

KATHY RAY, MAYOR
KIM FOSTER, CITY MANAGER
JAMES SMITH, CITY ATTORNEY



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

**BOARD OF COMMISSIONERS MEETING MINUTES
CITY OF PARIS, TENNESSEE
September 7, 2023
5:00 P.M.**

The Board of Commissioners of the City of Paris, Tennessee held a Regular Meeting at 5:00 p.m. on Thursday, September 7, 2023, in the Paris City Hall Courtroom.

The meeting was called to order by Mayor Kathy Ray with the following roll call:

- Present:** Mayor Kathy Ray
Vice Mayor Vickey Roberts
Commissioner Jackie Jones
Commissioner Sam Tharpe
Commissioner John Etheridge
- Also Present:** City Manager Kim Foster
City Attorney James Smith
M.J. Stancook, Chief Account Clerk
Administrative Assistant Jessica Crouch
- Absent:** Tammie Hopper, Finance Director
- Media:** Ken Walker, Paris Post Intelligencer
Shannon McFarlin, WENK/WTPR

Commissioner Jackie Jones led the meeting with the Pledge of Allegiance followed by a prayer led by Commissioner Sam Tharpe.

APPROVAL OF MINUTES: Regular Meeting – August 3, 2023

DISCUSSION: None

ACTION: The minutes stand approved as read.

VOTE: None

COMMENTS FROM CITIZENS: First Comment was from Larry Bolding who lives at 611 Volunteer Drive. Mr. Bolding stated that his concern when buying his home was his driveway. Mr. Bolding stated that his sidewalk has been an issue and has a one-year warranty with his builder. He is hopeful that the driveway gets fixed and that the sidewalk is within ADA compliance.

COMMENTS FROM THE COMMISSION: None

SERVICE RESOLUTIONS AND PROCLAMATIONS: Police Chief Ricky Watson introduced new Patrol Officer, Evan Coker. Officer Coker is a Paris-Henry County native and stated that he was thankful to be a part of the City of Paris.

COMMENTS FROM THE CITY MANAGER: None

OLD BUSINESS

NONE

NEW BUSINESS:

**NEW BUSINESS
AGENDA ITEM NO.1
Financial Update**

Narrative to July 2023 Operating Statement

Retail sales tax revenue for the month of June was up 4.58% compared to June of last year. We ended the fiscal year with an increase of 5.05% compared to last fiscal year.

As usual, we started our new fiscal year with expenditures exceeding revenues for the month of July. We had several large expenses including \$385K for our workers comp and liability insurance, \$102K principal payment for Splash Park, \$71K for equipment for patrol cars, street department expenses included \$1.2M for asphalt used for street paving, \$59K for a new truck and \$96K for a bucket truck.

Other Business:
Personnel changes in July: None

We issued seven business licenses in July:

- New Business (6):** Human Technology, Knott's Landing, Three Mules Marketing & PR, Evergreen Therapy, Miracle's Macros, Pressure Pops
- New Owner (1):** Best Donut

CITY OF PARIS, TENNESSEE						
RETAIL SALES TAX REVENUE						
	FY2019	FY2020	FY2021	FY2022	FY2023	% Incr(Decr)
JULY	\$787,901	\$802,267	\$898,979	\$951,793	\$1,046,570	9.96%
AUGUST	\$790,533	\$799,378	\$843,541	\$895,516	\$931,433	4.01%
SEPTEMBER	\$774,425	\$797,992	\$888,921	\$965,256	\$1,067,740	10.62%
OCTOBER	\$761,812	\$761,453	\$873,733	\$974,047	\$1,036,880	6.45%
NOVEMBER	\$809,116	\$807,105	\$874,641	\$988,199	\$1,059,818	7.25%
DECEMBER	\$960,027	\$957,286	\$1,097,412	\$1,210,615	\$1,218,473	0.65%
JANUARY	\$665,013	\$713,906	\$844,826	\$839,389	\$915,685	9.09%
FEBRUARY	\$704,313	\$727,380	\$719,938	\$859,647	\$936,706	8.96%
MARCH	\$877,659	\$840,175	\$1,101,592	\$1,102,651	\$1,106,574	0.36%
APRIL	\$849,875	\$865,360	\$1,040,359	\$1,060,677	\$1,069,082	0.79%
MAY	\$863,697	\$949,140	\$1,005,346	\$1,105,515	\$1,122,824	1.57%
JUNE	\$873,145	\$966,861	\$1,013,926	\$1,125,455	\$1,177,018	4.58%
TOTAL	\$9,717,515	\$9,988,303	\$11,203,215	\$12,078,759	\$12,688,803	
Previous YTD % Increase/Decrease	1.24%	2.79%	12.16%	7.82%	5.05%	

