

CARLTON GERRELL, MAYOR
KIM FOSTER, CITY MANAGER
FRED MCLEAN, ATTORNEY



JACKIE JONES, VICE MAYOR
TERRY FULLER, COMMISSIONER
GAYLE GRIFFITH, COMMISSIONER
SAM THARPE, COMMISSIONER

CITY OF PARIS, TENNESSEE
BOARD OF COMMISSIONERS REGULAR MEETING AGENDA

CITY HALL COURTROOM
November 5, 2020
5:00 P.M.

REGULAR MEETING

Call to Order: Carlton, Gerrell, City Mayor

Roll Call: Traci Shannon, Finance Director

Pledge of Allegiance and Prayer

Approval of the Minutes of Previous Meeting: Regular Meetings – September 5, 2020 and October 1, 2020,

Board Will Hear Comments from Citizens

Board Will Hear Comments from the Commission

Service Resolutions and Proclamations: Recognition of Commissioner Terry Fuller's last meeting and his 12 years of service to the City of Paris.

OLD BUSINESS

- 1.) Ordinance to Amend Provisions of the Temporary Beer Permit (Second Reading):**
Kim Foster, City Manager

NEW BUSINESS

- 1.) Financial Update:** Traci Shannon, Finance Director
- 2.) Appointments to Boards:** Carlton Gerrell, City Mayor
- 3.) Request for Additional Support for the Restoration of the 1927 American LaFrance Fire Engine:** David Webb, President of the HC Historical Society
- 4.) Resolution to Participate in the PEP Property Conservation Grant:** Kim Foster, City Manager
- 5.) Discussion of Extraordinary Items:** Kim Foster, City Manager
- 6.) Manley Avenue Right of First Refusal:** Kim Foster, City Manager

Various Projects Updates: Kim Foster, City Manager

Adjournment

OLD BUSINESS
AGENDA ITEM NO. 1
Ordinance to Amend Provisions of the Temporary Beer Permit (Second Reading)

A recent application for use of the West Alley brought to light some issues with the temporary beer permit that staff feels should be amended. First, the 45 day requirement for applying for the permit seems unnecessary and a shorter time frame is being proposed. Second, the current code prohibits beer from being served in any city owned property. Staff feels this is too prohibitive and is proposing a change to that restriction as well. You will find for your consideration the proposed amendments in the following ordinance that was passed on first reading at the October regular meeting. This was presented to the Alcoholic Beverage Control Board at their regular meeting on September 17 and they are in favor of the proposed amendments.

Ordinance No. 1261

AN ORDINANCE
to Amend 2-217 (a) and (c) of the Paris Municipal Code

SECTION 1. Be it ordained by the Board of Commissioners of the City of Paris, Tennessee that 2-217. **Temporary Permits** (a) and (c) be amended as follows:

(A) That the phrase “Forty-five (45) days” be deleted from 2-217 (a) and the following substituted therefore, “Seven (7) days before the regular Board Meeting”. (Ord. # 1261, 11/5/2020.)

(B) That the second sentence of 2-217 (c) be deleted in its entirety and the following substituted therefore:

Provided, however, no temporary permit shall be issued for property or premises owned or controlled by any governmental entity unless the affected governmental entity gives written permission for the issuance of such permit.

(Ord. # 1261, 11/5/2020.)

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 10/1/2020.

Passed and adopted 11/5/2020.

Mayor

Finance Director

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

Narrative to September 2020 Operating Statement

Our retail sales tax revenue was up for the fifth consecutive month. It was ahead 5.52% for the month of August compared to last August and it is also up 8.80% fiscal year-to-date.

The first quarter of FY2021 reflected a deficit in our General Fund. We are below budget on expenditures and revenues. However, we did have a few large expenses during the month of September that included \$509K for paving, \$26K for the building/property insurance, and \$172K for splash pad construction.

A total of 3,636 ESN122 Fire Fee notices were mailed and due payable by September 30th. We collected 50% of the amount billed, which is the average we typically receive each September. We usually collect an additional 10-15% by the end of the fiscal year.

We normally would have the property tax billing out October 1st, but there was a delay from the State due to the reassessment year. The State of TN will be mailing out the property tax notices this year for the City of Paris. This is a very cumbersome process which has been done in the past by our finance department. We have found that the fee for the State to process it is very comparable to our expense and will save much needed time.

Other Business:

We had no new employees, however we did lose a full-time parks maintenance employee due to the passing of Tommy Gallimore.

