THE CITY COMMISSION
CITY OF PARIS, TENNESSEE
MAY 1, 2014
REGULAR MEETING

The Board of Commissioners of the City of Paris, Tennessee met in regular session Thursday, May 1, 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:

1. Ordinance to Amend Title 8 Chapter 1 Section 8-1040 Number 5 (Second Reading)

NEW BUSINESS:

1. Financial Update
2. Appointments to Boards
3. Resolution to Adopt the 2013 Updated Henry County Basic Emergency Operations Plan
4. Ordinance to Amend 11-201 of the Municipal Code to Change the Number of Planning Commission Members (First Reading)
5. Resolution to Amend the Personnel Rules and Regulations
6. IT Support
7. Bond Issuance
8. Rezoning Request for Property Located on Volunteer Drive
9. CDBG Eligibility of Willette Ray

STATUS OF VARIOUS PROJECTS AND DEPARTMENTAL SUMMARIES

1. Project Update Sheet

Present: Mayor Sam Tharpe
Vice Mayor Gayle Griffith
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
Lana White, Account Clerk
John Etheridge, Board of Public Utilities

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

Mayor Tharpe called the meeting to order. The Pledge of Allegiance and a Moment of Silence was presented by Vice Mayor Griffith.

APPROVAL OF MINUTES

The minutes of the previous meeting held Thursday, May 1, 2014 were approved with the needed correction as presented following a motion by Vice Mayor Griffith and seconded by Commissioner Fuller. The motion carried unanimously.

COMMENTS FROM CITIZENS & PUBLIC

No Comments.

COMMENTS FROM THE COMMISSION

Vice Mayor Griffith stated how great Fish Fry was. Mayor Tharpe stated that how glad he was to have Griffith present at the Commission meeting. Griffith said that he was thankful.

OLD BUSINESS

ORDINANCE TO AMEND TITLE 8 CHAPTER 1 SECTION 8-104 NUMBER 5 (SECOND READING)

The Commission requested that City Attorney McLean prepare an Ordinance to amend Title 8 Chapter 1 Section 8-104 Number 5 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.

After a brief discussion, Vice Mayor Griffith made a motion which was seconded by Commissioner Fuller to approve the ordinance. The motion carried unanimously.

Ordinance No. 1169

AN ORDINANCE
to Amend 8-104(5) of the Paris Municipal Code

SECTION 1. Be it ordained by the Board of Commissioners of the City of Paris, Tennessee that 8-104(5) of the Paris Municipal Code be deleted in its entirety and the following substituted therefore:

(5) Refuse placed at the street for curbside pickup by the City Sanitation Department shall be placed in a residential refuse container meeting the requirements of 8-104(1). Such residential refuse containers shall be placed at the street for curbside pickup by the City Sanitation Department no earlier than 24 hours prior to the day such curbside pickup is scheduled. Such residential refuse containers shall be removed from the curbside and returned to a location immediately adjacent to the principle structure on the property within 24 hours after such curbside pickup occurs. (Ord. #1169, 05/01/14.)

SECTION 2. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. This ordinance shall take effect on and after final passage and adoption.

Passed and adopted April 3, 2014.

Passed and adopted May 1, 2014.

/s/Samuel Tharpe
Mayor

/s/Kim Foster
Finance Director

NEW BUSINESS

FINANCIAL UPDATE

The Financial Report was presented by Finance Director Kim Foster. The following information was given: Foster stated that she was thrilled to report that Retail Sales were up 7.35% from the same month (February) last year. We are all aware that 2013 was an especially weak year for retail sales, but when compared to the same month in 2012, which was a strong year, we up 2.3%. We have now had positive growth in four out of the last five months.

This month's Operating Statement reflects the budget amendment that was passed in March, so there was no need for me to adjust for extraordinary items as the budget has now been adjusted accordingly. Also, since we are only three (3) months away from year end, large one-time purchases made at the beginning of the year do not skew our expenditures and make us appear overspent like they did at the beginning of the fiscal year.

Overall, we are ahead of budget in both revenues and expenditures, with our revenues our pacing our expenditures at the moment. I do not anticipate this trend to continue as we are entering our "dry spell" for revenues.

APPOINTMENTS TO BOARDS

The following appointment will be considered at next month's meeting on Thursday, June 5th:

Parks and Recreation Board – 5 Year Term – Mayoral Appointment
Debbie Elliott – Term Expired May 1, 2014

RESOLUTON TO ADOPT THE 2013 UPDATED HENRY COUNTY BASIC EMERGENCY OPERATIONS PLAN

Attached was a Resolution to adopt the 2013 updated Henry County Basic Emergency Operations Plan. After a brief discussion, Commissioner Fuller made a motion which was seconded by Vice Mayor Griffith to approve the Resolution. The motion carried unanimously.

