

January 28, 2008

PUBLIC HEARING

Vice-Mayor Jerry Shattuck opened the public hearing at Clinton City Hall at 5:30 p.m.

Ordinance # 537 – An Ordinance amending the Zoning Ordinance of the City of Clinton, Tennessee by rezoning parcel 143.06, Anderson County Tax Map 74 from R-2 (Medium Density Residential District) to R-1 (Low Density Residential District). Councilman Jerry Shattuck informed the new Council members that this was zoning that had taken place 3 – 4 years ago. This was requested by a land owner who wanted to develop some property for multi-unit housing. This land owner never submitted his final site plan and never did follow through in any regard relative to his plans. The Planning Commission felt it would be appropriate to rezone this parcel back to its original zoning of R-1. Councilman Clay Wright said multiple attempts had been made to contact the land owner with no success.

There was no comment from the public.

Vice-Mayor Jerry Shattuck closed the public hearing at 5:32 p.m.

REGULAR CITY COUNCIL - MINUTES

Vice-Mayor Jerry Shattuck called the regular Clinton City Council meeting to order on January 28, 2008, at Clinton City Hall at 5:32 p.m. Councilman Scott Burton, Councilman Larry Gann, Councilman Jim McBride, Councilman Charles Lyons, Councilman Jerry Shattuck, and Councilman Clay Wright were present for the meeting. Mayor Winfred Shoopman was absent.

Guest and Staff present:

Dale Isabell
Jennifer Jenks
Lillie Reed
Becky Deval
George Painter
Henrietta Kear
Michael Clement
Robert Carpenter
Wendy Lavana

Steve Jones
Vickie Fagan
Johanne Jean-Jacques
Mark Deval
R.C. Hutchins
Gwen Payne
Caleb Clement
Nathan Braden
Clay Schmidt

Vickie Violette
Jim Sanderson
Steve Clapp
Tim Bible
John Winters
Mylina French
Caleb Johnson
Tyler French
Nathan Braden, Sr.

Vice-Mayor Shattuck asked Council if there were any suggested changes to the agenda. There was no comment from Council.

Vice-Mayor Jerry Shattuck led the meeting in prayer.

Boy Scout Troop 131 presented our colors and led the pledge of allegiance.

Vice-Mayor Shattuck informed Council that the City Charter calls for the election of the vice-mayor every two years. Councilman Jerry Shattuck called for nominations for Vice-Mayor. Councilman Wright made a motion to appoint Councilman Jerry Shattuck as Vice-Mayor for the next two year term. There were no other nominations. Councilman Clay Wright made the motion to elect Councilman Jerry Shattuck as Vice-Mayor by acclamation and was seconded by Councilman Charles Lyons. The motion carried unanimously.

Councilman Clay Wright made a motion to approve the December 14, 2007 minutes as received, and Councilman Charles Lyons seconded the motion. The motion carried unanimously.

Committee Reports

School Board Report –

Vickie Violette, Superintendent of Schools, informed Council that the City Schools' annual audit began on November 5, 2007, and in December the auditors informed the City Schools of some reconciliation problems. Dr. Violette noted at the end of December, Mr. Isabell did find one reconciliation problem with the sales tax numbers being more than what the auditors had indicated, and it has been adjusted. On January 15, 2008 while processing W-2's, bookkeeping concerns by a former employee were discovered that indicated problems and was reported to the State Comptroller, and the School System requested a state audit to help determine the specific problem. The State Comptroller's audit field work will begin next week. Ms. Violette indicated she would continue to keep Council informed of the situation. The bookkeeping concerns have been reported to the appropriate individuals and agencies. Ms. Violette stated that any findings from these audits will be addressed and resolved in an appropriate manner. Ms. Violette said they are searching for facts and proof.

Mr. Dale Isabell, Chief Financial Officer for the City Schools, will be available to work through this issue with the auditors. Councilman Scott Burton questioned whether the audit each year is actually a state audit. Mr. Isabell explained that the audit performed each year is an independent contract approved by the City. Mr. Isabell explained some of the safe-guard procedures being utilized such as separation of duties and tightening of internal controls. Councilman Gann questioned the time table of the state audit and Mr. Isabell noted the state audit will last at least a week but it could take up to four to five

months to get the final report from the State Comptroller. Mr. Isabell informed Council the Schools do have a \$100,000 employee dishonesty bond which would cover this any losses in this situation. Councilman Shattuck inquired as to the amount of the discrepancy and Mr. Isabell noted currently, there is about a \$10,000 discrepancy however the auditors could find more as a result of the audit. Mr. Isabell explained that items such overstating and underreporting of revenues as well as overpayments have accounted for the discrepancy. Councilman Shattuck expressed how grateful Council is for Mr. Isabell's services to the City and the Schools. Mr. Isabell stated that the operation of the Schools will be transparent to Council and the public. Councilman Lyons asked if all files have been secured. Mr. Isabell stated all the locks have been changed and precautionary methods have been taken to protect the records.

