47, and total expenses year to date was under budget \$447,223.99. The majority of the under budget is wages and fringes due to being understaffed and fuel under budget.

TRANSIT UPDATES:

CTS supported two special events: we had 156 riders on Warm Souls and 91 riders for the Memorial Service.

COMMITTEE ACTION REQUIRED:

No action required

STREET DEPARTMENT

Departmental Report:

DEPARTMENTAL REPORT - Orville Sykes

We closed 127 work orders in the month of November and 96 for December 2023.

Our Fall Debris Pickup ended Monday, December 4, with 551 requests for pickup.

We have transported over 32,000 cubic yards of debris for the public in response to the December 9th tornado.

TRANSPORTATION 2020 UPDATE - Chris Cowan

We are working on intersection improvements including additional turning lanes and signalization. We will be meeting with contractors mid-January to discuss the Ted Crozier/Dunlop Ln intersection.

Committee Action Required:

No action required

GARAGE DEPARTMENT

Departmental Report: Bill Lee

CITY GARAGE REPORT:

Bill Lee gave a department report for December 2023. The total number of work orders was 350. The total number of work order hours was 619.8. Total parts cost was \$52,628.65. Total tire cost was \$20,723.89. At last delivery on 12-27-23, unleaded was \$2.38 per gallon, a decrease of 4.4% from \$2.49 on 11-29-23. At last delivery on 12-28-23 diesel was \$2.63 per gallon, a decrease of 18% from \$3.21 on 11-16-23.

Committee Action Required:

No action required

NEW BUSINESS:

OLD BUSINESS:

A motion was made by Councilperson Reynolds to discuss Ordinance 63-2023-24. The motion was opposed by Chairperson Smith. Mr. Baker stated that a vote would need to be taken to overthrow the opposition of Chairperson Smith. A vote was taken with Councilperson Reynolds and Councilperson Allen voting yes and Chairperson Smith voting no. Majority won the vote and a discussion began.

Councilperson Reynolds requested that members of the TSG review the ordinance, but then realized that the copies provided to committee members were not the latest drafts of the ordinance. Copies were made of the latest revision and the original draft was named 63a, with the most recent draft being titled 63b to ease confusion.

Mrs. Reynolds began discussing items on the ordinance, with Mr. Baker weighing in as needed. Mr. Baker stated that 63b did not include objections that he informed Councilperson Reynolds of prior to the meeting. Mrs. Allen stated her concerns for specific items, which were discussed. After reviewing and discussing the ordinance, Mr. Baker stated that many revisions needed to be made to the ordinance before it would be ready to be voted on. He stated Mrs. Reynolds should clean up 63b before it is presented to the City Council.

The meeting concluded with a motion to approve Ordinance 63a and was seconded. There was then a motion to amend 63a by substitution of Ordinance 63b. That motion was accepted and seconded.

Adjournment: 4:55 pm

Chairperson

Date

Ordinance:

AN ORDINANCE AMENDING THE OFFICIAL CODE, TITLE 12 (STREETS AND OTHER PUBLIC WAYS AND PLACES), CHAPTER 1 (IN GENERAL) PERTAINING TO SECTION 12-124 (SIDEWALKS)

WHEREAS, the current city ordinances lack adequate tools for sidewalk maintenance enforcement, creating potential liabilities that necessitate revision to align with contemporary standards and best practices; and

WHEREAS, ensuring the unobstructed flow of pedestrian traffic on public sidewalks and pedestrian paths promotes public safety by minimizing the risk that pedestrians will jostle one another, collide, trip, or fall, and safeguarding the ability of the public to safely be away from dangerous situations, such as vehicle and bicycle traffic that may occur on or near public streets, sidewalks, and pedestrian paths, and

WHEREAS, the recently published guidelines by The Access Board under the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) specifically address the accessibility aspects of sidewalks, streets, ramps, pedestrian signals, and other public right-of-way components, emphasizing the importance of compliance with disability accessibility standards; and

WHEREAS, The purpose of the updated PROWAG (Public Right-of-Way Accessibility Guidelines) is to ensure that pedestrian facilities located in the public right-of-way are readily accessible to and usable by pedestrians with disabilities, and

WHEREAS, the City of Clarksville recognizes the pressing need to update existing ordinances concerning sidewalks, driven by the necessity to safeguard the city against potential legal actions, as highlighted in the article "How Sidewalks Fell Behind Across Clarksville" from The Leaf-Chronicle, dated December 16, 2016; and

WHEREAS, the City of Clarksville acknowledges the imperative of updating the sidewalk ordinance as a proactive measure to mitigate potential legal challenges and liabilities in the future;

WHEREAS, the City of Clarksville aims to minimize the utilization of eminent domain for sidewalk construction, prioritizing alternative approaches to sidewalk development that reduce the imposition on private property owners; and

WHEREAS, there exists a concerted effort to alleviate the financial burden on taxpayers by promoting the construction of compliant sidewalks concurrently with new developments, ensuring cost-effectiveness and efficient utilization of resources;

WHEREAS, 23.1% of Clarksville residents can walk to a park in 10 minutes compared to the national average of 61.5% (Reference: [Walkability | City Health Dashboard](#)), and

WHEREAS, People living in neighborhoods with high walkability are more likely to be active in how they get around, including walking and using public transportation (Reference: [Clarksville, TN - City Overview | City Health Dashboard](#)), and

WHEREAS, Clarksville has an obesity rate of 37.6% as compared to 31.2% (Reference: [Walkability | City Health Dashboard](#)), and

WHEREAS, Research has found that people in such neighborhoods tend to have lower rates of diabetes and obesity than those living in less walkable areas (Reference: [Clarksville, TN - City Overview | City Health Dashboard](#)), and

WHEREAS, Clarksville is currently rated as a Car-Dependent City with a walkability score of 17.3 (out of 100) (Reference: [Walkability | City Health Dashboard](#)), and

WHEREAS, Walkable neighborhoods often have less vehicle use, which can lead to improved air quality, (Reference: [Clarksville, TN - City Overview | City Health Dashboard](#)), and

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

That the Official Code of the City of Clarksville, Tennessee, Title 12-Streets and other Public Ways and Places, Chapter 1- In general, Section 12-124.-Sidewalks is hereby amended by deleting same in its entirety and substituting therefor the following:

Sec. 12-124. - Sidewalks

- (a) *Legislative intent.* The sidewalk system for the city should be planned, designed, developed, and maintained in a manner which will provide for the safe, convenient, and orderly movement of pedestrians along the roadway system throughout the city. Sidewalks shall be mandatory with any new development, along newly constructed public roads, dedicated permanent roadway easements and will include the public right-of-way that forms the boundary of the site, or that lies within the site bounded by a property line, and shall meet the requirements of this section.

