THE CITY COMMISSION
CITY OF PARIS, TENNESSEE
April 3, 2014
REGULAR MEETING

The Board of Commissioners of the City of Paris, Tennessee met in regular session Thursday, April 3, 2014 at 6:00 p.m. in the City Hall Courtroom of the City of Paris, Tennessee for the purpose of conducting the following and any other business:

OLD BUSINESS:

NEW BUSINESS:

1. Financial Update
2. Appointments to Boards
3. Composition of Planning Commission
4. City Manager Replacement Plan
5. Proposed Job Description for Finance Director as Assistant City Manager
6. Ordinance to Ament Title 8 Chapter 1 Section 8-104 Number 5
7. Options for the Execution of MS-4 Program

Present: Mayor Sam Tharpe
Vice Mayor Gayle Griffith
Commissioner Pete Lackey
Commissioner Carlton Gerrell
Commissioner Terry Fuller

Also Present: Carl Holder, City Manager
Fred McLean, City Attorney
Kim Foster, Finance Director
Willette Ray, Administrative Assistant to the City Manager
Jennifer Morris, Community Development Director
Mike Brown, Building Inspector
Traci Pillow, Account Clerk
Lana White, Account Clerk
John Etheridge, Board of Public Utilities
Michael McClure,

Media: Bill McCutcheon, The Paris Post-Intelligencer
Shannon McFarlin, WTPR

Mayor Tharpe called the meeting to order. The Pledge of Allegiance was led by Commissioner Fuller and a Moment of Silence was observed. Mayor Tharpe asked for special prayer for former City Commissioner and City Manager George Moore.

APPROVAL OF MINUTES

The minutes of the previous meeting held Thursday, March 6, 2014 were approved with a motion by Commissioner Lackey and seconded by Commissioner Gerrell. The motion carried unanimously.

COMMENTS FROM CITIZENS & PUBLIC

City Manager Carl Holder read a letter that was submitted from Mr. Holycross that thanked the Mayor for the outstanding job that he has done and to keep up the good work.

COMMENTS FROM THE COMMISSION

No Comments.

NEW BUSINESS

FINANCIAL UPDATE

The Financial Report was presented by Finance Director Kim Foster. The following information was given: We are starting calendar year 2014 on a good note with retail sales in January exceeding January 2013 sales by 1.67%. January is historically the weakest sales month of the year, but it's nice to see that 2014 improved over January 2013. If our figures follow the State's prediction we should see steady but minimal growth this year.

Revenues, after being adjusted for extraordinary items, are at 67.08% of budget in the General Fund and are at 66.23% of budget in the Solid Waste Fund. Expenditures, after adjustments, are at 65.07% of budget in the General Fund and at 70.79% of budget in the Solid Waste Fund.

For the first time this fiscal year our revenues are ahead of our expenditures. Although this is positive, remember that that February is our biggest collection month of the year for property tax. We typically collect almost 40% of all our property tax revenues in February, and we seem to be mimicking that trend this year. Also, since the budget adjustment was not passed until our March meeting, this month's budget is still our original budget. Foster stated that she would make the adjustments on the March statement.

APPOINTMENTS TO BOARDS

There were no appointments to be considered for this month.

COMPOSITION OF PLANNING COMMISSION

In 2007, the Planning Commission was expanded to eight (8) members in order to accommodate a statutory change related to representation of the Urban Boundary Area. A recent resignation created the opportunity to reduce the body to seven (7). The City Attorney informed the Commission of the options on this matter.

McLean stated that we are a Municipal Regional Planning Commission and which means we have been designated by the Department of Economic and Community Development and be able to control the urban growth boundary.

We now have seven (7) members and instead of appointing an eighth member, it was recommended by Staff that we amend Section 11-201 of the Paris Municipal Code to provide that the body consist of seven (7) members. This in turn will provide additional flexibility because the statue designates this as a regional planning commission and mandates that we have to have members from the planning region. One member can be from the planning region if the planning region is less than 50% of the total regional area.