We issued six business licenses in September:

New Business (5): A&T Bar & Grill, I Know A Guy Home Improvement, Bloom Boutique, One More Pass Outfitters, West TN Sharpshooters Elite Youth Wrestling Club

New Name/New Owner (1): Smartstyle Salon (In Walmart)

**CITY OF PARIS, TENNESSEE
RETAIL SALES TAX REVENUE**

	FY2017	FY2018	FY2019	FY2020	FY2021	% Incr(Decr)
JULY	\$748,999	\$791,918	\$787,901	\$802,267	\$898,979	12.05%
AUGUST	\$738,171	\$775,581	\$790,533	\$799,378	\$843,541	5.52%
SEPTEMBER	\$791,866	\$812,873	\$774,425	\$797,992		
OCTOBER	\$732,345	\$777,777	\$761,812	\$761,453		
NOVEMBER	\$770,351	\$821,637	\$809,116	\$807,105		
DECEMBER	\$999,663	\$927,868	\$960,027	\$957,286		
JANUARY	\$674,764	\$689,391	\$665,013	\$713,906		
FEBRUARY	\$684,426	\$697,202	\$704,313	\$727,380		
MARCH	\$840,859	\$840,412	\$877,659	\$840,175		
APRIL	\$792,642	\$774,320	\$849,875	\$865,360		
MAY	\$796,500	\$840,600	\$863,697	\$949,140		
JUNE	\$871,656	\$849,365	\$873,145	\$966,861		
TOTAL	\$9,442,243	\$9,598,946	\$9,717,515	\$9,988,303	\$1,742,520	
Previous YTD % Increase/Decrease	2.52%	1.66%	1.24%	2.79%	8.80%	

MONTHLY OPERATING STATEMENT

September 2020

REVENUES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Property Taxes	1,469,000	3,138	28,521	1.94%
Local Option Sales Tax	4,550,000	439,988	1,377,740	30.28%
Wholesale Liquor / Beer	790,000	75,603	255,695	32.37%
Business Tax	360,000	4,107	68,446	19.01%
Fees & Licenses	162,500	2,071	37,325	22.97%
In Lieu Payments	876,250	59,626	151,102	17.24%
Grants	1,779,475	1,675	422,622	23.75%
State Shared taxes	1,366,000	109,750	418,736	30.65%
All Other	4,898,664	211,780	576,439	11.77%
Total General Fund Revenue	16,251,889	907,740	3,336,627	20.53%
Solid Waste Collection - BPU	1,225,000	103,189	311,590	25.44%
Solid Waste Disposal - Transfer	350,000	38,373	105,150	30.04%
Other Revenue	400	7	137	34.26%
Total Sanitation	1,575,400	141,570	416,877	26.46%
Gate Receipts - Brush & Debris	120,000	12,425	33,899	28.25%
County Share Operating Exp	35,000	0	0	0.00%
Gate Receipts - Tires	12,000	87	366	3.05%
Other Revenue	30,450	173	30,420	99.90%
Total Landfill	197,450	12,685	64,684	32.76%
Total Drug Fund	68,050	10,418	21,463	31.54%
TOTAL REVENUES	18,092,789	1,072,412	3,839,651	21.22%

EXPENDITURES	<u>Annual Budget</u>	<u>Current Month</u>	<u>Yr to Date</u>	<u>Percent Realized</u>
Grants & Donations	273,990	6,892	18,675	6.82%
General Administration	371,814	28,096	88,940	23.92%
Economic Development	124,264	9,496	29,008	23.34%
Elections	4,500	0	0	0.00%
Financial Administration	301,825	23,291	76,320	25.29%
City Hall Building	94,689	11,292	26,994	28.51%
Police Department	2,331,078	140,182	518,220	22.23%
Emergency Communications	709,474	51,559	149,254	21.04%
Fire Department	1,671,837	118,522	413,975	24.76%
Building Inspection	91,502	6,184	25,629	28.01%
Street Maintenance	1,598,399	103,653	400,836	25.08%
State Street Aid	500,000	414,462	415,237	83.05%
Storm Water Management	71,587	5,259	13,801	19.28%
Street Lighting	102,000	10,216	20,067	19.67%
City Garage	278,963	17,834	78,822	28.26%
Cemetery Maintenance	61,124	7,548	26,144	42.77%
Health & Animal Control	165,976	12,089	44,142	26.60%
Civic Center	544,297	34,495	113,429	20.84%
Parks & Recreation	997,395	64,857	235,631	23.62%
Library	166,487	27,748	55,496	33.33%
Community Development	5,385,400	322,319	792,396	14.71%
Debt Service	823,546	18,692	142,248	17.27%
General Fund Expenditures	16,670,147	1,434,685	3,685,265	22.11%
Sanitation Collection	873,671	74,215	244,839	28.02%
Contractual Services	630,000	53,666	161,815	25.68%
Total Sanitation	1,503,671	127,881	406,654	27.04%
Total Landfill	175,284	14,297	44,085	25.15%
Total Drug Fund	100,900	5,307	13,900	13.78%
TOTAL EXPENDITURES	18,450,002	1,582,171	4,149,904	22.49%

