

**September 21, 2009**

## **PUBLIC HEARING**

Mayor Winfred Shoopman opened the public hearing at Clinton City Hall at 5:30 p.m. Councilman Scott Burton, Councilman Larry Gann, Councilman Charles Lyons, Councilman Jim McBride, Councilman Jerry Shattuck, and Councilman Clay Wright were present.

### **Ordinance # 566 – An Ordinance establishing fees for application to the City of Clinton Regional Planning Commission**

### **Ordinance # 567 Investment Management Policy**

There was no comment from the public.

Mayor Winfred Shoopman closed the public hearing at 5:31 p.m.

## **REGULAR CITY COUNCIL – MINUTES**

Mayor Winfred Shoopman called the regular Clinton City Council meeting to order on September 21, 2009, at Clinton City Hall at 5:32 p.m. Councilman Scott Burton, Councilman Larry Gann, Councilman Charles Lyons, Councilman Jim McBride, Councilman Jerry Shattuck and Councilman Clay Wright were present for the meeting.

### Guest and Staff present:

Ron Young

Riley Sain

Vickie Violette

Ron Bridgeman

Vickie Fagan

Susan Wright

Brenda Hackworth

Jackie Nichols

Whitey Hitchcock

Mayor Winfred Shoopman opened the meeting with a prayer.

Mayor Winfred Shoopman led the pledge of allegiance.

Councilman Charlie Lyons made the motion to approve the August 24, 2009 Council and Beer Board minutes as received and was seconded by Councilman Jerry Shattuck. The motion was moved to carry.

Councilman Jerry Shattuck made the motion to move the resolutions and proclamation and a report from the Chamber before committee reports and was seconded by Councilman Scott Burton. The motion was moved to carry.

Jackie Nichols of the Anderson County Chamber of Commerce presented the City with a certificate of achievement from the 3 star Program of Benchmark Level III certifications. Ms. Nichols noted that it is an economic development program and the higher the level the more incentive points you get toward grant rewards. Being a 3 Star community also allow schools to get interest free loans for the school system.

Councilman Larry Gann presented the proclamation for Timely Topics for 75 years of service. Councilman Scott Burton made the motion to approve the Proclamation to the Timely Topics and was seconded by Councilman Clay Wright. The motion was moved to carry.

Councilman Clay Wright presented a proclamation to Brenda Hackworth and Susan Wright to Keep Anderson County Beautiful. Councilman Clay Wright made the motion to approve the proclamation and was seconded by Councilman Larry Gann. The motion was moved to carry.

**Resolution # 654** was presented to Riley Sain and Whitey Hitchcock recognizing the Science Club for their achievements. Councilman Jerry Shattuck made the motion to approve Resolution # 654 and was seconded by Councilman Clay Wright. The motion was moved to carry.

## **Committee Reports**

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### **School Board Report –**

Vicki Violette, Director of Schools reported the enrollment of 861 students and a total of 890 including preschool. Dr. Violette reported that the 6<sup>th</sup> graders have received their laptops and are very thrilled noting that out of 113 students 87 are city residents. Dr. Violette reported that even though they have some cases of H1N1 the absentee rate is only 5- 6 %. The finance report through August indicates that revenues and expenditures are on target. Dr. Violette presented Budget Amendment # 3. Councilman Larry Gann made the motion to approve Budget Amendment #3 and was seconded by Councilman Scott Burton. The motion was moved to carry with a unanimous roll call vote.\_\_\_\_

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

Councilman Charlie Lyons reported the Board of Zoning Appeals met on September 14, 2009. The Board approved a variance for side setback requirements for Alfred Fraker for property located at 401 Riverside Drive. Kenneth Curtis was granted a variance of side setback requirements for the placement of a prefab carport located at 1021 Melton Hill Circle.

The Clinton Regional Planning Commission met on September 14, 2009 and approved a request from Louie Ivey for a final site plan review for property located at 925 S. Charles Seivers Blvd. The Board approved a bond setting from LKM Properties for property located at Charles Seivers Blvd in the amount of \$39,468. John J Smith's request for site plan approval was granted for property located at 170 Frank L. Diggs Drive for a commercial addition to Southern Fitness. The board also approved the recommendations for changes to the Anderson County Zoning Amendments.