After a lengthy discussion, Commissioner Gerrell made a motion to pass on caption on First Reading to amend Section 11-201 of the Paris Municipal Code and refer to the Planning Commission for their recommendation. The motion was seconded by Commissioner Lackey and approved unanimously.

MANAGER REPLACEMENT PLAN

The Commission instructed the City Manager to prepare a proposed schedule for selecting his replacement. Attached is a copy of the replacement plan presented.

Draft Proposal of City Manager Replacement Schedule

March 11	Issue draft of Preparatory Plan for Foster
March 15	Finalize Plan
April 3	Presentation of proposed Assistant City Manager job description
May 1	Commission approves / rejects ACM position; if approved, placed in FY 15 Budget
June 5	City Manager's first quarter critique of Foster's progress
September 4	Second quarter progress report
	Commission decides: (a) select Foster, (b) open position for advertisement, or (c) defer decision
	Under each scenario preparation of Foster continues (b) then advertise position based on ad prepared by City Manager as modified by Commission. Ad should appear in ICMA Newsletter, TCMA Newsletter, TML Town and City. Tennessean newspaper, optional. Establish a method for evaluating resumes
October 31	Deadline for resumes
November 3 thru November 15	Disseminate resumes; report back on preferences
November 4	Election Day; if more than one new Commissioner, we will need to delay the process (Various methods have been employed for selecting candidates; for example, (a) each Commissioner submits 3 to 5 names, ranking up to ten persons; or (b) Each Commissioner nominates one person with the Commission ranking them 1, 2, 3, 4, 5 for interviews.

November 17	Begin arranging interviews based on the number of preferred candidates
Month of December	Interviews
January 5	Decision and have at least one option or at least one candidate
Allow 4 to 6 weeks	Begin negotiations on salary, starting date, etc. Also conduct thorough background check, and check resume
March 2	On the job or selection in place
	Allow for 2 to 3 month overlap if desirable

PROPOSED JOB DESCRIPTION FOR FINANCE DIRECTOR AS ASSISTANT CITY MANAGER

The Commission requested that the City Manager prepare a proposed job description for an Assistant City Manager also serving as Finance Director.

Duties as Finance Director would be primary and the decision to promote the Finance Director to Assistant City Manager should be optional.

The following job description was submitted:

DIRECTOR OF FINANCE
SERVING AS ASSISTANT CITY MANAGER

Nature of Work

In addition to the duties normally performed as the Director of Finance and City Recorder, the Assistant City Manager shall assist with the daily operation of city government activities under the supervision of the City Manager.

Illustrative Examples of Work

Assists with the overall operation of the city and monitors the performance of departments. Recommends corrective action when necessary.

Assists with the administration of the city budget, as well as the development of documents such as the capital budget plan, personnel policies and procedures, etc.

As assigned by the City Manager, consults and cooperates with Boards and community groups.

Prepares administrative directives and upon request of the City Manager, conducts analyses of administrative programs and projects of the city

Assists in administering and coordinating federal and/or state grants applied for and received by the city; stays abreast of grant programs and opportunities for future funds.

Serves as City Manager in the absence of the City Manager temporarily (vacation, sick) or long-term (leave of absence).

Performs other duties as required by the City Manager.

Desirable Knowledge, Abilities and Skills

Comprehensive knowledge of the general operations of a city government.

Comprehensive knowledge of municipal budgetary principles and practices.

Ability to study municipal operations and make recommendations for improvements.

Ability to express ideas and information clearly, concisely and convincingly both orally and in writing to staff, the governing body, and to the general public.

Ability to establish and maintain effective working relationships with the general public, employees, and elected officials.

Qualifications

Graduation from an accredited college or university including or supplemented by accredited courses in accounting, business administration, political science, public administration, economics, or city management.

A minimum of three (3) years administrative experience in public administration or similar field; or a master's degree in public administration, and two (2) years' experience in municipal government at a Department Head or comparable level.