<u>REVENUES OVER / (UNDER) EXPENDITURES</u>	<u>Current Month</u>	<u>Yr to Date</u>
General Fund	(526,946)	(348,639)
Sanitation	13,688	10,223
Landfill	(1,612)	20,599
Drug Fund	5,111	7,563

**NEW BUSINESS
AGENDA ITEM NO. 2
Appointment to Boards**

<u>BOARD</u>	<u>CURRENT MEMBER</u>	<u>PROPOSED MEMBER</u>	<u>TERM EXPIRATION</u>	<u>NEW EXPIRATION</u>
Historic Zoning Board 5 year term (Mayor w/Commission Approval)	Randy Scholes	Mark Atkins	April 1, 2020	April 1, 2025
Paris Henry County Volunteer Center Board (3 year term) (Mayor w/Commission Approval)	Doris Whitfield	Kathy Ray	July 1, 2020	July 1, 2023

NEW BUSINESS
AGENDA ITEM NO. 3
Request for Additional Support for the Restoration of the 1927 American LaFrance Fire Engine

David Webb, President of the Henry County Historical Society, will be on hand to make a short presentation and explain why the Henry County Historical Society is in need of additional funds to complete the restoration of the antique fire truck once owned by the Paris Fire Department.

Dear Commissioners and City Manager Kim Foster,

The Henry County Historical Society requests \$7,500 to complete our community's project to fully restore the 1927 American LaFrance fire engine that was owned by the City of Paris from 1928 until 1964. We regret coming to you for help after we have successfully completed our initial goal of \$32,000, which includes \$5,000 you allocated last year.

Restoration will cost \$20,000 over our original budget. We cut \$5,000 from the project by deleting \$4,000 for a flatbed trailer and \$1,000 for a casket bier for funerals, and we pledge to raise an additional \$5,000. On Monday, the Henry County Board of Commissioners voted to donate \$7,500, so that leaves us short another \$7,500. If we were to pay full price for this frame-up restoration, it would cost approximately \$150,000. We are getting a tremendous benefit by Pipestone Restorations of Waverly, Tennessee, donating their labor.

Unexpected cost increases have stemmed from COVID-19 and other factors including:

- replacing the deteriorated gas tank, running boards, and the floor of a hose bed due to extensive rust and rot
- creating almost all of the bolts, which are bent and/or stripped
- paying increased material costs, such as paint, primer, and rust inhibitor due to the virus's impact on production
- replacing wooden wheel dry rot with putty
- repairing two additional leaks in the motor
- repairing a large crack in the pump

We are excited that you are investing in this significant local historical artifact. Our plans are to take it on the road to various events around the state, including Christmas parades in Nashville and Pigeon Forge, to gain some significant PR for our community. Banners can be hung on the ladder and the hose rack. Once restored, our fire engine will be a beautiful representation of our city, and will definitely get noticed.

Your role in this restoration effort is vital, and we want you to be aware of every step along the way. You can track the progress with the fire engine at this link to the Henry County Historical Society's Facebook page:
<https://facebook.com/HenryCountyHistorical/Society>

Please feel free to contact me if you have any questions. Again, we thank you for your continuing role in preserving and showcasing our antique fire engine for present and future generations to enjoy.

Sincerely,

David W. Webb, president
Henry County Historical Society

NEW BUSINESS
AGENDA ITEM NO. 4
Resolution to Participate in the PEP Property Conservation Grant

In the last year or two our insurance provider, Public Entity Partners (PEP), has created a new grant geared toward helping their member cities protect their assets. This grant is known as a property conservation grant and is awarded for projects such as security fencing, security lighting, surveillance cameras, etc. The grant is a 50/50 grant with a value of up to \$2,500. The Parks Department would like to submit an application to offset the cost of a surveillance system and security lighting at the new Eiffel Tower Splash Park. Staff requests the following resolution be passed allowing the submission of an application and pledging the matching funds required if we are awarded the grant.

