

KIM FOSTER, CITY MANAGER
JAMES SMITH, ATTORNEY



KATHY RAY, MAYOR
VICKEY ROBERTS, VICE MAYOR
JOHN ETHERIDGE, COMMISSIONER
JACKIE JONES, COMMISSIONER
SAM THARPE, COMMISSIONER

**CITY OF PARIS, TENNESSEE
BOARD OF COMMISSIONERS REGULAR MEETING AGENDA**

**CITY HALL COURTROOM
February 1, 2024
5:00 P.M.**

Public Hearing

1.) Rezoning Request for Property located at 599 Russell Street (Second Reading)

Regular Meeting

Call to Order: Kathy Ray, Mayor

Roll Call: Tammie Hopper, Finance Director

Pledge of Allegiance and Prayer

Approval of the Minutes of Previous Meetings: January 4, 2024 – Regular Meeting

Board Will Hear Comments from Citizens

Board Will Hear Comments from the Commission

Service Resolutions and Proclamations: None

OLD BUSINESS

- 1.) Rezoning Request for Property located at 599 Russell Street (Second Reading):**
Jessica Crouch, Admin Asst. to City Manager
- 2.) Ordinance to Amend Title 11 Chapter 12 in the Zoning Ordinance regarding Walls, Fences, Screens, and Landscape Requirements in the Paris Municipal Code (Second Reading):** Jesse Skidmore, Building Inspector
- 3.) Ordinance to Enact Title 4 Chapter 6 regarding Swimming Pools, Hot Tubs, and Spas in Building and Utility Codes in the Paris Municipal Code (Second Reading):**
Jesse Skidmore, Building Inspector

NEW BUSINESS

- 1.) Financial Update:** Tammie Hopper, Finance Director
- 2.) Appointments to Boards:** Kathy Ray, Mayor
- 3.) Resolution to Authorize Matching Funds for the Community Development Block Grant for Fiscal Year 2024:** Kim Foster, City Manager
- 4.) Certificate of Compliance for West Wood Wine and Liquor:** Kim Foster, City Manager
- 5.) Proposal to Purchase Property on W. Wood St.:** Kim Foster, City Manager

Status of Various Projects
Notes from the City Manager

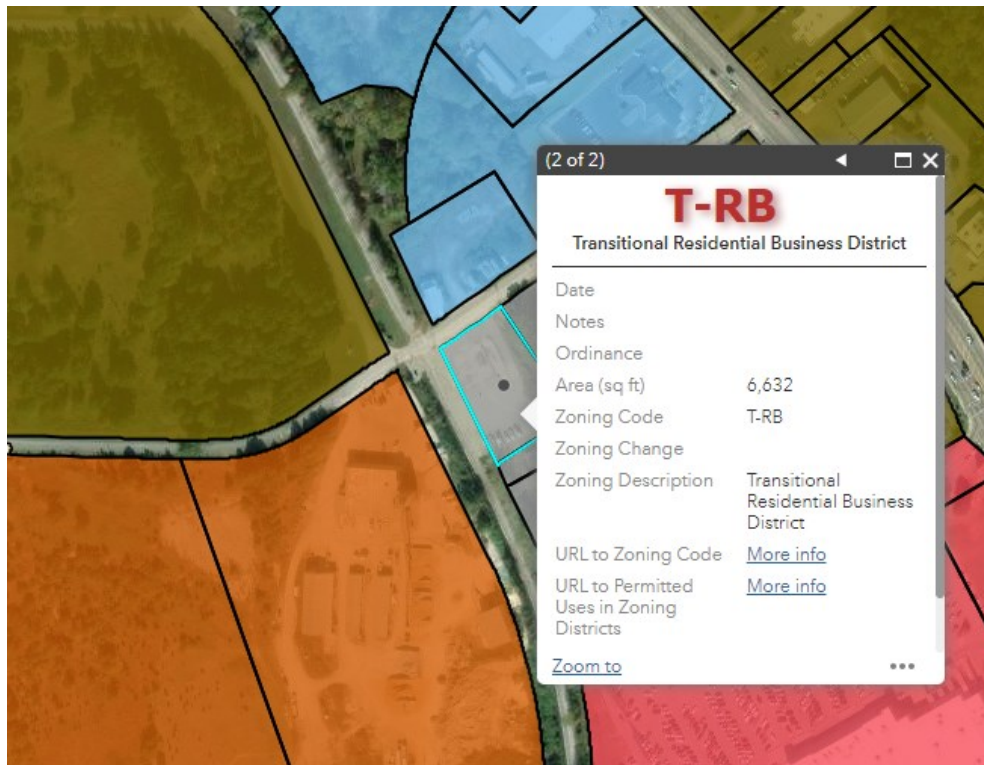
Adjournment

**OLD BUSINESS
AGENDA ITEM #1**

Rezoning Request for Property located at 599 Russell Street (First Reading)

Mr. Paige “Tuffy” Craig has requested the rezoning of property located at 599 Russell Street. His intentions for this property are to build a maintenance shop to maintain and repair business vehicles for his trucking company (Wayne Craig Trucking, LLC). This property is currently zoned T-R-B (Transitional Residential Business). Mr. Craig is requesting it be rezoned to M-2 (Heavy Industrial).

As is required, the City Commission should refer this request to the Planning Commission for recommendation. This request may be adopted on first reading, or the City Commission may wish to defer any action until the Planning Commission has made a recommendation. Any action would require a public hearing at a future meeting.





**OLD BUSINESS
AGENDA ITEM #2**

Ordinance to Amend Title 11 Chapter 12 in the Zoning Ordinance for Walls, Fences, Screens, and Landscape Requirements in the Paris Municipal Code (First Reading)

The following ordinance, presented for your consideration, reflects an amendment to the Zoning Ordinance regarding Walls, Fences, Screens, and Landscape requirements. This ordinance addresses residential fencing along with commercial fencing. The Planning Commission approved this at their last meeting with the changes and recommendations reflected in the ordinance.

ORDINANCE NO. 1301

AN ORDINANCE to Delete Title 11 Chapter 12 (11-1200 through 11-1204) and Enact Title 11 Chapter 12 (11-1200 through 11-1216) of the Paris Municipal Code.

SECTION 1. BE IT ORDAINED by the Board of Commissioners of the City of Paris, Tennessee, Title 11, Chapter 12 of the Paris Municipal Code shall be amended as follows:

- A. That Title 11 Chapter 12 of the Paris Municipal Code be amended by deleting Title 11 Chapter 12 in its entirety. (Ord. #1301, __/__/____).

**CHAPTER 12
WALLS, FENCES, SCREENS, AND LANDSCAPE REQUIREMENTS**

SECTION

- | | |
|----------|---|
| 11-1200. | Walls, Fences, Screens, and Landscape Requirements. |
| 11-1201. | Walls and Fences. |
| 11-1202. | Landscape Requirements. |
| 11-1203. | Development Standards for Certain Zones. |
| 11-1204. | Administration and Enforcement. |

11-1200. **Walls, Fences, Screens, and Landscape Requirements.** The following regulations establish standards for those districts where walls, fences, screens, and landscaping are required along lot lines and zoning district boundary lines. The standards established herein are minimum standards and shall be used by the City of Paris in the review and approval of permitted, accessory, or conditional uses which are subject to the requirements of this section.

11-1201. **Walls and Fences.** The following requirements shall apply to any non-residential development which abuts adjacent residential lots:

A. **Development Requirements.** Development standards shall be as follows:

1. Non-residential lots abutting residential lots shall be screened on all rear lot lines and alongside lot lines to the intersection of the front building line. Non-residential lots adjacent to residential lots may be required to screen on all rear lot lines and alongside lot lines to the intersection of the front building line at the discretion of the Planning Commission. All required screening shall be placed and continually maintained at the sole expense of the owner or occupant of the lot. The Planning Commission shall have the authority to continue to enforce this development requirement.

2. The Paris Planning Commission may also recommend screening of only a portion of the parking lots, service areas, loading docks, trash receptacles, outdoor storage, outdoor work areas, or similar uses not contained within the building from any residential zoning district located within 150 feet of such uses.

B. **Minimum Standards.** Wooden, brick or masonry fencing walls may be used as a screen provided such screen is sight-obscuring. Wire, plastic sheets, panels or corrugated sheet-metal or panels shall not be used as screening. All screening shall meet the following requirements:

1. Walls shall be designed to facilitate maintenance and shall not modify natural drainage so as to endanger adjacent property.