Mr. Isabell also requested a budget amendment approval (amendment #2). The budget amendment included the following: \$69,900 of fund balance to use for textbooks; an increase in estimated revenues of \$66,009 which includes current property taxes at \$22,000 and sales tax at \$40,000; an increase in appropriations of \$135,909 which includes the textbooks, interest on bonds, and other some other minor expenses; and to improve early childhood education with \$6,467. Councilman Charles Lyons made a motion to approve the budget amendment #2 as set forth on the two page document dated January 10, 2008 and was seconded by Councilman Scott Burton. Mr. Isabell requested a roll-call vote. The motion passed 6-0 in favor of the budget amendment.

Clinton Regional Planning Commission Report –

Councilman Clay Wright reported the Board of Zoning Appeals and Clinton Regional Planning Commission met on January 14, 2008.

The Board of Zoning and Appeals approved the variance to allow a 146.88 sq. ft. wall sign for O'Reilly Automotive Inc. at 626 N. Charles Seivers Blvd. Troy Simcox, 775 S. Charles Seivers Blvd., was approved for a front setback variance. Approval was given to Thomas and Cheryl Loyd for a front setback variance to sixteen feet and for an accessory structure to be placed in the side yard.

The Clinton Regional Planning Commission approved a preliminary site plan for Site, Inc. for the proposed retail shops located at Tanner Lane. Final site plan approval was given to Paula Howell located at 150 Meridian Way. Concept Developments, Inc., located at JD Yarnell Parkway, was approved for an M-1 site plan. Final plat approval to subdivide property located at Glendale Avenue was given to Doyle Cardwell. Thomas Hicks, located at N. Charles G. Seivers Blvd., was approved for a final plat. Final site plan approval was given to Michael Brady, Inc., who was represented by Benji Armstrong, for property located at N. Charles Seivers Blvd. for the proposed Walgreens. Chalice Bingham requested an informal consultation regarding a bond setting for Mountain Meadow Lane and Bingham Drive in Melton Hill Resort. The Planning Commission postponed this due to one of the parties not being present. The rezoning request of Rusty

Cohorst, located at Wealdwood Drive, was denied due to this being part of the Wealdwood Subdivision.

Councilman Jerry Shattuck asked what retail shops would be close to Wal-Mart. Councilman Wright said he has not heard what specific shops will be there.

Councilman Shattuck asked if the final plat approval on Meridian Way in Mariner Point Subdivision was also an approval and acceptance of that street. Councilman Wright stated that he doesn't believe this final plat approval included acceptance of the street. Councilman Shattuck stated that the street needed attention.

Clinton Utilities Board Report –

Councilman Charles Lyons reported that Clinton Utilities Board met on January 10, 2008. The paid vouchers were approved for \$6,203,922 leaving a net loss of \$20,188. The net loss was due to CUB paying three biweekly pay periods during the month rather than two. Councilman Lyons reported that CUB has problems with theft of copper wire from several substations. Some of CUB's accomplishments of 2007 include the following:

- ✓ 11 successive years of no lost time injuries until recently when a car accident occurred with a CUB employee who was not at fault;
- ✓ 9,300 new electric meters have been installed which will save CUB \$9,300 in meter reading cost;
- ✓ no rate increase except what has been passed on by TVA;
- ✓ CUB has the lowest electrical, sewer, and water rates in the area;
- ✓ 191 bad poles have been replaced;
- ✓ 210 miles of new power lines have been cleared which will help if there are ice storms or snow;
- ✓ wastewater collection system improvement;
- ✓ Hillcrest had a new sewer main placed behind the middle school.

Some of these improvements had grants to help with the funding.

Councilman Jerry Shattuck requested Councilman Lyons to provide a survey of the rates of the surrounding counties for the new Council members.