After a lengthy discussion, Commissioner Fuller made a motion for City Attorney McLean to prepare a Resolution which will add a note at the end of both job descriptions of the Finance Director and the Assistant City Manager that only one of these positions will be filled and the other note will be removed by the Commission. Commissioner Lackey seconded the motion which carried unanimously.

ORDINANCE TO AMEND TITLE 8 CHAPTER 1 SECTION 8-104 NUMBER 5

Since we have converted to total curbside collection, we have individuals who choose to leave their refuse cans in their front yards permanently. As you might expect neighbors often complain about the unsightliness of this arrangement.

Staff requests that this proposed ordinance be passed on caption in anticipation of the City Attorney developing the final form.

After a brief discussion, the Commission requested that City Attorney McLean prepare an Ordinance to amend Title 8 Chapter 1 Section 8-104 of the Paris Municipal Code that would have a resident place their trash receptacles or trash bags in an appropriate location for collection. They would have 24 hours if they have been placed in the front yard to remove them. A note will be left if directions have not been followed properly.

OPTIONS FOR THE EXECUTION OF MS-4 PROGRAM

Attached is a memo outlining possible funding scenarios for administering the MS-4. Staff requests some direction in order to budget appropriately.

MEMO

TO: Mayor Tharpe and Board of Commissioners

FROM: Carl Holder, City Manager

DATE: Tuesday, March 25, 2014

RE: MS-4 Program

Attached is a memo outlining our limited options for initiating and executing the MS-4 Program.

Also attached is a partial handout outlining the components of the program. Number 1 and Number 2 are administrative functions while Number 3 through Number 6 are technical aspects requiring field work follow-up.

We have investigated the cost of executing the MS-4 program assisted by John Chlarson, MTAS Public Works expert. First, 95% of the program requirements must be addressed in the first year. The only component which is factored in over five years is full enforcement.

The options presented here are:

OPTION 1

Consider re-establishing the position of City Engineer. I initially thought that this could be a line position replacing the Public Works Director, but Staff disagreed. Upon further investigation, I concurred with them that the office should be a technical position.

I estimate the personnel cost at $83,500.

Direct Budget Offsets

(1)	Annual MS-4	$40,000
(2)	Engineering currently farmed out from General Fund	$12,000
(3)	Currently farmed out from Solid Waste	$3,000 - $5,000
	Subtotal	***$55,000 - $57,000***

Indirect Value – Intangibles we cannot readily quantify

(1)	Drainage Project engineering	$5,000 - $15,000
(2)	Professional Plan Review	2,500
(3)	Review state Projects	1,500
(4)	General engineering experience (unplanned activities)	5,000 – 10,000
(5)	Prevention of corrective actions	3,000 – 5,000

(6)	Infrastructure assessment	2,000
(7)	City Representative on engineered Projects	5,000
(8)	Grant Engineering	2,000
	Subtotal	***$26,000 – $43,000***
	Grand Total	***$81,000 – $100,000***

Unfortunately, we will continue to see concerns pushed down to our level by the State and Federal governments in areas requiring greater technical engineering expertise.

OPTION 2

Hire a part-time person to administer junk, nuisance, and health ordinances. This person could be part-time at 29 hours or less. The cost would be $27,000. This would require removing all junk enforcement off the City Planner and Codes Officer.

The Codes Officer then handles all field work and the Community Development Director would handle the public education and public participation.

This option probably understaffs the MS-4 as relates to field work. If that is the case, we have "boxed" ourselves in unless we expand the hours of the Health Officer to full-time and train him/her to do SWPPP inspections. The additional cost would probably be on the order of an additional $20,000.

OPTION 3

1. A third option would be to shift all MS-4 field work onto the Codes Department. Removing all responsibility for junk and health ordinance enforcement which would shift to the Director of Community Development.