**Monthly Operating Statement
July 2023**

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Property Taxes	1,985,000	2,365	2,365	0.12%
Local Option Sales Tax	6,600,000	552,841	552,841	8.38%
Wholesale Liquor / Beer	900,000	86,793	86,793	9.64%
Business Tax	450,000	7,631	7,631	1.70%
Fees & Licenses	166,250	1,362	1,362	0.82%
In Lieu Payments	852,250	0	0	0.00%
Grants	2,855,250	55,396	55,396	1.94%
State Shared taxes	1,895,000	148,844	148,844	7.85%
All Other	1,814,550	237,392	237,392	13.08%
Federal ARPA Grant	0	0		#DIV/0!
ARPA/TDEC-WII	950,000	0	0	0.00%
Total General Fund Revenue	18,468,300	1,092,624	1,092,624	5.92%
Solid Waste Collection - BPU	1,285,000	103,215	103,215	8.03%
Solid Waste Disposal - Transfer	470,000	62,926	62,926	13.39%
Other Revenue	30,300	60	60	0.20%
Total Sanitation	1,785,300	166,202	166,202	9.31%
Gate Receipts - Brush & Debris	175,000	21,908	21,908	12.52%
County Share Operating Exp	35,000	0	0	0.00%
Gate Receipts - Tires	10,000	454	454	4.54%
Other Revenue	41,550	191	191	0.46%
Total Landfill	261,550	22,554	22,554	8.62%
Total Drug Fund	43,550	11,527	11,527	26.47%
TOTAL REVENUES	20,558,700	1,292,907	1,292,907	6.29%

EXPENDITURES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Grants & Donations	189,505	9,428	9,428	4.98%
General Administration	515,851	53,947	53,947	10.46%
Economic Development	178,877	14,971	14,971	8.37%
Elections	0	0	0	#DIV/0!
Financial Administration	344,685	41,171	41,171	11.94%
City Hall Building	111,969	10,581	10,581	9.45%
Police Department	2,705,709	379,187	379,187	14.01%
Emergency Communications	831,273	59,855	59,855	7.20%
Fire Department	2,068,767	208,835	208,835	10.09%
Building Inspection	242,763	26,709	26,709	11.00%
Street Maintenance	1,963,762	209,343	209,343	10.66%
State Street Aid	1,696,500	1,346,844	1,346,844	79.39%
Storm Water Management	158,757	10,258	10,258	6.46%
Street Lighting	131,000	7,774	7,774	5.93%
City Garage	350,263	32,180	32,180	9.19%
Cemetery Maintenance	78,892	10,269	10,269	13.02%
Health & Animal Control	289,290	22,274	22,274	7.70%
Civic Center	740,931	66,287	66,287	8.95%
Parks & Recreation	1,240,489	158,392	158,392	12.77%
Library	196,096	0	0	0.00%
Community Development	3,082,500	46,452	46,452	1.51%
ARPA-SLFRF	1,000,000	17,753	17,753	1.78%
ARPA/TDEC-WII	950,000	1,170	1,170	0.12%
Debt Service	259,000	102,511	102,511	39.58%
General Fund Expenditures	19,326,879	2,836,190	2,836,190	14.67%
Sanitation Collection	1,217,528	107,731	107,731	8.85%
Contractual Services	800,000	76,334	76,334	9.54%
Total Sanitation	2,017,528	184,064	184,064	9.12%
Total Landfill	234,677	45,001	45,001	19.18%
Total Drug Fund	49,500	212	212	0.43%
TOTAL EXPENDITURES	21,628,584	3,065,467	3,065,467	14.17%

<u>REVENUES OVER / (UNDER) EXPENDITURES</u>	<u>Current Month</u>	<u>Yr to Date</u>
General Fund	(1,743,566)	(1,743,566)
Sanitation	(17,862)	(17,862)
Landfill	(22,447)	(22,447)
Drug Fund	11,316	11,316

NEW BUSINESS

AGENDA ITEM NO. 2

Appointments to Boards

NONE

NEW BUSINESS

AGENDA ITEM NO. 3

Certificate of Compliance for The Loft on Mineral Wells

DISCUSSION: Kathy Ray, City Mayor, stated that this request is due to the location and address change of The Loft on Mineral Wells. A certificate of compliance from the City is part of the application process with the State of Tennessee.