2. Such screening shall be a minimum of six (6) feet. Screening shall be provided at a height and density to achieve an opacity of 80%.

3. The screen may be composed of view-obscuring vegetation, wood, brick, masonry or vinyl wall, fence, berm or any other screen approved by the Planning Commission. The items may be used individually or in combination. Fences constructed of plastic sheets, panels or corrugated sheet-metal or panels chain link, barbed wire, stock wire, chicken wire or other similar type fences are not permitted to be used for screening.

4. When using vegetation, plant materials shall be at least three (3) feet tall at the time of installation and reach the desired height of six (6) feet within three (3) to five (5) years.

5. No fence shall be located closer to the street than the right-of-way.

6. At any street or driveway intersection the provisions of 11-1502.B. will still apply.

C. **Existing Developments.** In the case of an existing development, should the use of the commercial property change from that originally approved, the Planning Commission shall have the right to review changes and determine the need for any additional screening as required by this section.

D. **Waiver of Requirements.** Any waiver of any of the requirements of this section shall be referred to the Paris Board of Zoning Appeals. (Ord. # 1278, 12/2/21).

11-1202.

Landscape requirements. The following standards shall apply to development in any non-residential district, with the exception of the B-2 zone;

- A. A greenbelt planting strip, a minimum of five (5) feet in depth shall be located within the development area and abutting any public street right-of-way (existing and proposed). This greenbelt strip may include any grass or ground cover behind the curb or sidewalk that may be state or city right-of-way in order to meet the five (5) foot depth requirements. Such landscape strip shall be placed and maintained by the owner or occupant of the development, and may be included in yards required under other sections of this ordinance, and shall be composed of at least one of the following.
 - 1. Two or more rows of evergreen shrubs, spaced an average of three (3) feet apart. Such shrubs shall be expected to grow to a maximum height of three (3) feet in 3 or 4 growing seasons. The remainder of the landscape strip shall be planted in grass, ground cover, or other suitable decorative material, including sand, gravel, stone, or mulch.
 - 2. Other living landscape material such as grass or other ground covers or non-living (artificial) landscape material such as rocks, pebbles, sand, gravel stone or mulch.
- B. Whenever in this section a green belt or planting strip is required, it shall be planted prior to the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained by the owner or occupant with permanent plant materials (Ord. # 825, 04/01/93).

11-1203.

Development Standards for Certain Zones. In addition to the requirements for such developments required by the other provisions of this ordinance the following standards are applicable to the following developments or zoning districts:

- A. **Multi-Family Development.**
 - 1. A wall or fence meeting the requirements of 11-1201.
 - 2. A greenbelt planting strip as provided for in 11-1202.
 - 3. A six (6) foot wide landscape planting strip abutting the inside periphery of the wall or fence required in 11-1203 B.1. above meeting the requirements of 11-1202.
 - 4. A three (3) foot landscape planting strip abutting the outside periphery of the wall or fence required in 11-1203.B.1. above meeting the requirements of 11-1202.
- B. **Group Housing.**
 - 1. A wall or fence meeting the requirements of 11-1201.
 - 2. A greenbelt planting strip as provided for in 11-1202.
 - 3. A six (6) foot wide landscape planting strip abutting the inside periphery of the wall or fence required in 11-1203 C.1. above meeting the requirements of 11-1202.
 - 4. A three (3) foot landscape planting strip abutting the outside periphery of the wall or fence required in 11-1203.C.1. above meeting the requirements of 11-1202.
- C. **SC-1 Shopping Center District.**
 - 1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of ten (10) feet instead of five (5) feet.

2. All parking areas shall have a minimum two (2) foot wide landscape berm between major interior traffic aisles or streets and the interior parking areas to control ingress and egress to the parking areas within the development.
3. Plant material spacing for such landscape berms shall be as follows:
 - a. Plant materials shall not be placed closer than the distance required for visibility under the requirements of 11-1500.c.
 - b. Where plant materials are planted in two or more rows, planting shall be staggered in rows.
 - c. Narrow evergreens shall be planted not more than three (3) feet in centers.
 - d. Large evergreen shrubs shall be planted not more than four (4) feet on centers.

D. B-1 and P-B Planned Business District.

1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of ten (10) feet instead of five (5) feet (Ord. # 820, 02/04/93).

E. All Industrial Districts.

1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of fifteen (15) feet instead of five (5) feet.
2. All parking areas shall have a minimum two (2) foot wide landscape berm between major interior traffic aisles or streets and the interior parking areas to control ingress and egress to the parking areas within the development.
3. Plant material spacing for such landscape berms shall be as follows:
 - a. Plant materials shall not be placed closer than the distance required for visibility under the requirements of 11-1500.C.
 - b. Where plant material are planted in two or more rows, planting shall be staggered in rows.
 - c. Narrow evergreens shall be planted not more than three (3) feet in centers.
 - d. Large evergreens shrubs shall be planted not more than four (4) feet on centers.

F. Open Storage Requirements. In any zoning district where open (unenclosed) storage of material and equipment is permitted as a principal use on an individual lot, such open storage shall be screened by walls or fencing, as provided in 11-1201, along all lot lines. Such screening shall be a minimum of seven (7) feet in height.

G. Refuse Collection Point Requirements. All areas established as refuse collection points, or used for dumpster service and/or loading areas, shall be screened as provided in 11-1201 along all sides of the collection point.

11-1204.

Administration and Enforcement. The standards required herein shall apply to any development or redevelopment which occurs after the adoption of this ordinance. None of the standards required herein shall apply retroactively, except in the event that substantial construction is proposed in which case these standards

shall apply. For the purpose of this section, the following definitions shall be used to determine the application of the standards required herein:

- A. Development - any man-made change to unimproved land.
- B. Redevelopment - any man-made change to improve real estate (including buildings or structures) which is estimated to cost 50% or more of the appraised value of the existing real estate.
- C. Substantial construction - any repair, improvement, or addition to a building or structure which is estimated to cost 50% or more of the appraised value of the existing building or structure either: (a) before the repair, improvement or addition is started; or (b) if the building or structure has been damaged, and is being restored, before the damage occurred.

Provided, however, that in the event a residential structure in a commercial zone is converted from use as a residence to a commercial use, the standards required herein shall apply regardless of the amount or percentage of development, redevelopment, or construction, as defined in A, B, and C above. (Ord. # 1020, 04/01/04.)

- B. That Title 11 Chapter 12 of the Paris Municipal Code be amended by enacting Title 11 Chapter 12 as follows:

**TITLE 11
CHAPTER 12
WALLS, FENCES, SCREENS, AND LANDSCAPE REQUIREMENTS**

<u>11-1200.</u>	General Provisions.
<u>11-1201.</u>	Walls, Fences, Screens, and Landscape Requirements (Non-Residential).
<u>11-1202.</u>	Walls and Fences.
<u>11-1203.</u>	Landscape requirements.
<u>11-1204.</u>	Development Standards for Certain Zones.
<u>11-1205.</u>	Walls, Fences, Screens, and Landscape Requirements (Residential).
<u>11-1206.</u>	Materials.
<u>11-1207.</u>	Maintenance.
<u>11-1208.</u>	Double Fences.
<u>11-1209.</u>	Public Easements.
<u>11-1210.</u>	Swimming Pools.
<u>11-1211.</u>	Appeals.
<u>11-1212.</u>	Conflict with other Provisions.
<u>11-1213.</u>	Enforcement.
<u>11-1214.</u>	Permits.
<u>11-1215.</u>	Violations and Penalties.
<u>11-1216.</u>	Non-Conforming Fences and Walls.

11-1200. **General Provisions.**

It shall be unlawful for any contractor, individual or property owner to commence the installation of a fence or wall until the City Manager or the City Manager's designee has issued a fence permit for such work. Any fence permit issued in conflict with the provisions of this *chapter* shall be null and void. It shall be the responsibility of the contractor, individual or property owner to correct any violations that may exist as determined by the Building Official (or his/her designee) within a reasonable time period specified by the Building Official. Fence permits shall not be required for maintenance of an existing fence unless more than 50% of the fence is being constructed within a one year period.