RESOLUTION NO. 1536

RESOLUTION TO ADOPT THE 2013 UPDATED HENRY COUNTY BASIC EMERGENCY OPERATIONS PLAN

WHEREAS, the County Mayor's Office of Emergency Management has completed an update of the Henry County Basic Emergency Operations Plan as of September 30, 2013 and shall be distributed to response agencies and county municipalities for local adoption; and

WHEREAS, the Tennessee Emergency Management Agency has approved the updated Henry County Basic Emergency Operations Plan; and

WHEREAS, the Henry County Board of Commissioners authorized adoption of the update Basic Emergency Operations Plan on the 22nd day of January, 2014; and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Paris, Tennessee, meeting in regular session on this 1st day of May 2014, a majority or more of the membership concurring that:

SECTION 1: The Board of Commissioners hereby adopts the 2013 updated Henry County Basic Emergency Operations Plan as the principal emergency management plan for the City of Paris and Henry County in accordance with the Tennessee Code Annotated and the Civil Defense Act of 1950 as amended.

SECTION 2: This Resolution shall be in full force and effective from and upon its passage approval.

BE IT FINALLY RESOLVED that this Resolution shall be spread upon the Commission record of this date.

This Resolution is read and adopted at this public meeting on this the 1st day of May 2014.

/s/Samuel Tharpe
Mayor

/s/Kim Foster
Finance Director

ORDINANCE TO AMEND 11-201 OF THE MUNICIPAL CODE TO CHANGE THE NUMBER OF PLANNING COMMISSION MEMBERS (FIRST READING)

An Ordinance to amend 11-201 of the Paris Municipal Code to change the number of Planning Commission members from eight (8) to seven (7) was discussed at last month's City Commission meeting and referred to the Planning Commission.

At the April 10th Planning Commission meeting, Ms. Rachel Terrell made a motion which was seconded by Mr. Randy Scholes to approve the recommendation of the Planning Commission being a seven (7) member board. The motion carried unanimously. This was presented for First Reading.

After a brief discussion, Vice Mayor made a motion which was seconded by Commissioner Fuller to approve the Ordinance on First Reading. The motion carried unanimously.

This will be presented at the next City Commission meeting on Thursday, June 5, 2014 for a Public Hearing and Second Reading.

RESOLUTION TO AMEND THE PERSONNEL RULES AND REGULATIONS

City Attorney Fred McLean proposed that the following language be placed at the end of the job description for the Finance Director / Assistant City Manager. This language will also be placed at the end of the job description in our personnel rules and regulations for Finance Director.

It is as follows:

IT IS THE INTENT OF THIS JOB DESCRIPTION THAT THE CITY OF PARIS SHALL ONLY HAVE ONE EMPLOYEE AT ANY ONE TIME TO PERFORM THE JOB FUNCTION OF FINANCE DIRECTOR / CITY RECORDER. SUCH FINANCE DIRECTOR SHALL BE ONE (1) EMPLOYEE WHO SHALL EITHER BE DESIGNATED AS FINANCE DIRECTOR / ASSISTANT CITY MANAGER OR FINANCE DIRECTOR AS EACH OF THESE POSITIONS ARE DEFINED IN THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF PARIS.

RESOLUTION NO. 1537

WHEREAS, the City of Paris, Tennessee has adopted Personnel Rules and Regulations effective April 6, 1994; and,

WHEREAS, Paris Municipal Code 1-503 specifies that amendments to said Personnel Rules and Regulations shall be adopted by the City Commission by Resolution before they shall have force and effect; and,

WHEREAS, the City Manager of the City of Paris, Tennessee has recommended to the City Commission that said Personnel Rules and Regulations be amended as follows:

A. By enacting the following description for Finance Director/Assistant City Manager in Appendix B:

FINANCE DIRECTOR / ASSISTANT CITY MANAGER

Nature of Work

In addition to the duties normally performed as the Finance Director 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 analysis 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, illness) or long-term (leave of absence, resignation).

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.

NOTE

IT IS THE INTENT OF THIS JOB DESCRIPTION THAT THE CITY OF PARIS SHALL ONLY HAVE ONE EMPLOYEE AT ANY ONE TIME TO PERFORM THE JOB FUNCTION OF FINANCE DIRECTOR/CITY RECORDER. SUCH DIRECTOR OF FINANCE SHALL BE ONE EMPLOYEE WHO SHALL BE EITHER DESIGNATED FINANCE DIRECTOR/ASSISTANT CITY MANAGER OR FINANCE DIRECTOR AS DEFINED IN THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF PARIS.