This sidewalk ordinance is intended to promote improved pedestrian safety, expand opportunities for recreational walking and running activities, and promote the health of our community. Further, sidewalks should be designed and located in a manner that will encourage their safe use while meeting all applicable local, state, and federal regulations.

(b) *Definitions:*

- (1) ADA Compliance: Americans with Disabilities Act is a federal civil rights law that prohibits discrimination against people with disabilities (Reference: [Americans with Disabilities Act \(access-board.gov\)](#))
- (2) Barrier Curb: Buffer between pedestrians and the roadway and must be sufficient to separate pedestrians from vehicular traffic. The width should be based on traffic speeds, volumes and whether there is on-street parking.
- (3) Curb: A raised feature along the side of a street that delineates the edge of the roadway or pedestrian path.
- (4) Easement: A grant of less than fee simple ownership by the property owner of the use of a portion of their property for a specific purpose.
- (5) Furnishing Zone: Is a buffer between the active pedestrian walking area and street traffic. The Furnishing Zone space between the curb and sidewalk shall be a minimum of 2 feet. Street trees and other landscaping, streetlights, site furnishings, traffic and parking poles and equipment, utility poles and boxes, fire hydrants, and other site furnishings shall be consolidated in this zone.
- (6) Pedestrian-a person on foot, traveling by wheelchair or other mobility device, on skates or on a skateboard.
- (7) PROWAG – Public Right-of-Way Accessibility Guidelines, published by the Access Board and the Architectural Barriers Act, with the stated purpose of addressing access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public right-of-way. (Reference-[About PROWAG \(access-board.gov\)](#))

- (8) Site-refers to the specific area or parcel of land under consideration for development or construction. It encompasses the boundaries of development, including but not limited to the dedicated permanent roadway easements, public right-of-way forming the perimeter of the development, or within the confines of the development area itself.
- (9) Walkability: Pedestrians and bike riders can safely go anywhere a car can go.
- (c) *Sidewalks and other pedestrian facilities.* Pedestrian alternative modes of transportation contribute to a safe, healthy, and viable city environment, pedestrian access shall be provided to and from all lots developed for both non-residential and residential to include multi-family uses.
- (d) The construction of required sidewalks shall be completed before a Certificate of Occupancy is issued by the Building Official.
- (e) *Sidewalks:* Where new construction or the redevelopment of a site necessitates any site plan review by the Regional Planning Commission (RPC), proposed sidewalks shall be constructed within the right-of way of all public street frontages where pedestrian traffic is permissible, except as follows:
- (1) Under the following circumstances all or part of the requirements for the installation of sidewalks may be waived by the Director of the Street Department:
 - i. If it is determined by the Director of the Streets that due to pending street or utility construction, it would be in the best interest of the City of Clarksville that the sidewalk construction be postponed.
 - ii. The sidewalk is not rated on the Clarksville Sidewalk Matrix Chart or is not part of the Clarksville-Montgomery County Greenway and Blueway Master Plan.
 - iii. Where physical or topographic constraints would create unsafe sidewalk conditions for pedestrians.
 - (2) In the event the Director of the Street Department determines a section of sidewalk is inappropriate or otherwise unfeasible at the time of development or redevelopment, the Director may approve a waiver subject to the following guidelines:
 - i. All waivers and supporting documentation must be presented to the Transportation-Streets-Garage Committee (TSGC) and submitted as an addendum to the meeting minutes.
 - ii. The property owner shall be required to grade the location of the proposed future sidewalk and dedicate the easement.
 - iii. The applicant may request an appeal against the decisions made by the Director of the Street Department. The appeal will be heard by the TSG Committee.
 1. The appeal must be submitted in writing to the Director of the Street Department and listed as an agenda item on the TSG Committee Agenda.
 2. An application shall be made using forms supplied by the Street Department (Appendix A) and must be filed with the Street Department within (30) days of the written decision of the Director of the Street Department or their designee. The petition to defer or withdrawal must be made in writing to the Director of the Street Department at least 72 hours prior to the scheduled TSG Committee Meeting.
 3. Hearing Procedure
 - a. Prior to the testimony in each case, the Chair of the TSG Committee shall read a brief introductory statement.
 - b. The order of the proof shall be as follows at the conclusion of the introductory remarks:
 - i. The Director of the Street Department or their designee shall furnish reasons for the rejection of the sidewalk

requirement by way of written statement setting forth the reasons for the rejection.

- ii. The appellant shall go forward with their case at the conclusion of the presentation by the Director of the Street Department or their designee, offering by way of written documentation and oral testimony any evidence that they may have in support of their appeal.
 - c. The committee members may at any time ask questions of the Director of the Street Department or their designee or the appellant. Any document submitted before the committee shall be received on record and identified as an exhibit thereto and be numbered by the Chair of the TSG Committee. They shall record the proceedings, or their designee, and the minutes of the meeting and shall be the custodian of the minutes and the records of the proceedings before the committee.
 - d. The committee may defer action on any matter presented to it at a called meeting, until the next called meeting; provided however, that the committee shall approve or disapprove an appeal within two (2) calendar months after the submission thereof, unless a longer period is established by affirmative action of the committee. Should the committee fail to approve or disapprove the application by the expiration of the aforementioned deadline, the appeal will be deemed to be approved.
- (f) *Requirements of sidewalks with development project.* The necessary property right-of-way and/or easements, along with the actual design and construction of sidewalks shall be required of development as public improvements in all zoning districts.
- (1) Subdivision.
 - (2) Application for any grading permit at the discretion of the Director of the Street Department
 - (3) Application for site plan approval with the RPC.
- (g) *Placement of sidewalks.* Proposed sidewalks shall be positioned along the entire frontage of the public right-of-way, encompassing the boundary of the property, including internal areas of subdivisions. The Director of the Street Department may grant exceptions to this requirement under the following conditions:
- (1) Where physical or topographic constraints would create unsafe sidewalk conditions for pedestrians.
 - (2) if the developing party does not own the land on both sides of the roadway that is proposed for sidewalks.
 - (3) In the event the Director of the Street Department determines a section of sidewalk is inappropriate or otherwise unfeasible at the time of development or redevelopment, the Director will follow the process outlined in (b) ii of this section.
- (h) *Use of pavement shoulders as pedestrian sidewalks.* The use of roadway shoulders shall not be considered an acceptable alternative to providing off-street sidewalks.
- (i) *Placement of sidewalks will be in the rights-of-way and easements.* Sidewalks shall be placed within the fee simple or in a recorded easement when the right of way is not available.
- (j) *In the public right-of-way context, a "protruding object" is anything that extends into the three-dimensional space above a pedestrian circulation path, or an object contained wholly within it.*