Mayor's Commission –

Vice-Mayor Jerry Shattuck mentioned the improvements to the football field in the Town Springs area. The plans will enhance our athletic and recreational programs in Clinton and greatly add to our cultural programs. The entire project is \$600,000 for which we have a grant that requires a 50% match of \$300,000. The improvements include the following: seating capacity will increase over 1,100; new concession stands; new restrooms; new ticket booths; new fencing; new earth-tone colors; and a pavilion. Phase 2 of the project will enhance the parking area and the park area around the Town Springs.

The Trails project has finally been successfully bid. There is a \$262,000 grant for this project with a \$66,500 local match. George Painter, Sub-Committee Chairman for the Trails project, noted that it has taken over two years to get this project started.

Retail Task Force –

City Manager Steve Jones reported that the Retail Task Force met on January 24, 2008. A new committee has been formed from the Retail Task Force which is made up of 5 individuals. These individuals will include one person from each of the following groups: Antique Merchants Association; Antique Guild; Beautification Committee; Planning Commission; and Historic Zoning Board. This committee will review the historic zoning regulations and recommend any needed updates to the regulations. Councilman Jerry Shattuck asked if the three different merchants' groups who are members on this new committee will attempt to consolidate their efforts. Mr. Jones said this has been discussed. A consultant recommended that the Clinton community have one nice professional pamphlet that promotes the whole city instead of a lot of different pamphlets.

CITY MANAGER'S REPORT

GENERAL INFORMATION

1. Steve Jones invited Council Members to the Southeast Retail Connection conference in Atlanta on February 20th. This conference consists of over 100 different retail commercial outlets that represent restaurants looking for new locations throughout the southeastern United States.

CURRENT PROJECTS AND ACTIVITIES

1. *CLINCH RIVER WALKING TRAIL – PHASE 1*
Bids for this long awaited project were opened for the second time on January 3, 2008 and they were well within the allotted budget. The bids have been tabulated, reviewed, and approved. Mr. Jones recommended that Clinton City Council approve the Phase 1 Clinch River Walking Trail to Cozy Excavation in the amount of \$332,621.00, 80% (\$266,096.80) which comes from the proceeds of the TEA-21 grant program and the other 20% (\$66,524.20) coming from the City's Lease Purchase Program. Councilman Jerry Shattuck inquired about the length of time we needed to pay our matching portion. Mr. Jones stated that the lease purchase program currently in place is a short term

loan. Mr. Jones noted that using this lease purchase program instead of the traditional capital outlay note will get us a lower interest rate. Mr. Jones is expecting contributions toward this project that would offset the City's matching requirements. Councilman Scott Burton asked if there was a variance in case of overrides. Mr. Jones advised that approval of the contract locks the dollar amount, but there is a contingency for engineering and architectural services. The City of Clinton has been very fortunate with major capital projects, and overrides have never been more than 10%. Councilman Jim McBride stated that he is concerned about where the funding for this project is coming from. Councilman McBride thought the City's Lease Purchase Program, approved back in August of 2007, was to acquire tools and equipment. Mr. Jones stated that this is an opportunity to pay as we go and not incur long term debt. Councilman McBride questioned how the new fire station would be funded. Mr. Jones explained that there is a good chance we will be getting a grant for the fire station and a low interest loan from USDA. Councilman Shattuck mentioned when this Lease Purchase Program was approved in August, he felt that there was a possibility that part of this money could be used for the Clinch River Walking Trail. Steve Jones explained the Lease Purchase Program works like a line of credit. Councilman Clay Wright and Councilman Charles Lyons felt it made sense to use the Lease Purchase Program rather than incurring long-term debt. Councilman Shattuck explained if additional facilities and services can be provided to the people without raising taxes, then there is an obligation to do these things if they can be done in a relatively inexpensive manner. Councilman Clay Wright made a motion to approve the Phase 1 Clinch River Walking Trail to Cozy Excavation in the amount of \$332,621.00, 80% (\$266,096.80) which comes from the proceeds of the TEA-21 grant program and the other 20% (\$66,524.20) coming from the City's Lease Purchase Program. Councilman Charles Lyons seconded the motion. Councilman Larry Gann questioned whether there was any possibility of retail sponsorship. Mr. Jones said he is expecting several contributions. The motion passed unanimously.

The South Clinton School / Hiway Drive sidewalk project is approximately 65% complete to date.

2. *HOME ENHANCEMENT PROGRAM*

Six homes have been rehabilitated or replaced under this program.