WALLS, FENCES, SCREENS AND LANDSCAPE REQUIREMENTS IN ALL NON-RESIDENTIAL DISTRICTS

11-1201. **Walls, Fences, Screens, and Landscape Requirements (Non-Residential).**

The following regulations establish standards for non-residential districts and in those areas where fences and landscaped screens are required along lot lines and zoning district standards. The standards established herein are minimum standards. The Planning Commission, Design Review Commission, BZA, or Historic Commission may impose additional screening, fencing or other measures where deemed necessary to adequately buffer between incompatible land uses.

11-1202. Walls and Fences.

The following requirements shall apply to any non-residential development which abuts adjacent *residential zoned property*.

A. Development Requirements. Development standards shall be as follows:

3. Non-residential lots abutting residential lots shall be screened on all rear lot lines and alongside lot lines to the intersection of the front building line. Non-residential lots adjacent to residential lots may be required to screen on all rear lot lines and alongside lot lines to the intersection of the front building line at the discretion of the Planning Commission. All required screening shall be placed and continually maintained at the sole expense of the owner or occupant of the lot. The Planning Commission shall have the authority to continue to enforce this development requirement.

4. The Paris Planning Commission may also recommend screening of only a portion of the parking lots, service areas, loading docks, trash receptacles, outdoor storage, outdoor work areas, or similar uses not contained within the building from any residential zoning district located within 150 feet of such uses.

B. Minimum Standards.

Wooden, brick or masonry fencing walls may be used as a screen provided such screen is sight-obscuring. Wire, plastic sheets, panels or corrugated sheet-metal or panels shall not be used as screening. All screening shall meet the following requirements:

7. Walls shall be designed to facilitate maintenance and shall not modify natural drainage so as to endanger adjacent property.

8. Such screening shall be a minimum of six (6) feet. Screening shall be provided at a height and density to achieve an opacity of 80%.

9. The screen may be composed of view-obscuring vegetation, wood, brick, masonry or vinyl wall, fence, berm or any other screen approved by the Planning Commission. The items may be used individually or in combination. Fences constructed of plastic sheets, panels or corrugated sheet-metal or panels chain link, barbed wire, stock wire, chicken wire or other similar type fences are not permitted to be used for screening.

10. When using vegetation, plant materials shall be at least three (3) feet tall at the time of installation and reach the desired height of six (6) feet within three (3) to five (5) years.

11. No fence shall be located closer to the street than the right-of-way.

12. At any street or driveway intersection the provisions of 11-1502.B. will still apply.

E. Existing Developments.

In the case of an existing development, should the use of the commercial property change from that originally approved, the Planning Commission shall have the right to review changes and determine the need for any additional screening as required by this section.

F. Waiver of Requirements. Any waiver of any of the requirements of this section shall be referred to the Paris Board of Zoning Appeals. (Ord. # 1278, 12/2/21).

11-1203. Landscape requirements.

The following standards shall apply to development in any non-residential district, with the exception of the B-2 zone;

- A. A greenbelt planting strip, a minimum of five (5) feet in depth shall be located within the development area and abutting any public street right-of-way (existing and proposed). This greenbelt strip may include any grass or ground cover behind the curb or sidewalk that may be state or city right-of-way in order to meet the five (5) foot depth requirements. Such landscape strip shall be placed and maintained by the owner or occupant of the development, and may be included in yards required under other sections of this ordinance, and shall be composed of at least one of the following.
 - 1. Two or more rows of evergreen shrubs, spaced an average of three (3) feet apart. Such shrubs shall be expected to grow to a maximum height of three (3) feet in 3 or 4 growing seasons. The remainder of the landscape strip shall be planted in grass, ground cover, or other suitable decorative material, including sand, gravel, stone, or mulch.
 - 2. Other living landscape material such as grass or other ground covers or non-living (artificial) landscape material such as rocks, pebbles, sand, gravel stone or mulch.
- B. Whenever in this section a green belt or planting strip is required, it shall be planted prior to the date of issuance of a certificate of occupancy and shall thereafter be reasonably maintained by the owner or occupant with permanent plant materials (Ord. # 825, 04/01/93).

11-1204. Development Standards for Certain Zones.

In addition to the requirements for such developments required by the other provisions of this ordinance the following standards are applicable to the following developments or zoning districts:

- A. Multi-Family Development.
 - 1. A wall or fence meeting the requirements of 11-1201.
 - 2. A greenbelt planting strip as provided for in 11-1202.
 - 3. A six (6) foot wide landscape planting strip abutting the inside periphery of the wall or fence required in 11-1203 B.1. above meeting the requirements of 11-1202.
 - 4. A three (3) foot landscape planting strip abutting the outside periphery of the wall or fence required in 11-1203.B.1. above meeting the requirements of 11-1202.
- B. Group Housing.
 - 1. A wall or fence meeting the requirements of 11-1201.
 - 2. A greenbelt planting strip as provided for in 11-1202.
 - 3. A six (6) foot wide landscape planting strip abutting the inside periphery of the wall or fence required in 11-1203 C.1. above meeting the requirements of 11-1202.
 - 4. A three (3) foot landscape planting strip abutting the outside periphery of the wall or fence required in 11-1203.C.1. above meeting the requirements of 11-1202.
- C. SC-1 Shopping Center District.
 - 1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of ten (10) feet instead of five (5) feet.
 - 2. All parking areas shall have a minimum two (2) foot wide landscape berm between major interior traffic aisles or streets and the interior parking areas to control ingress and egress to the parking areas within the development.
 - 3. Plant material spacing for such landscape berms shall be as follows:
 - a. Plant materials shall not be placed closer than the distance required for visibility under the requirements of 11-1500.c.
 - b. Where plant materials are planted in two or more rows, planting shall be staggered in rows.
 - c. Narrow evergreens shall be planted not more than three (3) feet in centers.
 - d. Large evergreen shrubs shall be planted not more than four (4) feet on centers.
- D. B-1 and P-B Planned Business District.
 - 1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of ten (10) feet instead of five (5) feet (Ord. # 820, 02/04/93).
- E. All Industrial Districts.

1. The requirements of 11-1202 shall be applicable with the exception that such greenbelt planting strip shall be a minimum of fifteen (15) feet instead of five (5) feet.
 2. All parking areas shall have a minimum two (2) foot wide landscape berm between major interior traffic aisles or streets and the interior parking areas to control ingress and egress to the parking areas within the development.
 3. Plant material spacing for such landscape berms shall be as follows:
 - a. Plant materials shall not be placed closer than the distance required for visibility under the requirements of 11-1500.C.
 - b. Where plant material are planted in two or more rows, planting shall be staggered in rows.
 - c. Narrow evergreens shall be planted not more than three (3) feet in centers.
 - d. Large evergreens shrubs shall be planted not more than four (4) feet on centers.
- F. Open Storage Requirements. In any zoning district where open (unenclosed) storage of material and equipment is permitted as a principal use on an individual lot, such open storage shall be screened by walls or fencing, as provided in 11-1201, along all lot lines. Such screening shall be a minimum of seven (7) feet in height.
- G. Refuse Collection Point Requirements. All areas established as refuse collection points, or used for dumpster service and/or loading areas, shall be screened as provided in 11-1201 along all sides of the collection point.

WALLS, FENCES, SCREENS AND LANDSCAPE REQUIREMENTS IN ALL RESIDENTIAL DISTRICTS

11-1205. Walls, Fences, Screens, and Landscape Requirements (Residential).

1. Subdivision Entrance features may exceed six feet in height to a maximum of 13 feet when specifically approved by the Design Review Commission.
2. Fences attached to subdivision entrance features may be a maximum of 8 feet in height where specifically approved by the Planning Commission or Design Review Commission.
3. Within the required front yard of all residential lots, fences shall not exceed a maximum height of 30 inches with the exception of properties in the historic district. In the Historic District, the height of all fences shall be as determined by the Historic Zoning Board in keeping with the historic character of the property and in substantial conformance with the surrounding area.
4. No fence shall impede or divert the flow of water through any drainage way, or natural overland course of flow.
5. No fence shall block access to any above ground, pad mounted electrical transformer or other equipment and features of electrical, water, gas and sewer infrastructure.
6. All fences shall be maintained in a structurally sound condition and in good repair. Fences and walls shall be free from loose or rotting materials and shall have braces and supports attached or fastened in accordance with common building practices.
7. All fences on double frontage lots and all fences required as part of a development project in accordance with Planning Commission and Design Review requirements shall be maintained in perpetuity in accordance with the conditions of approval.

