



**CLARKSVILLE CITY COUNCIL
REGULAR SESSION
FEBRUARY 4, 2021**

MINUTES

PUBLIC COMMENTS

Prior to the meeting, Stacey Turner asked for support of the legislation regarding purchase of the Roxy Theater property and the operation lease for the Roxy to manage the proposed performing arts center. Carissa Swanson asked for consideration of other non-profit organizations being offered the same opportunity with regard to the lease of the PAC.

CALL TO ORDER

The regular session of the Clarksville City Council was called to order by Mayor Joe Pitts on Thursday, February 4, 2021, at 7:00 p.m. in City Council Chambers, 106 Public Square, Clarksville, Tennessee.

A prayer was offered by Councilperson Wallace Redd; the Pledge of Allegiance was led by Councilperson Travis Holleman.

This meeting was conducted in person, via Google Meets, and live streamed on cityofclarksville.com

ATTENDANCE

IN PERSON: Richard Garrett, Mayor Pro Tem (Ward 1), Vondell Richmond (Ward 2), DaJuan Little (Ward 3), Wallace Redd (Ward 4), Jason Knight (Ward 5), Wanda Smith (Ward 6), Travis Holleman (Ward 7), Wanda Allen (Ward 8), Karen Reynolds (Ward 9), Stacey Streetman (Ward 10), Ashlee Evans (Ward 11), Trisha Butler (Ward 12)

APPROVAL OF ELECTRONIC MEETING

“In order to comply with the technical aspects of the Governor’s Executive Order regarding holding open meetings in a forum other than in the open and in public, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak.”

Councilperson Holleman made a motion to approve the electronic meeting. The motion was seconded by Councilperson Smith. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to approve the electronic meeting unanimously passed.

PLANNING COMMISSION PUBLIC HEARING

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

ORDINANCE 65-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Mark A. Davis, Shannon or William Wilford-Agent, for zone change on property located at the intersection of Old Trenton Road and Wilma Rudolph Boulevard from M-2 General Industrial District to C-2 General Commercial District

No requests were submitted to speak for or against this request.

ORDINANCE 66-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Richard Collins, Richard Garrett-Agent, for zone change on property located at the intersection of Columbia Street and Batts Lane from RM-1 Single Family Mobile Home Residential District to R-4 Multiple Family Residential District

No requests were submitted to speak for or against this request.

ORDINANCE 67-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Charles Nichols Credit Shelter Trust, James Maynard-Agent, for zone change on property located in the southeast corner of Tobacco Road and Nussbaumer Road from C-1 Neighborhood Commercial District, R-1 Single Family Residential District, and AG Agricultural District to R-1A Single Family Residential District

Jim Maynard offered to answer questions (no questions were asked). No one requested to speak against this request.

ORDINANCE 68-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Guerrier Development for zone change on property located at the corner of Blackman Street, Charlotte Street, and Lawn Street from R-3 Three Family Residential District to R-6 Single Family Residential District

No requests were submitted to speak for or against this request. Councilperson Redd stated his intent to abstain from voting because he owns property adjacent to this property.

ORDINANCE 69-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Lalana Lee and Gordon Lee, Mark Holleman-Agent, for zone change on property located at the intersection of Paradise Hill Road and Highland Circle from R-1 Single Family Residential District to R-6 Single Family Residential District

No requests were submitted to speak for or against this request. Councilperson Holleman stated his intent to abstain from voting because of his family relationship with the agent.

ORDINANCE 70-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Frank Bryant, Albatross Partners-Agent, for zone change on property located the intersection of Colonial Court and Golf Club Lane from R-3 Three Family Residential District and C-5 Highway and Arterial Commercial District to R-4 Multiple Family Residential District

James Miller said multi-family would be the best use for this downtown area property.

No requests were submitted to speak against this request.