ACTION: Commissioner Jackie Jones made a motion, seconded by Commissioner John Etheridge to approve the Certificate of Compliance for The Loft on Mineral Wells.

VOTE: Unanimous

NEW BUSINESS

AGENDA ITEM NO. 4

Ordinance to Amend Alcoholic Beverage Control Board Meeting Time in Paris Municipal Code (First Reading)

DISCUSSION: Kathy Ray, City Mayor, stated this ordinance was prepared as a request from the Alcoholic Beverage Control Board members to change their meeting time from 6:00 p.m. to 12:00 p.m. to better serve all board members.

ACTION: Commissioner Sam Tharpe made a motion, seconded by Vice Mayor Vicky Roberts to approve the Ordinance to amend Alcoholic Beverage Control Board Meeting Time in the Paris Municipal Code on first reading.

VOTE: Unanimous

ORDINANCE NO. 1299

AN ORDINANCE to Amend 2-201 of the Paris Municipal Code.

SECTION 1. BE IT ORDAINED by the Board of Commissioners of the City of Paris, Tennessee, that 2-201 of the Paris Municipal Code be amended as follows:

- A. That the second paragraph of 2-201 be amended by deleting the phrase “6:00 p.m.” and substituting therefore the phrase “12:00 p.m.”.

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 September 7, 2023.

Passed and adopted _____.

Mayor

Finance Director

NEW BUSINESS

AGENDA ITEM NO. 5

Resolution to Amend the COP Personnel Rules and Regulations by Updating Firefighter Job Description Requirements (EMR & Response Time)

DISCUSSION: Kathy Ray, City Mayor, stated that this resolution reflects an update to the Firefighter job description requiring a 30-minute response time and a EMR certification from all future Fire Department employees.

ACTION: Vice Mayor Vicky Roberts made a motion, seconded by Commissioner Sam Tharpe to approve the Resolution to Amend the COP Personnel Rules and Regulations by Updating Firefighter Job Description Requirements (EMR & Response Time).

VOTE: Unanimous

RESOLUTION NO. 1686

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 deleting the job description of Firefighter in its entirety and enacting the following the job description for Firefighter in Appendix B:

FIREFIGHTER

Nature of Work

This is skilled firefighting work in combating, extinguishing and preventing fire, in answering emergency calls, and in operating and maintaining Fire Department equipment, apparatus and quarters.

Work involves training and participating in firefighting and life rescue duties in the protection of life and property. A firefighter may be assigned to drive fire trucks to and from the scene of fires and emergencies and to operate pumps and other equipment as required. Work is often performed under emergency conditions which may require strenuous exertion under such handicaps as fire, heat, smoke, and cramped and hazardous surroundings. Although firefighting and rescue work are the most difficult and responsible areas of work, a significant portion of time is spent inspecting premises for fire hazards, in drilling and studying methods and techniques, in routine station duties, in the care and maintenance of fire department property and equipment, and in performing other related duties. Work is performed under supervision in accordance with explicit instructions and well-defined procedures; however, satisfactory performance of the work requires initiative and a thorough understanding of firefighting techniques, fire equipment operation, fire prevention codes and requirements, and rescue methods and techniques.