## **Clinton Utilities Board Report –**

Councilman Charlie Lyons reported that the Board met on September 10, 2009. Approved vouchers for the month were \$6,978,909 with a net income of \$143,189. Councilman Lyons reported that there will be decreases in the electric rates beginning October 1, 2009 of approximately 2.03%. The Board approved a 3% cost of living raise for the employees.

## **Mayor's Commission –**

Councilman Jerry Shattuck reported that the City has received a Recreational Grant in the amount of \$170,000 for another phase of the greenways. We are currently waiting for the City and the greenways committee to finalize plans for this phase. The matching portion is 20% and will have up to 3 years to complete the project.

## **CITY MANAGER'S REPORT**

Vickie L. Fagan, City Recorder, presented the City Manager's report.

### **GENERAL INFORMATION**

The 9<sup>th</sup> annual Clinch River Antiques Festival will be held in historic downtown Clinton in the Market Street area starting Friday, October 9, 2009 from 6:00 pm to 9:00 pm and Saturday October 10<sup>th</sup> from 9:00 am to 5:00 pm.

## CURRENT PROJECTS AND ACTIVITIES

1. *CDBG GRANT UPDATE* – According to the East Tennessee Development District assessments of work preparing five houses for rehab in this program should be starting right away with construction beginning after the state approves the inspection reports.
2. *GLEN ALPING CONVENIENCE CENTER* – The letter approved by Clinton City Council on August 24, 2009 regarding the City's concerns about the Sinking Springs Road Trash Convenience Center was signed by Mayor Shoopman and delivered to Anderson County Commission on August 25, 2009. There has been no response to this correspondence. Mayor Shoopman reported that there has been some discussion with the commissioners.
3. *QUIT CLAIM DEED REQUEST* – The heirs of Katherine W. Murphy have requested that an undeveloped roadbed be granted to bordering property owners. The details of this request are included in your package. Based on review of the request and attached information, I would request approval of a Quit Claim Deed to the bordering property owners of the undeveloped roadbed outlined in the attached plat. Councilman Clay Wright made the motion to approve the request and was seconded by Councilman Scott Burton. The motion was moved to carry.
4. *CITY OF CLINTON EMPLOYEE HEALTH FAIR* – The City of Clinton will be having its annual health fair for City employees on October 27<sup>th</sup>. This year, because of widespread flu concerns, we're being especially aggressive on preventative measures for our employees
5. *TEA-21 GRANT* – The City of Clinton has been successful in obtaining a grant for Phase II of the Clinton Greenways outlined in the Mayor's Commission Plans in the amount of \$170,168.00. The Greenways Committee has been meeting to outline the details of the trail that will stretch from the Hillcrest intersection of Highway 61 to Mariner Point Subdivision, which will add an additional 6,850 feet of Greenways in the City of Clinton. More details will follow as the Greenways Committee and the City of Clinton finalize the plans. This grant will require a 20% match when it is implemented.

## DEPARTMENTAL ACTIVITIES

### ADMINISTRATION

**Finance Report:** Finance Director Vickie Fagan reported Total Available Funds thru August 31<sup>st</sup> are 24% and expenditures at 14%. Section II shows little activity

in local taxes this early in the year. Sales tax for July and August are staying steady with last year's numbers. In Section III, the detailed expenditures show few expenditures other than salary, benefits and insurance for the year.

FY 2008/2009 – Total revenues and expenditures for the year are \$21,448,117 with a deficit of \$883,000. Local sales tax was \$963,800 less than projected accounting for most of the deficit.

## CODES ENFORCEMENT / BUILDING INSPECTIONS DEPARTMENT

### FIRE DEPARTMENT

### POLICE DEPARTMENT

1. The Clinton Police Department will be hosting its annual Family Night Out on October 8, 2009 starting at 6:00 pm and ending around 9:00 pm. This event will be held in its usual location at the Gazebo area in downtown Clinton.
2. A couple of months ago I asked the Clinton Police Chief to find effective ways to increase the presence of our officers in the neighborhoods of Clinton. This was done in response to several phone calls I received this summer. He responded with a new program which mandates that officers make daily citizen contacts in their areas. All indications are that this program has been very well received. I have attached a memorandum from Chief Scarbrough in your package which also includes samples of these citizen contacts. My thanks to the Clinton Police Department for the development of this program that addresses neighborhood concerns throughout our City.

### PUBLIC WORKS DEPARTMENT

Public Works maintenance crews are wrapping up the summer mowing season and hope to finish within the next four to five weeks. We are currently in the process of preparing for the upcoming leaf collection season, and crews have been performing a mechanical check on leaf collection trucks and vacuum equipment. A schedule of leaf collections will be provided in your October council package, and will be posted on our website, as well as in the local news media. Leaf collections normally begin during the last week of October and continue through mid-January.

### RECREATION DEPARTMENT

## **ORDINANCES AND RESOLUTIONS**

### A. FIRST READING OF NEW ORDINANCE

### B. SECOND & FINAL READING

**Ordinance # 566 – An Ordinance establishing the fees for application to the City of Clinton Regional Planning Commission** – Councilman Scott Burton made the motion to approve Ordinance # 566 on second and final reading and was seconded by Councilman Clay Wright. The motion was moved to carry.

**Ordinance # 567 – An Ordinance providing an Investment Management Policy for the City of Clinton** – Councilman Jim McBride made the motion to approve Ordinance # 567 on second and final reading and was seconded by Councilman Larry Gann. The motion was moved to carry.

### C. RESOLUTIONS

**Resolution # 653 – A Resolution adopting the Program Policies for the City of Clinton’s 2009 HOME Rehabilitation Program** Councilman Jerry Shattuck made the motion to approve Resolution # 653 and was seconded by Councilman Charlie Lyons. The motion was moved to carry.

**Resolution # 655 – FY 2008/2009 Budget Amendments** – Councilman Jerry Shattuck made the motion to approve Resolution # 655 and was seconded by Councilman Clay Wright. The motion was moved to carry unanimously.

## **PROCLAMATIONS –**

## **VISITORS –**

## **OLD BUSINESS**

*Discussion of evaluation process for City Manager –*

Councilman Jim McBride and Councilman Larry Gann indicated that they liked the evaluation from MTAS. Mayor Winfred Shoopman noted that the City Manager is under contract, and it does not allow for an evaluation. Mayor Shoopman felt that an evaluation should be considered at renewal time for the contract and should also look at a pay increase.

Councilman McBride recommended looking at the next month and set a date for evaluation. Councilman McBride felt that an evaluation and a contract are two different things. Mayor Shoopman pointed out that Council has 4 employees: City Attorney, City Judge, City Recorder and City Manager. Mayor Shoopman recommended doing it before the December meeting so that persons that have worked with the City Manager do evaluations rather than new members.

Councilman Jerry Shattuck agreed that the modern management practice is to evaluate but the City Manager poses a different situation with 7 evaluators. Councilman Shattuck felt the MTAS evaluation was better but was too heavy on personality issues. Councilman Shattuck noted economic development, grants, increase in tax base and other issues that are not addressed in the evaluation and these factors need to be included, and Councilman Jim McBride suggested that each member come up with 6 – 8 questions for the next meeting. Councilman Jerry Shattuck questioned how do you interpret 7 different evaluations and convey a consensus to the employee.

**NEW BUSINESS –**

*Review and discussion of penalties I Title 8 Chapter 2 section 15 (3) of the Beer Ordinance.* Councilman Clay Wright made the motion to change the fines to the maximum allowed for all offenses. The motion died for a lack of a second.

**MAYORS COMMUNICATIONS –**

Mayor Winfred Shoopman adjourned the meeting at 7:12 pm.

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Mayor Winfred Shoopman

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Vickie L. Fagan, City Recorder