ORDINANCE 71-2020-21 (First Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Luke Baggett and Bobby Wall, Syd Hedrick-Agent, for zone change on property located at the intersection of Daniel Street and Central Avenue from R-3 Three Family Residential District to R-6 Single Family Residential District

Syd Hedrick said this area was mainly single family and asked for support to change the zoning R-6.

No requests were submitted to speak against this request.

ORDINANCE 52-2020-21 (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Fentress Bryant and Suk Lee-Tennessee Community Property Trust, Reed Baldwin-Agent, for zone change on property located at the intersection of Fort Campbell Boulevard and Lady Marion Drive and east of West Fork Creek from C-5 Highway & Arterial Commercial District to R-4 Multiple Family Residential District

Second reading for this ordinance was postponed during the January 7, 2021 regular session.

ORDINANCE 61-2020-21 (First Reading) Amending the Zoning Ordinance pertaining to bulk regulations, building setbacks, minimum frontage requirements, and other minor updates

The public hearing for this change was conducted and first reading was postponed during the January 7, 2021 regular session.

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

ADOPTION OF ZONING

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 65-2020-21**. Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilman Holleman. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 66-2020-21**. Councilperson Knight made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Reynolds. The following vote was recorded:

AYE: Allen, Butler, Evans, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

ABSTAIN: Garrett

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

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 67-2020-21**. Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

The recommendation of the Regional Planning Staff and Commission were for approval of **ORDINANCE 68-2020-21**. Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Reynolds, Richmond, Smith, Streetman

ABSTAIN: Redd

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 69-2020-21**. Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

ABSTAIN: Holleman

The motion to adopt this ordinance on first reading passed.

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 70-2020-21**. Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

The recommendations of the Regional Planning Staff and Commission were for approval of **ORDINANCE 71-2020-21**. Councilperson Garrett made a motion to adopt this ordinance on first ending. The motion was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

Second reading on **ORDINANCE 52-2020-21** was postponed during the January 7, 2021 regular session. Councilperson Garrett made a motion to adopt this ordinance on second reading. The motion was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith

NAY: Streetman

The motion to adopt this ordinance on second reading passed.

First Reading on **ORDINANCE 61-2020-21** was postponed during the January 7, 2021 regular session. Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

ETHICS COMMISSION NOMINEES

Bishop Anthony Alfred said balance is needed on agencies and said he can offer military experience.

Attorney Suzanne Marsh said she has been a Clarksville resident for 28 years after graduating from Austin Peay State University. She said it was her civic duty to serve and had no reason for not being neutral.

Attorney Mark Rasass noted he served on the Charter Revisions Commission several years ago and will approach issues neutrally. He noted he had been compensated for a legal opinion recently as requested by the City Attorney's office.

CONSENT AGENDA

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

1. **ORDINANCE 55-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Reda Home Builders, Inc., Reda Home Builders, Inc. - Agent, for zone change on property located at the intersection of Providence Boulevard and Shelby Street from R-3 Three Family Residential District to R-4 Multiple Family Residential District
2. **ORDINANCE 56-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Eagles Bluff Partnership for zone change on property located east of Whitfield Road and South of Tracy Lane from R-1 Single Family Residential District to R-4 Multiple Family Residential District
3. **ORDINANCE 57-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of Jeff Robinson, Cody Dahl-Agent, for zone change on property located south of McClure Street, west of N. 2nd Street, East of N. 1st Street, and north of Bogard Lane from R-4 Multiple Family Residential District, O-1 Office District, and H-1 Overlay to CBD Central Business District, H-1 Overlay Central Business District

4. **ORDINANCE 58-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of S L Endeavors (Micha Stair, Luke Stair) for zone change on property located on the south frontage of Caldwell Lane and the east frontage of Robert Street from R-2 Single Family Residential District to R-6 Single Family Residential District

5. **ORDINANCE 59-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of MSI Homes, Shawn Berner-Agent, for zone change on property located at the intersection of Monroe Street and Edmondson Ferry Road from R-2 Single Family Residential District to R-3 Three Family Residential District