Illustrative Examples for Work

- Responds to fire alarms with a company or as a driver of a heavy-duty pumper or ladder truck; operates pumps, aerial ladders, and auxiliary equipment; lays and connects hoses; holds nozzles and directs fog or water streams; raises and climbs ladders; uses chemical extinguishers, bars, hooks, lines and other equipment.
- Ventilates burning buildings by opening windows and skylights or by chopping holes in roofs and floors; removes persons from danger; administers first aid, assesses emergency medical problems, and performs prescribed treatment as outlined and authorized under Tennessee Emergency Medical Responder guidelines; operates lifesaving equipment.
- Performs salvage operations; maintains and performs minor repair of equipment; inspects and maintains fire hydrants.
- Participates in fire drills and attends regular classes in firefighting, rescue, first aid, fire prevention, equipment care, and related subjects.
- Performs pre-fire survey; assists in the maintenance of records and preparation of reports.
- Performs related work as required.

Desirable Knowledges, Abilities, and Skills

- Knowledge of the location of streets, fire hydrants, and major buildings in the service area.
- Knowledge of modern firefighting and fire prevention principles and practices as well as elementary first aid techniques.
- Knowledge of the operating and mechanical principles involved in the operation of fire and rescue apparatus and equipment.
- Ability to understand and follow oral and written instructions and to react quickly and calmly under emergency conditions.
- Ability to establish and maintain effective working relationships with other employees and the general public.

Essential Job Requirements:

General Physical Requirements

- Good physical condition and sufficient strength to do heavy lifting and carrying for extended periods, often under adverse weather conditions must be able to lift to 80 pounds on a regular basis. Must be able to perform repetitive duties using arms, hands, shoulders, and legs Must be able to stand or walk on all surfaces for extended periods of time.

Physical Activities

- Kneeling, Crouching, Climbing, Crawling, Reaching, Standing, Walking, Lifting, Grasping, Feeling, Talking, Hearing, and Repetitive Motions.

Acuity

- The worker is required to have visual and hearing acuity to determine the neatness and to make general observations of facilities of structures for safety of others.
- Must have visual acuity to operate motor vehicles.

Working Conditions

- Work is substantially exposed to adverse environmental conditions while working outdoors in rain, heat and/or cold for long periods of time.

Desirable Training and Experience

Graduation from a standard high school or successful completion of GED; some experience or knowledge of elementary mechanics or the performance of work requiring manual skill and dexterity; or any equivalent combination of experience and training.

Successful candidates for the position of Firefighter must: 1) be at least 21 years old; 2) maintain a valid Tennessee Driver's License; 3) Reside within a 30-minute response time to Fire Station 1 within 12 months of hire. 4) attend and pass the State Fire Academy Recruit School and Pumper operator/driver Course; and 5) become a certified Firefighter II and obtain EMR (Emergency Medical Responder) state licensure within two years of appointment.

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

- A. Enacting the following job description for the position of Firefighter in Appendix B.:

FIREFIGHTER

Nature of Work

This is skilled firefighting work in combating, extinguishing and preventing fire, in answering emergency calls, and in operating and maintaining Fire Department equipment, apparatus and quarters.

Work involves training and participating in firefighting and life rescue duties in the protection of life and property. A firefighter may be assigned to drive fire trucks to and from the scene of fires and emergencies and to operate pumps and other equipment as required. Work is often performed under emergency conditions which may require strenuous exertion under such handicaps as fire, heat, smoke, and cramped and hazardous surroundings. Although firefighting and rescue work are the most difficult and responsible areas of work, a significant portion of time is spent inspecting premises for fire hazards, in drilling and studying methods and techniques, in routine station duties, in the care and maintenance of fire department property and equipment, and in performing other related duties. Work is performed under supervision in accordance with explicit instructions and well-defined procedures; however, satisfactory performance of the work requires initiative and a thorough understanding of firefighting techniques, fire equipment operation, fire prevention codes and requirements, and rescue methods and techniques.

Illustrative Examples for Work

- Responds to fire alarms with a company or as a driver of a heavy-duty pumper or ladder truck; operates pumps, aerial ladders, and auxiliary equipment; lays and connects hoses; holds nozzles and directs fog or water streams; raises and climbs ladders; uses chemical extinguishers, bars, hooks, lines and other equipment.
- Ventilates burning buildings by opening windows and skylights or by chopping holes in roofs and floors; removes persons from danger; administers first aid, assesses emergency medical problems, and performs prescribed treatment as outlined and authorized under Tennessee Emergency Medical Responder guidelines; operates lifesaving equipment.
- Performs salvage operations; maintains and performs minor repair of equipment; inspects and maintains fire hydrants.
- Participates in fire drills and attends regular classes in firefighting, rescue, first aid, fire prevention, equipment care, and related subjects.
- Performs pre-fire survey; assists in the maintenance of records and preparation of reports.
- Performs related work as required.

