

April 16, 2007

PUBLIC HEARING

Mayor Winfred Shoopman opened the public hearing at Clinton City Hall at 5:30 p.m.

Councilman David Worthington made the motion to limit each person to 5 minutes and was seconded by Councilman Charles Lyons. The motion was moved to carry.

Ordinance # 521 – An Ordinance Annexing a portion of Hillvale Road right-of-way as a supplementary annexation of previous ordinances annexing parcel 56.00 & 40.01 of Anderson County Tax Map 43, and incorporating the same within the corporate boundaries of the City of Clinton, Tennessee.

Kim Hendricks of Site, Inc. invited any questions from the Council and the public.

Mayor Winfred Shoopman closed the public hearing at 5:32 p.m.

REGULAR CITY COUNCIL - MINUTES

Mayor Winfred Shoopman called the regular Clinton City Council meeting to order on April 16, 2007, at Clinton City Hall at 5:32 pm. Councilman Charles Lyons, Councilman Harry Patton, Councilman Jerry Shattuck, Councilman Albert Turner, Councilman David Worthington and Councilman Clay Wright were present for the meeting.

Guest and Staff present:

Jeff Bagwell	Lee Ousley	Vaughn Becker
Anita Coleman	Vickie Fagan	Sam Dean
Johanne Jean-Jacques	Larry Pierce	Steve Isaacs
Patti Harmony	Kim Hurst	Tim Bible
Steve Jones	Mollie Scarbrough	Monica Hill
Laura Roberts	Bob Fowler	Vickie Violette
Lillie Kay Reed	Gloria Taylor	Janice Ramsey
Jared Davis	Gayson Peters	

Mayor Shoopman requested a change in the agenda to allow public comments to be moved up in the agenda. Councilman Charles Lyons made the motion to move Visitors up in the agenda and was seconded by Councilman Albert Turner. The motion was moved to carry.

Mayor Winfred Shoopman led the meeting in prayer.

Councilman Clay Wright led the pledge of allegiance.

Councilman Jerry Shattuck made the motion to approve the minutes of March 26, 2007 and was seconded by Councilman Harry Patton. The motion was moved to carry.

Committee Reports

School Board Report –

Vickie Violette, Director of Schools, came before the Board representing the School Board, teachers and parents of the Clinton School System. Ms. Violette noted the reaction from the front page article of the Courier, reporting that no additional monies have been budgeted for the schools, is very negative. The teachers, parents and Board were very disappointed to read the article and had received many phone calls for the lack of support for the schools from the City. Ms. Violette noted that it would be virtually impossible to maintain the quality of education in all three schools without additional help from the City. Ms. Violette reported that the School Board will have a budget workshop next Monday. Council agreed on a joint workshop with the School Board on April 30, 2007 at 5:00 pm. Ms. Violette also reported that currently there will be approximately 839 students enrolled in the school system, an increase of approximately 16 transfer students. Mayor Winfred Shoopman commented that the first reading of the budget is the beginning of the process to approve a budget; it also gives the schools time to get all their numbers from the state and to allow time to look at the things that need to be done. Ms. Violette plead that Council will consider additional funding for the schools. Councilman Jerry Shattuck inquired whether it would be July before the final numbers for the BEP would be available from the state. Ms. Violette noted that it could be as soon as next week that those estimates would be available. It was noted that the proposed tobacco tax would net the schools \$93,000 with a \$41,000 matching local portion. Steve Jones elaborated on the comments of the Mayor noting that the City Charter allows that a budget be presented at least within sixty (60) days prior to the next fiscal year. Traditionally the budget is presented to council prior to the first reading and this is the opportunity for the City Manager to present the budget for the City. It has also been tradition that the schools do not have available numbers for their budget and the time between first and second reading

allows them time to get those numbers. Mr. Jones reiterated that the budget presented to Council is not written in stone and will be amended prior to the final reading.

Mayor Shoopman invited comments from the public.

