

December 16, 2011

REGULAR CITY COUNCIL – MINUTES

Mayor Burton called the regular City Council Meeting to order on December 16, 2011, at Clinton City Hall at 1:30 p.m. Councilman Larry Gann, Councilman Robert Herrell, Councilman Charles Lyons, Councilman Jim McBride, Councilman Jerry Shattuck and Councilman E.T. Stamey were present.

Guest and Staff present:

Curtis Akers	Roger Houck	Lynn Murphy
Allen Handley	Gina Ridenour	Bill Riggs
Vickie Violette	Archie Brummitt	
Jason Stokes	Rick Scarbrough	

Councilman Jim McBride made a motion to approve the agenda as received and Councilman Charlie Lyons seconded the motion. Motion carried.

Reverend Curtis Akers opened the meeting with prayer and the pledge of allegiance.

Councilman E. T. Stamey made the motion to approve the November 28, 2011 regular meeting minutes and Councilman Larry Gann seconded the motion. Mayor Burton asked to change the wording of Councilman Shattuck's comment on page 4, regarding negotiations with Anderson County's Glen Alpine Convenience Center to be conducted between the City Manager and Mayor Iwanski excluding the "Mayor". Motion carried.

MAYOR'S COMMUNICATION

Mayor Burton asked Chief Rick Scarbrough to make his presentation of an award. Chief Scarbrough presented an award to Officer Jason Lawson for outstanding performance of our war against drugs. Within three (3) months' time, Officer Lawson seized 23 vehicles, \$1,600 in cash and entered 13 drug related charges which are pending in the grand jury. Chief Scarbrough stated that he initiated the investigations, followed up on leads and often times during his "off duty time". Officer Lawson completed these tasks which is over and above his regular patrol duties and is to be commended on his extraordinary effort and self- motivation which has impacted the Clinton Community. This award was recommended by his Sergeant Jason Stokes.

Mayor Burton announced that the swearing in ceremony, for our newly elected council members, will be January 3rd with a reception to follow and invites the public to attend.

Mayor Burton suggested possibly changing the date for elections to coincide with the County and General Election dates to help reduce cost and increase voter turnout. City Manager Houck stated that that would require a change to our City Charter. Mayor Burton commented that he would like for the City and Council to think about the idea and asked City Staff to research it and put it on the agenda for next meeting.

Committee Reports

School Board Report –

Dr. Violette stated there would be no financial report since the Board didn't have a meeting in December. She thanked Mayor Burton for his financial contribution and the matching funds received from the company he works for to the Clinton City Schools. She reported that the State report cards have come out and are online. She commented that with the more rigorist curriculum set forth by the state that they had expected scores to decrease, however, the Clinton School System got all A's and B's across the board and Clinton Elementary received all A's.

Board of Zoning Appeals

Councilman Larry Gann reported the Board of Zoning Appeals met on December 12, 2011. Applicant Brandon Holt's request for setbacks at 437 Jarnigan Street was withdrawn.

Clinton Regional Planning Commission Report –

Councilman Larry Gann reported the Regional Planning Commission met on December 12, 2011. Final plat review for applicant Nancy Laborde, property located at Ridgeview Drive was approved. Applicant Rogers Group request for preliminary commercial site plan review for property located at N. Charles Seivers Blvd. which had been previously approved, is for grading purposes only for the B-4 section of the site and the applicant would like the updated approval as per the Master Settlement Agreement.

The review of the City of Clinton's Prohibited Sign Regulation, as requested by a petition to the board, was briefly discussed and denied because no representatives from the petition attended the meeting.

Joe Barrett, East Tennessee Development District presented a draft ordinance regarding Pain Management Clinics for review.

Clinton Utilities Board Report –

Councilman Charlie Lyons reported that CUB met on December 8, 2011 at 5:30 pm to approve pay vouchers of \$6,999,575.00 and after all bills are paid had a net of \$494,263.00. He pointed out the Tax Equivalent comparison went up about \$70,000.00 this year. Discussed refinance of bonds and the savings from that transaction.

CITY MANAGER'S REPORT

GENERAL INFORMATION

1. City Offices will be closed Friday, December 23rd and Monday, December 26th in observance of the Christmas Holidays.
2. City Offices will be closed Monday, January 2nd in observance of the New Year's Day Holiday.
3. City Offices will be closed Monday, January 16, 2011 in observance of the Martin Luther King, Jr. Holiday.