We are currently working on the contracts and documents for the second phase of the Home Enhancement Program awarded last month. Mr. Jones will keep Clinton City Council informed of future progress on this worthwhile program. Councilman Scott Burton requested the addresses of the rehabilitated homes. Mr. Jones noted that Curtis Perez would be able to supply the request information.

3. *CLINTON STADIUM / TOWN SPRINGS RENOVATION PROJECT*

Last month Clinton City Council approved the contract for the stadium portion of the Clinton Stadium / Town Springs project. City staff has met with Anderson County School officials and asked that they participate in this project because of the obvious benefits to their athletic and band programs. Mr. Jones drafted a modified Anderson County Schools lease agreement that reflects the discussions that took place. A copy of this contract is included in this package. Mr. Jones requested the adoption of the Anderson County Schools athletic facility lease contract. Councilman Jerry Shattuck stated that the City has asked Anderson County Schools to come up with ½ of the local match to be amortized over 5 years of \$150,000. Anderson County Schools requested extending the contract rather than renew from year to year. Councilman Clay Wright made a motion to adopt the Anderson County Schools athletic facility lease contract. Mr. Jones noted that the project will be amortized over 10 years. Councilman Charles Lyons seconded the motion. Councilman Scott Burton asked how much the new fire hall would cost the City if we didn't get the grant. Mr. Jones responded approximately \$350,000. Councilman Jim McBride commended that he has struggled with the way these projects are being funded. Councilman Burton inquired if Anderson County received the gate money from the games. Mr. Jones said Anderson County Schools do get all of the gate money. Councilman Burton suggested the City lease the stadium and field to the County. Councilman Shattuck reminded Council that the entire complex should be considered a whole because it is the City's core of recreational and park facilities. The complex consists of the library, community center, little league field, and the Town Springs. The City owns the library, but is operated by Anderson County. Councilman Larry Gann replied to this saying that when he was athletic director at Clinton High School there was no desire from the School to maintain the field. The revenue received at the gate actually goes directly to Clinton High School for distribution. Anderson County Schools pays the lease, not Clinton High School. Councilman Burton suggested looking at alternative ways to fund this project because if the City Schools were to request additional funds, the City may have to say there was no money available when this money could have been used for the Schools. Councilman Clay Wright agreed but felt that it would be prudent to wait until the audit report is complete before committing funds to the schools. Councilman Scott Burton responded that he felt that \$10,000 in a \$7,000,000 budget is hard to control. The motion carried with Councilman Jim McBride voting no.

The Learn Center, located in the old National Guard Amory is leased for \$1 by Anderson County Schools. Mr. Jones recommended Clinton City Council renew the lease for an additional 10 years for the Learn Center. Mr. Jones informed Council that The Learn Center maintains the building and keeps it up to code. Councilman Jim McBride made a motion to renew the 10 year lease for The Learn Center, and Councilman Larry Gann seconded the motion. The motion carried unanimously.

Mr. Jones recommended Clinton City Council approve the implementation of the Clinton Stadium/ Town Springs Renovation Project- Phase 1 at a cost of \$600,000 with 50% (\$300,000) of the proceeds coming from the approved LWCF grant and the remaining 50% (\$300,000) coming from the City's Lease Purchase Program contingent upon the Anderson County School Board's financial commitment stipulated in the Anderson County Schools lease agreement. Councilman Larry Gann made a motion to approve the implementation of the Clinton Stadium/ Town Springs Renovation Project-Phase 1 at a cost of \$600,000 with 50% (\$300,000) of the proceeds coming from the approved LWCF grant and the remaining 50% (\$300,000) coming from the City's Lease Purchase Program contingent upon the Anderson County School Board's financial commitment stipulated in the Anderson County Schools lease agreement. Councilman Clay Wright seconded the motion. The motion carried with Councilman Jim McBride voting no.

4. *CITY LEASE / PURCHASE PROGRAM*

Mr. Jones informed Council that he prepared a memorandum for Council. Our City departments have had several needs the last 2 to 3 years that have not been funded. CUB made a lot of capital purchases 3 to 4 years ago, and we received a lot of their surplus vehicles which has carried us to this point. We waited until the end of the year in hopes of getting better prices. Most of these purchases are at state bid, which is the lowest bidding price that the state gets on standardized vehicles that is offered to local governments. For most of the vehicles, we averaged \$1,200 - \$1,500 less than the state bid price. All local car dealers were notified to see if they could meet or beat the bid price.

We have already utilized funds from the Lease Purchase Agreement in the Police Department and the Fire Department for the three new fire trucks.