Lee Ousley of 218 Lone Ridge Lane has been a teacher for 30 years. Mr. Ousley was very disappointed with the headlines of the newspaper and noted that it has been a struggle to maintain the quality of education with the low level of support from the local funding body. Mr. Ousley cited statistics from other school systems that are funded at a higher level from the local funding body. Mr. Ousley noted that the City tax rate is lower than any other surrounding cities and should look at a higher tax rate for funding the schools. The decrease in funding for the Clinton City Schools could cause overcrowding, eliminate the neighborhood school concept and could endanger the very existence of the school system. Mr. Ousley urged the Council to increase the tax rate by 30¢ to \$1.03 to be used solely to fund the schools.

Anita Coleman of 190 Coleman Lane noted that her son was a tuition student and would be glad to pay tuition.

Tina Roach of 322 Unaka Street noted that she has experience with private and public schools and felt that the Clinton School System was better than some private schools, and she would be willing to pay what is necessary to provide the education needed for her children.

Sam Dean of Mariner Point, a member of the school task force, expressed his disappointment in the City for not funding education any more. Mr. Dean inquired why the school task force was implemented if none of the recommendations would be enacted that involves any money. Mr. Dean would gladly pay more taxes if it is for education.

Larry Pierce of 830 Ridgeview Drive had two questions for Council. Mr. Pierce inquired whether the \$69,750 paid by Anderson County was earmarked for education and whether the proceeds from the sale of land at David Road were also earmarked for education. The property on David Road was deeded to the City for a new school. Councilman Jerry Shattuck noted that the money from Anderson County was used for debt service for the building at South Clinton Elementary. Steve Jones noted that the Finance Director would research the proceeds from David Road.

Patti Harmening of 812 Old Dutch Valley Road indicated that she was disappointed with the headlines and inquired of Council of their vision for the Clinton School System. Ms. Harmening noted that she did not live in the City limits.

Mollie Scarbrough, Chairman of the School Board expressed her disappointment in the article in the Courier but was more disappointed with the budget workshop on Thursday where there was no mention for additional funding for the schools. Ms. Scarbrough felt the main issue is commitment and challenged the Council to make a commitment to the school system.

Kimberly Hurst, a teacher at Clinton Elementary School, noted that she has three children that were considered tuition students. Ms. Hurst cleared a misunderstanding noting that the teachers are expecting the schools to go from good to great and was expecting the funding to accomplish the goal.

Steve Jones clarified to Mollie Scarbrough that the budget presented Thursday night was prepared without any input from the Council. The budget was prepared by Steve Jones and Vickie Fagan, and it is purposely done without school revenues because we are mandated to present a budget early without benefit of any school numbers being available. Mollie Scarbrough responded that he was aware that the debt service would be needed, and it was noted that no money would be available for debt service.

Monica Hill a teacher at North Clinton, two students that are tuition students. Ms. Hill would like to know the intentions of Council to be able to make plans. Mayor Winfred Shoopman a budget workshop is scheduled but will need a budget from the schools before we can address any problems. Ms. Hill also noted that she is a resident of Oak Ridge.

Laura Roberts a 5th grade Clinton Elementary teacher expressed her disappointment with Council.

Councilman Albert Turner noted that there is a lot of fat and waste in the budget, and he will share that information at the next budget workshop.

Gloria Taylor 322 Unaka Street and Janice Ramsey, a North Clinton teacher expressed their dismays and Ms. Ramsey noted that she lives in Knoxville.

Ms. Violette summarized the feelings of staff, parents, and students pleading with Council to consider additional funding for the school system.

Mayor Shoopman recessed the meeting at 6:55pm.

The meeting was reconvened at 7:02 pm.

Clinton Regional Planning Commission Report –

Councilman David Worthington reported that the Board of Zoning Appeals and Clinton Regional Planning Commission met on April 9, 2007. The Board of Zoning Appeals approved a request for a side setback variance for James Burrell at 258 Buffalo Road. The Board deferred action on a request for administrative review of Section 14-601(5) for Tyler Jenkins until the City Attorney could clarify the interpretation of Section 14-601(5). The Board approved a request from Kim Mowery for a front setback variance for Lot 17 & 18 in Mariner Point Unit 6, Phase 5.