RESOLUTION NO. 1647

A RESOLUTION AUTHORIZING THE CITY OF PARIS,
TENNESSEE TO PARTICIPATE IN PUBLIC ENTITY PARTNER'S
"PROPERTY CONSERVATION"
MATCHING GRANT PROGRAM

WHEREAS, the citizens of the City of Paris have entrusted this administration with the care and custody of city-owned property; and

WHEREAS, all efforts shall be made to protect city-owned property from various perils that may arise for the City of Paris; and

WHEREAS, Public Entity Partners seeks to encourage members with property coverage to develop and implement a property conservation program by offering the **PROPERTY CONSERVATION MATCHING GRANT PROGRAM**; and

WHEREAS, the City of Paris now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF PARIS, TENNESSEE, the following:

SECTION 1. That the City of Paris is hereby authorized to submit application for the **PROPERTY CONSERVATION MATCHING GRANT PROGRAM** through the Loss Control Department of Public Entity Partners.

SECTION 2. That the City of Paris is further authorized to provide a matching sum for any monies provided by this grant.

Resolved this 5th day of November in the year of 2020.

Mayor

Finance Director

NEW BUSINESS
AGENDA ITEM NO. 5
Discussion of Extraordinary Items

In light of the recent announcement by the County to give their employees a bonus this year in lieu of a COLA, I pulled together some figures for what it would cost the City to do the same.

1%	=	\$66,526
1.5%	=	\$99,891
2%	=	\$133,188
2.5%	=	\$166,485

As I mentioned during budget planning I would prefer to wait until the first of the year to see where things are settling out in regards to the economy before making a recommendation, but I thought I would go ahead and give you some food for thought. As a reminder, we did give a .5% COLA to our employees this year to help offset an increase in healthcare premiums.

We have received some CARES Act money to cover COVID related expenses. We have not had to spend much on supplies but we are experiencing some unanticipated overtime expenses related to COVID, and I expect we will be spending even more based on our current situation and trend. Right now we have employees out for either sickness or exposure to COVID in the Street, Sanitation, Dispatch, Police, Fire and General Administration Departments.

Another item for your consideration is the purchase of a pumper truck for the Fire Department. For a few years now the Fire Department has been bringing up during the budget planning process the need to replace their oldest pumper truck. It was purchased in 1994 and is currently in service as a backup truck. Also for a few years now it has been in and out of the shop several times for costly repairs. Additionally, the next oldest pumper truck, purchased in 2001 has recently been in the shop and is still being repaired. At one point we had two of our five fire trucks down at the same time. I think it is time to consider replacing the 1994 pumper before we get into a situation where we can't provide the proper level of fire service. A new truck will cost around \$300,000. Lead time to get a truck once an order is placed is usually around 10-12 months. If we wait until next year's budget to consider this purchase it could be almost two years before we would have a new truck.

Fiscal year-to-date revenues have been much stronger than anticipated and we have a healthy fund balance, but the results of the election on the national level could have a huge impact on our economy. Staff is looking for discussion and input from the Commission on these issues.

NEW BUSINESS
AGENDA ITEM NO. 6
Manley Avenue Right of First Refusal

In 1980 the City sold an alley right-of-way off of Manley Avenue. The Keenen Amendments were included in the sale. These amendments include the right of first refusal on the part of the City if the property is ever sold. Since 1980 there have been several transfers of the main property located at 803 Manley Avenue which includes this alley right of way. However, no one has bothered in the past to get the City to release its right of first refusal. Rob Whitfield is currently working on a title commitment for a loan and would like to clean this issue up. The following RELEASE OF RIGHT OF FIRST REFUSAL document has been prepared for your consideration. The restrictions on building on the right of way, and continuing to reserve the utility easements on the property would remain in place. The only thing this document would do is give up, now and in the future, the City's right of first refusal. Staff recommends the Commission grant the Mayor the authority to sign this document.

This instrument prepared by:
Greer, Greer & Whitfield, Attorneys, PLLC
PO Box 385 | Paris, TN 38242

Direct Party: **City of Paris, Tennessee**
Reverse Party: **Eugene C. Platt**

RELEASE OF RIGHT OF FIRST REFUSAL

The undersigned, **City of Paris, Tennessee**, hereby forever releases the following described right of first refusal set forth in the deed recorded at **Deed Book 202, Page 405**, in the Register's Office of Henry County, Tennessee:

The purchaser(s) covenant(s) and agree(s) to and with the grantor ... that the purchaser(s) will not sell and convey any portion of said property to any other firm, corporation, or individual without first informing the City and giving the City an opportunity to repurchase the above described land at the same price the purchaser(s) paid the City under this conveyance.

The restrictive covenant that purchaser(s) will not construct any buildings of any kind on the described property and the sewer, electric, gas, and other utility easements reserved by the City of Paris, Tennessee in the above-referenced deed are **NOT** released.

IN WITNESS WHEREOF, the undersigned has hereunto signed this document on this 5th day of November, 2020.

City of Paris, Tennessee

BY: _____

TITLE: Mayor

STATE OF TENNESSEE
COUNTY OF HENRY

Before me, of the state and county aforesaid, personally appeared Carlton Gerrell, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him/herself to be Mayor (or other officer authorized to execute the instrument) of **City of Paris, Tennessee**, the within bargainer, and that he/she as such Mayor, executed the foregoing instrument for the purpose therein contained, by signing the name of the **City of Paris, Tennessee** by him/herself as Mayor.

WITNESS my hand and seal this 5th day of November, 2020.

Notary Public

My Commission Expires: _____

**STATUS OF VARIOUS PROJECTS
November 2020**

	PRIMARY STAFF	TARGET COMPLETION DATE(S)	NOTES
HOME Grant	Morris/Foster	2022	We have received our executed contract and have begun the NEPA phase. This phase will take at least six months.
Back Alley Paris	Foster/Morris/ Ray(DPA)	June 2021	The working theme for this project is “what makes our community special” and Dan Knowles is working on a prototype.
TA Grant for Sidewalks along Wilson & Patriot	Foster/Morris	Spring 2022	TDOT has reviewed the title opinions and requested revisions which are being addressed by our attorney. Once TDOT has approved title opinions notices will be sent to property owners and a ROW meeting will be held. Final utility coordination has begun.
2018 LPRF Grant for Splash pad	Foster/Lawrence/ Morris	Complete	The park was officially closed as of Oct. 1. Parks employees are finishing up work on the bathroom / concessions building. Great Southern is expected on site the first week of Nov. to help us winterize. NSite will be applying epoxy paint on the wet desks after winterization.
2018 STBG Project for Signalization & Safety Upgrades at 3 Intersections Downtown	Foster/Morris	Spring 2022	Final NEPA document was sent to TDOT in August, we are waiting on their approval. Field verification of survey by TLM has been completed and mark ups sent to surveyor. Surveyor has returned revised survey. TLM has begun work on preliminary layout.
Rison St Bridge Replacement	Foster/Morris	Fall 2021	TDOT has requested some revisions to the NEPA document. A2H incorporated the requested changes and resubmitted the document. TDOT will review in the next few weeks. We anticipate receiving a Notice to Proceed by the end of November.
2019 Tourism Enhancement Grant for Eiffel Tower Upgrades	Foster/Morris/ Lawrence	Fall 2020	The pole for the sign has been placed on the east side of the tower. The sign should be attached in the next few weeks.
2019 Multimodal Access Grant for 4 Downtown Intersections	Foster/ Morris	Spring 2022	TDOT is not going to accept the NEPA document completed on the STBG project to cover this one, but are looking at just requiring a memo instead of a full review. We have submitted all necessary documents to TDOT and are awaiting their decision.
BCBS Healthy Place Grant	Morris/Lawrence	Summer of 2021 (if awarded)	Application was submitted, award announcements are anticipated by the end of December.
2020 TA Grant for Sidewalk Project along Fairgrounds & Royal Oak	Foster	Winter of 2023 (if awarded)	Grant application was submitted, award announcements will probably not come until summer of 2021.
Drainage Improvements	Foster/Morris/ Schrader	Ongoing	Worked with KWT Railroad and So. Concrete to resolve a drainage issue next to the Wal-Mart shopping center. In negotiations with Wal-Mart to make improvements to their detention pond to help alleviate drainage issues in the Brooks St. neighborhood. Working with Patrick Smith, P.E., to determine appropriate changes to our development standards & subdivision regs.