Examples include, but are not limited to, streetlights, utility poles and equipment cabinets, signposts and signs, parking meters, trash receptacles, public telephones, mailboxes, newspaper vending machines, benches, transit shelters, kiosks, bicycle racks, planters and planted trees, and street sculptures. Technical requirements for protruding objects are designed to ensure that objects located within pedestrian circulation paths are cane detectable, so they do not present hazards for people who are blind or have low vision. When these utility facilities conflict with the required and best location for sidewalks, the Director of The Street Department will require the utility company(s) to relocate such appurtenances as needed for proper sidewalk design and installation to the maximum extent feasible.

(k) *All sidewalks installed shall meet the following minimum standards:*

- (1) Standards, sidewalks shall be constructed or reconstructed in accordance with the design standards and specifications set forth in the most current Tennessee Department of Transportation (TDOT) Design Standards.
- (2) Sidewalks shall conform to the most recent published version of the PROWAG or the most recent published version of ADA Standards as appropriate. In the case of a conflict between the provisions of the ADA, PROWAG, or TDOT, the more stringent criteria shall apply.
- (3) Sidewalks along roadways classified as collector and/or greater shall have a minimum width of five feet. Sidewalks along roadways classified as local roads shall have a minimum width of 4 feet. Sidewalks shall be designed to support the weight of vehicles at all driveway crossings.
- (4) A Barrier Curb and furnishing zone, a grass or landscaped strip, a minimum of 2 feet in width, shall be provided between the edge of the street or curb and sidewalk. When this is not feasible, the curb must be cane detectable.
- (5) No sidewalk shall be built with an impediment in the sidewalk.

(l) *Prioritization of sidewalk installations.* Sidewalks installed by the city shall be installed according to the following prioritization schedule. The greater the point value the higher the priority.

Table 1. Sidewalk Priority Indicator

Sidewalk Priority Indicator	Point Value
Pedestrian District	
Central Business Improvement District	5
Trip Generators – School District	
Elementary 1 Mile	5
Middle and High Schools – 1.5 Miles	5
Colleges and Universities – 1 Mile	5
Trip Generators within ½ Mile	
Parks and Greenways entry points	4
Public Housing	4
Multi-family Development	3
Civic Centers (Post office, library, government offices)	3
Commercial or Mixed-Use Development	2
Single Family Development	2
Trip Generators within ¼ mile	
Transit Routes	4
Senior Housing	2
Other	
Missing Segment (within ¼ mile of existing sidewalk)	5

Damaged Segment on Existing Sidewalk	4
Missing Segment (within ½ mile of existing sidewalk)	3
Available Right-of-Way	2
Daily Traffic Volumes > 20,000 vpd	3
Daily Traffic Volumes 5,000—20,000 vpd	2
Posted Speed Limit > 40 mph	3
Posted Speed Limit 30—40 mph	2

- (m) *Timing of sidewalk and handicap ramp installations with development.* All handicap ramps must be in place at the time of final plat approval. All sidewalks must be in place twenty-four (24) months after final plat approval. At the time of final plat approval, a surety bond, letter of credit or another financial instrument must be in place to ensure the sidewalk's eventual placement. On a case-by-case basis, the Director of the Street Department may grant requests for extensions.
- (n) *Requirement of sidewalks in public roadway projects.* All city roadway improvement projects shall include sidewalks and crosswalks per Sec.9-311 in their design and construction as called for in the sidewalk plan in all zoning districts. State roadway improvement projects should include sidewalks and crosswalks per Sec.9-311 in their design and subject to the state, department of transportation and/or other state agency approval and appropriation for the costs thereof.
- (o) *Responsibility for sidewalk maintenance.* The city shall maintain and repair any sidewalks along roadways under its jurisdiction. Repair of non-routine sidewalk damage caused by others may be assessed to those who are responsible for such damage. Property owners are responsible for the maintenance of buffer zones, furnishing zone, and landscaping on either side of the sidewalk.
- (p) *Minimum design standards—Conflicts with other laws.* Unless otherwise specified, all sidewalks shall be installed in accordance with Appendix A.
- (1) Special design standards (increased and decreased width and setback, brick/stone pavers, colored concrete, exposed aggregate, etc.) may be established on a case-by-case basis.
 - (2) Sidewalks along state highways shall also meet applicable state design standards.
 - (3) All sidewalks shall meet the requirements of the TDOT, ADA and PROWAG standards at the time of installation. In the case of a conflict between the provisions of the TDOT, ADA, PROWAG, and this section, the more stringent criteria shall apply.
 - (4) *Pedestrian circulation:* Where new construction or the redevelopment of a site necessitates a site plan review by the RPC, and a public/private sidewalk or similar type of pedestrian path is present or planned to be constructed, connectivity between main building entrances, parking areas and public/private sidewalks shall be provided. Connections shall be incorporated onto a site, as follows:
 - i. A minimum of one (1) connection shall be provided. An additional connection shall be provided for every 400 linear feet of property frontage, unless otherwise approved by the RPC.
 - ii. Multiple connections shall be placed to maximize pedestrian movement, as determined necessary by the Planning Commission, and shall include consideration for parking areas otherwise secondary to connectivity between main building entrances and public/private sidewalks.
 - iii. Multiple connections shall be placed to maximize pedestrian movement, as determined necessary by the Planning Commission, and shall include consideration for parking areas otherwise secondary to connectivity between main building entrances and public/private sidewalks.

