

**March 28, 2011**

**PUBLIC HEARING – MINUTES**

Mayor Burton called the Public Hearing to order on March 28, 2011 at Clinton City Hall at 5:30 p.m. Councilman Larry Gann, Councilman Robert Herrell, Councilman Charlie Lyons, Councilman Jim McBride, Councilman Jerry Shattuck and Councilman E.T. Stamey were present.

Mayor Burton opened the public hearing on the following:

- Ordinance # 580 – Amending the City of Clinton Zoning Map from R-1 (Low Density Residential District) to R-3 (Multi-Family Planned Residential District) – Tax Map 074G, Group C, Parcel 14.00 – off Westbury Drive
- Ordinance # 581 – Amending the City of Clinton Zoning Map from R-2 (Medium Density Residential District) to R-3 (Multi-Family Planned Residential District) – Tax Map 74H, Group C, Parcel 15,00 – off West Broad Street and Nancy Lane
- Ordinance # 582 – Amending the City of Clinton Zoning Map from R-2 (Medium Density Residential District) to B-2 (General Business District) – Tax Map 081, part of Parcel 95.00 – off South Charles G. Seivers Boulevard across from Holbrook Drive
- Ordinance # 583 – Amending the City of Clinton Zoning Map from B-2 (General Business District) to R-2 (Medium Density Residential District – Tax Map 082O, Group F, Parcel 17.00 – Blockhouse Valley Road at Hiway Drive
- Ordinance # 584 – Amending Title 14, Appendix B of the Clinton Municipal Code – to change the classification of “North Eagle Bend Road” from a Minor (Local) Collector to a Major Collector

Alex Stuart, 607 Eagle Bend Road, commented about the rezoning of 710 Eagle Bend Road and what the changes would be by reclassifying Eagle Bend Road. He would like to know what businesses will be allowed to operate. Curtis Perez stated that this would still be zoned R1 designation, low density residential which allows public owned facilities and uses following approval of Planning Commission.

- Ordinance # 585 – Amending Title 14, Section 14-309.3 of the Clinton Municipal Code – “Prohibited Signs”

Councilman Jim McBride made the motion to adjourn the Public Hearing and second made by Councilman E.T. Stamey. Motion carried.

## **REGULAR CITY COUNCIL – MINUTES**

Mayor Burton called the regular City Council Meeting to order on March 28, 2011 at Clinton City Hall. Councilman Larry Gann, Councilman Robert Herrell, Councilman Charlie Lyons, Councilman Jim McBride, Councilman Jerry Shattuck and Councilman E.T. Stamey were present.

### Guest and Staff present:

Ron Young  
Ken Leinart  
Vickie Violette  
Dale Isabell

John Rankin  
Monica Austin Carroll  
Archie Brummitt  
Roger Houck

Lynn Murphy  
Curtis Perez  
Gina Ridenour  
Rick Scarbrough

Councilman E.T. Stamey made the motion to approve the agenda and was seconded by Councilman Rob Herrell. Motion carried.

Prayer was led by Curtis Akers, Clinton Church of God, followed by the Pledge of Allegiance.

Councilman Jim McBride made the motion to approve the February 28, 2011 regular meeting minutes and Councilman Larry Gann seconded the motion. Motion carried.

Mayor Burton wanted to clarify his statement regarding the advancement of CUB funds on page 2, first paragraph, to say that “Mayor Burton commented that staff didn’t alter the City budget due to the advancement”. Councilman Charlie Lyons made the motion to change the Mayor’s comment and was seconded by Councilman Jim McBride. Motion carried. Also, Mayor Burton request change on page 4, under Mayor’s Communication, to correct wording of Councilman Jerry Shattuck’s motion “to allow Mayor Burton to proceed with negotiations with Mr. Houck”. Motion made by Councilman E.T. Stamey to make change and seconded by Councilman Jim McBride. Motion carried.

### **RECOGNITION OF VISITORS AND CITIZENS**

Mayor Burton asked for any public comments.

Jeff Bagwell, 422 Alpine Drive, Clinton and Fire Chief of Andersonville Volunteer Fire Department, request the council to reconsider fund raiser boot drive at the intersection of Hillvale Road and Buffalo Road.

Mayor Burton request City Manager Roger Houck look into any exceptions that would allow volunteer services to have this type of fund raiser. City Manager Roger Houck stated he would check with TML and MTAS.