We could hire a part-time Program coordinator to keep records, handle the public participation and involvement. The cost is estimated at $20,000. However, it will be necessary to remove her from involvement in a number of secondary activities such as retail recruitment, grant administration, DPA and other secondary activities.

The major problem with this option is the high probability of failure as the MS-4 load increases and the difficulty of redefining the Community Development Director position to eliminate meaningful activities.

Attached is the TDEC Chart we utilized in deriving MS-4 field needs and a translation to a City scenario.

TDEC Chart

Inventory	200 Permits	200 Permits	200 Permits	200 Permits	200 Permits
Activity	Plan review	swppp review	Inspections	Pre project conference	Project close-out
Standard	1 plan / 1.0 days / employee	1 swppp / 1.0 days / employee	1 inpsec / 0.125 days / employee	1 conf / 1.0 days / employee	1 closeout / 2.0 days / employee
Level of Service	1	1	1	1	1
Available Work Days	200	200	200	200	200
Production Requests	200 plans / year	200 swppp / yr	2400 insp / yr	200	200
Crew Days	200	200	300	200	400
Resource Requests	1 employee	1 employee	1.5 employees	1 employee	2 employees

According to this, if you had 200 construction permits per year, and did 1 inspection per month on each project, and the projects lasted a year, you'd need 6.5 employees to provide this scope of services given these standards and these levels of service.

City of Paris Chart

Inventory	25 Permits	25 Permits	25 Permits	25 Permits	25 Permits
Activity	* Plan review	swppp review	Inspections	Pre project conference	Project close-out
Standard	1 plan / 1.0	1 swppp / 1.0	1 inspection /	1 conf / 1.0 days	1 closeout / 2.0

	days / employee	days / employee	0.125 days / employee	/ employee	days / employee
Level of Service	.125	1	.125	.125	.125
Available Work Days	225	225	225	225	225
Production Requests	25 plans / year	25 swppp / yr	150 inspections / yr	25	25
Crew Days					
Resource Requests	.02 employee	.11 employee	.08 employees	.11 employee	.22 employees

According to this, if you had 25 construction permits per year, and did 1 inspection per month on each project, and the projects lasted 6 months, you'd need .55 employees to provide this scope of services given these standards and these levels of service.

* Only 20% increase over current level.

Additionally, the administrative responsibilities are estimated at about 50% of the field work or about 80% of a $50,000 employee.

STATUS OF VARIOUS PROJECTS AND DEPARTMENTAL SUMMARIES

The Ongoing Project Update Sheet, as March 28, 2014 is presented for your review.

ONGOING PROJECTS (as of 03-28-14)

	Item	Primary Staff	Target Completion Date(s)	Notes
1	218 Bypass	Holder / Morris / Greer	All purchases completed	Missed January 22nd deadline for purchases due to railroad issues; Morris actively working with railroad, TDOT, and Greer to resolve. Major issue with moving utilities based on revised plans; trying to find less costly solutions.
2	Valleywood Drainage Project	Holder / Jessie	Ongoing	ARAP permit denied; reapplying; have General Permit with 100' ft. of man-made structures
3	MS-4 Permit	Holder / Morris / Jessie / Brown	5 Year Implementation	Establishing Staff levels and budget requirements
4	Back Alley Paris Proposal	Holder / Morris	N / A	Major grant applications submitted; Denied ArtPlace America
5	Annexation Projects	Holder / Morris	Finished	Amending for pressure issues on 79 South; Also on Peppers Drive, Garland Avenue and 77 South
6	MTAS Benchmarking	Morris / Holder / Greer		Final FY 2013 results on March 27th

7	Collinwood Drainage	Public Works	Weather dependent	Complete Phase I; Starting Phase II; Weather permitting; Engineering complete.
8	Long Range Planning	Staff	January 1, 2014	Evaluation of various issues underway

There being no further business the meeting was duly adjourned at 7:05 p.m.

/s/Samuel Tharpe
Mayor

/s/Kim Foster
Finance Director