CURRENT PROJECTS AND ACTIVITIES

1. 2010 Census Summary Report for Anderson County was prepared by the East Tennessee Development District and in the Council Packet.
2. City Manager Houck reported at the directives of City Council in the November meeting, city staff personnel reviewed and discussed the various circumstances and options regarding each of the issues surrounding the Glen Alpine Convenience Center. He stated that the City has obtained an independent appraisal of the Glen Alpine Convenience Center property as directed and on Tuesday, December 13th, met with County Mayor Iwanski to try to come to an agreement (dependent on City Council and County Commission approval) on each of the issues. Provided in the council packets was a memo to council which explains all the issues in detail. After in depth discussion, City Manager Roger Houck stated that he would make a counter offer if that's the City Council's desire. Councilman Jerry Shattuck made a motion to purchase the Glen Alpine Center for the sales price of \$184,000, apply the balance of the sales tax money due of approximately \$106,000 due from the City to purchase the property, pay the remaining balance of approximately \$78,000 over a four year period at a rate of \$19,500.00 per year with the 1st payment due and payable when the convenient center is relocated, and the County will expedite the relocation of the convenient center to another site on/before January 1, 2014. Motion failed due to lack of second. After more discussion, no action was taken.

DEPARTMENTAL ACTIVITIES

A. ADMINISTRATION

1. Finance:
Finance Director Gail Cook gave the financial report. She stated the only revenue that concerned her is court fines and cost, pointing out that that is a hard area to collect.

B. CODES ENFORCEMENT

1. The Codes Enforcement Department's monthly activity report for November included in council package for review.

C. FIRE DEPARTMENT

1. The Fire Department's monthly activity summary for November included in council package for review.

D. POLICE DEPARTMENT

1. The Police Department's monthly activity summary for November included in council package for review.

E. PUBLIC WORKS DEPARTMENT

F. RECREATION DEPARTMENT

ADOPTION OF RESOLUTIONS -

Resolution # 695 - C.U.B. In-Lieu of Tax Payments for FY 2011 - 2012

Motion was made to approve Resolution #695 CUB Tax Equivalents by Councilman Jim McBride and second by Councilman E.T. Stamey. Motion carried.

Resolution # 696 - 2012 Home Grant Application

Motion was made to approve Resolution #695 CUB Tax Equivalents by Councilman Larry Gann and second by Councilman Rob Herrell. Motion carried.

OLD BUSINESS -

None

NEW BUSINESS -

None

Councilman Jim McBride made the motion for meeting to recess meeting until Tuesday, December 20, 2012 at 5:30 pm and was seconded by Councilman Jerry Shattuck. Motion carried.



Mayor Scott Burton



Regina Ridenour, City Recorder

December 20, 2011

RECESSED CITY COUNCIL MEETING – MINUTES

Mayor Burton called the recessed City Council Meeting to order on December 20, 2011, at Clinton City Hall at 5:30 p.m. Councilman Larry Gann, Councilman Robert Herrell, Councilman Charles Lyons, Councilman Jim McBride, Councilman Jerry Shattuck and Councilman E.T. Stamey were present.


Mayor Burton opened the meeting under old business and continued discussion on the decision of the Glen Alpine Convenience Center. Mayor Burton suggested that the issue regarding continuance on the appeal process comes down to two points. Does the Council feel that we can still make progress with negotiations or do they want it to go through the appeal process? Councilman E.T. Stamey asked Anderson County Mayor Iwanski to discuss the issues. After Mayor Iwanski's statements and lengthy question/answer session with City Council, Councilman Jerry Shattuck made the following motion. Motion to adopt framework set forth in the four points outlined in County Mayor's Memo addressed to the City Manager dated December 13, 2011 with room for negotiation regarding 1) the beginning date of the \$19,500.00/year payments and 2) environmental concerns if they exceed our joint expectations at this time. Motion failed due to lack of a second. Mayor Burton suggests forming a task force between the County and City and commented that he would like to see more common ground. Mayor Iwanski stated that he would take the City's opinions back to County Commission. Councilman Rob Herrell made a motion to form a Task Force in regards to the Glen Alpine Center, second made by Councilman Charlie Lyons. Motion passed.

NEW BUSINESS –

City Manager Roger Houck read memo from Finance Director Gail Cook explaining that payroll deductions for the ING 457(b) deferred compensation plan had been handled incorrectly by reducing taxable social security and medicare wages since its inception (January 2008). She requested a budget amendment for \$50,000 to cover the past and current taxes on this issue and stated that additional funding may be necessary in the future to cover any penalties and interest. Councilman Jim McBride made the motion to amend the budget for \$50,000 to cover the current and past taxes for this issue. Second made by Councilman Rob Herrell. Councilman Jerry Shattuck pointed out inequities of this situation to the employees that didn't participate in this program. City Manager Roger Houck explained that these tax payments will result in taxable income to these employees and they will have to pay federal taxes. Motion carried.

Councilman Jerry Shattuck made a motion to authorize the Comptroller to analyze the inequities that exist with the other employees as he outlined and give a presentation at such time that we may equalize the situation for the other employees. After a brief discussion, Councilman Shattuck insisted we should be fair to all employees. Councilman Larry Gann seconded the motion. Motion failed with five nay votes and two yea by Councilman Jerry Shattuck and Councilman Larry Gann.

Councilman Jim McBride made the motion to adjourn. Meeting adjourned at 7:00 pm



Mayor Scott Burton



Regina Ridenour, City Recorder

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