Desirable Knowledges, Abilities, and Skills

- Knowledge of the location of streets, fire hydrants, and major buildings in the service area.
- Knowledge of modern firefighting and fire prevention principles and practices as well as elementary first aid techniques.
- Knowledge of the operating and mechanical principles involved in the operation of fire and rescue apparatus and equipment.
- Ability to understand and follow oral and written instructions and to react quickly and calmly under emergency conditions.
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Essential Job Requirements:

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- The worker is required to have visual and hearing acuity to determine the neatness and to make general observations of facilities of structures for safety of others.
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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.

Unanimously adopted this the 7th day of September, 2023.

/s Kathy Ray
Mayor

/s Tammie Hopper
Finance Director

ATTESTED:

/s Jessica Crouch

NEW BUSINESS

AGENDA ITEM NO. 6

Discussion of Volunteer Drive Sidewalk Noncompliance Issue

DISCUSSION: City Attorney James Smith reported on a noncompliance issue with the sidewalk on Volunteer Drive. Mr. Smith presented a timeline that dates to July 2022 - present. At the end of Mr. Smith's presentation, Mr. Smith stated that it was necessary for the City Commission to determine a course of action based on the following options: 1. Do nothing, allow the sidewalk to be in non-compliance with Americans with Disabilities Act and assume risk of liability non-compliance. Mr. Smith stated that this does not seem rational and will create future complications with enforcement of any law if the city is unwilling to comply with federal law. He also stated that option #1 was a completely unnecessary risk of liability. 2. Remove and replace sidewalk to comply with ADA as it had previously been. Mr. Smith stated this was not ideal because it does not help homeowners (or builder) with ingress and egress issues. 3. Utilize City resources to hire an engineer to develop plans that will do very best to accommodate compliance and the interests of the homeowner and builder. Mr. Smith stated that there is no guarantee that engineering will work, and without cooperation by builder the city may only be able to partially solve problem. Mr. Smith also stated that the City cannot use its funds to perform work on private property. Mr. Smith stated that this issue was placed on the agenda to advise the city of the legal interest that may adversely affect the city and ensure adequate advice on how to abide by the law.

Mayor Kathy Ray, Vice-Mayor Vickey Roberts, Commissioner John Etheridge, Commissioner Jackie Jones, and Commissioner Sam Tharpe all thanked City Attorney James Smith for his hard work and continuous research. They also stated that they are hopeful that the builder will come to the table and agree upon a course of action.

See below for July 2022 – present timeline of events regarding Volunteer Drive Sidewalk Noncompliance Issue compiled by City Attorney, James Smith.

VOLUNTEER DRIVE – SIDEWALK ISSUE

COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT

- Prior to my appointment as City Attorney and prior to the hiring of Jesse Skidmore
- July 27, 2022 – Builder issued permit for curb cut for two driveway connections to two newly constructed homes
 - Upon issuance of permit, employee at Public Works has stated he specifically recalls discussed compliance issues with regard to 2% cross-slope of poured sidewalk
- Mid-August, 2022 – curb cut had been poured by builder.
 - City of Paris was notified by a complaint from a citizen that sidewalk that had just been poured did not appear compliant with Americans with Disabilities Act
 - Americans with Disabilities Act – protects the rights of people with different abilities from discrimination in access to jobs, public accommodations, government services, etc.
 - Part of public accommodations are public sidewalks
 - Cross-slope of sidewalks must be less than 2%
 - As of 2019, City has transition plan as required by law which is a slow but steady plan to improve all facilities and public access routes to ADA compliance
 - However, anytime any work is performed on street at intersection or on sidewalk, etc., the City is under immediate requirement to bring that section to code
 - Because City issued the permit to builder to do curb cut, now City has legal obligation to assure compliance
 - City inspected sidewalk at issue and found slope to be 8.5% to 11% (well in excess of 2%)
- Shortly thereafter, discussions occurred with builder regarding slope of sidewalk and potential solutions
 - Most obvious solution was lowering a water line or relocating the water line so the slope of the driveway could decrease and accommodate limitations imposed on sidewalk slope
 - City discussed with BPU and it was a feasible solution to lower or move water line because it is currently only approximately 8" deep (as I understand the situation)
 - Although no landscaping, etc., at this time Builder was unwilling to consider this option
 - These types of discussions were ongoing from mid-August, 2022 until near end of year but builder remained unwilling to pursue this solution
- In late 2022, as City Attorney I was contacted by Mr. Skidmore to evaluate issue and determine if there was a solution that would not place City at risk
 - The goal was to find a workable solution that would accommodate builder's interests and achieve compliance with ADA
 - I could not identify any exception to ADA that would protect the City