11-1206. Materials.

Fences and walls in Residential areas, must be constructed of brick, ornamental iron or aluminum, vinyl commercial fence material, chain link, and vinyl coated chain link or rot resistant wood, such as treated lumber, redwood, cypress, and cedar with the following exception of specific requirements imposed by the Planning Commission, Design Review Commission or BZA in accordance with approved development plans.

The Building Official, Planning Commission, BZA, Design Review Commission, or Historic District Commission may approve alternative materials, or require specific materials on a case-by-case basis.

In areas where there exists an established pattern of fence materials, including wood, brick, ornamental metals or stone, the type and character of the surrounding existing materials must be used.

The Building Official shall determine whether the proposed material is in compliance with the intent of the materials authorized.

For retaining walls, formed concrete walls, or concrete wall panels may be allowed provided they are specifically allowed and approved by the Building Official, or other City Board or Commission with jurisdiction over the project.

Any other materials not specifically authorized in this section are specifically not allowed unless in the discretion of the Building Official, the proposed alternative materials are in substantial conformance with the description of the materials allowed and are greater than or equal to the approved materials for structural integrity and durability.

Electrified Fences are not allowed in residential districts. Exceptions may be made by the Building Official under certain limited conditions where the property is legally operating as a legal non-conforming use. Exceptions shall not run with the land and may be revoked if the use of the property changes, or circumstances under which the exception was granted are changed.

11-1207. Maintenance.

Fences shall be maintained and kept in good repair by the property owner and/or homeowner association. Examples of a lack of proper maintenance include, but are not limited to, rotten or deteriorated structural members, missing or broken components, excessive sagging of structural members or warping or distortion of planks, and fence or wall materials, leaning, excessive mold, dirt or growth and in the case of painted or other types of finishes, excessive flaking of the fence finish. Lack of proper maintenance and upkeep of a fence or wall shall constitute a violation of these regulations.

11-1208. Double Fences.

Double fences may be allowed in the side and rear yards with the exception of double frontage or reverse frontage lots where the property lines face a public right-of-way. A fence permit shall be required prior to the installation of a double fence. A double fence may be installed on the opposite side of a common property line where a fence has been installed that does not provide adequate screening measures, including, but not limited to, height of opposing fence installed between the prescribed maximum height or the use of transparent materials such as chain-link fencing. Double fences shall be installed against the property line seas to prevent non-maintainable land between the fences. The Building Official shall deny permits for double fences where their installation would create a non-maintainable area, or in the opinion of the Building Official would be in contradiction with the spirit and intent of the regulations of the fence ordinance.

11-1209. Public Easements.

Fences, walls and hedges installed in or along public easements (utility, drainage, pedestrian and the like) are subject to removal at the owner's expense in the event of maintenance or construction work is required within or along the public easement.

11-1210. Swimming Pools.

In addition to the provisions contained in this ordinance, barriers enclosing swimming pools and spas shall meet the requirements of the City of Paris Swimming Pool Ordinance

11-1211. Appeals.

Any aggrieved person or any governmental officer, department or board may take an appeal to the Board of Zoning Appeals by filing an application in conformance with the policies and procedures as established in Chapter 16 of the Paris Municipal Code. The Board of Zoning Appeals shall make a ruling on the appeal based upon the authority of the board as specified in 11-1604.

11-1212. Conflict with other Provisions.

This article is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute or other provision of law. Where any provision of this article imposes restrictions different from those imposed by any other provision of this article, or by any other ordinance, rule or regulation or the provision of law, whichever provisions are more restrictive or impose higher standards shall control.

11-1213. Enforcement.

It shall be the duty of the City Manager or the City Manager's designee to administer and enforce the provisions of this article. The City Manager or the City Manager's designee shall have the power to make inspections necessary to carry out his/her duties.

11-1214. Permits.

1. It shall be unlawful to commence the erection of a fence until the City of Paris has issued a permit for such work. Applications for Fence Permits will be available at City Hall.
2. Applications for a fence permit shall contain a dimensional sketch or scale plan indicating the shape, size, height and location on the lot of any fence to be erected, altered or moved and of any other buildings on the lot and all drainage from or onto the lot. The Code Enforcement Officer may require additional materials and information necessary to ensure compliance with all rules and regulations regarding fences and walls. If the proposed fence complies with the provisions of this article and other ordinances of the city, the Code Enforcement Officer shall issue a building permit for such activity. If the application is refused, the code enforcement officer shall state the reasons for refusal in writing.

11-1215. Violations and Penalties.

It shall be unlawful for any person to violate or fail to comply with any provisions of the Building Codes for the City of Paris, Tennessee as herein adopted by reference and modified. Any Violation of any section of this chapter upon conviction, shall be punished by a fine of not less nor more than fifty (\$50.00) dollars. Each day such violation continues shall constitute a separate offense. This penalty shall be in addition to any other penalty provided by any section of this chapter. (Ord. #1255, 6/23/20), Ord. #417, 04/30/1970, Ord. #1300, 11/02/2023).

11-1216. Non-Conforming Fences and Walls.

Any fence or wall erected lawfully prior to (effective date of this ordinance), may be maintained in its present condition. However, no fence may be substantially altered except in conformity with the provisions of this article. This article shall not be construed as abating any action now pending under, or by virtue of, prior existing regulations or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the city under any section or provision, or as vacating or annulling any rights obtained by any person by lawful action of the city except as shall be expressly provided for in this article.

(Ord #1301, __/__/____).

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

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

Passed and adopted _____.

Passed and adopted _____.

Mayor

Finance Director

**OLD BUSINESS
AGENDA ITEM #3**

Ordinance to Enact Title 4 Chapter 6 – Swimming Pools, Hot Tubs, and Spas in Building and Utility Codes in the Paris Municipal Code (First Reading)

The following ordinance, presented for your consideration, reflects an additional chapter to Title 4 Building and Utility Codes regarding Swimming Pools, Hot Tubs, and Spas. In the past, swimming pool regulations have been enforced using the Building Code. This ordinance addresses swimming pool regulations as its own chapter along with the proper enforcement and requirements. The Planning Commission has reviewed this with recommendations reflected in this ordinance.

ORDINANCE NO. 1302

AN ORDINANCE
to enact Title 4 Chapter 6 of the Paris Municipal Code

SECTION 1. BE IT ORDAINED by the Board of Commissioners of the City of Paris, Tennessee, that the following be enacted as Title 4, Chapter 6 of the Paris Municipal Code:

**TITLE 4
BUILDING AND UTILITY CODES
CHAPTER 6
SWIMMING POOLS, HOT TUBS AND SPAS**

- 4-600.** Definitions.
- 4-601.** Permits.
- 4-602.** Public Swimming Pools.
- 4-603.** Private Swimming Pools.

4-600. **Definitions.** The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- A. Accessory Dwelling Unit means an Accessory Structure which may be used as a dwelling.
- B. Accessory Structure means detached structures, including, but not limited to, dressing rooms, showers, pool equipment houses, gazebos, etc.
- C. Appurtenances and Accessories includes, but shall not be limited to, circulating and booster pumps, water filters, water heaters, chlorinating systems, above-ground piping and plumbing, and electrical panels.
- D. Barrier means a Permanent fence, wall, building, or combination thereof, a minimum of four (4) feet but no greater than six (6) feet in height, which completely surrounds the swimming pool and obstructs direct access to the swimming pool or spa.
- C. Permanent shall mean not being able to be removed, lifted, or relocated without the use of a tool.
- D. Building Inspector means the person designated by the City of Paris having authority to enforce the building and construction codes.