The Fire Department also has an immediate need for a utility/maintenance truck for our Chief Mechanic who also services the Police Department. His current vehicle was acquired from CUB as surplus and currently has over 260,000 miles on it. We have secured pricing for this vehicle that is well under state wide contract pricing. Mr. Jones recommended that Clinton City Council authorize the purchase of a 2008 Ford F-250 utility truck from Neil Sandler Ford for a contract price of \$23,500.00 with proceeds coming from the City's Lease Purchase Program. Councilman Scott Burton asked if this was a bidding process that only certain dealerships participate in. Mr. Jones said that the state goes through a bidding process every year on standardized equipment. Councilman Charles Lyons made a motion to approve the purchase of a 2008 Ford F-250 utility truck from Neil Sandler Ford for contract price of \$23,500.00 with proceeds coming from the City's Lease Purchase Program, and was seconded by Councilman Scott Burton. Mr. Jones informed Council that at the end of the term of the lease, the City will own the vehicle. The motion carried unanimously.

Building and Codes currently needs a new vehicle with 4 wheel drive capability. Mr. Jones noted the purchase price is \$1,350 less than state bid price. Mr. Jones recommended that Clinton City Council authorize the purchase of the 2008 Chevrolet Trailblazer from Alexander Automotive for \$19,410.96 with proceeds coming from the City's Lease Purchase Program. Councilman Larry Gann made a motion to approve the purchase of the 2008 Chevrolet Trailblazer from Alexander Automotive for \$19,410.96 with proceeds coming from the City's Lease Purchase Program, and was seconded by Councilman Scott Burton. The motion carried unanimously.

Public Works will also be asking Council for approval over the next couple of months for other new equipment that is needed.

- a. Mr. Jones recommended that Clinton City Council authorize the purchase of a 2008 Chevrolet 4WD extended cab pickup truck at \$20,299.11 and two (2) 2008 Ford F-250 4WD regular cab pickup trucks at \$36,634.56 for a total of \$56,933.67 from Alexander Automotive with proceeds coming from the City's Lease Purchase Program. Councilman Jim McBride made a motion to approve the purchase of a 2008 Chevrolet 4WD extended cab pickup truck at \$20,299.11 and two (2) 2008 Ford F-250 4WD regular cab pickup trucks at \$36,634.56 for a total of \$56,933.67 from Alexander Automotive with proceeds coming from the City's Lease Purchase Program. Councilman Larry Gann seconded the motion. The motion carried unanimously.
- b. The Public Works Department is in need of an additional mower that is diesel powered. Mr. Jones recommended that the Clinton City Council authorize the purchase of a 2008 Kubota Model ZD 326S Zero Turn 60" mower from East TN Equipment at a cost \$9,088.00 with proceeds coming from the City's Lease Purchase Program. Councilman Scott Burton made a motion to approve the purchase of a 2008 Kubota Model ZD 326S Zero Turn 60" mower from East TN Equipment at a cost \$9,088.00 with proceeds coming from the City's Lease Purchase Program. Councilman Charles Lyons seconded the motion. Councilman Lyons questioned what is included in the mowing contract. Mr. Jones stated that under the contract a lot of athletic fields are mowed. The motion carried unanimously.

The Recreation Department needs to replace 3 pickup trucks as well. Mr. Jones requested that Clinton City Council authorize the purchase of a 2008 Chevrolet Trailblazer at \$19,410.96 and two (2) 2008 Ford F-250 regular cab pickup trucks at \$36,634.56 for a total cost of \$56,045.52 from Alexander Automotive with proceeds coming from the City's Lease Purchase Program. Mr. Jones noted that later he would be requesting approval from Council to surplus all the vehicles that are being replaced and sell them in the next drug

auction in the spring. Councilman Jim McBride asked if the proceeds from the auction would go toward the principal of these loans. Mr. Jones said the proceeds generally go into the undesignated fund balance; however, Council can designate where they want these funds to go. Councilman Clay Wright made a motion to approve the purchase of a 2008 Chevrolet Trailblazer at \$19,410.96 and two (2) 2008 Ford F-250 regular cab pickup trucks at \$36,634.56 for a total cost of \$56,045.52 from Alexander Automotive with proceeds coming from the City's Lease Purchase Program and was seconded by Councilman Larry Gann. Councilman Lyons noticed that the two 2008 Ford F-250 trucks that were approved for purchase for public works are the same, but it states that they are 4 wheel drive yet it's not indicated here. Councilman Lyons requested amending the motion to include that these two 2008 Ford F-250 regular cab pickup trucks are 4 wheel drives. Councilmen Wright and Gann amended their motions. The motion carried unanimously.