### **MAYOR’S COMMUNICATION**

Mayor Burton recommended to City Council to make a change in the current personnel policy relative to recruiting and hiring department heads. He asked they authorize the City Manager to

negotiate a compensation and benefits package comparable for said department head vacancy to education and experience level of the person being recruited. Such compensation benefit package would include, but not limited to, salary, leave, annual holiday, sick leave, various insurances, retirement and any other benefits that are normally extended to employees. Mayor Burton continued to state that the negotiated benefits package would follow the established guidelines as closely as possible within budgetary limitations. This recommendation, if approved, would also authorize the City Manager to proceed with any ongoing negotiations as well as recommend any amendments to the various applicable sections in the employee handbook. Councilman Jerry Shattuck made the motion to accept the resolution as read by Mayor Burton and add that the City Manager report any diversion to City Council. Seconded by Councilman E.T. Stamey. Motion carried.

Mayor Burton asked City Council for approval of a new Retail Task Force to focus on retail around the interstate. Motion made for approval by Councilman Jim McBride and seconded by E.T. Stamey. Motion carried.

### **Committee Reports**

#### **School Board Report -**

Dale Isabell presented the Schools Financial Report and request approval of Budget Amendment #5 from City Council. Motion was made by Councilman Jim McBride and second by Councilman Larry Gann. Motion carried.

#### **Board of Zoning Appeals**

Larry Gann reported the Board met on March 14, 2011. Applicant Howard Baker requests for setback variance was approved. Request for "special exception" for home occupation from applicant Brian Ford, 208 Elm Street, was approved. And variance request from Clayton Duncan, Mount Olive Baptist Church was approved.

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

Councilman Larry Gann reported the Regional Planning Commission met on March 14, 2011. Clayton Duncan, Mount Olive Baptist Church was approved for site plan for fellowship hall. Techmer PM was approved for site plan for a detached 3,000 sq. ft. addition. Councilman Larry Gann stated that discussion was made on sign ordinances and sent back to City Council unchanged.

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

Councilman Charlie Lyons reported that Clinton Utilities Board met and March 10, 2011 and presented future plans for an Engineering Operation Complex. Pay vouchers were \$9,786,726.00 and after all bills were paid, net was \$671,136.00.

## **CITY MANAGER'S REPORT**

### **I. CURRENT PROJECTS & ACTIVITIES**

City Manager Roger Houck reported discussions with Lamar Advertising regarding billboards and will have more information next council meeting.

### **II. DEPARTMENTAL ACTIVITIES**

#### **A. ADMINISTRATION**

. Finance Report included in your Council package for review.

#### **B. CODES ENFORCEMENT**

1. The Codes Enforcement Department's monthly activity summary for January 2011 is included in your council package for review.

#### **C. FIRE DEPARTMENT**

1. The Fire Department's monthly activity summary for January 2011 is included in your council package for review.

#### **D. POLICE DEPARTMENT**

1. The Police Department's monthly activity summary for January 2011 is included in your council package for review.

#### **E. PUBLIC WORKS DEPARTMENT**

City Manager Houck reported that Spring Clean up will be held on April 4<sup>th</sup>. Construction crews are busy repairing pot holes and cleaning open ditches for drainage improvements; maintenance crews are performing litter collections and mowing/trimming right of ways. Also leaf collection ended in January and residents needing leaf collection can bag their leaves for and place them alongside their household garbage for collection.

## F. RECREATION DEPARTMENT

City Manager Roger Houck met with representatives with Pyro Shows and obtained a cost estimate for the Annual Fourth of July Fireworks program. Pyro Shows can provide the same program as last year for a cost of \$6,667.00. Since there is no funding designated in the current budget the City will need City Council approval for funding appropriation. Councilman Jim McBride made motion to approve the annual Fireworks Program for \$6,667.00, seconded by E.T. Stamey. Motion carried.

The Community Center will start the Summer Operational Schedule on Monday, March 28<sup>th</sup>.

### **ORDINANCES AND RESOLUTIONS -**

Second reading of:

Ordinance # 579 – Amending the City of Clinton Zoning Map from B-4 (Interstate Business District) to R-3 (Multi-Family Planned Residential District) – Tax Map 043, Parcel 121.00, Lot 7 – off Frank Price Boulevard. Motion made by Councilman Larry Gann and second by Councilman E.T. Stamey. Motion carried.

Ordinance # 580 – Amending the City of Clinton Zoning Map from R-1 (Low Density Residential District) to R-3 (Multi-Family Planned Residential District) – Tax Map 074G, Group C, Parcel 14.00 – off Westbury Drive. Motion made by Councilman Larry Gann and second by Charlie Lyons. After brief discussion, motion carried with one nay vote by Councilman Jerry Shattuck.