- E. Community Club Swimming Pool means the same as that term is defined in Title11, Chapter 9, Section 11-922 (B).
- F. Floodplain refers to land adjacent to the floodway having a one percent or greater chance of flooding in any given year, also known as the 100-year flood frequency according to the Federal Emergency Management Agency (FEMA) Flood Insurance Map profile.
- G. Floodway means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the floodplain according to the Federal Emergency Management Agency (FEMA) Flood Insurance Map.
- H. Pool depth is the distance between the floor of the pool and the maximum operation water level.
- I. Nuisance refers to a condition that is offensive to neighbors or the neighborhood, affects standards of health and safety, or obstructs or interferes with reasonable and comfortable use of property in the vicinity.
- J. Private swimming pool means the same as that term is defined in Title11, Chapter 9, Section 11-922 (A).
- K. Public swimming pool means any body of water used for public or semipublic swimming or recreational bathing, which is artificial or semi-artificial in construction, including all appurtenances, operated for the public in general.
- L. Safety cover means a device of sufficient strength and durability permanently installed over and around the swimming pool so as to prevent the entrance of people.
- M. Swimming pools, hot tubs and spas means any in-ground, above ground or on ground vessel, permanent or temporary, intended for swimming, bathing, or wading that has the capacity to contain water over 18 inches in depth. Wading pools 18 inches or less which are drained and filled daily are not considered swimming pools.
- N. Wading pool means any constructed or prefabricated pool containing a maximum capacity of 18 inches or less in depth. Wading pools are not regulated by this division.
- O. Water line refers to the measurement made from the outer edge of the water wall and shall include bond beam or coping if it extends beyond the outer edge of the water wall of the swimming pool. Other terms used in this chapter shall have the meanings usually accorded to them by the Henry County Health Department.

4-601. Permits.

- A. No swimming pool, hot tub, spa or appurtenances thereto shall be installed, enlarged or altered until a permit is obtained.
- B. Permit applications are subject to the following requirements:
 - (1) A dimensional sketch, drawn to scale, must be submitted with the application showing the proposed location of the swimming pool, hot tub, or spa, the appurtenances and accessories, other accessory structures and fencing on the lot and indicating thereon the distance in feet that the water line is located from the rear property line, nearest side property line, principal building, and any easements on the property.
 - (2) To protect neighboring properties and waterways from stormwater runoff, erosion and sediment must be controlled during the construction of the swimming pool. This includes the installation and maintenance of silt fences and other erosion control measures.
 - (3) Property improvements, including swimming pools, should not alter the natural or designed flow of lot drainage by increasing the velocity or concentrated flow of storm water runoff, nor create in any way a negative impact on adjoining property. Any damage resulting as a result of such actions is the responsibility of the offending property owner.

- (4) If the Building Inspector of the City of Paris deems it necessary, a complete set of engineering plans, including a drainage plan with the stormwater drainage pipes, including size and capacity, shall be furnished before a permit is issued.
- (5) Permit applications shall be processed by the Building Inspector of the City of Paris or the Building Inspector's designee to ensure that the proposed location of the swimming pool, hot tub or spa is in compliance with the City of Paris Zoning Ordinance.

4-602. **Public Swimming Pools.** Public swimming pools must comply with the rules and regulations of the Tennessee Department of Health Services, the rules and regulations of the Henry County Health Department, and the rules and regulations of the City of Paris.

4-603. **Private Swimming Pools.**

A. General

1. All residential, non-commercial, private swimming pools, hot tubs and spas shall be installed and maintained in compliance with all applicable building and technical codes adopted by the City of Paris, the Henry County Health Department and the Tennessee Department of Health Services.
2. The location of swimming pools, hot tubs, spas, appurtenances, accessories and accessory structures on residential lots shall be in compliance this section and all other applicable sections of the City of Paris, Tennessee Municipal Code.

B. Barriers

1. Private residential swimming pools, hot tubs and spas shall be enclosed by a fence, wall, building, or combination thereof not less than five (5) feet or greater than six (6) feet in height. The barrier shall completely enclose the area so that there is no direct access by small children or unsuspecting persons. A natural barrier, pool cover, or other protective device approved by the City of Paris Building Inspector may be used so long as the degree of protection afforded is equivalent to the enclosure, gate, and latch described herein. Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from these provisions.
2. Openings between vertical and horizontal members of barriers shall be spaced at intervals close enough to prevent passage of a four-inch sphere through the openings.
3. All gates allowing access to the area must be self-latching. The latches must be placed a minimum of four feet above the underlying ground or otherwise made inaccessible to small children from the outside. Gates leading directly to the area must be kept closed at all times unless premise occupants are in the vicinity of the area and can observe entry to the area through open gates.
4. Barriers, including gates, shall be maintained in good repair at all times to prevent entry into the area by small children and unsuspecting persons. If any portion of the barrier or gates become unsatisfactory to protect against entry into the area, whether caused by general deterioration, high winds, storms, etc., the barrier shall be repaired as soon as possible. Pending the permanent repairs, the area shall be protected by an adequate temporary barrier.
5. When the Code Enforcement Officer determines a barrier is deemed inadequate for protection and the premises owner or occupant fails to secure the area the Code Enforcement Officer shall give notice as set forth in this section to the owner of the real estate upon which the violation has occurred.

C. Maintenance.

1. It shall be the responsibility of the owner and/or the occupant of the premises to maintain a swimming pool, hot tub, and/or spa in safe, sanitary, and working condition at all times. Water contained in a swimming pool, hot tub or spa shall be maintained to a level of clarity that allows for the unaided visual inspection of the lowest point of the pool, hot tub or spa. Water not meeting this clarity definition shall be deemed a potential health and safety hazard, and thus a public nuisance.
2. All swimming pools shall be maintained to ensure the disinfection of all pool water pursuant to applicable health standards under state law and county ordinance. If disinfection is not maintained, then the owner of the real property upon which said pool is located shall be notified by United States mail, return receipt requested, by the Code Enforcement Officer to either:
 - A. Disinfect the swimming pool pursuant to applicable health standards under state laws and county ordinances; or
 - B. Drain and maintain the swimming pool, so that stagnant water does not accumulate.Swimming pools with a safety cover which includes an anchoring mechanism properly labeled, installed, used and maintained in accordance with the manufacturer's published instructions shall be considered in compliance with this subsection.
3. Pools, hot tubs or spas that are not being maintained in accordance with this chapter and present a danger to the life, health or safety of any person shall be drained of all water by the owner or operator, and the owner or operator shall either:
 - (a) Fracture the shell and fill with dirt or sand that is not capable of holding water; or
 - (b) Remove the pool structure; or
 - (c) Cover with a safety cover.
4. A pool that remains drained of water for 180 days, not in working condition, and not covered as provided by subsection (2) above is presumed to be no longer maintained as a swimming pool. It shall be an affirmative defense to this subsection that the pool is in the process of actively being brought into compliance with this Chapter.
5. When the City of Paris Code Enforcement Officer finds any pool, hot tub or spa is not being maintained in accordance with this chapter and presents a danger to the life, health or safety of any person, then the City of Paris Code Enforcement Officer shall give notice as set forth in this section to the owner of the real estate upon which the violation has occurred.

D. Appurtenances and Accessories

Appurtenances and accessories, such as, but not limited to, circulating pumps, water filters, water heaters, chlorination systems, booster pumps, electrical panels, etc.

- (1) May not encroach into any easement; and
- (2) Must be completely screened from view from the street by solid, site-proof fence of wood, masonry, or stone (not chain link, plastic, etc.) if located on any side of the principal structure which allows public view from any public street or public right of way.

E. Accessory Structures

- (1) Detached accessory structures such as, but not limited to, pool houses, showers, dressing rooms, equipment storage buildings, pool slides, etc., shall comply with all applicable technical Code requirements of the City of Paris Building Codes and the Zoning Ordinance.

- (2) Accessory Dwelling Units must comply with the provisions of this section and the provisions of any applicable Accessory Dwelling Unit Ordinance.
- (3) Permits for accessory structures are required. Applications for permits may be obtained from the City Manager or City Manager's designee. Applications shall be reviewed and approved by the City Manager or the City Manager's designee prior to issuance of a building permit from the City of Paris.

F. Floodplain and Floodway Areas

1. Installation of swimming pools, hot tubs and spas on properties located in the floodplain areas of the City requires approval of the City of Paris engineering department prior to approval of a permit application.
 - (a) Pool equipment should be one foot above the base floodplain elevation using the Federal Emergency Management Agency (FEMA) Flood Insurance Profile.
 - (b) Above ground pools in the floodplain shall be anchored.
2. There shall be no swimming pools, hot tubs or spas on property located in the floodway.
3. The following documentation is required prior to the issuance of a permit for a swimming pool located in a floodplain:
 - (a) A plan drawn to scale showing the location, dimensions, existing and proposed elevations and grading of the area(s) in question where the swimming pool, hot tub and/or spa are to be installed.
 - (b) The elevation of the swimming pool, hot tub and/or spa deck in relation to mean sea level.
 - (c) The elevation of the 100-year base flood as determined from the most recent printing of the Flood Insurance Rate Map (FIRM) for the area as published by the Federal Emergency Management Agency (FEMA).
 - (d) Certificate by a registered land surveyor that the swimming pool, hot tub and/or spa deck will be one and one-half feet or more above the base flood elevation if the proposed plan is implemented.
 - (e) A description of a known benchmark, or temporary benchmark, including location and elevation used in determining elevations at the site. Surveyor should use GPS and a global positioning unit for verification of the benchmark utilized. Type of GPS field procedure should be included and surveyors shall meet Tennessee standards of professional practice.