5. *AUTHORIZATION TO PURSUE GRANT FUNDING*

In accordance with previously approved practices of the Clinton City Council, Mr. Jones requested authorization to file for various grant funds through the State and Federal Government they become available. This would include, but not be limited to, funds for building renovations, water and sewer rehabilitation and improvements, drainage improvements, infrastructure improvements and funding for additional employees and equipment. Councilman Charles Lyons made a motion to approve authorization for the City Manager to apply for various grant funds through the State and Federal Government as they become available and was seconded by Councilman Jim McBride. The motion carried unanimously.

DEPARTMENTAL ACTIVITIES

ADMINISTRATION

Finance Report: Finance Director Vickie Fagan reported the following: we are half-way through the year; total available funds are 61%; total expenditures are 59%; property taxes collected are 42%; local sales taxes are 45% which is one month behind yet we are still showing an overage; licenses and permits are 74%; state funds are 49% which includes \$142,000 in HUD grant money for the rehabilitation of the homes; recreation charges are 57%; court fees are 53%; account #36915 is proceeds from the lease program where the City has been reimbursed for the items that were purchased under the lease program; general government expenditures are 59%; public safety 58%; public works 54%; and recreation 60%.

Mr. Jones informed Council that a preliminary budget would be ready for first approval by March.

The 457(b) plan has been implemented and currently 50% of the City's employees are participating.

CODES ENFORCEMENT / BUILDING INSPECTIONS DEPARTMENT

1. Codes Enforcement Officer Curtis Perez reported that the AISIN Automotive Castings expansion and the other retail developments continue to be on schedule. Mr. Jones announced that AISIN is actually four days ahead of schedule.
2. Mr. Jones went to Nashville to meet and discuss with TDOT the needed traffic signal going into Hwy 61 at Frank Diggs Drive at the entrance of the I-75 Industrial Park. Funding from the State will be available for this with no cost to the City. TDOT will also install the railroad crossing on Broad Street going up to Green McAdoo.

FIRE DEPARTMENT

Fire Department Annual Report

Fire Chief Archie Brummitt prepared an annual report in which Mr. Jones introduced to Council. Mr. Jones remarked on the increase in longevity and experience of our firemen. This past year the call volume increased 9%. Councilman Larry Gann noticed the increase in service calls over the past few years and asked if these could be diminished. Mr. Jones explained that service calls are any calls for service. Councilman Jim McBride asked if homeowners insurance and ratings are determined by response time or how close a fire station is to someone's house. Mr. Jones said it is determined by many factors which include the two mentioned and the following: availability of water; proper water pressure; man power; number of people working in dispatch; quality of equipment; and location of the stations. Our fire department has a rating of a 4, and only three cities in Tennessee have a rating better than a 4. Homeowners in Clinton receive a big savings in their homeowner insurance. Mr. Jones also pointed out that the response time decreased by 9%.

POLICE DEPARTMENT

1. Police Department Annual Report

Chief of Police Rick Scarbrough reported that there were 1800 less total calls for service which is attributed to the discontinuance of the school resource officer program. The following crimes against property and persons increased: 48 more burglaries; 42 more thefts; 22 more assaults; and 36 more domestic violence calls. Arrest rates were up due to these increases which included 400 more felony investigations. The following types of arrests increased: 9 more

burglary arrests; 32 more theft arrests; 7 more assault arrests; and 30 more domestic assault arrests. There were 800 more charges filed and 400 more individuals cited to City court. The clearance rate was over 40%, which is arrest and conviction. Chief Scarbrough commended his patrol officers and detectives.

Councilman Shattuck also questioned the Police Chief about the K-9 situation. Chief Scarbrough explained the following: two K-9's died last year; one was purchased by Sheriff's Department when his trainer changed jobs; the new K-9 will be certified by May; currently Ringo is the only K-9 available for service; and they are interested in trying to purchase two more K-9's from their broker to get the number of K-9's up to four. Chief Scarbrough mentioned that once a K-9 is purchased, the K-9 and his trainer must go through 200 hours of training together. Drug proceeds pay for the K-9 program.