- iv. Connections shall be clear for pedestrian traffic, which may be elevated above the existing parking grade (when site conditions allow) and include pedestrian crosswalks if traversing travel lanes.
- v. Connections shall be a minimum of five (5) feet in width, designed in conformity with city specifications, and meet PROWAG or ADA standards for accessible design. Although the above paragraphs specifically address single lot development, to comply with community open space, public use, and service areas, subdivision design within all zoning districts shall incorporate pedestrian connections to present or planned adjacent public/private sidewalks or similar types of pedestrian paths.
- (q) Any waivers to this codes section cannot be approved or authorized by the Clarksville-Montgomery County RPC, Access Board of Appeals, or any other entity.
- (r) The ordinance is effective immediately after approval for any newly submitted preliminary subdivision plats or site plans or other planning documents.

(Ord. No. 42-2004-05, §§ 1—12, 2-3-05; Ord. No. 93-2004-05, §§ 1—2, 6-2-05; Ord. No. 49-2005-06, 1-5-06; Ord. No. 115-2006-07, 5-3-07; Ord. No. 32-2008-09, §§ 1—4, 12-4-08; Ord. No. 55-2009-10, 3-4-10)
Editor's note— Appendix A to Ord. No. 42-2004-05 is on file at the city clerk's office.

Appendix A

Waiver of Sidewalk Requirement – **Sec. 12-124. - Sidewalks**

Sidewalk waiver Initiated by:

☐ APPELLANT/OWNER OR AGENT OF OWNER: _____

☐ Director of the Street Department or their designee: _____

APP/PERMIT NO. _____

AGENT _____ AGENT Email _____

The affected property is located at: _____

The Director of the Street Department or their designee ☐ Approves ☐ Disapproves the request to waive the sidewalk request for the following reasons. All specifications, plans and other supporting documents heretofore filed with the Director of the Street Department are incorporated herein by reference and made a part of this waiver.

Signature of the Director of the Street Department or their designee:

Printed Name: _____ Signature _____

The appellant/owner requested an appeal of the decision of the Director of the Street Department requiring the building of sidewalks.

All specifications, plans and other supporting documents heretofore filed with the Director of the Street Department are incorporated herein by reference and made a part of this appeal.

The appellant hereby requests that the decision of the Director of the Street Department be set aside and the request not to build sidewalks be approved.

Appellant would show that said request is justified for the following reasons:

If Different From Owner

Print Property Owner Name

Print Appellant Name

Property Owner Signature

Appellant Signature

Email Address

Email Address

Phone Number

Phone Number

ORDINANCE 71-2023-24

AN ORDINANCE AUTHORIZING THE EXERCISE OF THE RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS, PROPERTY AND RIGHTS OF WAY REQUIRED TO FACILITATE CONSTRUCTION OF THE SIDEWALK PROJECT ON RINGGOLD RD .

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

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements and/or rights of way for the purpose of constructing improvement roadway referred to as the Ringgold Elementary School;

WHEREAS, it may not be possible to effectively negotiate timely easements and property acquisitions with the affected property owners,

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

That if agreements cannot be reached on a reasonable purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute a condemnation action in the appropriate court for acquisition of any necessary property rights from affected property owners for the Ringgold Rd Sidewalk, and said the exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies.

ORDINANCE 72-2023-24

AN ORDINANCE AUTHORIZING THE EXERCISE OF THE RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS, PROPERTY AND RIGHTS OF WAY REQUIRED TO FACILITATE CONSTRUCTION OF THE SIDEWALK PROJECT ON BYRNES DARDEN ELEMENTARY SCHOOL, RICHVIEW MIDDLE SCHOOL AND CLARKSVILLE HIGH SCHOOL.

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

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements and/or rights of way for the purpose of constructing improvement roadway referred to as the Byrnes Darden Elementary School, Richview Middle School and Clarksville High School in Clarksville;

WHEREAS, it may not be possible to effectively negotiate timely easements and property acquisitions with the affected property owners,

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

That if agreements cannot be reached on a reasonable purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute a condemnation action in the appropriate court for acquisition of any necessary property rights from affected property owners for the Beech St, E St. and between Richview School and Clarksville High School Sidewalks, and said the exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies.

ORDINANCE 71-2023-24

AN ORDINANCE AUTHORIZING THE EXERCISE OF THE RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS, PROPERTY AND RIGHTS OF WAY REQUIRED TO FACILITATE CONSTRUCTION OF THE SIDEWALK PROJECT ON RINGGOLD RD .

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

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements and/or rights of way for the purpose of constructing improvement roadway referred to as the Ringgold Elementary School;

WHEREAS, it may not be possible to effectively negotiate timely easements and property acquisitions with the affected property owners,

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

That if agreements cannot be reached on a reasonable purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute a condemnation action in the appropriate court for acquisition of any necessary property rights from affected property owners for the Ringgold Rd Sidewalk, and said the exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies.

RINGGOLD ROAD SIDEWALK & CONSTRUCTION EASEMENT DESCRIPTION

Icheke Nkeiru Property

An easement 5 feet in width, for the purposes of sidewalk construction adjacent to the eastern property line.

Land situated in Clarksville, Montgomery County, Tennessee, being part of the Icheke Nkeiru property, Deed Book 2158, Page 2768, and being more particularly described as follows:

Beginning at a point in the northern right-of-way of Ringgold Road, said point being the southeast corner of Ralph Johnson property, Deed Book 1848 Page 2295;

Thence with the northern right-of-way of Ringgold Road, North 82 degrees 30 minutes 00 seconds East 5.00 feet to a point;

Thence with a proposed easement line, North 07 degrees 05 minutes 39 seconds East 151.64 feet to a point in the southern right-of-way of Moncrest Drive;

Thence with the southern right-of-way of Moncrest Drive, South 82 degrees 40 minutes 22 seconds East 5.00 feet to the northwest corner of Ralph Johnson;

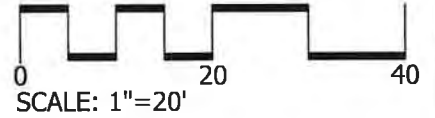
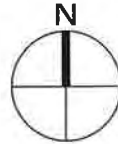
Thence with the western property line of Ralph Johnson, South 07 degrees 05 minutes 39 seconds West 151.66 feet to the point of beginning, containing 758 Square Feet or 0.02 acres, more or less.

A 5-foot-wide temporary construction easement, running immediately adjacent and west of the sidewalk easement, will be in place for the duration of construction.

All record references are found at the Register of Deeds of Montgomery County.

Based on a survey done by LI Smith & Associates in May 2023.