Clinton Regional Planning Commission approved a final plat for Michael Brady, Inc. for property located at Fox Family Lane. The Board also approved a final plat for Amy Krause for property located at 518 Riverside Drive. The Board approved a request of road design from Site, Inc. for property located at Hillvale Road for the proposed Wal-Mart Super center. The approval was contingent on the final reading of the annexation by the City and a bond being placed in the amount of \$700,790.40 and that any possible need for the future signal would be negotiated between the developer and City Council. The Board reviewed the B-4 sign ordinance the following recommendations were approved:

1. Base the allowable height and size of on-premise signs on the particular road classification that the sign is fronting upon. The road classifications can be an arterial and non-arterial, according to the Clinton Major Road Plan. The purpose of this recommendation is to minimize the height and size of signs on properties that do not front upon Charles Seivers Boulevard (Highway 61).

2. Incorporate spacing requirements in the regulations in order to minimize or eliminate sign clutter along Highway 61. The greatest potential for sign clutter is on small adjoining lots of record. The following language is recommended to be incorporated in Section 14-309.b (i):

(a). No part of any on-premise signs shall be located within fifty (50)- feet of any other on-premise sign.

(b). For properties containing fifty (50)- feet of road frontage or less, the maximum size of a ground pole sign shall not exceed fifty (50) square feet in area.

3. Clarify the language in Section 14-309.b (i) on the administration of the total maximum square footage for individual businesses. The recommendation change includes the following:

Change (current language): *“In the B-4 Interstate Business District, the maximum square footage in area for the one allowable ground sign shall be two hundred (200) square feet, or two times the amount of sign area allowed on four lane streets in Section 14-309.4.b (ii).”*

TO:

“For signs fronting upon an arterial within the B-4 Interstate Business District, the maximum square footage in area allowed for wall and projecting signs shall be in accordance with Section 14-309.4.b (ii), but the maximum square footage in area allowed for ground signs shall be two hundred (200) square feet or two times the amount of sign area allowed on four lane streets in Section 14-309.4.b (ii).”

4. Recommend upholding the prohibition on off-premise signs within the city.

5. Recommend not increasing the maximum two hundred (200) square foot area requirements for ground signs within the B-4 District.

Clinton Utilities Board Report –

Councilman Charles Lyons reported that CUB has rescheduled their meeting for April 19, 2007 at 3:00 pm.

Mayor’s 21st Century Riverfront Committee – no report given.

Cable TV Committee –

Councilman David Worthington reported that the committee has yet been able to schedule a meeting with Russell Byrd from Comcast.

Retail Task Force –

Councilman Harry Patton reported the Retail Task Force met on Thursday, April 12th. The members of the Merchant’s Association had their first “First Friday Night” event on Market Street on April 6th. The next “First Friday Night” will be in June. The event will not take place in May due to the Antiques Festival.

City Manager’s Report

GENERAL INFORMATION

1. The annual Spring Antique Festival will be held on Market Street on May 4 & 5, 2007.

CURRENT PROJECTS & ACTIVITIES

1. *GREEN McADOO CULTURAL CENTER AND MUSEUM* – The dedication and unveiling of the “Clinton 12” statues will be on May 17, 2007 at 2:00 pm at the Green McAdoo Cultural Center. Governor Bredesen’s office has confirmed his attendance as the keynote speaker at this event. I have contacted local schools and encouraged them to bring their students to this historic occasion.

A letter has been included from Congressman Zach Wamp to the National Park Service regarding the designation of the Green McAdoo Cultural Center site as a National Historic Site.