G. Drainage of Water

1. The water in swimming pools, hot tubs and spas, when it is necessary to be drained, shall not be drained in a manner that will create a nuisance to adjoining properties.
2. Water accumulating on the top of covers is classified as rainwater. Rainwater may be drained into the sanitary sewer system or the street storm drains. It may be drained into the ground surface provided that it does not cause a nuisance to adjacent property owners. The drainage of rainwater onto the ground surface that causes, or is claimed to cause, a nuisance to adjacent property owners is a civil matter to be resolved between the property owners.

H. Notification, Violation and Penalty

1. Notice of Violation. Upon the failure of any owner of property within the City to meet any of the provisions of this chapter, the City shall serve a notice of violation.

2. Notice of Violation shall be given to the owner of such property to bring the property into compliance within a specified time of the effective date of such notice.
3. Notice of Violation may be given by personal service on the owner or one of the owners, or the duly authorized agent of such owner, or upon any person of suitable age and discretion residing in the owner(s)'s usual place of residence, or by first-class letter addressed to the last known place of residence of such owner(s). Proof of the mailing of such first class letter by the City shall be a complete compliance with this section.
4. In the event the Notice of Violation is returned in the mail, the notice shall be posted on the property where the violation exists by taping or affixing the Notice on or near the front door of the dwelling an envelope containing the notice, or in the case of a vacant lot, by placing a sign containing the notice on the property. Such notice shall include a description of the location of the violation; a statement of violation or violations; a correction order with a reasonable time to correct the violation and include, if applicable, a statement of the right to file a lien in accordance with the provisions outlined in in this section.
5. If a property owner fails to correct the condition set forth in the Notice of Violation within the time specified in the notice to the owner, the owner shall be subject to fines and penalties as provided in this section.
6. The effective date of the Notice of Violation shall be the date when notice is delivered by personal service and/or posted on the property, or if the Notice of Violation is mailed by first-class mail the effective date shall be seven business days after mailing.
7. Notices in the form of signs, tags or other items posted of affixed by the Code Enforcement Officer shall not be removed, mutilated, destroyed or tampered without authorization from the Code Enforcement Officer.
8. Violation and penalty.
 - (a) Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not more than \$50.00, or the maximum amount allowed by law. Each day's continuance of a violation shall be considered a separate offense.
 - (b) The owner of any premise, where anything in violation of this chapter shall exist, and any person who may have knowingly assisted in the commission of any such violation, shall be guilty of separate offenses.
 - (c) Persons in violation of this chapter may also be subject to injunctive proceedings.
 - (d) In addition to the penalty provided in this section, if a property owner fails to correct a violation under this chapter, the City Manager or the City Manager's designee shall cause the violation to be corrected.
 - (e) If the City of Paris Code Enforcement officer determines that a violation presents a foreseeable danger to the life, health, or safety of any person, the City of Paris is be authorized to have said pool, hot tub or spa drained of all water and either the shell fractured and filled with dirt or sand that is not capable of holding water, or covered with a material of sufficient strength, durability and water tightness to prevent the entrance of water or people.
 - (f) All expenses, including costs of labor, incurred by the City of Paris for correcting and/or remediating any violations of this section may be accessed to the real estate upon which the violation occurred as a lien and may be recorded as a Notice of Lien in the Register's Office of Henry County, Tennessee. This lien shall affix to the real estate immediately. The Notice of Lien may include an administrative fee and recording fee, incurred by the City of Paris, and such amount of the lien shall accrue interest at ten (10) percent per annum from the date of recording of the Notice of Lien.

- (e) A copy of any Notice of Lien shall be mailed by certified mail to the last known address of the owner of the property.
- (f) The City of Paris Finance Director is authorized to collect, in the same manner as for taxes, the amount due pursuant to the Notice of Lien at the time city taxes levied against such property are collected for the next succeeding year. For any such expenditures, suit may be instituted and foreclosure had in the name of the city; and the statement so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.

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 its final passage and adoption.

Passed and adopted _____.

Passed and adopted _____.

Mayor

Finance Director

NEW BUSINESS
AGENDA ITEM #1
Financial Update

Narrative to December 2023 Operating Statement

Please see the attached Retail Sales Tax Revenue report with a slight increase of 2.71% over this time last year. We are still at a decrease of 1.13% for our fiscal year-to-date collection rate due to the decrease in September but hopefully we are on an upward trend.

The Sanitation Department completed the purchase of the 2024 Ram Flat Bed Pick-up truck for \$70,219.80 in December which caused part of the increase in our expenditures over revenue.

The Parks and Recreation Department hired one additional part-time seasonal employee for basketball season.

The City had no new businesses obtain licenses in the month of December. Business Beer and Liquor annual privilege tax bills were sent out with a 100% collection rate by the end of the month. We only received a slight decrease of \$903.75 in hotel-motel tax collections.

CITY OF PARIS, TENNESSEE							
RETAIL SALES TAX REVENUE							
		FY2020	FY2021	FY2022	FY2023	FY2024	% Incr(Decr)
JULY		\$802,267	\$898,979	\$951,793	\$1,046,570	\$1,054,946	0.80%
AUGUST		\$799,378	\$843,541	\$895,516	\$931,433	\$943,347	1.28%
SEPTEMBER		\$797,992	\$888,921	\$965,256	\$1,067,740	\$947,948	-11.22%
OCTOBER		\$761,453	\$873,733	\$974,047	\$1,036,880	\$1,049,601	1.23%
NOVEMBER		\$807,105	\$874,641	\$988,199	\$1,059,818	\$1,088,505	2.71%
DECEMBER		\$957,286	\$1,097,412	\$1,210,615	\$1,218,473		
JANUARY		\$713,906	\$844,826	\$839,389	\$915,685		
FEBRUARY		\$727,380	\$719,938	\$859,647	\$936,706		
MARCH		\$840,175	\$1,101,592	\$1,102,651	\$1,106,574		
APRIL		\$865,360	\$1,040,359	\$1,060,677	\$1,069,082		
MAY		\$949,140	\$1,005,346	\$1,105,515	\$1,122,824		
JUNE		\$966,861	\$1,013,926	\$1,125,455	\$1,177,018		
TOTAL		<u>\$9,988,303</u>	<u>\$11,203,215</u>	<u>\$12,078,759</u>	<u>\$12,688,803</u>	<u>\$5,084,347</u>	
Previous YTD % Increase/Decrease		2.79%	12.16%	7.82%	5.05%	-1.13%	

**Monthly Operating Statement
December 2023**

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Property Taxes	1,985,000	138,837	369,346	18.61%
Local Option Sales Tax	6,600,000	515,858	3,103,066	47.02%
Wholesale Liquor / Beer	900,000	90,113	475,916	52.88%
Business Tax	450,000	2,252	41,466	9.21%
Fees & Licenses	166,250	26,462	123,723	74.42%
In Lieu Payments	852,250	52,411	332,971	39.07%
Grants	2,854,250	0	337,811	11.84%
State Shared taxes	1,895,000	135,839	851,437	44.93%
All Other	1,815,550	161,822	1,124,248	61.92%
Federal ARPA Grant	0	0	0	0.00%
ARPA/TDEC-WII	950,000	40,859	49,040	5.16%
Total General Fund Revenue	18,468,300	1,164,452	6,809,024	36.87%
Solid Waste Collection - BPU	1,285,000	106,283	668,260	52.00%
Solid Waste Disposal - Transfer	470,000	42,803	223,971	47.65%
Other Revenue	30,300	183	699	2.31%
Total Sanitation	1,785,300	149,269	892,930	50.02%
Gate Receipts - Brush & Debris	175,000	15,978	102,467	58.55%
County Share Operating Exp	35,000	0	0	0.00%
Gate Receipts - Tires	10,000	433	3,391	33.91%
Other Revenue	41,550	19	1,051	2.53%
Total Landfill	261,550	16,430	106,909	40.88%
Total Drug Fund	43,550	1,910	18,225	41.85%
TOTAL REVENUES	20,558,700	1,332,062	7,827,088	38.07%

