

**January 28, 2010**

**REGULAR CITY COUNCIL – MINUTES**

Mayor Scott Burton called the regular Clinton City Council meeting to order on January 28, 2010, at Clinton City Hall at 5:42 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	Curtis Akers	Wade Brock
Vicki Violette	Oscar Pointer	Doug Hamburger
Rick Turnbull	John Larkin	Dale Isabell
Vickie L. Fagan	Ahmad Fayyazi	R. C. Hutchins
Jerry Ellenburg	Angela Galen	Rob Herrell
Kristi Hamilton	Bekah McBride	Tyler Mayes
Ron Meredith	Barry Hutchins	Bob Gilliam

Councilman E. T. Stamey made the motion to approve the agenda and was seconded by Councilman Jim McBride. The motion was moved to carry.

Reverend Curtis Akers opened the meeting with a prayer.

Mayor Scott Burton led the pledge of allegiance.

Councilman Jim McBride made the motion to approve the December 11, 2009 regular minutes as received and was seconded by Councilman Jerry Shattuck. The motion was moved to carry.

**Committee Reports**

**School Board Report –**

Dr. Vicki Violette presented three items to Council. The first item was to thank the City for clearing the roads on January 11, 2010 noting that the schools had 90% attendance on that day when Anderson County was closed. Dr. Violette also pointed out that the Clinton School System was voted 2<sup>nd</sup> out of 13 area schools in the Greater Knoxville Business Journal. Dr. Violette also reminded Council that it's time for considering the FY

2010/2011 budget and to keep in mind that the existing roof at South Clinton needs to be replaced as well as the heating & air system.

Dale Isabell budget director for the schools presented the financial report and also noted that the retirement contribution for certified staff increased 41% for the next two years which is approximately \$100,000 additional cost to the schools.

### **Board of Zoning Appeals**

The Board of Zoning Appeals will meet on December 14, 2009. Councilman Larry Gann reported the Board approved a variance request from the City of Clinton for properties located at 713 and 714 Byrd Street. The properties are part of the 2009 HOME Grant. Applicant T. J. Gribble was approved for a variance of left side setback requirements for property located at 120 Hillcrest Street.

### **Clinton Regional Planning Commission Report –**

The Clinton Regional Planning Commission will meet on December 14, 2009. Councilman Larry Gann reported that applicant Anderson County requesting a preliminary site plan review for expansion of the convenience center on SR 61 asked for a deferral of the request. The Board approved a final plat for Lackey & Associates for property located at 915 N. Charles Seivers Blvd. Lackey and Associates were also approved for a site plan review. Rogers Group Inc. requested final site plan review for property located at Hwy 61. The Board unanimously approved the request.

### **Clinton Utilities Board Report –**

Councilman Charlie Lyons reported that Clinton Utilities Board met on January 14, 2010 and approved vouchers in the amount of \$6,583,846 for a net loss of \$(3,102) which is due to fair weather and lower than expected revenues. Councilman Lyons reported that the tree trimming in 2009 completed a 10 year cycle of the entire utility system trimming or approximately 185 miles, this cycle should be complete again within 6 years. Councilman Lyons reported that the automatic meters have all been installed. Cub will not have a rate increase only pass through increases from TVA. Water rates have increase twice in 10 years and still maintains one the lowest rates in the area. The fuel cost adjustment continues to decrease by 1.75% this month.

### **Mayor's Commission –**

# **CITY MANAGER'S REPORT**

## **GENERAL INFORMATION**

1. There will be an Anderson County Chamber of Commerce coffee hosted by the City of Clinton on February 4, 2010 at 8:00 – 9:30 am. Chamber members will have an opportunity to meet Mayor Burton and the new Council at this event.

## **II. CURRENT PROJECTS AND ACTIVITIES**

### **1. CDBG GRANT UPDATE**

The assessments of the individual homes have been completed and construction/rehabilitation is scheduled to start on the first six houses soon.

### **2. 2009 HOME GRANT**

December 28, 2009 is the deadline for prospective homeowners who want to participate in this home rehabilitation program to apply. The last public hearing for this program was last week. I'll keep City Council informed of the scheduling associated with this program.

## **III. DEPARTMENTAL ACTIVITIES**

### **ADMINISTRATION**

Finance Report: Finance Director Vickie Fagan – Vickie L. Fagan reported that Total Available Funds through December 31, 2009 are 48% of projections and Appropriations and Expenditures are 40% of projections. In Section II local revenues is 36%, State Funds 29% and Court Revenues at 55%. In Section III General Government are 57% of projections, Public Safety 53%, Public Works 49% and Recreation 52%.

### **CODES ENFORCEMENT / BUILDING INSPECTIONS DEPARTMENT**

### **FIRE DEPARTMENT**

Fire Chief Archie Brummitt reported a good turnout at the recent fire on Riverview. 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**

A new officer, Matt Jackson, started with the Clinton Police Department recently. He transferred here from the Maryville Police Department.

## **PUBLIC WORKS DEPARTMENT**

1. Crews will be performing maintenance to drainage ways, beginning at river discharge points and working upstream. Drainage ways will be cleared of limbs, leaves, and rubbish that blocks storm water flow. This is an annual process that has proven to be very effective in reducing flooding.