Ordinance # 581 – Amending the City of Clinton Zoning Map from R-2 (Medium Density Residential District) to R-3 (Multi-Family Planned Residential District) – Tax Map 74H, Group C, Parcel 15.00 – off West Broad Street and Nancy Lane. Motion made by E.T. Stamey and second by Councilman Larry Gann. Motion carried with one nay vote by Councilman Jerry Shattuck.

Ordinance # 582 – Amending the City of Clinton Zoning Map from R-2 (Medium Density Residential District) to B-2 (General Business District) – Tax Map 081, part of Parcel 95.00 – off South Charles G. Seivers Boulevard across from Holbrook Drive. Motion made by Councilman Jerry Shattuck and second by Councilman Larry Gann. Motion carried.

Ordinance # 583 – Amending the City of Clinton Zoning Map from B-2 (General Business District) to R-2 (Medium Density Residential District) – Tax Map 082O, Group F, Parcel 17.00 – Blockhouse Valley Road at Hiway Drive. Motion made by Councilman Jim McBride and second by Councilman Rob Herrell. Motion carried.

Ordinance # 584 – Amending Title 14, Appendix B of the Clinton Municipal Code – to change the classification of “North Eagle Bend Road” from a Minor (Local) Collector to a Major Collector. Motion made by Councilman Jerry Shattuck and second by Councilman Larry Gann. Motion carried.

Ordinance # 585 – Amending Title 14, Section 14-309.3 of the Clinton Municipal Code – “Prohibited Signs”. Recommendation by Mayor Burton was made to put this Ordinance on hold until next city council meeting to allow time to look at Ordinance 578 which coincides with this ordinance. Councilman Jim McBride made the motion to accept recommendation and second by Councilman Jerry Shattuck. Motion carried.

## **RESOLUTIONS**

Resolution # 682 –

Resolution authorizing a tax-exempt loan pursuant a loan agreement between the City of Clinton, Tennessee, and the Public Building Authority of the City of Clarksville, Tennessee, in the principal amount of not to exceed \$10,000,000; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such public building authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; and, consenting to the assignment of the city’s obligation under such loan agreement. Motion to accept this resolution was made by Councilman E.T. Stamey and second by Councilman Larry Gann. Motion passed by roll call vote. Councilman Jerry Shattuck stated that this resolution is in accordance with the presentation of Tennessee Municipal Bond Fund (TMBF) and requests that designated sources and uses of the funds be as set forth by TMBF presentation dated March 28, 2011 and copy given to city council. Motion made by Councilman Larry Gann and second by Councilman Jim McBride. Motion carried.

Resolution # 683 –

Resolution authorizing a taxable loan pursuant a loan agreement between the City of Clinton, Tennessee, and the Public Building Authority of the City Clarksville, Tennessee, in the principal amount of not to exceed \$3,500,000; authorizing the execution and delivery of such loan agreement and other documents relating to said loan; approving the issuance of a bond by such public building authority; providing for the application of the proceeds of said loan and the payment of such indebtedness; and, consenting to the assignment of the city’s obligation under such loan agreement. Motion was made by Councilman E.T. Stamey and second by Councilman Charlie Lyons. Motion carried by roll call vote. Councilman Jerry Shattuck stated likewise this resolution is in accordance with Tennessee Municipal Bond Fund’s presentation and made the motion that TMBF designate sources and uses of the funds be as set forth by TMBF presentation dated March 28, 2011 and copy given to city council. Councilman Jim McBride second the motion, motion carried.

## **OLD BUSINESS –**

Councilman Rob Herrell asked Chief Scarbrough about traffic on Eagle Bend Road. Chief Scarbrough replied that the Public Works Department had placed signs in designated areas.

**NEW BUSINESS –**

Mayor Burton discussed the City Manager contract offered to Roger Houck. Mayor Burton stated it was a 4 year contract with an annual base pay \$92,000.00 and Mr. Houck will keep his title of Department Head of Recreation and will continue to oversee the recreation department for an additional \$5,000.00 for a total of \$97,000.00 annually. At the end of two years if Mr. Houck doesn't like the position of City Manager, he will have the option of returning to the Recreation Director or continue in both positions. Councilman Larry Gann made motion to accept the City Managers contract. Second by Councilman E.T. Stamey. Motion carried

Motion was made to adjourn by Councilman Jim McBride and second by Councilman Charlie Lyons. Motion carried.

Meeting adjourned at 7:45pm.

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Mayor Scott Burton

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Regina Ridenour, City Recorder