EXPENDITURES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Grants & Donations	189,505	20,750	96,578	50.96%
General Administration	515,851	52,100	268,768	52.10%
Economic Development	178,877	21,289	94,251	52.69%
Elections	0	0	0	0.00%
Financial Administration	344,685	27,132	205,030	59.48%
City Hall Building	111,969	11,101	62,636	55.94%
Police Department	2,705,709	289,941	1,420,505	52.50%
Emergency Communications	831,273	100,519	406,393	48.89%
Fire Department	2,068,767	223,344	1,111,411	53.72%
Building Inspection	242,763	22,896	121,697	50.13%
Street Maintenance	1,963,762	178,688	964,469	49.11%
State Street Aid	1,696,500	7,832	1,509,941	89.00%
Storm Water Management	158,757	12,184	50,155	31.59%
Street Lighting	131,000	8,901	53,142	40.57%
City Garage	350,263	27,040	141,387	40.37%
Cemetery Maintenance	78,892	972	40,833	51.76%
Health & Animal Control	289,290	20,260	174,164	60.20%
Civic Center	740,931	64,604	337,323	45.53%
Parks & Recreation	1,240,489	98,592	715,109	57.65%
Library	196,096	0	98,048	50.00%
Community Development	3,082,500	32,876	449,411	14.58%
ARPA-SLFRF	1,000,000	0	17,753	1.78%
ARPA/TDEC-WII	950,000	0	1,170	0.12%
Debt Service	259,000	10,666	113,177	43.70%
General Fund Expenditures	19,326,879	1,231,689	8,453,353	43.74%
Sanitation Collection	1,217,528	166,101	594,299	48.81%
Contractual Services	800,000	58,268	397,869	49.73%
Total Sanitation	2,017,528	224,369	992,169	49.18%
Total Landfill	234,677	11,487	121,775	51.89%
Total Drug Fund	49,500	877	14,486	29.26%
TOTAL EXPENDITURES	21,628,584	1,468,422	9,581,782	44.30%

<u>REVENUES OVER / (UNDER) EXPENDITURES</u>	<u>Current Month</u>	<u>Yr to Date</u>
General Fund	(67,237)	(1,644,329)
Sanitation	(75,100)	(99,239)
Landfill	4,944	(14,866)
Drug Fund	1,034	3,739

**NEW BUSINESS
AGENDA ITEM #2
Appointments to Boards**

<u>BOARD</u>	<u>CURRENT MEMBER</u>	<u>PROPOSED MEMBER</u>	<u>TERM EXPIRATION</u>	<u>NEW EXPIRATION</u>
Personnel Appeals Board 4 Year Term	John Etheridge	John Etheridge	February 5, 2024	February 5, 2028

**NEW BUSINESS
AGENDA ITEM #3
Resolution to Authorize Matching Funds for the Community Development Block Grant
for Fiscal Year 2024**

The City of Paris could qualify for up to approximately \$828,000 in Community Development Block Grant (CDBG) money with only an 11% required match. Staff would like to suggest the Commission consider undertaking construction of a sidewalk and boardwalk around the trout pond in Eiffel Tower Park Extended. This project is a piece of the E.T. Park Master Plan.

RESOLUTION NO. 1690

AUTHORIZING MATCHING FUNDS FOR THE BLOCK GRANT
PROGRAM/CDBG FOR FISCAL YEAR 2024

WHEREAS, the governing body of Paris, TN, having committed itself to the improvement of the community that it represents, wishes to make application for a Community Revitalization project through the Community Development Block Grant program,

WHEREAS, having determined proper eligibility by CDBG program guidelines, said governing body wishes to make application for up to \$828,000 in grant funds to implement the aforementioned improvements, and understands that Paris will be accountable for providing a match rate of no less than **11** percent. This match rate was determined by ECD and includes a 4-point reduction for ThreeStar Communities. Said governing body will commit local funds for the match which will be provided by the City of Paris.

NOW, THEREFORE BE IT RESOLVED by the governing body of Paris, TN, meeting in session on this the 1st day of February, 2024, that the Mayor of Paris is authorized to commit local matching funds to the proposed project, and to sign and all necessary assurances, agreements, or contracts required for recipients of CDBG funds.

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.

Resolved this the 1st day of February, 2024.

City of Paris Mayor

Finance Director

NEW BUSINESS
AGENDA ITEM #4
Certificate of Compliance for West Wood Wine and Liquor

Dharmesh and Harshilaben Patel, have filed application for Certificate of Compliance for West Wood Wine and Liquor as part of a name change in the business. Part of the application process with the State is to have a Certificate of Compliance completed by the City. The proper background investigation has been completed by the Paris Police Department and nothing was found to prohibit the issuance of signed certificates. Staff recommend approval of the Certificate of Compliance for West Wood Wine and Liquor which will need to be signed by all members present.

CERTIFICATE OF COMPLIANCE

RETAIL PACKAGE STORE

Pursuant to Tennessee Code Annotated, §57-3-208, this is to certify that:

Name of Applicant: MARSHILABEN D Patel
Home Address: 406 N CRESTWOOD DR
City: PARIS State: TN Zip Code: 38243
Date of Birth: 06-06-1981 Social Security #:

has made application for a Certificate of Compliance to sell retail alcoholic beverages in the County of Henry, State of Tennessee, at Westwood Wine and Liquor and that an investigation has been undertaken of the applicant's criminal record and of the compliance of said business with local law, ordinances or resolutions, and from said investigation the undersigned certifies:

1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten year period, immediately preceding the date of the application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further, that it is the undersigned's opinion that the applicant will not violate any provisions of Tennessee Code Annotated, Title 57, Chapter 3;
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the issuance of this license will not exceed the numerical limit.

This _____ day of _____, 20 _____.

Mayor or Other Official Head of Municipality

MAJORITY OF CITY COUNCIL OR COMMISSION MEMBERS

Council Member/Alderman

Council Member/Alderman

Council Member/Alderman

Council Member/Alderman

CERTIFICATE OF COMPLIANCE

RETAIL PACKAGE STORE

Pursuant to Tennessee Code Annotated, §57-3-208, this is to certify that:

Name of Applicant: DHARMESH DATEL

Home Address: 406 N CRESTWOOD DR

City: PARIS State: TN Zip Code: 38242

Date of Birth: 07-01-78 Social Security #:

has made application for a Certificate of Compliance to sell retail alcoholic beverages in the County of Henry, State of Tennessee, at West Wood Wine and Beer and that an investigation has been undertaken of the applicant's criminal record and of the compliance of said business with local law, ordinances or resolutions, and from said investigation the undersigned certifies:

1. That the applicant or applicants who are to be in actual charge of said business have not been convicted of a felony within a ten year period, immediately preceding the date of the application and, if a corporation, that the executive officers or those in control have not been convicted of a felony within a ten year period immediately preceding the date of the application; and further, that it is the undersigned's opinion that the applicant will not violate any provisions of Tennessee Code Annotated, Title 57, Chapter 3;
2. That the applicant has secured a location which complies with all restrictions of the laws, ordinances and resolutions;
3. That the issuance of this license will not exceed the numerical limit.

This _____ day of _____, 20_____.

Mayor or Other Official Head of Municipality

MAJORITY OF CITY COUNCIL OR COMMISSION MEMBERS

Council Member/Alderman

Council Member/Alderman

Council Member/Alderman

Council Member/Alderman

NEW BUSINESS
AGENDA ITEM #5
Proposal to Purchase Property on W. Wood St.