6. **ORDINANCE 60-2020-21** (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of L. C. Simpson, et al, Norma S. Jones, Greenspace Partners-Agent, for zone change on property located at the intersection of Old Russellville Pike and Fantasy Lane and at the intersection of Old Russellville Pike and Candlewood Drive from M-2 General Industrial District and R-1 Single Family Residential District to R-1 Single Family Residential District, R-5 Residential District, and R-6 Single Family Residential District *[Removed; see New Business]*

7. **RESOLUTION 48-2020-21** Approving appointments to the Airport Liaison Committee, Audit Committee, Designations Committee, Economic & Community Development Board, Economic Development Council, Ethics Commission, Power Board, Public Building Authority, and Tree Board *[Removed; see New Business]*

- *Airport Liaison Committee: Trisha Butler, DaJuan Little - Coterminous*
- *Audit Committee: Karen Reynolds - Coterminous*
- *Designations Committee: Wanda Allen, Vondell Richmond, DaJuan Little - Coterminous*
- *Economic & Community Development Board: Jason Knight - Coterminous*
- *Economic Development Council: Wallace Redd - February 2021 through June 2021*
- *Ethics Commission: Anthony Alfred, Suzanne Marsh - February 2021 through June 22; Mark Rassas - February 2021 through June 2021*
- *Power Board: Travis Holleman - February 2021 through June 2021; Ron Jackson- July 2020 through June 2023; Garnett Ladd - February 2021 through June 2022*
- *Public Building Authority: Tom Creech - February 2020 through December 2023; Len Stoltz - January 2020 through December 2025; Richard Swift - January 2018 through December 2023*
- *Tree Board: Ashlee Evans - Coterminous*

8. Adoption of Minutes: January 5, January 7, January 14, January 25

Councilperson Reynolds requested separate consideration of **ORDINANCE 60-2021**; Councilperson Garrett requested separate consideration of **RESOLUTION 48-2020-21**. Councilperson Holleman made a motion to adopt the Consent Agenda with the exception of **ORDINANCE 60-2020-21** and **RESOLUTION 48-2020-21**. The motion was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

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

FINANCE COMMITTEE *Chairperson Stacey Streetman*

ORDINANCE 54-2020-21 (Second Reading; Postponed January 7) Authorizing a contract for purchase of Roxy Regional Theater property

Councilperson Allen asked that this ordinance be tabled and addressed during the New Business section of the agenda. Councilpersons Knight, Streetman, Redd, and Holleman objected. Councilperson Garrett made a motion to table this ordinance to the New Business section of the agenda. The motion was seconded by Councilperson Allen. The following vote was recorded:

AYE: Allen, Butler, Garrett, Little, Richmond, Smith

NAY: Evans, Holleman, Knight, Pitts, Redd, Reynolds, Streetman

The motion to table failed. Councilperson Streetman made a motion to adopt this ordinance on second reading. The motion was seconded by Councilperson Evans.

Councilperson Streetman stated her employer, F & M Bank, was a lien holder on this property and that her employment is not affected by the loan. She said she received many public comments in support of this purchase and felt it would be a significant revenue generator for the downtown area.

Councilperson Reynolds thanked her constituents for their expression of support of this purchase and said she had confidence in the City's management of the project.

Councilperson Knight also stated citizens in his ward voiced support for this purchase and said this was an opportunity for the City to retain a piece of local history.

Councilperson Holleman said many citizens in his ward also expressed support for this purchase and said the proposed performing arts center would create jobs and last for generations. He said this project would be part of the positive change of the dynamics of Downtown.

Councilperson Evans felt government should play a role in preserving local fine arts and culture.

Councilperson Butler thanked citizens for their comments and said she would vote on behalf of the residents of Ward 12.

Councilperson Allen also expressed support for this purchase and encouraged the City to work with the Roxy to provide what the residents want.

Councilperson Smith thanked the public for input and said she supports a downtown conference center.