2. The Clinton Police Department recently completed its first Rape Aggression and Defense (RAD) class, and the response was outstanding. Mr. Jones thanked Kelly Simerly, wife of Clinton Police Sgt. Bob Simerly, who instructed the class. There were 22 participants in this class and another class is planned for April because of the wide spread interest. Anyone interested should contact Clinton Police Chief Rick Scarbrough or Sgt. Simerly at the Clinton Police Department.
3. Implementation of the new security system at Clinton City Hall and implementation of the patrol car digital camera upgrades are almost complete. Approximately \$50,000 from the City's drug fund was used to assist in the implementation of these projects.
4. DARE graduation was held on January 25th at the Clinton Elementary School Auditorium. Approximately 150 5th grade students completed the DARE curriculum this year. This marks the 13th year that the Clinton Police Department has provided this program to our schools.

PUBLIC WORKS DEPARTMENT

1. In the Public Works Department, maintenance crews have just completed the third and final cycle of leaf collections. Between now and mowing season, these crews will be performing the annual inspections and maintenance to our storm water drainage ways to remove potential obstructions that cause flooding. Brush, leaves, and litter will be removed in anticipation of spring rains.
2. Public Works construction crews are continuing work on the sidewalk project on Hiway Drive. Within the next month, pedestrians will be able to enjoy a concrete sidewalk that connects the South Clinton Elementary School, South Clinton Park, and the retail center at Apple Drug and Sav-a-Lot grocery.

Councilman Jerry Shattuck asked about the plans regarding connecting the sidewalk to Blockhouse Valley Road. Mr. Jones answered saying there is enough room in the roadway to make a pedestrian lane, which is actually on the side of the street. This will probably be what is recommended when the time comes.

RECREATION DEPARTMENT

We have received proposals for the mowing contract which we have modified to reflect a two year contract this year for our Parks and Recreation facilities. After careful review of the proposals and an inspection of the apparent low bidder's equipment, Mr. Jones recommended acceptance of the low bid from Branum Lawn Service in the amount of \$15,170 for the 2008 and 2009 calendar year. This price is still well under the original expense the Public Works Department was spending for annual summer employment to handle the mowing under this contract. Councilman Scott Burton made a motion to accept the low bid from Branum Lawn Service in the amount of \$15,170 for the 2008 and 2009 calendar year, and Councilman Clay Wright seconded the motion. The motion carried unanimously.

ORDINANCES AND RESOLUTIONS

A. FIRST READING OF NEW ORDINANCES

Ordinance #538 (Proposed) – An Ordinance amending the Zoning Ordinance of the City of Clinton, Tennessee by rezoning parcel 30.00, Anderson County Tax Map 81 from R-1 (Low Density Residential) to B-2 (General Business District). The Planning Commission did not recommend rezoning. Councilman Charles Lyons made a motion to deny rezoning of parcel 30.00 Anderson County Tax Map 81 in Ordinance #538, and was seconded by Councilman Clay Wright. The motion to deny Ordinance #538 passed unanimously.

B. SECOND AND FINAL READING OF ORDINANCES

Ordinance # 537 – An Ordinance amending the Zoning Ordinance of the City of Clinton, Tennessee by rezoning parcel 143.06, Anderson County Tax Map 74 from R-2 (Medium Density Residential District) to R-1 (Low Density Residential District). Councilman Scott Burton asked again if every attempt had been made to contact this individual. Councilman Clay Wright stated that many attempts to contact his person had been made. Councilman Charles Lyons made the motion to approve Ordinance #537 on second and final reading with Councilman Scott Burton seconding the motion. The motion passed unanimously.

C. ADOPTION OF RESOLUTIONS

Resolution # 610 – A Resolution to authorize the application to Tennessee Local Parks and Recreation Fund (LPRF) to fund proposed improvements not to exceed \$500,000 for capital improvements to the Clinton Community football field and area. Mr. Jones told Council this Resolution is authorizing us to apply for the second phase of the Clinton Stadium/ Town Springs area. The second phase is primarily reconfiguring the parking area, including the street outside and some drainage issues. Mr. Jones informed Council this is a process that would take some time before we get the grant. Once the award of the grant is announced, it takes a year to get the grant. Then, we have three years to implement it. Therefore, there is time to build up the undesignated fund balance. Councilman Scott Burton asked who receives the money if a fee is charges to park. Mr. Jones explained that there are no charges for parking at the football field. Councilman Larry Gann made the motion to approve Resolution #610, and Councilman Charles Lyons seconded the motion. The motion passed unanimously.