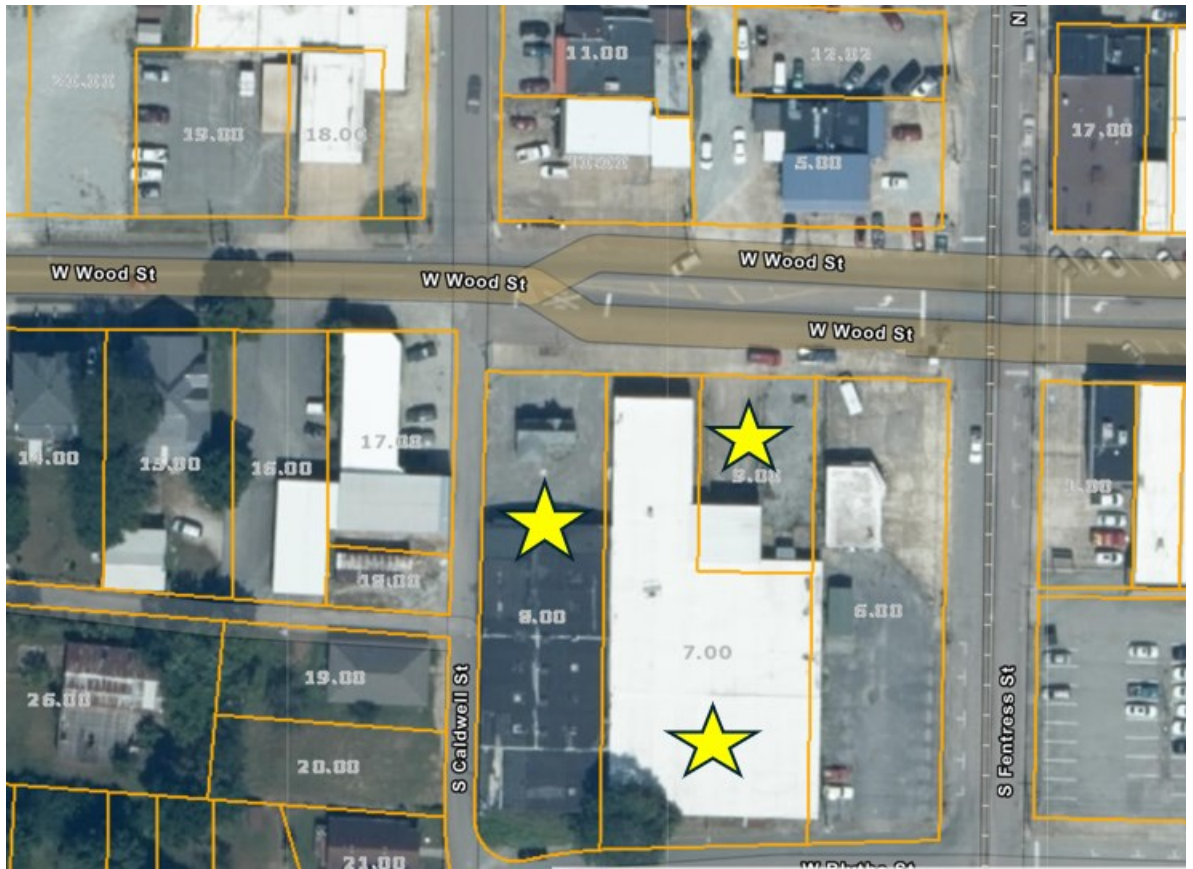
The architects and engineers at TLM working on our new facilities project have had a very hard time getting our proposed new buildings (fire station & municipal building which will include the Police Dept) to fit on our current property and still include the space that we need. Parking requirements and the grade of our current property are proving to be the most difficult elements.

Besides these difficulties, the current City Hall will have to be torn down before construction can commence on a new one. All current city hall and police department personnel will have to find another location out of which to work during the 18 - 24-month construction of a new facility. IF we can find a location big enough for all of us, which is doubtful, we will also have to pay rent. All of this led me to reconsider an option I had toyed with about a year ago. I found out that property located at 307 W. Wood, owned by the heirs of the late John Upchurch, could be purchased. I asked my husband, who is a real estate broker, to contact the property owners of 301, 307 (2 parcels) & 311 W. Wood to determine their level of interest in selling their properties. I also asked TLM to evaluate the feasibility of locating a fire station on this city block and to determine how much of the available space would be needed.

The replies to both issues were favorable. All property owners are willing to sell, and TLM confirmed that they could fit the new fire station they had already designed on three of the four parcels, 307 (2 parcels) & 311 W. Wood. These were also the properties which would be most reasonable to acquire. At my request, Brian, who is **NOT** being compensated in any way for his assistance, talked to the property owners and negotiated what I think are reasonable purchase prices. Since I do not currently have the authority to bind the City to the purchase, the property owners agreed to honor their asking prices and not entertain any other offers to purchase until after our February Commission meeting. The agreed upon purchase prices are \$60,000 for 311 W. Wood and \$225,000 for 307 W. Wood. If the Commission agrees to move forward with these purchases City Attorney James Smith will draft contracts for the purchases.

Acquisition of these properties for a new Fire Station will not only allow us to stay in the current city hall building while the new one is constructed, it will also replace two blighted properties within sight of our historic downtown with a new building that will be designed to aesthetically compliment our downtown. Additionally, Fire Chief Hinson is very much in favor of this new location as it will remove some logistical concerns he has with the previously proposed location.

Additional details will be provided at the meeting and questions will certainly be entertained. The following is a map with the new location noted with stars.



**STATUS OF VARIOUS PROJECTS
February 2024**

	PRIMARY STAFF	TARGET COMPLETION DATE(S)	
HOME Grant	Morris/Foster	2024	Bad weather has slowed the progress on the Blythe St. property, but the Depot St. house is close to final inspection.
Back Alley Paris	Foster/Morris/ Ray	June 2024	Conceptual Design for “Destination Paris” is complete. Dan is now working on the full sized mural to be completed by June.
2018 STBG Project for Signalization & Safety Upgrades at 3 Intersections Downtown	Foster/Morris	Fall 2024	Final Right of way plans are at TDOT. Waiting on NTP to Right of Way. Preliminary Construction ready for submittal when NTP to Right of Way is received. Agency wide proprietary items request for signal items submitted to TDOT. TLM working through comments on final NEPA document.
Rison St Bridge Replacement	Foster/Morris	Summer 2024	As of Monday (Jan. 29) we have received ALL of the signed construction easements. We have forwarded all of them to our engineer who will send them on to TDOT.
2020 Multimodal Access Grant for 4 Downtown Intersections	Foster/ Morris	Fall 2024	Excess land process continues. Preliminary construction plans are still under review by some divisions at TDOT. Agency wide proprietary items request for signal items submitted to TDOT. Right of Way acquisition process continues. The city attorney is working on Title Opinions. Easement information provided to the city. Received Utility certification from TDOT. Received permit certification from TDOT.
2022 Multimodal Access Grant for Tyson/M.W. Intersection Upgrades & Sidewalk	Foster/Morris	Fall 2025	Continued work on preliminary plans. Plans to be submitted to TDOT before the end of January. Continued work on quantities for preliminary construction estimate.
2021 TA Grant for Sidewalk Project along Fairgrounds & Royal Oak	Foster	Winter of 2026	Continued working on the SDC form. Continued work on the preliminary layout. Began preliminary grading. Preliminary layout and grading of East Wood Street/Fairgrounds Road intersection completed.
TDEC Water Infrastructure Improvement (WII) Grant	Foster	Spring 2026	Hydraulic modeling continues on the city-wide drainage study. Final survey received on the Brooks St. project. This project will begin soon.
Downtown Improvement Grant	Morris/Crouch/Foster	Summer 2023	We have one additional project to be completed. Estimated completion date February 2024 due to weather. This project is 75% complete.
Municipal Facilities Project	Foster	Dependent on Direction	Still waiting for SHPO to approve demo of existing building, we can’t move forward with USDA until this is received. If approval is granted to purchase additional property for relocation of new fire station the PAR will be revised to include the new property. Layout revisions continue on proposed new municipal building.
Volunteer Sidewalk Issue	Foster	ASAP	TLM is developing construction plans.

Notes from the City Manager:

- Homeless Forum on Monday, February 12th at 5:00 p.m. at Krider Performing Arts Center (KPAC).
- New Fire Truck update: The truck that was in production and available to us at our last meeting was literally sold about an hour before we called to say we wanted it. Chief Hinson is now awaiting a quote from a relatively new vendor who has told him that they could deliver a truck in 90 – 120 days.
- There are a couple of property owners / developers with property outside the city limits who are still interested in receiving sanitary sewer services. They understand they must request annexation to move forward so we may have an annexation request to bring to you in the near future.