In response to Councilperson Richmond's question, City Attorney Lance Baker said passage of this ordinance will allow the City to close on the property and any amendments to the lease would require agreement by the other party [Roxy].

Councilperson Little thanked the community for reaching out regarding this purchase and said he also supports this investment in the community.

Councilperson Garrett and Councilperson Smith said the Roxy lease should benefit all parties involved as well as the public.

Councilperson Redd said he does not support government ownership and operation of a performing arts center.

Councilperson Streetman called for the question. The question was seconded by Councilperson Redd. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to cease discussion unanimously passed. The following vote on the main motion was recorded:

AYE: Allen, Evans, Garrett, Holleman, Knight, Little, Pitts, Reynolds, Richmond, Smith, Streetman

NAY: Butler, Redd

The motion to adopt this ordinance on second reading passed.

Councilperson Streetman reported General Fund revenues for the first six months of the fiscal year were exceeding expenditures by \$6.5 million and said nearly 50% of budgeted revenues had been collected. She said Building & Codes continued to exceed budgeted projections with almost 60% of their entire revenue budget collected during the first six months. Sales tax collections were a strong indicator of a good economic environment along with a 13% increase in Local Option Sales Tax over the previous year.

GAS & WATER COMMITTEE *Chairperson Wallace Redd*

Councilperson Redd said future monthly committee meetings would be held at 4:00 p.m.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE *Chairperson Wanda Smith*

RESOLUTION 46-2020-21 Requesting an amendment to the Community Development Block Grant 2020-2024 Consolidated Plan for Coronavirus Aid, Relief, and Economic Security (CARES) Act funds

Councilperson Smith made a motion to postpone action on this resolution to the March 4, 2021 regular session. The motion was seconded by Councilperson Garrett. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to postpone unanimously passed.

RESOLUTION 47-2020-21 Requesting an amendment to the Citizen Participation Plan

Councilperson Smith made a motion to postpone action on this resolution to the March 4, 2021 regular session. The motion was seconded by Councilperson Knight. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to postpone unanimously passed.

Councilperson Smith 2021-22 Community Development Block Grant applications would be open between February 9th and February 26 and noted \$1.2 million would be available to low to moderate income families or persons for activities and projects. She announced the non-profit pre-application workshop would take place on February 5th and February 8th.

PARKS & RECREATION COMMITTEE *Chairperson Vondell Richmond*

Councilperson Richmond announced the Fort Defiance recreation center, New Providence pool, and the main office would reopen on February 8th at 25% capacity. He reported floors at the Wilma Rudolph Event Center and Freedom Point had been refinished. Infield renovations were 75% complete on the second softball field at Heritage Park. The department had three employees who received groundskeeping certification for softball and baseball fields. Councilperson Richmond highlighted upcoming events including Clarksville Clue on the Greenway, Party Hearty, MLK Birthday Celebration in conjunction with Black History Month, and the Soul Food Sampler. He said the department completed 204 service requests.

PUBLIC SAFETY COMMITTEE *Chairperson Richard Garrett*

Councilperson Garrett shared the following monthly department statistics: Fire Rescue - 1,146 responses; Police - 10,633 responses; Building & Codes - 3,142 inspections, 74 enforcement cases, 23 abatement work orders, 166 single-family permits, 16 multi-family permits, 13 commercial permits.

STREETS-GARAGE-TRANSPORTATION COMMITTEE *Chairperson Wanda Smith*

Councilperson Smith shared the following monthly department statistics: Clarksville Transit System - 32,789 passengers including 5,627 senior citizens, 2,199 demand responses; Streets - 252 work orders; Garage - 336 work orders, 822 work hours, unleaded fuel \$1.77/gallon, diesel fuel \$1.93/gallon.

Councilperson Smith said the solar powered shelter on Wilma Rudolph Boulevard was complete. She said the Street Department was installing guard rails on Dunlop and International Park and said weather had delayed completion of the Meriwether-Trenton Road project.

RECESS

The City Council recessed at 8:30 p.m. and reconvened at 8:38 p.m.