B. By amending the job description for Finance Director in Appendix B by adding the following language at the end of said job description:

NOTE

IT IS THE INTENT OF THIS JOB DESCRIPTION THAT THE CITY OF PARIS SHALL ONLY HAVE ONE EMPLOYEE AT ANY ONE TIME TO PERFORM THE JOB FUNCTION OF FINANCE DIRECTOR/CITY RECORDER. SUCH DIRECTOR OF FINANCE SHALL BE ONE EMPLOYEE WHO SHALL BE EITHER DESIGNATED FINANCE DIRECTOR/ASSISTANT CITY MANAGER OR FINANCE DIRECTOR AS DEFINED IN THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF PARIS.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the City of Paris, Tennessee, go on record as approving these Amendments to the Personnel Rules and Regulations as follows:

A. By enacting the following description for Finance Director/Assistant City Manager in Appendix B:

FINANCE DIRECTOR / ASSISTANT CITY MANAGER

Nature of Work

In addition to the duties normally performed as the Finance Director 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 analysis 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, illness) or long-term (leave of absence, resignation).

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.

NOTE

IT IS THE INTENT OF THIS JOB DESCRIPTION THAT THE CITY OF PARIS SHALL ONLY HAVE ONE EMPLOYEE AT ANY ONE TIME TO PERFORM THE JOB FUNCTION OF FINANCE DIRECTOR/CITY RECORDER. SUCH DIRECTOR OF FINANCE SHALL BE ONE EMPLOYEE WHO SHALL BE EITHER DESIGNATED FINANCE DIRECTOR/ASSISTANT CITY MANAGER OR FINANCE DIRECTOR AS DEFINED IN THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF PARIS.

By amending the job description for Finance Director in Appendix B by adding the following language at the end of said job description:

NOTE

IT IS THE INTENT OF THIS JOB DESCRIPTION THAT THE CITY OF PARIS SHALL ONLY HAVE ONE EMPLOYEE AT ANY ONE TIME TO PERFORM THE JOB FUNCTION OF FINANCE DIRECTOR/CITY RECORDER. SUCH DIRECTOR OF FINANCE SHALL BE ONE EMPLOYEE WHO SHALL BE EITHER DESIGNATED FINANCE DIRECTOR/ASSISTANT CITY MANAGER OR FINANCE DIRECTOR AS DEFINED IN THE PERSONNEL RULES AND REGULATIONS OF THE CITY OF PARIS.

This Resolution shall become a part of and be spread upon the minutes of this meeting of the Board of Commissioners of the City of Paris, Tennessee.

Adopted this the 1st day of May, 2014.

/s/Samuel Tharpe
Mayor

/s/Kim Foster
Finance Director

After a brief discussion, Vice Mayor Griffith made a motion which was seconded by Commissioner Fuller to approve the Resolution to amend the personnel rules and regulations. The motion carried unanimously.

The appropriate changes will be made to the Personnel Rules and Regulations manual and the Municipal Code book.

IT SUPPORT

For some time we have limped along failing to address our IT efficiently and effectively. Finance Director Foster has addressed the issue in the attached memo and we have added it in the alternative budget presentation. Attached is the Memo that was sent to the Mayor and the Board of Commissioners:

MEMO

TO: Mayor Tharpe and Board of Commissioners

FROM: Kim Foster, Finance Director

DATE: Wednesday, April 16, 2014

RE: IT Support

For some time now we have been seriously considering our needs for technical support within the City and looking at how to meet those needs. Our areas of biggest concern include:

- Support for aging equipment in an environment where technology is a vital part of how we accomplish our jobs each day
- The lack of the appropriate level of technical knowledge among current staff
- The lack of security for our electronic data
- The lack of organization of our equipment and software, and
- Website neglect, i.e.: updates, improved design, and expansion of available information

These needs only continue to grow as technology becomes increasing essential in our ability to complete our jobs each day.

Up to this point, each department has dealt with their tech support needs in different ways, some of which work well and some of which do not. In looking at how we can meet our needs in the most efficient and cost effective way, I have been introduced to an individual who not only has the technical expertise to meet our needs, but the time and desire to do so. We would like to enter into an agreement with this individual, Mr. Shelton Maye, to provide IT support for the City (with the exception of the Police Department and the Civic Center which currently have solutions that are working well for them) on an as-needed basis.