- Builder was unwilling to pursue the option of relocating water line
 - Because City at risk, I recommended that the City remove and re-pour the sidewalk to be in compliance with ADA
- In January, 2023, City corrected sidewalk at City expense
- For approximately 6 months this was not an issue
 - During that time, I believe, but am not certain, that one of the houses was purchased and individuals moved into that house
- In late June, 2023, the homeowner who had purchased the house met with Mr. Skidmore for two issues:
 - homeowner needed a certificate of occupancy for the house because it had not been issued previously because of the non-compliant sidewalk issue
 - sidewalk issue had been corrected by City so certificate of occupancy was issued
 - homeowner was displeased with the slope of his driveway and how it connected to the street
 - Mr. Skidmore explained to homeowner the necessity of compliance with the Americans with Disabilities Act and that no permit would be issued to modify the sidewalk
 - Homeowner informed Mr. Skidmore that builder intended to replace sidewalk nonetheless
- On August 11, 2023, builder removed and replaced sidewalk at house that had not been sold
 - Mr. Skidmore contacted builder to ask why he was doing this
 - Builder said he needed to sell house and angle of sidewalk had to be better for that purpose
 - Mr. Skidmore told him he could not put the City's sidewalk into a state of non-Compliance with the ADA
 - Builder told Mr. Skidmore to let the lawyers handle it
 - Mr. Skidmore measured slope of sidewalk and it was 8.5%
- I was contacted about the issue and recommended that we sit down with the builder and his attorney to discuss the situation because there had to be some options that would accomplish both interests
 - Builder rejected offer to discuss situation and was not interested in changing the sidewalk
- Because sidewalk again in state of non-compliance with ADA and in hopes that we could persuade builder to discuss the issue and work together I did not recommend City immediately correct issue but I did want to try to determine some protection for City from any liability
 - I spoke with legal consultant at the Municipal Technical Advisory Service and received recommendation
 - City was at liability risk

- City followed recommended course of action to place signs to alert pedestrian and/or wheelchair traffic of potentially unsafe slope of sidewalk
 - Not ideal, but it was something that would hopefully allow opportunity for me to talk with builder and his lawyer and work on a plan to accommodate both the City's requirement to comply with ADA and the builder's interest
 - Builder remains unwilling to meet
 - On August 30, 2023 builder removed and replaced driveway and sidewalk at house that had been purchased previously
- Between August 30 and September 5, I deeply researched, contacted engineers who specialized in governmental accommodations and compliance with ADA
 - Developed an idea as provided by an ADA engineering specialist employed by TDOt
 - Could result in a workable solution but would require substantive engineering
 - Mountable Curb
 - Only required 4' at 2% slope so use other 1' at different slope
 - Talked with City Manager and she suggested we work with the builder and offer to use city resources to replace the sidewalk
 - I recommended that builder coordinate engineering and pay for that because it will be important to accommodate homeowner and builder's interest in that regard and our only interest is compliance with ADA
 - if builder would get engineering done we could have review to determine compliance with ADA
- On September 5, I requested that Mr. Skidmore contact the builder to explain I had determined a potential solution
 - Mr. Skidmore contacted builder while I was present in room
 - Builder rejected the meeting to discuss resolution
 - Mr. Skidmore told him the basic idea of engineer and city performing work
 - Builder said he was not interested in changing sidewalk at all
- I requested this matter be placed on the Commission Agenda because it is necessary for the City to determine course of action. I believe there are several options:
 - Do nothing, allow the sidewalk to be in non-compliance with Americans with Disabilities Act and assume risk of liability non-compliance
 - Does not seem rational to me and will create future complications with enforcement of any law if we are unwilling to comply with federal law
 - Completely unnecessary risk of liability
 - Remove and replace sidewalk to comply with ADA as it had previously been
 - Not ideal because does not help homeowner (or builder) with ingress and egress issues
 - Utilize City resources to hire engineer to develop plan that will do very best to accommodate compliance and the interests of the homeowner and builder
 - No guarantee that engineering will work
 - Without cooperation by builder we may only be able to partially solve problem
 - City cannot use its funds to perform work on private property