NEW BUSINESS:

CODE OF ETHICS

ORDINANCE 62-2020-21 (First Reading) Amending the Official Code pertaining to the City Code of Ethics

Councilperson Allen made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Butler. Councilperson Redd made a motion to commit this ordinance to a committee, to be appointed by the Mayor, to recommend changes to the Ethics Code. The motion was seconded by Councilperson Knight. The following vote was recorded:

AYE: Holleman, Knight, Little, Pitts, Redd, Richmond, Streetman

NAY: Allen, Butler, Evans, Garrett, Reynolds, Smith

The motion to commit this ordinance to a committee passed.

SHORT TERM RENTALS

ORDINANCE 63-2020-21 (First Reading) Amending the Official Code relative to short term rentals

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

Councilperson Reynolds made a motion to amend this ordinance as follows: Amend Sec. 5-304(a)(3) by changing the contact response time from 45 minutes to 2 hours, and to amend Sec. 5-311(g) by requiring one parking space per rental. The motion was seconded by Councilperson Butler. Councilperson Garrett made a motion to amend Councilperson Reynolds' motion by deleting Sec. 5-311(g) in its entirety and substituting instead "Reserved." The motion was seconded by Councilperson Redd. The following vote on Councilperson Garrett's motion was recorded:

AYE: Garrett, Holleman, Knight, Richmond

NAY: Allen, Butler, Evans, Little, Pitts, Redd, Reynolds, Smith, Streetman

Councilperson Garrett's amendment failed. The following vote on Councilperson Reynolds' motion was recorded:

AYE: Holleman, Knight, Pitts, Reynolds, Streetman

NAY: Allen, Butler, Evans, Garrett, Little, Redd, Richmond, Smith

Councilperson Reynolds' amendment failed.

Councilperson Knight made a motion to amend this ordinance as follows:

Amend Sec. 5-304(d) by changing the application fee from \$150 to \$75;

Amend Sec. 5-306 by changing the renewal fee from \$120 to \$70;

Amend Sec. 5-311(c) pertaining to advertising by deleting the subsection in its entirety and substituting instead "Reserved;"

Amend Sec. 5-311(j) pertaining to food service by deleting the subsection in its entirety and substituting instead "Reserved;"

Amend Sec. 5-311(k) pertaining to posting contact information by deleting the subsection in its entirety and substituting instead "Reserved." The motion was seconded by Councilperson Holleman.

Councilperson Knight made a motion to amend his amendment by changing the application fee, Sec. 5-304(d) from \$150 to \$100 and by changing the renewal fee (Sec. 5-306) from \$120 to \$75. The motion was seconded by Councilman Holleman. The following vote on Councilperson Knight's amendment to his amendment was recorded:

AYE: Holleman, Knight, Reynolds, Streetman

NAY: Allen, Butler, Evans, Garrett, Little, Pitts, Redd, Richmond, Smith

Councilperson Knight's amendment to his amendment failed. Councilperson Redd called for the question. The question was seconded by Councilperson Evans. The following vote was recorded:

AYE: Allen, Butler, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

NAY: Evans

The motion to cease discussion on Councilperson Knight's motion passed. The following vote was recorded:

AYE: Holleman, Knight, Reynolds

NAY: Allen, Butler, Evans, Garrett, Little, Pitts, Redd, Richmond, Smith, Streetman

Councilperson Knight's amendment failed. Councilperson Redd called for the question. The question was seconded by Councilperson Streetman. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to cease discussion unanimously passed. The following vote on the main motion was recorded:

AYE: Allen, Butler, Evans, Garrett, Little, Redd, Smith

NAY: Holleman, Knight, Pitts, Reynolds, Streetman

Councilperson Butler's motion, without amendments, passed.

JUNETEENTH HOLIDAY

ORDINANCE 64-2020-21 (First Reading) Amending the Official Code designating Juneteenth as a City holiday

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

Councilperson Knight made a motion to add August 8, Emancipation Day, as an observed day. The motion was seconded by Councilperson Richmond. Councilperson Smith made a motion to amend Councilperson Knight's amendment by adding August 8 as a city employee paid holiday. The motion was seconded by Councilperson Allen. Councilperson Redd objected to this additional paid holiday because of recent financial situations of private citizens during the COVID-19 Pandemic. Councilperson Reynolds expressed support for only Juneteenth being a paid holiday which was the same as Montgomery County. Councilperson Holleman said he did not support two additional paid holidays.

Councilperson Allen called for the question on Councilperson Smith's amendment to Councilperson Knight's amendment to the ordinance. The question was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to cease discussion on Councilperson Smith's amendment unanimously passed. The following vote on Councilperson Smith's amendment was recorded:

AYE: Allen, Evans, Garrett, Knight, Little, Richmond, Smith
NAY: Butler, Holleman, Pitts, Redd, Reynolds, Streetman

Councilperson Smith's amendment to designate August 8 as a city paid holiday passed. Councilperson Redd called for the question on Councilperson Knight's amendment as amended. The question was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to cease discussion on Councilperson Knight's amendment unanimously passed. The following vote on Councilperson Knight's amendment was recorded:

AYE: Allen, Evans, Garrett, Holleman, Knight, Little, Reynolds, Richmond, Smith

NAY: Butler, Pitts, Redd, Streetman

Councilperson Knight's amendment passed as amended. The following vote on the main motion as amended was recorded:

AYE: Allen, Butler, Evans, Holleman, Garrett, Knight, Little, Reynolds, Richmond, Smith

NAY: Pitts, Redd, Streetman

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

ROXY REGIONAL THEATER

ORDINANCE 72-2020-21 (First Reading) Amending the FY21 Operating and Capital Budget to delete funding for Roxy Regional Theater operating expenses

Councilperson Garrett made a motion to adopt this ordinance on first reading. The motion was seconded by Councilperson Richmond. Councilpersons Garrett and Richmond felt the process for obtaining city funding was not fair to other

non-profit organizations. Councilperson Streetman noted this funding was already appropriated in the current budget. Councilperson Knight made a motion to postpone action on this ordinance to the March regular session. The motion was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Holleman, Knight, Pitts, Redd

NAY: Allen, Butler, Evans, Garrett, Little, Reynolds, Richmond, Smith, Streetman

The motion to postpone failed. Councilperson Redd called for the question. The question was seconded by Councilperson Knight. The following vote was recorded:

AYE: Evans, Holleman, Knight, Pitts, Redd, Reynolds, Streetman

NAY: Allen, Butler, Garrett, Little, Richmond, Smith

The motion to cease discussion failed due to lack of $\frac{2}{3}$ majority. The following vote on the original motion was recorded:

AYE: Allen, Butler, Garrett, Little, Richmond, Smith

NAY: Evans, Holleman, Knight, Pitts, Redd, Reynolds, Streetman

The motion to adopt this ordinance on first reading failed.

RESOLUTION 49-2020-21 Repealing RESOLUTION 40-2020-21 pertaining to a long term lease and operating and management agreement between the City of Clarksville and Roxy Productions, Inc. and the Roxy Theater property located at 100 Franklin Street

Councilperson Garrett made a motion to adopt this resolution. The motion was seconded by Councilperson Richmond. Councilperson Richmond shared a short video regarding philanthropic organizations' practices of diversity. Councilperson Streetman urged members to support the Roxy Theater and to retain the lease. Councilperson Evans said the Roxy Board of Directors should be representative of all citizens. Councilperson Garrett said other organizations should be considered with regard to operating a performing arts center. Councilperson Reynolds called for the question. The question was seconded by Councilperson Richmond. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to crease discussion unanimously passed. The following vote on the main motion was recorded:

AYE: Allen, Butler, Garrett, Little, Richmond, Smith

NAY: Evans, Holleman Knight, Pitts, Redd, Reynolds, Streetman

The motion to adopt this resolution failed.

RESOLUTION 50-2020-21 Amending the lease agreement with the Roxy Theater regarding operational procedures

Councilperson Smith made a motion to adopt this resolution. The motion was seconded by Councilperson Garrett. Councilperson Smith said a provision should be added to the lease regarding non-discrimination, inclusion, and diversity. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Knight, Little, Pitts, Redd, Richmond, Smith

NAY: Holleman, Reynolds, Streetman

_____The motion to adopt this resolution passed.

REMOVAL OF CITY ATTORNEY

RESOLUTION 51-2020-21 Approving removal of Lance Baker as City Attorney

Councilperson Redd said this resolution could expose the City to liability and requested it be removed from the agenda. The following vote was recorded:

AYE: Holleman, Knight, Pitts, Redd, Reynolds, Streetman

NAY: Allen, Butler, Evans, Garrett, Smith

ABSTAIN: Little, Richmond

The motion to remove this resolution from the agenda failed due to lack of a 2/3 majority. Councilperson Evans made a motion to adopt this resolution. Mayor Pitts ruled the motion failed due to lack of a second. Councilperson Butler made a motion to challenge the ruling. The motion was seconded by Councilperson Allen. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Knight, Little, Reynolds, Richmond, Smith

NAY: Holleman, Redd, Streetman

ABSTAIN: Pitts

The challenge prevailed. Councilperson Evans made a motion to adopt this resolution. The motion was seconded by Councilperson Allen. Councilperson Evans said it would be unfair to deny City Attorney Lance Baker due process. Councilperson Garrett made a motion to amend this resolution by deleting the enacting language and substituting instead the following:

“That the Clarksville City Council hereby expresses its sense concerning the City Attorney, Lance Baker, and, more particularly, hereby urges the Mayor to consider and investigate fully the above-referenced matters relating to the City Attorney and, in the event just cause for disciplinary action is thereafter confirmed, the City Council likewise urges the Mayor to present the applicable charges to the City Attorney and to otherwise provide all due process to the City Attorney and to impose necessary discipline (to include removal) in accordance with City Code Sec. 1.5-1001 et seq.”

The motion was seconded by Councilperson Smith. Councilperson Butler made a motion to amend Councilperson Garrett’s amendment by deleting “removal” and substituting instead “investigation” [caption]; by deleting “from the” and by substituting instead “in regard to his” [caption]; by deleting “to be” and substituting instead “may not be” [third whereas clause]; by deleting “that has” and substituting instead “may have” [fourth whereas clause]; and by deleting “to” and substituting instead “may” [fifth whereas clause]. The motion was seconded by Councilperson Garrett. Councilperson Redd called for the question on this amendment. The question was seconded by Councilperson Streetman. The following vote was recorded:

AYE: Holleman, Knight, Little, Pitts, Redd, Reynolds, Streetman

NAY: Allen, Butler, Evans, Garrett, Richmond, Smith

The motion to cease discussion on Councilperson Butler’s amendment failed due to lack of $\frac{2}{3}$ majority. The following vote on Councilperson Butler’s amendment to Councilperson Garrett’s amendment was recorded:

AYE: Allen, Butler, Evans, Garrett, Little, Reynolds, Richmond, Smith

NAY: Holleman, Knight, Pitts, Redd, Streetman

Councilperson Butler’s amendment to Councilperson Garrett’s amendment passed. Councilperson Redd called for the question on Councilperson Garrett’s amendment. The question was seconded by Councilperson Holleman. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Smith, Streetman

The motion to cease discussion on Councilperson Garrett’s amendment unanimously passed. The following vote on Councilperson Garrett’s amendment was recorded:

AYE: Allen, Butler, Evans, Little, Garrett, Richmond, Smith

NAY: Holleman, Knight, Pitts, Redd, Reynolds, Streetman

Councilperson Garrett's amendment as amended passed. The following vote on the main motion as amended was recorded:

AYE: Allen, Butler, Evans, Garrett, Little, Richmond, Smith

NAY: Holleman, Knight, Pitts, Redd, Reynolds, Streetman

The motion to adopt this resolution as amended passed.

