

**June 27, 2011**

**PUBLIC HEARING**

Mayor Burton called the Public Hearing to order on June 27, 2011 at Clinton City Hall. Councilman Larry Gann, Councilman Robert Herrell, Councilman Charlie Lyons, Councilman Jerry Shattuck and Councilman E.T. Stamey were present. Councilman Jim McBride was absent.

Mayor Burton opened the public hearing on:

- Ordinance # 587 – FY 2011/2012 Budget

Councilman Charlie Lyons made motion made to adjourn and second by Councilman E.T. Stamey.

**REGULAR CITY COUNCIL – MINUTES**

Mayor Burton called the regular City Council Meeting to order on June 27, 2011 at Clinton City Hall. Councilman Larry Gann, Councilman Robert Herrell, Councilman Charlie Lyons, Councilman Jerry Shattuck and Councilman E.T. Stamey were present. Councilman Jim McBride was absent.

Guest and Staff present:

Ron Young	Vickie Violette	Roger Houck	Rick Scarbrough
Monnie Champion	Dale Isabell	Lynn Murphy	
Jackie Champion	Archie Brummitt	Curtis Perez	
Erin Champion	Gail Cook	Gina Ridenour	

Councilman Jerry Shattuck made the motion to move the Proclamation between agenda items number 5 and 6. Councilman Rob Herrell seconded. Motion carried.

Prayer led by Councilman Larry Gann followed by the Pledge of Allegiance.

Mayor Burton read the Proclamation in honor of Erin Champion.

Councilman Jerry Shattuck made the motion to approve the May 23, 2011 regular meeting minutes with changes to add the conditions on Samlip expansion and Councilman E.T. Stamey seconded the motion. Motion carried.

**RECOGNITION OF VISITORS AND CITIZENS**

Mayor Burton asked for any public comments.

## **MAYOR'S COMMUNICATION**

Mayor Burton request to hold Clinton Utilities Board appointment until next meeting. Request council approval of the E-911 Board appointments of Jim Sanderson and Joe Roberts. Councilman Jerry Shattuck made the motion to accept the Mayor's appointments of the E-911 board and second by Councilman E.T. Stamey. Motion carried.

## **COMMITTEE REPORTS**

### **School Board Report -**

Dale Isabell presented the Schools Financial Report and request approval of Budget Amendment No. 8 & 9 from City Council. Motion was made by Councilman E.T. Stamey and second by Councilman Rob Herrell. Motion passed by roll call vote.

### **Board of Zoning Appeals**

Larry Gann reported the Board met on June 13, 2011 and had no business.

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

Councilman Larry Gann reported the Regional Planning Commission met on June 13, 2011. Applicant AT&T Tennessee request for site plan review for cabinet located in front of 1130 N. Charles G. Seivers Blvd. was approved. Applicant Michael Brady's request for site plan approval for Southern Tube Forms parking expansion, located at 130 Eagle Way, was also approved. Site plan approval for SL America located at 312 Frank Diggs Drive from applicant Michael Brady was approved.

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

Councilman Charlie Lyons reported that Clinton Utilities Board met on June 9, 2011 and reported that pay vouchers were \$6,691,726.00 and after all bills was paid, net was \$412,261.00. Councilman Charlie Lyons stated that CUB employees would receive a 3% cost of living raise and 4% for highly skilled employees.

### **Other Board & Committee Reports -**

Councilman Jerry Shattuck reported that the Green McAdoo Organization expects the National Park Service to visit the Museum in July. Councilman Shattuck stated that City Manger Roger Houck will discuss issues with the walking trails that he would like to defer to another meeting.

## **CITY MANAGER'S REPORT**

### **I. GENERAL INFORMATION**

City Manager Roger Houck reported that City Offices and Departments will be closed on

Monday, July 4, 2011 in observance of the Independence Day Holiday and the annual Fireworks Show will be that evening beginning at 10:00pm at Lakefront Park.