ACTION: None

VOTE: None

STATUS OF VARIOUS PROJECTS
September 2023

	PRIMARY STAFF	TARGET COMPLETION DATE(S)	
HOME Grant	Morris/Foster	2024	The deed on house #1 was signed on August 1. Construction on house #2 is between 25 – 50% complete. We feel comfortable with the amount of money left in the grant to proceed with the third house to be rebuilt. Bids for construction of house #3 will be opened on August 11.
Back Alley Paris	Foster/Morris/ Ray	June 2024	We received an award in the amount of \$5,500. The planned project is being called Destination Paris. It has not yet been determined where this mural will be located but it is hoped that it will be in a visible place when coming into downtown from the north.
2018 STBG Project for Signalization & Safety Upgrades at 3 Intersections Downtown	Foster/Morris	Fall 2024	Submitted final ROW plans to TDOT. Waiting on NTP to ROW. Added curb bump outs at Poplar and Washington to construction plan. Finalizing Preliminary Construction plans for submittal when NTP to Right of Way is received. Excess land process continues. Waiting on responses from historic and NAC agencies.
Rison St Bridge Replacement	Foster/Morris	Summer 2024	We received NTP with funded ROW. Staff are working to secure construction easements from 8 property owners. A2H has received comments back from TDOT on construction plans. They will revise plans and resubmit in August.
2020 Multimodal Access Grant for 4 Downtown Intersections	Foster/ Morris	Fall 2024	Final Right of Way plans are at TDOT. Addressing comments from TDOT on the NEPA re-eval documents. Excess land process continues. Work has begun on Preliminary Construction Plans.
2021 Multimodal Access Grant for Tyson/M.W. Intersection Upgrades & Sidewalk	Foster/Morris	Fall 2025	NEPA document (SDC form) submitted to TDOT, addressing comments. Preliminary layout complete. Preliminary Grading undergoing final review. Design review scheduled for September 11.
2021 TA Grant for Sidewalk Project along Fairgrounds & Royal Oak	Foster	Winter of 2026	Working on the SDC form. Final survey has been received. TLM to begin work on preliminary layout. Environmental Boundaries Report has been completed and submitted to TDOT.
TDEC Water Infrastructure Improvement (WII) Grant	Foster	Spring 2026	Hydraulic modeling continues. Survey has been ordered for the Brooks St. drainage improvements portion of this project.
Downtown Improvement Grant	Morris/Crouch/Foster	Summer 2023	Two additional projects have now been completed. We have an additional project moving forward who is still working on getting quotes.
Municipal Facilities Project	Foster	Dependent on Direction	Working on Fire Station schematic drawings with city's input. Working on redesign of Police building based off city's comments. Received survey and performed field verification. Sent survey markups to surveyor. Looking at combining city hall and police department in one building.

Kim Foster, City Manager discussed the following updates regarding the Status of Various Projects:

- The First Update was regarding the 2018 STBG Project for Signalization & Safety Upgrades at 3 Intersections Downtown. Information was received on 9/7/2023 from two agencies in order to fill out the SDC form (Streamline Document Checklist).

Notes/Updates from the City Manager

- We currently have several employees out sick with COVID.
- Auditors have been on site this week, so far everything has gone well.
- A huge thank you to M.J. Stancook for her help with all the changes that have taken place in the Finance Department.
- Kudos to all staff for their teamwork this week in order to get all Fire Fees in the mail this week.

Motion to Adjourn: Commissioner Sam Tharpe made a motion, seconded by Commissioner Jackie Jones to adjourn at 5:43 p.m.

Mayor

Finance Director