SIMPSON ZONING APPLICATION

ORDINANCE 60-2020-21 (Second Reading) Amending the Zoning Ordinance and Map of the City of Clarksville, application of L. C. Simpson, et al, Norma S. Jones, Greenspace Partners-Agent, for zone change on property located at the intersection of Old Russellville Pike and Fantasy Lane and at the intersection of Old Russellville Pike and Candlewood Drive from M-2 General Industrial District and R-1 Single Family Residential District to R-1 Single Family Residential District, R-5 Residential District, and R-6 Single Family Residential District

This ordinance was removed from the Consent Agenda. Councilperson Garrett made a motion to adopt this ordinance on second reading. The motion was seconded by Councilperson Knight. Councilperson Reynolds said the neighborhood streets were already stressed. The following vote was recorded:

AYE: Butler, Garrett, Holleman, Knight, Little, Pitts, Redd, Richmond, Streetman

NAY: Allen, Evans, Reynolds, Smith

The motion to adopt this ordinance on second reading passed.

BOARD APPOINTMENTS

RESOLUTION 48-2020-21 Approving appointments to the Airport Liaison Committee, Audit Committee, Designations Committee, Economic & Community Development Board, Economic Development Council, Ethics Commission, Power Board, Public Building Authority, and Tree Board

This resolution was removed from the original consent agenda. Councilperson Butler made a motion to adopt this resolution. The motion was seconded by Councilperson Evans. Councilperson Allen made a motion to divide the question to consider appointments to the Ethics Commission separately. The motion was seconded by Councilperson Smith. The following vote was recorded:

AYE: Allen, Butler, Evans, Little, Garrett, Holleman, Knight, Richmond, Smith

NAY: Pitts, Redd, Reynolds, Streetman

The motion to divide the question passed. Councilman Redd made a motion to approve all appointments with the exception of those for the Ethics Commission. The motion was seconded by Councilperson Knight. The following vote was recorded:

AYE: Allen, Butler, Evans, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Richmond, Streetman

NAY: Smith

The motion to approve all appointments except Ethics Commission passed. Councilperson Redd made a motion to approve the appointments to the Ethics Commission. The motion was seconded by Councilperson Holleman. Councilperson Allen said the commission should have occupational diversity. Councilperson Redd called for the question. The question was seconded by Councilperson Reynolds. The following vote was recorded:

AYE: Butler, Garrett, Holleman, Knight, Little, Pitts, Redd, Reynolds, Streetman

NAY: Allen, Evans, Richmond, Smith

The motion to cease discussion passed. With regard to pending complaints against Councilpersons Streetman, Garrett, Redd, and Mayor Pitts, each stated they will vote in the best interest of the City. The following vote on the motion to approve appointments to the Ethics Commission was recorded:

AYE: Butler, Holleman, Knight, Little, Pitts, Redd, Reynolds, Smith, Streetman

NAY: Allen, Evans, Garrett, Richmond

The motion to approve appointments to the Ethics Commission passed resulting in the adoption of **RESOLUTION 48-2020-21** as presented.

ROBINSON V. CITY

Councilperson Allen requested postponement of a discussion regarding the Robinson v. City Amended Complaints; there was no objection.

CHARTER REVISIONS

Councilperson Garrett asked members to present any recommendations for revisions to the Official Charter during the next regular session. Councilpersons Streetman and Reynolds suggested a charter revisions committee be appointed by the Mayor to which Councilperson Knight objected to.

MAYOR AND COUNCIL MEMBER COMMENTS

Councilperson Butler wished Councilperson Evans a happy birthday. Councilperson Smith thanked the Street Department for their services.

ADJOURNMENT

The meeting was adjourned at 12:26 a.m on February 5, 2021.

ADOPTED: March 4, 2021