The documentary film “*The Clinton 12, A Documentary Film*” will be showing at the Nashville Film Festival April 25th and 26th. It has already won the prestigious Nashville Public Television Human Spirit Award in that festival. In its congratulatory letter regarding this award, the NPT stated that the film received the award:

“...for its ability to bring compassionate historical perspective to a time in one Tennessee community when the entire nation was grappling with desegregation and the importance of civil rights. *The Clinton 12* is a meticulously crafted labor of love and one well-told story”

2. *CLINCH RIVER WALKING TRAIL – PHASE 1* –All permits have been acquired, legal documents have been completed and we are currently in the “Negotiation” phase (Phase 3 out of 4). Once we complete these requirements and TDOT has reviewed all of these permits and procedures we will get a Notice to Proceed and put the project out to bid.
3. *CLINTON’S HOME ENHANCEMENT PROJECT* – Barge, Waggoner, Sumner and Cannon continue to be on schedule implementing this project.
4. *FEMA ISSUE* – The parties responsible for fixing the FEMA issues assure us that they are making progress. All necessary paperwork has been filled out and submitted and we are waiting on the final drafts of the revised Federal Flood Maps.
5. *WEALDWOOD SUBDIVISION LOTS* – The City of Clinton is in possession of lots number 7 & 8 in Wealdwood subdivision, I am having the City Attorney review the restrictions that were once assigned to these lots to ensure that they no longer apply. It is staff opinion that there is no need for the City to own this particular residential property, and it would be more beneficial if it was sold, developed and placed on the tax rolls. Steve Jones requested authorization to start the process to sell these lots with any final transaction process being approved by Clinton City Council. Councilman Charles Lyons made the motion to authorize the City Manager to begin the process to sell lot 7 & 8 in the Wealdwood subdivision and was seconded by Councilman Clay Wright. Councilman David Worthington inquired how the property would be disposed of. Steve Jones noted that he would recommend an appraisal and either have an auction or put the property on the market. Mr. Jones indicated that he would bring a recommendation back to Council for approval.

DEPARTMENTAL ACTIVITIES

ADMINISTRATION

1. Finance Report – Vickie Fagan reported Total Available Funds through March 31, 2007 are 78% of projections and Total Expenditures are 80% of projections. Section II of the financial report reflects property taxes collected at 102% and sales tax at 67% which is on target through March. The state shared taxes for gasoline is approximately \$12,700 under projections to date. The Recreation Department is 59% of projections and City Court 53%. Section III, detailed expenditures have General Government at 83%, Public Safety 77%, Public Works 75% and Recreation at 74% of projections for the year.

CODES ENFORCMENT DEPARTMENT –

FIRE DEPARTMENT

1. The bid opening on the three frontline Rescue Pumpers were opened on April 4, 2007. Only one bid was received. After review and analysis of the equipment outlined in the bid package, Steve Jones recommended authorization to lease/purchase the three Rescue Pumpers from Ferrara Fire Apparatus for the amount of \$831,333.00. The bids received did not include the necessary tools and equipment packages because staff felt that we could get better pricing on these items if purchased separately; therefore Mr. Jones recommended that an additional \$118,667.00 be appropriated under the same lease purchase agreement to purchase the necessary items with the total amount not to exceed \$950,000.00. Mr. Jones noted that it takes approximately 8 months to build the pumpers; therefore, the first lease payment would not be due until FY 2008/2009. Councilman David Worthington made the motion to authorize the purchase of three Rescue Pumpers and associated equipment to be applied to a lease/purchase program not to exceed \$950,000.00 and was seconded by Councilman Clay Wright. The motion was moved to carry with Councilman Albert Turner voting no.

POLICE DEPARTMENT

PUBLIC WORKS DEPARTMENT

1. The Spring Cleanup Day generated forty-eight thousand (48,000) pounds of debris, the most ever collected. All Public Works employees worked overtime in order to complete the cleanup in one day, allowing them to return to their normal duties the following day.
2. Crews have been very busy the first month of mowing, trimming and collection litter along our city streets and inside our three (3) industrial parks. Additionally, Public Works mows and maintains the right-of-way along State Route 61 and U.S. 25W, with the exception of the portion of Highway 61 east of the Clinch River and the area of the I-75 interchange, which are mowed by TDOT. Approximately one-half of the City has received its first mowing with the remainder to be completed over the next four weeks.
3. The traffic study for South Clinton Elementary School has yet to be received but work is ongoing and a recommendation will be presented to Clinton City Council once the study is completed.

RECREATION DEPARTMENT

ORDINANCES AND RESOLUTIONS

A. FIRST READING OF NEW ORDINANCES –

Ordinance # 522 – An Ordinance Amending the Zoning Map of the City of Clinton, Tennessee by zoning newly annexed territory Parcel 93.00 Anderson County Tax Map 65, B-2, General Business District. Councilman David Worthington made the motion to approve Ordinance # 522 on first reading and was seconded by Councilman Clay Wright. The motion was moved to carry with Councilman Albert Turner voting no.

Ordinance # 523 – An Ordinance Amending the Zoning Map of the City of Clinton, Tennessee by zoning newly annexed territory, Parcel 112.00 Anderson County Tax Map 54, B-2, General Business District. Councilman David Worthington made the motion to approve Ordinance #523 on first reading and was seconded by Councilman Charles Lyons. The motion was moved to carry with Councilman Albert Turner voting no.

Ordinance # 524 – FY 2007/2008 Budget and Appropriations. Councilman Jerry Shattuck made the motion to approve Ordinance # 524 on first reading and was seconded by Councilman David Worthington. Councilman Jerry Shattuck noted that the City needs to support the schools. The debt service and three of the recommendations of the task force will require approximately \$216,000 to \$281,000

and requested that the City Manager and the Director of Schools find the above amounts in their respective budgets. Councilman David Worthington asked that at least \$55,000 be found to make up for the loss of tuition. Councilman David Worthington recommended a salary freeze for both entities. Steve Jones noted that he had run out of tricks but will have some recommendations for Council. The motion was moved to carry unanimously.

Ordinance # 525 – FY 200/2008 Property Tax Rate. Councilman David Worthington made the motion to approve Ordinance # 525 on first reading and was seconded by Councilman Harry Patton. The motion was moved to carry unanimously.

B. SECOND AND FINAL READING OF ORDINANCES

Ordinance # 518 – An Ordinance amending the zoning map of the City of Clinton, Tennessee by zoning newly annexed territory near the interstate 75 interchange & Highway 61 as B-4, Interstate Business and M-2, Heavy Industrial district, in accordance with the following description and attached zoning map. Steve Jones recommended that Council amend Ordinance #518 to rezone only the requested B-4 property. Councilman David Worthington made the motion to amend Ordinance # 518 to rezone on the requested B-4 zone and delete any reference to the M-2 zone on second and final reading and was seconded by Councilman Clay Wright. The motion was moved to carry with Councilman Albert Turner abstaining from the vote.

Ordinance # 521 – An Ordinance Annexing portion of Hillvale Road right-of way as a supplementary annexation of previous ordinances annexing parcels 56.00 & 40.01 of Anderson County Tax Map 43 and incorporating the same within the corporate boundaries of the City of Clinton, Tennessee. Councilman Harry Patton made the motion to approve Ordinance # 521 on second and final reading and was seconded by Councilman Charles Lyons. The motion was moved to carry with Councilman Albert Turner abstaining from the vote.

C. ADOPTION OF RESOLUTIONS –

Resolution # 581- A Resolution to adopt City-owned vehicle use policies for the City of Clinton, Tennessee. Councilman David Worthington made the motion to approve Resolution #581 and was seconded by Councilman Clay Wright. The motion was moved to carry unanimously.

Old Business –

New Business –

Councilman David Worthington inquired about the Waste Connections employee that was injured. Councilman Worthington suggested that the City could help out the family with approximately \$1,000. Steve Jones noted that he would look at some options.

Visitors –

Mayor Shoopman welcomed all visitors.

Communications from the Mayor –

Councilman David Worthington made the motion to adjourn and was seconded by Councilman Harry Patton. The motion was moved to carry.

Mayor Winfred Shoopman adjourned the meeting at 7:57 pm.

Mayor Winfred Shoopman

Attest:

Vickie L. Fagan, City Recorder