PROCLAMATIONS –

Dewey Warren, “The Swamp Rat”, the Mayor presented Mr. Warren with a proclamation Mr. Warren was a former quarterback for the University of Tennessee. Mr. Warren was a featured speaker at an annual banquet for the Clinton High School football team.

VISITORS –

Vice-Mayor Jerry Shattuck asked if any visitors would like to speak. Henrietta Kear, who resides in the South Clinton area, stated that she was having trouble with Codes Enforcement Officer, Curtis Perez. Ms. Kear has been cited to court and has been coming to court every month since July because of an ordinance regarding the placement of a carport. Ms. Kear informed Council that her driveway was in the front of her house, and the carport is in the driveway. Ms. Kear did go to the Zoning Board to discuss this matter and said the Zoning Board seemed more concerned with the non-operable vehicle that the structure was covering. Ms. Kear explained that there were more of these types of structures in the neighborhood. Judge Mike Farley told Ms. Kear to come before Council to see whether or not she is allowed to have this carport. Ms. Kear stated she had spoken with Mr. Kidwell, who was the previous Codes Officer, and was told this type of carport, which was \$100 from K-mart, would be fine. Councilman Clay Wright informed Council that a non-operable vehicle was not allowed to be stored in an enclosure like this; it must be an approved structure. Councilman Wright continued saying the other carports appear

to be used by daily driven vehicles, and this is permitted. Ms. Kear said this structure has been up for five or six years, and Mr. Kidwell didn't inform her that she needed a permit. Councilman Wright noted there have been some new ordinances passed in the last two years and suggested that Ms. Kear bring this before the Zoning Appeals. Councilman Charles Lyons questioned if this structure was there before the ordinance was adopted whether or not it could be grandfathered. Councilman Wright said he would check into this. Councilman Shattuck told Ms. Kear to speak to Mr. Perez and try to come before the Zoning Appeals again.

NEW BUSINESS –

Councilman Clay Wright informed Council he has sent a letter to Comcast because he feels that they are violating the franchise agreement. Councilman Wright intends to hold public meetings regarding the problems associated with Comcast. At the February meeting, Councilman Wright will request an official letter drafted by the city attorney be sent to Comcast indicating that they are in violation of the franchise agreement. Councilman Wright has sent Mr. Byrd a letter notifying him that there is a problem that needs to be addressed.

COMMUNICATIONS FROM MAYOR –

Vice-Mayor Jerry Shattuck informed Council that the Mayor had made some appointments for the Boards and Commissions of the City of Clinton.

The Mayor would like to replace Councilman Clay Wright with Councilman Scott Burton on the Anderson County Economic Development Association Board. Councilman Jim McBride made a motion to approve the appointment of Councilman Scott Burton to the Anderson County Economic Development Association and was seconded by Councilman Charles Lyons. The motion carried unanimously.

The Mayor would like to appoint Councilman Larry Gann to replace Councilman Jerry Shattuck on the Clinton Recreation Advisory Board. Councilman Scott Burton made a motion to approve the appointment of Councilman Larry Gann to the Clinton Recreation Advisory Board and was seconded by Councilman Jim McBride. The motion carried unanimously.

The Mayor would like to reappoint City Manager Steve Jones and replace Councilman Clay Wright with Councilman Jim McBride on the Elder Citizens Advisory Board. Councilman Charles Lyons made a motion to approve the appointments of City Manager Steve Jones and Councilman Jim McBride to the Elder Citizens Advisory Board and was seconded by Councilman Clay Wright. The motion carried unanimously.

The Mayor would like to replace Councilman Jerry Shattuck with Councilman Larry Gann on the Beautification Board. Councilman Charles Lyons made a motion to approve the

appointment of Councilman Larry Gann to the Beautification Board and was seconded by Councilman Scott Burton. The motion carried unanimously.

The Mayor would like to appoint Councilman Jim McBride to the Retail Task Force and the mayor's representative on the Anderson County Chamber of Commerce Board of Directors. Councilman Larry Gann made a motion to appoint Councilman Jim McBride to the Retail Task Force and the mayor's representative on the Anderson County Chamber of Commerce Board of Directors and was seconded by Councilman Scott Burton. The motion carried unanimously.

Councilman Jim McBride made a motion to adjourn, and Councilman Larry Gann seconded the motion. Vice-Mayor Jerry Shattuck adjourned the meeting at 7:56 p.m.

Vice-Mayor Jerry Shattuck

Vickie L. Fagan, City Recorder

Attest: