

February 15, 2010

REGULAR CITY COUNCIL – MINUTES

Mayor Scott Burton called the regular Clinton City Council meeting to order on February 15, 2010, at Clinton City Hall at 5:30 p.m. Councilman Larry Gann, Councilman Charles Lyons, Councilman Jim McBride, Councilman Jerry Shattuck, Councilman E. T. Stamey and were present for the meeting.

Guest and Staff present:

Ron Young
Vicki Violette
Vickie L. Fagan

Barry Hutchins
Oscar Pointer
Steve Jones

Rob Herrell
Dale Isabell
Roger Terry

Councilman Jerry Shattuck made the motion to approve the agenda and was seconded by Councilman Jim McBride. The motion was moved to carry.

Councilman Jim McBride opened the meeting with a prayer.

Councilman E. T. Stamey led the pledge of allegiance.

Councilman E. T. Stamey made the motion to approve the January 28, 2010 regular minutes as received and was seconded by Councilman Jim McBride. Councilman Charlie Lyons noted that the net loss in the CUB report was (\$3,102) instead of (\$310,200) Councilman Jerry Shattuck made the motion to approve the minutes as corrected and was seconded by Councilman Jim McBride. The motion was moved to carry.

Councilman Jerry Shattuck made the motion to approve the Beer Board minutes of the January 28, 2010 meeting and was seconded by Councilman Charlie Lyons. The motion was moved to carry.

Committee Reports

School Board Report –

Dr. Violette reported that the school’s audit was complete with no findings for the year. Dr. Violette reported that the State of Tennessee had applied for a \$485,000,000 and ½ of the grant will remain at the state level with the other half being divided among the school systems. The distribution will be calculated using the Title I formula. Clinton school system would receive approximately \$56,000 per year. The monies will have many requirements that have to be met regardless whether the state money comes through.

Dr. Roger Terry presented Council with estimates for the roofing and HVAC for South Clinton School. Dr. Terry spoke with Dixie Roofing over the phone and was quoted a cost of \$212,000 to replace the roof. Garland Corporation came on site and submitted three options; 30 year membrane roof for \$520,000, 20 year roof for \$480,000 and a 15 year roof for \$350,000. Council requested more specific bids.

Dr. Terry spoke with Trane for the replacement of the HVAC roof top units at a cost of \$419,424. The cost would be \$556,000 including the split systems. Councilman Jim McBride requested three additional quotes for the next Council meeting. Councilman Jerry Shattuck suggested that Dr. Violette and Steve Jones look at conventional loan rather than the energy efficient loans. Dr. Violette noted that the \$500,000 energy efficient loan is available until the end of the school year.

Dale Isabell presented Council with budget amendment #7 for approval. Councilman Jerry Shattuck made the motion to approve budget amendment #7 and was seconded by Councilman Jim McBride. The motion was approved unanimously via a roll call vote.

Board of Zoning Appeals

Councilman Larry Gann reported that Board of Zoning Appeals met on February 8, 2010. The Board elected officers for the year. Neal Bontrager requested administrative review for residential use in a B-2 zone located at 1005 Clinch Avenue. The request was approved. Adam and Anita Wilson requested a variance for an above ground pool located in the front yard at 259 Hiway Drive. The variance was denied since there was adequate space on the side and rear of the property.

Clinton Regional Planning Commission Report –

Councilman Larry Gann reported the Clinton Regional Planning Commission met on February 8, 2010. Steve Lynch was approved for a final plat for a two-lot subdivision for property at Medaris Street and Scruggs Avenue. Cannon & Cannon, Inc. was approved for a preliminary site plan review for property located at 312 Frank L Diggs Drive.

Clinton Utilities Board Report –

Councilman Charlie Lyons reported that Clinton Utilities Board met on February 11, 2010 and approved vouchers in the amount of \$6,823,408 for a net income of \$52,770 noting that they are behind on expected revenues. Councilman Lyons reported the wastewater mains on Hicks Circle are being replaced using in house labor at a cost of \$55,000. The fuel cost adjustment decreased again by .81%. The Board approved an updated personnel policy.

CITY MANAGER'S REPORT

GENERAL INFORMATION

1. The Tennessee Municipal League will be hosting its annual Legislative Conference from March 8-9, 2010 in Nashville, Tennessee. City officials will be briefed on legislative issues being discussed in the 106th Tennessee General Assembly as they pertain to municipalities.

II. CURRENT PROJECTS AND ACTIVITIES

1. CDBG GRANT UPDATE

The project is underway and on schedule. I'll keep City Council informed of the scheduling associated with this program.

2. AUTHORIZATION TO PURSUE GRANT FUNDING

In accordance with previously approved practices of the Clinton City Council, I respectfully request authorization to file for various grant funds through the State and Federal Government as we are made aware of available funding. This would include, but not be limited to, funds for building renovations, water and sewer rehabilitation and improvements, drainage improvements, infrastructure improvements and funding for additional employees and equipment. Councilman Larry Gann made the motion to authorize the City Manager to pursue grant funds as they become available and was seconded by Councilman Jim McBride. The motion was moved to carry.

3. CLINTON / I-75 FIRE HALL

In March 2008, the City was the recipient of a USDA loan and grant to build a fire hall at the Exit 122/ I-75 corridor. We have not yet started this project due to economic slowdowns which has tightened the City's budget and reduced the need for this facility under current conditions. We received an extension in March 2009 citing these issues and it is now time to give the USDA a status of the project. I would recommend that the City reject the USDA loan and grant at this time for several reasons:

- a) There are currently grant programs available for this facility that we have applied for and are aggressively pursuing.
- b) Because growth has slowed dramatically in this section of town, and the increase in service that we were expecting has not occurred; therefore does not justify construction at this time.
- c) Because of the guidelines and stipulations tied to the "federal" monies, city staff feels, based on recent observations of similar projects, that the City could simply borrow the money and build the facility at a cheaper cost without the associated costs required by the USDA. With the recent major announcements of two new industries at the I-75 Industrial Park and the

“spin-off” that will (hopefully) develop as a result, city staff will make every effort to develop this fire hall, using the most cost effective means available to meet a responsible time line.

Councilman Jerry Shattuck made the motion to reject the loan and grant from the USDA for a fire hall at the I-75 Industrial Park and was seconded by Councilman Charlie Lyons. The motion was moved to carry.

III. DEPARTMENTAL ACTIVITIES

ADMINISTRATION

Finance Report: Finance Director Vickie Fagan – Vickie L. Fagan reported that Total Available Funds through January 31, 2010 are 56% of projections and Appropriations and Expenditures are 46% of projections. In Section II local revenues is 44%, State Funds 37% and Court Revenues at 56%. In Section III General Government are 64% of projections, Public Safety 60%, Public Works 57% and Recreation 60%.

CODES ENFORCEMENT / BUILDING INSPECTIONS DEPARTMENT

FIRE DEPARTMENT

Fire Chief Archie Brummitt reported a good turnout at the recent fire on McAdoo Street. This house fire was fully involved upon arrival. All the stations were manned by volunteers and call-ins and no one was hurt.

POLICE DEPARTMENT

PUBLIC WORKS DEPARTMENT

1. In the Public Works Department, crews have been busy performing maintenance and repairs on trucks, snow plows, tire chains, spreaders, and other snow removal equipment. During the January 30th snow event, Public Works personnel worked 627 staff hours. The total associated costs for snow removal was approximately \$17,000. This breaks down as follows:

- ✓ Fuel: \$1,000
- ✓ Tire chains, snow plow repair parts: \$1,000
- ✓ Regular salaries and benefits: \$6,650
- ✓ Overtime salaries: \$8,400

- ✓ NOTE: 74% of the overtime (\$6,216) was awarded as compensatory time, rather than paid overtime.

2. Public Works has started with asphalt repairs (fixing potholes and breaks) whenever the weather allows asphalt plants to produce hot-mix asphalt. Given the snow, rain and cold temperatures we have endured (and if we are unable to fund street resurfacing) we expect that the Public Works construction staff will spend the entire spring and summer seasons working solely on street maintenance and asphalt repairs.