Our plan, if you concur, will be to start by contracting with Mr. Maye to review all computers and equipment within the City, compile an inventory, complete a diagnostic review, do any preventative maintenance needed, make sure there is adequate security on all equipment, install any necessary updates, and generally provide uniformity and consistency across the board.

Also a top priority during this initial phase is for Mr. Maye to coordinate cloud storage for the City for electronic data that currently only resides on individual computers. Mr. Maye has estimated that it will take approximately 140 hours spread over three (3) months to complete this initial project. Mr. Maye would be working part-time and during hours when he could have uninterrupted access to individual computers.

Once his initial work is complete, we would like to contract with Mr. Maye for ongoing support and preventative maintenance. We also feel that we under-utilize our current website and would like to add website maintenance and development to his responsibilities. He thinks this can be accomplished in roughly 15 hours per week.

At the contract rate that we have quoted, the initial cost to get all of our equipment up-to-date and running efficiently with proper security and data back-up would cost $2,450 (140 hours @ $17.50 per hour). An ongoing cost estimate would be approximately $1,137.50 per month if we are able to keep our needs at 15 hours per week or less. These estimates include only Mr. Maye's time, not any software or hardware we may need to purchase.

We know that there is a need for technical support that currently is not being met. We have made an earnest effort to come up with a plan that will meet our needs in the most cost-effective way possible. Your consideration is appreciated and your comments are welcome.

BOND ISSUANCE

A variable note bond issue was recommended to be obtained through the TML Bond Pool to be utilized to fund the City Hall renovation, Bailey Fork Drainage Project and $350,000 of Public Works equipment.

The issue will de dovetailed with existing bond debt which diminishes by about $50,000 annually in two years, then by another $230,000 in four more years. This avoids a short-term spike in debt payments.

REZONING REQUEST FOR PROPERTY LOCATED ON VOLUNTEER DRIVE (FIRST READING)

Wyatt Owens requested a rezoning of his property located at Volunteer Drive and Jim Adams Drive from R-3 to B-1. Owens proposed to develop his approximately 32 acres. He requested a rezoning of the front portion of the property.

After a brief discussion, Vice Mayor Griffith made a motion which was seconded by Commissioner Fuller to approve the rezoning request on First Reading. The motion carried unanimously.

This will be presented at the next City Commission meeting on Thursday, June 5, 2014 for a Public Hearing and Second Reading.

2013 CDBG ELIGIBILITY OF WILLETTE RAY

Ms. Willette Ray, a city employee, has been deemed eligible for participation in the 2013 CDBG Program.

Ms. Ray has no decision making authority as relates to the City's involvement with this Grant, nor will she handle any related clerical duties since they are performed by Nelson and Associates.

Accordingly Staff perceives no conflict of interest.

After a brief discussion, Vice Mayor Griffith made a motion to affirm that Ms. Willette Ray does not have any administrative involvement with the 2013 CDBG and approved her eligibility for participation in the Program. The motion was seconded by Commissioner Fuller.

A letter has been prepared by City Attorney McLean to be sent to the program's administrators and this will be noted in the minutes of this meeting for record.

STATUS OF VARIOUS PROJECTS AND DEPARTMENTAL SUMMARIES

The Ongoing Project Update Sheet, as April 23, 2014 was presented for review.

ONGOING PROJECTS (as of 04-23-14)

	Item	Primary Staff	Target Completion Date(s)	Notes
1	218 Bypass	Holder / Morris / Greer	?	Major issue with moving utilities based on revised plans; trying to find less costly solutions; State taking over condemnation of rail road
2	Bailey Fork 1 Drainage	Public Works	Weather and funding dependent	Will start on general permit locations weather allowing
3	Back Alley Paris	Holder / Morris	5 Year Implementation	Major grant applications submitted; denied ArtPlace America Grant; awaiting NEA funding
4	Annexation Projects	Holder / Morris	Finished original scope	Amending for pressure issues on 79 South; also Peppers Drive and 77 South; and Garland Avenue complete
5	MS-4 Permit	Holder / Morris / Jessie / Brown	5 Year implementation	Received permit; now must implement; attempting to get
6	MTAS Benchmarking	Holder		Departments reviewing data
7	Collinwood Drainage Project	Holder / Jessie	Ongoing	Completed Phase I; Starting Phase II weather permitting; Engineering complete

There being no further business the meeting was duly adjourned at 6:55 p.m.

/s/Samuel Tharpe
Mayor

/s/Kim Foster
Finance Director