City Manager Roger Houck reported the annual Anderson County Fair will be held at the Fairgrounds / Jaycee Park area Monday, July 11th – Saturday, July 16<sup>th</sup>.

## II. CURRENT PROJECTS & ACTIVITIES

City Manager Roger Houck reported that Waste Connections, Inc. (our residential refuse collection contractor) has notified us that they will be changing their Holiday Schedule, to better coordinate their collections and operations with landfill and related industry schedules. This basically means that if a holiday falls on a normal collection day, the regular pickup will be one-day behind schedule for the remainder of the week, with a Saturday collection being added to complete the weekly schedule. A copy of the notification is included in your package.

Tennessee Department of Transportation had recently notified us of a change dictated by the Federal Highway Administration regarding the use of In-Kind (Soft) Match contributions for locally managed projects. Based on this guidance, all matching contributions for locally managed projects must now be a hard (cash) match. In-Kind contributions are no longer allowed. A copy of the TDOT notification is included in your package.

In conjunction with the TDOT / FHWA policy change regarding the use of soft match, TDOT has forwarded a contract amendment for Phase II of the Riverwalk Project. Essentially, we have two options regarding the future of this project: Option 1 is to authorize the Mayor to execute the Contract Amendment, which will require our commitment to providing a minimum of \$41,833.00 in local matching funds – for a \$209,165.00 project – which must be started by August 25, 2012 and completed by August 25, 2014. Option 2 is to not execute the amendment and remain under the original contract – which means that the project will have to be scaled back, or the project funding returned. Councilman Jerry Shattuck commented that he would like to meet with the Greenway Committee to discuss options. After some discussion, Councilman Jerry Shattuck made a motion to defer action to a later meeting. Second made by Councilman E.T. Stamey. Motion carried.

City Manager Roger Houck reported that Mountain Meadow Lane and Bingham Drive (located off Melton Hill Drive) were constructed several years ago and developers posted a bond to guarantee the completion of the top coat of asphalt on both streets after most of the lots were sold and houses constructed. The subdivision is almost full and street paving needs to be completed. The current estimate (based on our annual contract pricing) to complete this work is approximately \$46,073.00. Due to various legal matters regarding the developers there is now significant concern relating to availability of funds to complete the street paving. We have reviewed our options with the City Attorney who has consulted with the developer's attorney for a reasonable solution acceptable to the City. Based on our negotiations, and upon the recommendation of the City Attorney, ***City Manager Roger Houck recommends that we accept the negotiated offer from Mr. Chalice Bingham to pay the City of Clinton the amount of 75% of our cost to complete***

*the paving of Mountain Meadow Lane and Bingham Drive.* City Manager Houck stated that the balance of funds necessary to complete the work will come from our reserve fund for street resurfacing. After some discussion, Councilman Jerry Shattuck made a motion to accept the negotiated offer by the developer and as recommended by staff. Second made by Councilman Charlie Lyons. Motion carried.

### III. DEPARTMENTAL ACTIVITIES

#### A. ADMINISTRATION

Finance Report presented by Finance Director Gail Cook. Ms. Cook stated that the sales tax review revealed some businesses located inside City limits sales tax was paid to Anderson County. Total due back to the City is about \$154,772.00, with 50% going to the schools therefore, about \$76,000 will go into general fund. She also reported that there was an error in the Sales tax calculations in regards to the Master Settlement Agreement. The City paid Anderson County a little over \$147,000 a year which should have been approximately \$28,500.00 a year. Anderson County owes the City a little over \$118,000 which will be paid over a 12 month period.

Ms. Cook explained reason for Ordinance 588 to amend the FY 2010/2011.

#### B. CODES ENFORCEMENT

The Codes Enforcement Department's monthly activity summary for June 2011 was included in council packet for review.

#### C. FIRE DEPARTMENT

The Fire Department's monthly activity summary for June 2011 was included in council packet for review.

#### D. POLICE DEPARTMENT

The Police Department's monthly activity summary for June 2011 was included in your council packet for review.

#### E. PUBLIC WORKS DEPARTMENT

In accordance with Article V, Section 8 of the City of Clinton Charter, City Manager Houck request authorization to renew the annual contracts for materials and services, for the period July 1, 2011 - June 30, 2012, with the following companies:

- a. Rogers Group, Inc.- Asphalt, stone, etc.
- b. DuraCap Asphalt - Asphalt, etc.
- c. APAC - Atlantic, Inc., Harrison Ready Mix - Concrete & Sand
- d. Superior Drainage Products, Inc. -HDPE Culvert

Councilman E.T. Stamey made motion to approve annual contracts, second by Councilman Larry Gann. Motion carried.

City Manager Houck continued to report that the construction of the new access road at the South Clinton Elementary School is complete. The project was ahead of schedule and within the estimated budget. Public Works contributed approximately \$42,000 toward construction and materials, and the school system reimbursed us an additional \$38,000. The Public Works Director and Police Chief have met with the school principal and director of schools to discuss traffic patterns and how the new road should eliminate complaints regarding school traffic on Hiway Drive and South Fowler Street. A list of project expenditures was included in council packets.

The replacement LED bulbs have been installed in all City of Clinton traffic signals. This project was paid for with an energy conservation grant from the Federal American Recovery and Reinvestment Act. We should see a significant savings in electricity usage, and a substantial savings in maintenance costs. The LED bulbs have a five-year life, compared to a one-year life for incandescent bulbs, resulting in fewer service calls for bulb replacement.

Public Works crews have been busy with asphalt and pothole repairs throughout the city, and are replacing sections of sidewalks that have buckled due to high temperatures.

#### **IV. ORDINANCES and RESOLUTIONS**

**First reading of Ordinance # 588 – Amending the FY 2010 / 2011 Budget.** Councilman E.T. Stamey and second by Councilman Rob Herrell. Councilman Jerry Shattuck asked to amend the motion to reflect a difference, which doesn't change the totals, in two entries under "Fund Balance", "unassigned fund" should be \$3,169,432.00 and "Reserve Capital Projects" \$4,473,612.00 to be in accordance with the Resolution adopted for Bond Issue that "designated sources and uses" set forth by the Tennessee Municipal Bond Fund. After further discussion, Councilman Shattuck withdrew his motion. Original motion to adopt Ordinance #588, passed unanimously.

**Second and final reading of Ordinance #587 - FY 2011/2012 Budget**

Councilman Larry Gann made the motion to accept Ordinance #587. Second made by Councilman E.T. Stamey. Motion carried.

**Resolution # 684 – Appropriations to Nonprofit Organizations for the 2011 / 2012 Fiscal Year**

Councilman Jerry Shattuck made the motion to pass Resolution #684. Councilman Rob Herrell seconded the motion. Councilman Jerry Shattuck stated he thought the appropriation for Anderson County Economic Development Association was \$21,000.00 instead of \$17,500.00. Councilman Charlie Lyons made motion to amend the appropriation to \$21,000.00 and second by Councilman Rob Herrell. Motion carried. Councilman Jerry Shattuck made the motion to accept Resolution #684 with amendment. Second made by Councilman Rob Herrell. Motion carried.

## **NEW BUSINESS**

Mayor Burton request acceptance of the City of Clinton 911 Emergency Communications District Budget for the 2011 / 2012 Fiscal Year. Motion made by Councilman E.T. Stamey and second by Jerry Shattuck. Motion carried.

Mayor Burton asked for acceptance and approval of the 2011 Emergency Communications Agreement between the City of Clinton and the City of Clinton 911 Emergency Communications District. Councilman Rob Herrell made motion to approve Emergency Communications Agreement and second by Councilman Larry Gann. Motion carried.

Councilman Jerry Shattuck made comment that the Green McAdoo Cultural Center brought in \$16,800.00.

Councilman E.T. Stamey made motion to adjourn. Meeting adjourned 6:35pm.

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Mayor Scott Burton

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Regina Ridenour, City Recorder