MONCREST DRIVE



L2 L5

SIDEWALK EASEMENT
758 Sq. Ft. or
0.02 Acres

CONSTRUCTION EASEMENT
758 Sq. Ft. or
0.02 Acres

PARCEL LINE DATA

Line #	Direction	Length
L1	N07° 05' 39"E	151.63'
L2	S82° 48' 52"E	5.00'
L3	S07° 05' 39"W	151.63'
L4	N82° 48' 20"W	5.00'
L5	S82° 48' 52"E	5.00'
L6	S07° 05' 39"W	151.64'
L7	N82° 48' 20"W	5.00'

L1

L3

L6

LOT NO. 1
ICHEKE NKEIRU
PARCEL NO. 0303 A 00400 000
DEED BOOK 2158, PAGE 2768
(R.O.M.C. TN)

LOT NO. 112
JOHNSON RALPH C
PARCEL NO. 0303 A 00500 000
DEED BOOK 1648, PAGE 2405
(R.O.M.C. TN)

POINT OF
BEGINNING

L4 L7

RINGGOLD ROAD

MAP / PARCEL: 30G / 5.00 PROJECT #: _____
DATE: 08/02/23 CSDG PROJECT #: 23-502-01



CIVIL SITE
CLARKSVILLE
Planning | Engineering
Landscape Architecture

DEDICATION OF EASEMENTS

GRANTEE
CITY OF CLARKSVILLE

GRANTOR
RALPH C JOHNSON

LAND IN CLARKSVILLE, MONTGOMERY COUNTY, TENNESSEE

RINGGOLD ROAD SIDEWALK & CONSTRUCTION EASEMENT DESCRIPTION

Ralph C. Johnson Property

An easement 5 feet in width, for the purposes of sidewalk construction adjacent to the western property line.

Land situated in Clarksville, Montgomery County, Tennessee, being part of the Ralph C. Johnson property, Deed Book 1848, Page 2295, and being more particularly described as follows:

Beginning at a point in the northern right-of-way of Ringgold Road, said point being the southeast corner of Icheke Nkeiru, Deed Book 2158 Page 2768;

Thence with the eastern property line of Icheke Nkeiru, North 07 degrees 05 minutes 39 seconds East 151.63 feet to a point in the southern right-of-way of Moncrest Drive;

Thence with the southern right-of-way of Moncrest Drive, South 82 degrees 48 minutes 52 seconds East 5.00 feet to a point;

Thence with the proposed easement line, South 07 degrees 05 minutes 39 seconds West 151.63 feet to a point in the northern right-of-way of Ringgold Road;

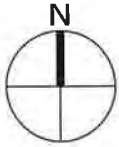
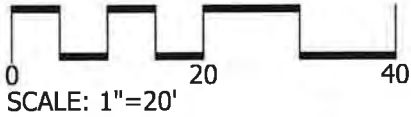
Thence with the northern right-of-way of Ringgold Road, North 82 degrees 48 minutes 20 seconds West 5.00 feet to the point of beginning, containing 758 Square Feet or 0.02 acres, more or less.

A 5-foot-wide temporary construction easement, running immediately adjacent and east of the sidewalk easement, will be in place for the duration of construction.

All record references are found at the Register of Deeds of Montgomery County.

Based on a survey done by LI Smith & Associates in May 2023.

MONCREST DRIVE



PARCEL LINE DATA		
Line #	Direction	Length
L1	N82° 30' 00"W	5.00'
L2	N07° 05' 39"E	151.64'
L3	S82° 40' 22"E	5.00'
L4	S07° 05' 39"W	151.66'
L5	N82° 30' 00"W	5.00'
L6	N07° 05' 39"E	151.63'
L7	S82° 40' 22"E	5.00'

CONSTRUCTION EASEMENT
758 Sq. Ft. or
0.02 Acres

LOT No. 1
ICHEKE NKEIRU
PARCEL No. 030G A 00400 000
DEED BOOK 2168, PAGE 2768
(R O M C, TN)

LOT No. 162
JOHNSON RALPH C
PARCEL No. 030G A 00500 000
DEED BOOK 1848, PAGE 2295
(R O M C, TN)

SIDEWALK EASEMENT
758 Sq. Ft. or
0.02 Acres

RINGGOLD ROAD

L7 L3

L6 L2 L4

L5 L1

POINT OF
BEGINNING

MAP / PARCEL: 30G / 4.00 PROJECT #:
DATE: 08/02/23 CSDG PROJECT #: 23-502-01



CIVIL SITE
CLARKSVILLE
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DEDICATION OF EASEMENTS

GRANTEE
CITY OF CLARKSVILLE

GRANTOR
ICHEKE NKEIRU

LAND IN CLARKSVILLE, MONTGOMERY COUNTY, TENNESSEE

RINGGOLD ROAD CONSTRUCTION EASEMENT DESCRIPTION

Robards Pest Control Property

A 10-foot-wide temporary construction easement, for the purposes of construction adjacent to the existing right-of-way.

Land situated in Clarksville, Montgomery County, Tennessee, being part of the Robards Pest Control property, Volume Book 1646, Page 338, and being more particularly described as follows:

Beginning at a point in the southern right-of-way of Ringgold Road, said point being the northeast corner of a second tract owned by Robards Pest Control, Deed Book 2179 Page 1845;

Thence with the southern right-of-way of Ringgold Road, South 82 degrees 30 minutes 00 seconds East 112.17 feet to the northwest corner of Jerry Shelly, Volume 1081, Page 1550;

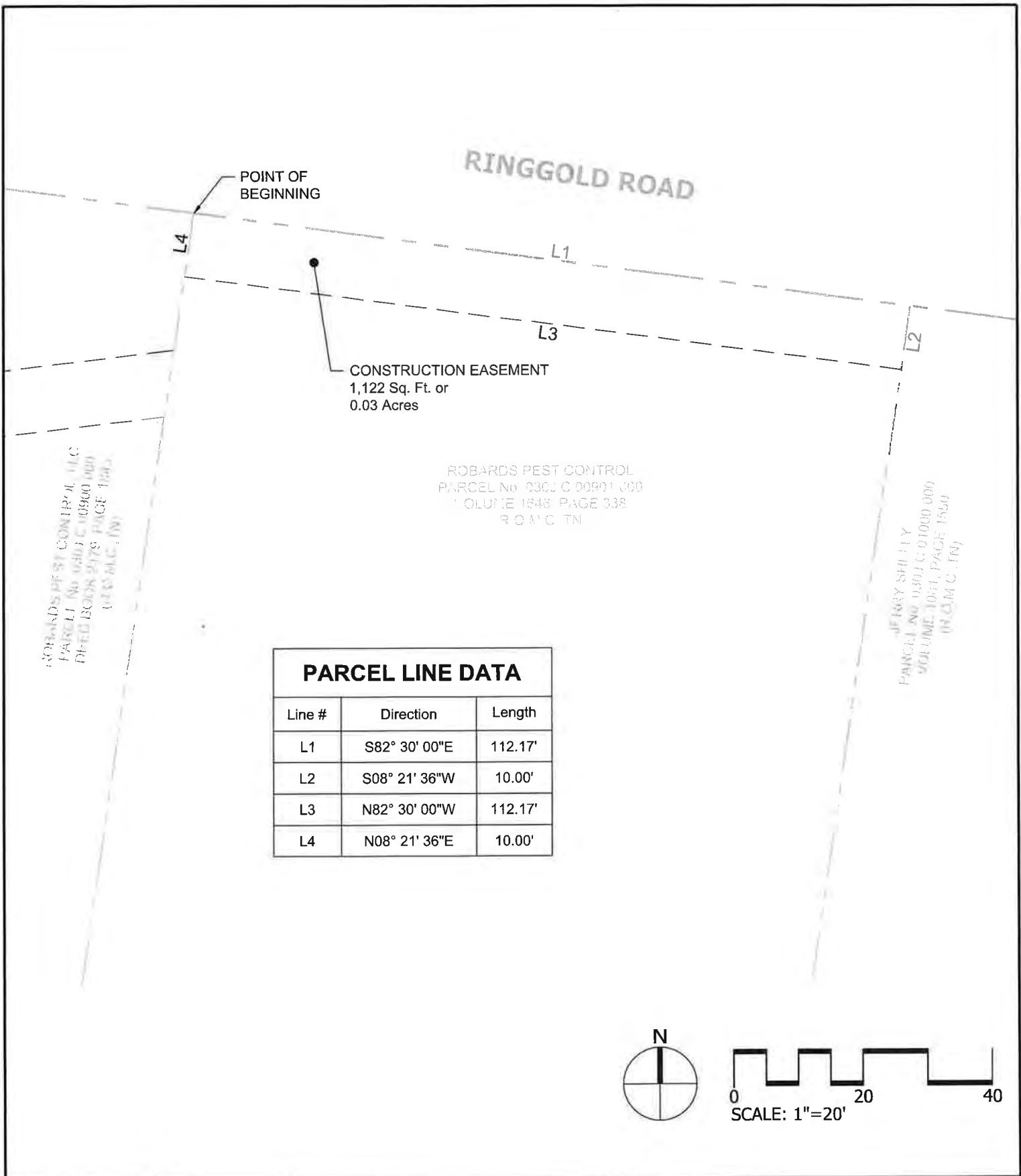
Thence with the western property line of Jerry Shelly, South 8 degrees 21 minutes 36 seconds West 10.00 feet to a point;

Thence with a proposed easement line, North 82 degrees 30 minutes 00 seconds West 112.17 feet to a point in the eastern property line of Robards Pest Control;

Thence with the eastern property line of Robards Pest Control, LLC, North 8 degrees 21 minutes 36 seconds East 10.00 feet to the point of beginning, containing 1,122 Square Feet or 0.03 acres, more or less.

All record references are found at the Register of Deeds of Montgomery County.

Based on a survey done by LI Smith & Associates in May 2023.



MAP / PARCEL: 303 / 9.01 PROJECT #:

DATE: 08/02/23 CSDG PROJECT #: 23-502-01



CIVIL SITE
CLARKSVILLE
Planning | Engineering
Landscape Architecture

DEDICATION OF EASEMENTS

GRANTEE

CITY OF CLARKSVILLE

GRANTOR

ROBARDS PEST CONTROL LLC

LAND IN CLARKSVILLE, MONTGOMERY COUNTY, TENNESSEE

RINGGOLD ROAD SLOPE & CONSTRUCTION EASEMENT DESCRIPTION

Robards Pest Control, LLC Property

An easement varying in width, for the purposes of slope grading adjacent to the existing right-of-way.

Land situated in Clarksville, Montgomery County, Tennessee, being part of the Robards Pest Control, LLC property, Deed Book 2179, Page 1845, and being more particularly described as follows:

Beginning at a point in the southern right-of-way of Ringgold Road, said point being the northeast corner of Killebrew Cemetery;

Thence with the southern right-of-way of Ringgold Road, South 82 degrees 30 minutes 00 seconds East 81.00 feet to the northwest corner of a second tract owned by Robards Pest Control, Volume 1646 Page 338;

Thence with the western property line of Robards Pest Control, South 8 degrees 21 minutes 36 seconds West 21.48 feet to a point;

Thence with a proposed easement line, South 83 degrees 18 minutes 16 seconds West 69.17 feet to a point;

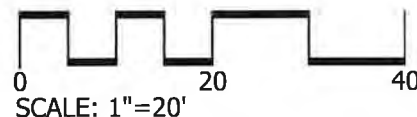
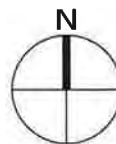
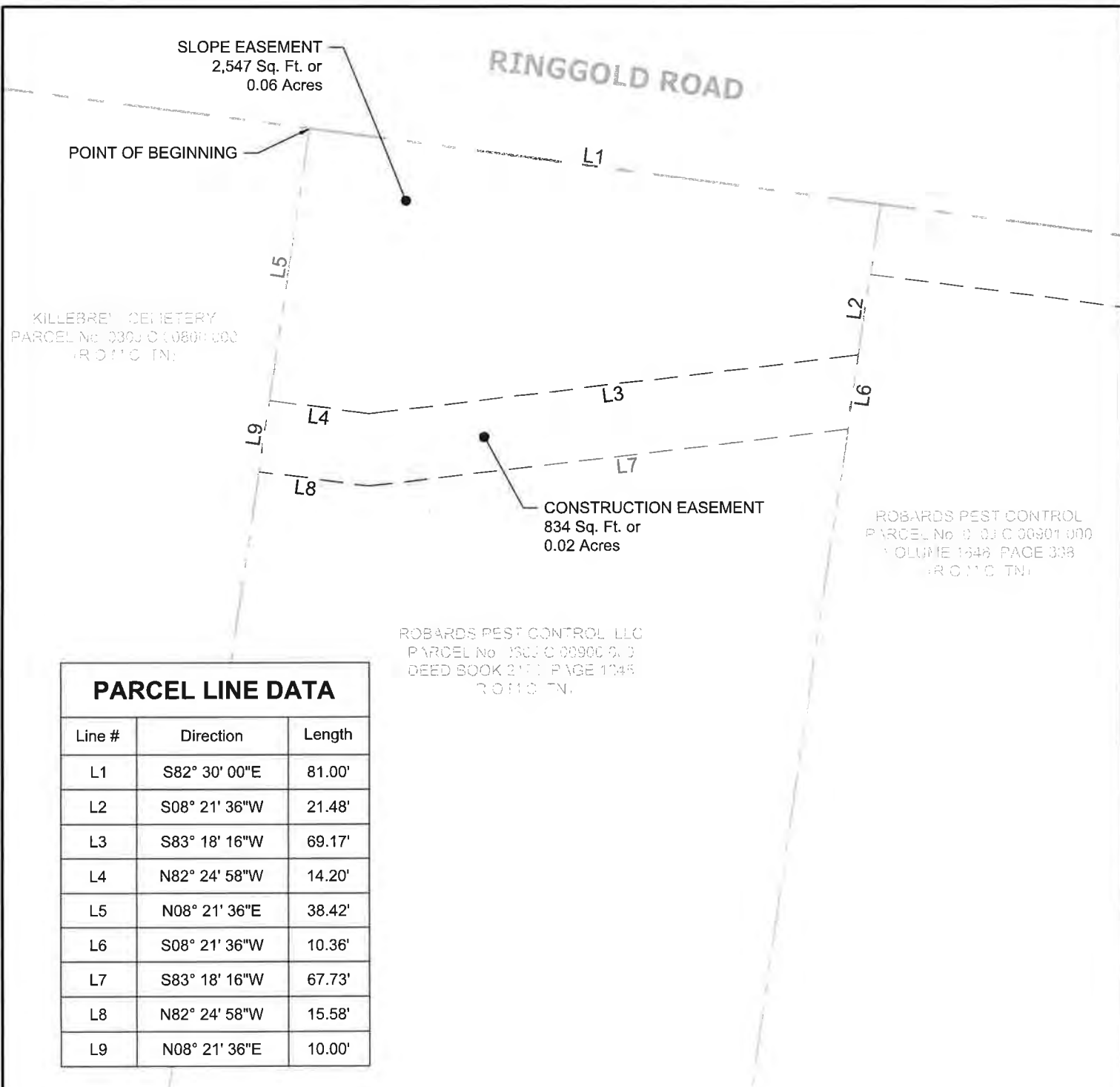
Thence continuing with a proposed easement line, North 82 degrees 24 minutes 58 seconds West 14.20 feet to a point in the eastern property line of Killebrew Cemetery;

Thence with the eastern property line of Killebrew Cemetery, North 8 degrees 21 minutes 36 seconds East 38.42 feet to the point of beginning, containing 2,547 Square Feet or 0.06 acres, more or less.

A 10-foot-wide temporary construction easement, running immediately adjacent and south of the slope easement, will be in place for the duration of construction.

All record references are found at the Register of Deeds of Montgomery County.

Based on a survey done by LI Smith & Associates in May 2023.



MAP / PARCEL: 303 / 9.00 PROJECT #:

DATE: 08/02/23 CSDG PROJECT #: 23-502-01



CIVIL SITE
CLARKSVILLE
Planning | Engineering
Landscape Architecture

DEDICATION OF EASEMENTS

GRANTEE

CITY OF CLARKSVILLE

GRANTOR

ROBARDS PEST CONTROL LLC

LAND IN CLARKSVILLE, MONTGOMERY COUNTY, TENNESSEE

ORDINANCE 72-2023-24

AN ORDINANCE AUTHORIZING THE EXERCISE OF THE RIGHT OF EMINENT DOMAIN TO ACQUIRE EASEMENTS, PROPERTY AND RIGHTS OF WAY REQUIRED TO FACILITATE CONSTRUCTION OF THE SIDEWALK PROJECT ON BYRNES DARDEN ELEMENTARY SCHOOL, RICHVIEW MIDDLE SCHOOL AND CLARKSVILLE HIGH SCHOOL.

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

WHEREAS, the Clarksville City Council finds it to be in the public interest to acquire easements and/or rights of way for the purpose of constructing improvement roadway referred to as the Byrnes Darden Elementary School, Richview Middle School and Clarksville High School in Clarksville;

WHEREAS, it may not be possible to effectively negotiate timely easements and property acquisitions with the affected property owners,

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

That if agreements cannot be reached on a reasonable purchase price in a timely manner, then the Mayor, acting through the City Attorney or his designee, and on behalf of the City of Clarksville, is hereby authorized to exercise the right of eminent domain and institute a condemnation action in the appropriate court for acquisition of any necessary property rights from affected property owners for the Beech St, E St. and between Richview School and Clarksville High School Sidewalks, and said the exercise of the right of eminent domain should be performed in compliance with Tennessee Department of Transportation policies.

TRACT 7

Land Description

Property Owner Name & Address:

Thomas R. Pickney, Trustee
7996 River Road
Nashville, TN 37209

Property Street Address:

407 E Street
Clarksville, TN 37042

Tax Map & Parcel Number:

Map No. 055H
Group B
Part of Parcel No. 013.00

Being land in the City of Clarksville, Seventh Civil District, Montgomery County, Tennessee, located generally on the north side of E Street between Oak Street and Beech Street. Being a portion of the Thomas R. Pickney, Trustee property of record in, Deed Book 1936, Page 1540, R.O.M.C., and being more particularly described as follows:

BEGINNING in the present northerly right-of-way line of E Street at the southwest corner of said Thomas R. Pickney, Trustee property;

THENCE, leaving said point of beginning with the westerly property line of the herein described, N 11° 30' 00" E, 7.53 feet, to the proposed northerly right-of-way of E Street;

THENCE, along said proposed right-of-way line the following three calls:

S 85° 38' 09" E, 24.60 feet,
S 81° 12' 19" E, 87.33 feet,
S 86° 51' 11" E, 1.51 feet to the westerly property line of the Beristain Properties, LLC.
property of record in Vol. 2281, Page 1669, R.O.M.C.;

THENCE, along the westerly property line of said Beristain Properties LLC. Property,
S 11° 28' 00" W, 5.93, feet to the present northerly right-of-way of E Street;

THENCE, along the present northerly right-of-way of E Street the following two calls:

N 83° 02' 47" W, 109.61 feet,
N 83° 02' 47" W, 3.89 feet to the POINT OF BEGINNING.

Containing 838 Square Feet, or 0.02 acres, more or less.

All of which is more particularly shown by words, figures, signs and symbols on the attached Right-of-Way Exhibit Map for Tract 7, prepared by Barge Design Solutions, Inc., File #3817500, dated 06-05-2023, which is made a part hereof.

TENN. STATE PLANE
COORDINATE SYSTEM OF 1983

55H-B-013.00

THOMAS R. PICKNEY, TRUSTEE
VOL. 1936, PG. 1540, R.O.M.C.

55H-B-014.00

DONNIE L. HASKINS
VOL 552, PG 2416, R.O.M.C.

P.O.B. TRACT 7
TN STATE PLANE GRID
COORDINATES NAD83 (2011)
N- 809705.67
E- 1563735.93

R.O.W. AREA = 838 SQ. FT.
OR 0.02 ACRE +/-

55H-B-012.00

BERISTAIN PROPERTIES LLC
VOL 2281, PG 1669, R.O.M.C.

N 11° 30' 00" E 7.53'
S 85° 38' 09" E 24.60'
S 86° 51' 11" E 1.51'
S 81° 12' 19" E 87.33'
S 11° 28' 00" W 5.93'
N 83° 02' 47" W 109.61'
N 83° 02' 47" W 3.89'

E STREET
CENTERLINE



SCALE: 1" = 20'

BARGE
DESIGN SOLUTIONS

445 Third Avenue South, Suite 200 Nashville, Tennessee 37210
PHONE: 615.254.1500 FAX: 615.255-8072

RIGHT-OF-WAY EXHIBIT MAP

407 E STREET
PROPOSED R.O.W.
CLARKSVILLE, SEVENTH CIVIL DISTRICT
MONTGOMERY COUNTY, TENNESSEE

DRAWN BY Q.V.B M.E.S

TRACT 7

PRODUCT NO 3817500
DATE 06-05-23

8/6/2023

F:\18\18175\1817500\4_CAD\SURV\407 E STREET EXHIBIT 7.dgn

TRACT 4
Land Description

Property Owner Name & Address:

Southern Heritage Properties Inc.
1349 Ft. Campbell BLVD
Clarksville, TN 37042

Property Street Address:

No street address assigned
E Street at Oak Street
Clarksville, TN 37042

Tax Map & Parcel Number:

Map No. 055H
Group J
Part of Parcel No. 014.00

Being land in the City of Clarksville, Seventh Civil District, Montgomery County, Tennessee, located generally at the northwest quadrant of the intersection of E Street and Oak Street. Being a portion of the Southern Heritage Properties, Inc. property of record in Vol. 652, Page 102, R.O.M.C., and being more particularly described as follows:

BEGINNING in the present northerly right-of-way line of E Street at the southwest corner of said Southern Heritage Properties, Inc. property;

THENCE, leaving said point of beginning with the westerly property line of said Southern Heritage Properties, Inc. property, N 05° 55' 35" E, 10.45 feet to the proposed northerly right-of-way of E Street;

THENCE, along said proposed right of way line the following two calls:

S 85° 41' 19" E, 149.62 feet,

S 83° 04' 34" E, 180.74 feet to the intersection of the present westerly right-of-way of Oak Street and the proposed northerly right-of-way line of the herein described;

THENCE, along said present westerly right-of-way of Oak Street, S 07° 02' 13" W, 14.30 feet to the present northerly right-of-way of E Street;

THENCE, along said present northerly right-of-way of E Street the following three calls:

N 82° 25' 56" W, 97.91 feet,

N 83° 46' 35" W, 168.89 feet,

Along a curve to the left having a central angle of 02° 14' 30", a radius of 1616.50 feet, a tangent of 31.62 feet, and a chord of N 84° 53' 50" W, 63.24 feet, for an arc length of 63.24 feet to the point of BEGINNING;

Containing 4257 Square Feet, or 0.10 acres, more or less.

All of which is more particularly shown by words, figures, signs and symbols on the attached Right-of-Way Exhibit Map for Tract 4, prepared by Barge Design Solutions, Inc., File #3817500, dated 06-02-2023, which is made a part hereof.



CLARKSVILLE-MONTGOMERY
COUNTY SCHOOL SYSTEM
VOL 377, PG 862, R.O.M.C.

55H-J-016.00

+

55H-J-014.00
SOUTHERN HERITAGE PROPERTIES, INC.
VOL 652, PG 102, R.O.M.C.

P.O.B. TRACT 4
TN STATE PLANE GRID
COORDINATES NAD83 (2011)
N- 809776.74
E- 1563115.51

34+40.56
26.95 RT.

P.O.B.
TRACT 4

34+40.91
16.50 RT.

N 05° 55' 35" E
10.45'

CURVED DATA
D=2' 14' 30" (L-T)
R=16.50'
L=63.24'
T=31.62'
CH=N 84° 53' 50" W
63.24'

PT 34+41.64

LINE
ENDPOINT
(TYP.)

32+92.06
30.71'

PROPOSED R.O.W.

149.62'

S 85° 41' 19" E

33+78.31
16.50'

PC 33+78.31

AREA = 4,257 SQ. FT.
OR 0.10 ACRE +/-

R.O.W.

N 83° 46' 35" W

168.89'

PRESENT R.O.W.

32+09.42
16.50'

S 83° 04' 34" E

180.74'

PROPOSED R.O.W.

31+12.03
30.80 RT.

S 07° 02' 13" W

14.30'

31+11.90
16.50 RT.

E STREET

CENTERLINE

32+09.42

OAK STREET



BARGE
DESIGN SOLUTIONS

615 Third Avenue South, Suite 700, Nashville, Tennessee 37210
PHONE: (615) 254-1000 FAX: (615) 254-6072

RIGHT OF WAY EXHIBIT MAP

E STREET AT OAK STREET

PROPOSED R.O.W.
CLARKSVILLE, SEVENTH CIVIL DISTRICT
MONTGOMERY COUNTY, TENNESSEE

DRAWN BY
Q.V.B.

CHECKED BY
M.E.S.

TRACT 4

PROJECT NO.
3817500

DATE
06-05-23