2. Public Works will be conducting a city-wide litter collection campaign, focusing not only on heavily traveled industrial park roads, state highways, and interstate ramps, but also within residential areas.

The snow event on January 7th and 8th kept Public Works employees busy working overtime to maintain slick streets. About one inch of snow quickly turned to ice, making some streets impassable. Due to the \$90 per ton price and the environmental impact, we do not purchase salt for street maintenance. Instead we use \$12 per ton gravel chips on steep hills to assist with traction. Crews monitor police and fire calls and respond as needed to provide assistance to emergency vehicles. Even though we must collect the remaining gravel chips after the roads clear, this process seems to be the most economical and effective for our city streets (TDOT takes care of clearing state routes). The approximate costs for gravel, fuel, and related expenses for the snow event was **\$1,783**, and the cost for employee overtime and benefits was **\$9,485 (approximately \$4,000.00 of this was for overtime)**, for a total snow event cost of **approximately \$11,268**.

## **RECREATION DEPARTMENT**

## **ORDINANCES AND RESOLUTIONS**

### **A. FIRST READING OF NEW ORDINANCE**

**Ordinance # 568 – An Ordinance of the City of Clinton, Tennessee amending the Beer Ordinance regulating the sale of beer** Councilman Charlie Lyons made the motion to approve Ordinance # 568 on first reading and was seconded by Councilman Jim McBride. The motion failed to pass with Councilman Charlie Lyons, Councilman Jim McBride voting yes and Councilman Larry Gann, Councilman Jerry Shattuck, Councilman E. T. Stamey and Mayor Scott Burton voting no.

## B. SECOND & FINAL READING

## C. RESOLUTIONS

**Resolution # 659 – A Resolution to outsource the property tax freeze program administration to Anderson County Trustee as provided by Tennessee Code Annotated § 67-5-705 (2)** Councilman Charlie Lyons made the motion to approve Resolution # 659 and was seconded by Councilman Jim McBride. The motion was moved to carry unanimously.

## PROCLAMATIONS –

## NEW BUSINESS –

Council considered nominations for the empty Council seat. Applicant Barry Hutchins addressed Council explaining his background noting his experience as a business owner and his involvement in the community and various committees. Applicant Rob Herrell addressed Council noting his desire to serve on Council and his experience with Church committees. In the first round of voting there were three votes for Rob Herrell: Councilman Jim McBride, Councilman E. T. Stamey and Mayor Scott Burton and three votes for Barry Hutchins: Councilman Larry Gann, Councilman Charlie Lyons and Councilman Jerry Shattuck. Ron Meredith spoke in favor of Barry Hutchins noting his qualities that would be beneficial for serving on Council.

The second round of votes for Rob Herrell was Councilman Jim McBride, Councilman E. T. Stamey and Mayor Scott Burton. Votes for Barry Hutchins were Councilman Larry Gann, Councilman Charlie Lyons and Councilman Jerry Shattuck. The third round of votes for Rob Herrell was Councilman Jim McBride, Councilman E. T. Stamey, and Mayor Scott Burton. The third round of votes for Barry Hutchins was Councilman Larry Gann, Councilman Charlie Lyons and Councilman Jerry Shattuck. Mayor Burton noted that after 30 days the Mayor would appoint someone to fill the seat due to the tie voting. Councilman Jerry Shattuck noting that there could be another vote if so desired at the February meeting since it falls within the 30 day window.

## MAYORS COMMUNICATIONS –

Mayor Burton reappointed John Stair to the Clinton Regional Planning Commission. Councilman Larry Gann was appointed to the Clinton Regional Planning Commission to replace Councilman Charlie Lyons. Rick Meredith was appointed to the Anderson County Economic Development Association. Councilman Jerry Shattuck made the motion to confirm the Mayor's appointments and was seconded by Councilman Charlie Lyons. The motion was moved to carry.

**OLD BUSINESS –**

Ron Young of 416 Highland Drive reported that Food City has taken no action against his compliant. Mayor Scott Burton assured Mr. Young that the City Manager would look at the noise to see if anything can be done.

**OTHER BUSINESS**

**VISITORS-**

Clay Good of 201 Maire Avenue requested Council to rescind their decision regarding the mail receptacle on Market Street. Mr. Good presented Council with a petition of property owners and residents to reconsider the postal receptacle and maintain the current status of delivery to each building. Mr. Good would like to maintain the same system that's been in place for a very long time.

Kristi Hamilton, Post Master of Clinton noted that there are 56 deliveries on Market Street with 39 businesses, 18 residential and 24 vacancies and most of the time only 10% of the mail is deliverable.

Councilman Jim McBride made the motion to rescind Council's previous approval for the use of public property to the Post Office and was seconded by Councilman Charlie Lyons. The motion was moved to carry. After some discussion the merchants representing Market Street agreed to install proper mail receptacle at each locations and the Post office would allow them 45 days to be compliant.

Mayor Scott Burton adjourned the meeting at 7:37 pm.

---

Mayor Scott Burton

---

Vickie L. Fagan, City Recorder