RECREATION DEPARTMENT

1. Rowers from Michigan State will be returning for Spring training in Clinton on March 5, 2010. We also have at least one other team doing their Spring training in Clinton this year.
2. City staff made the recommendation to cancel the Clinton Fireworks show this year to reduce expenditures. Last year, the City (with approval of City Council) approved a smaller show than previous years and the response has been favorable, Pyro Shows, who has handled the City of Clinton's fireworks show in previous years, has offered to do a similar show with a 10% bonus if we do the show on Saturday, July 3rd 2010. Their proposal is included in your package. We would need to let them know our intentions by March 1, 2010. Councilman Larry Gann made the motion to approve the proposed fireworks from Pyro Shows on July 3rd and was seconded by Councilman E. T. Stamey. The motion was moved to carry.

ORDINANCES AND RESOLUTIONS

A. FIRST READING OF NEW ORDINANCE

Ordinance # 569 – An Ordinance of the City of Clinton, Tennessee amending the Municipal Ordinance regulating the offenses against the peace and quiet Councilman Jerry Shattuck made the motion to approve Ordinance # 569 on first reading and was seconded by Councilman Jim McBride. The motion was moved to carry.

Ordinance # 570 – An Ordinance of the City of Clinton, Tennessee amending the ordinance regulating the sale of beer Councilman Jerry Shattuck made the motion to approve Ordinance # 570 on first reading and was seconded by Councilman Charlie Lyons. The motion was moved to carry.

B. SECOND & FINAL READING

C. RESOLUTIONS

Resolution # 660 – A Resolution to authorize the submission of a Fast Track Infrastructure Development Program (FIDP) application on behalf of SL Tennessee Councilman Jim McBride made the motion to approve Resolution # 660 and was seconded by Councilman Larry Gann. The motion was moved to carry unanimously.

Resolution # 661 – Clinton City Council Official request for Tennessee Department of Transportation (TDOT) actions within the municipal boundaries of Clinton, Tennessee on highways maintained by the State of Tennessee Councilman E. T. Stamey made the motion to approve Resolution # 661 and was seconded by Councilman Jim McBride. The motion was moved to carry.

Resolution # 662 – A Resolution to request codification of the City of Clinton Municipal Code of MTAS After some discussion Councilman Larry Gann made the motion to defer Resolution # 662 and was seconded by Councilman E. T. Stamey. The motion was moved to carry.

Resolution # 663 – City of Clinton request for inclusion of our neighboring city, Oak Ridge, Tennessee into the Manhattan Project Sites Special Resources Study currently being reviewed by the National Park Service Councilman Charlie Lyons made the motion to approve Resolution # 663 and was seconded by Councilman Jerry Shattuck. The motion was moved to carry.

PROCLAMATIONS –

NEW BUSINESS –

MAYORS COMMUNICATIONS –

OLD BUSINESS –

Councilman Jerry Shattuck requested to revisit the selection for the empty council seat. The vote was Councilman Larry Gann, Councilman Charlie Lyons and Councilman Jerry Shattuck for Barry Hutchins and Mayor Scott Burton, Councilman Jim McBride and Councilman E. T. Stamey for Rob Herrell. Mayor Burton will make his selection on March 1, 2010.

OTHER BUSINESS

VISITORS-

Ron Young of 416 Highland Drive thanked Council for the ordinance change regarding the peace and quiet.

Councilman Jerry Shattuck noted that the Charter requires that a Vice-Mayor be elected every two years and nominated Councilman Charlie Lyons for Vice Mayor. Mayor Scott Burton questioned if the vote should wait until the new Council member is seated. Councilman Jerry Shattuck withdrew his motion

Councilman Larry Gann made the motion to adjourn and was seconded by Councilman Charlie Lyons. The motion was moved to carry.

Mayor Scott Burton adjourned the meeting at 7:04 pm.

Mayor Scott Burton

Vickie L. Fagan, City Recorder