

MINUTES
CITY COUNCIL MEETING
JUNE 5, 2012

The Jackson, Tennessee, City Council met for their regular monthly meeting on Tuesday, June 5, 2012, at 9:00 a.m. in the George A. Smith Meeting Room at City Hall with Mayor Jerry Gist and Councilmembers Charles “Pepper” Bray; Harvey Buchanan; David Cisco; Scott Conger; Johnny Dodd; Vicky Foote; Charles Rahm; and Randy Wallace present. Councilmember Ernest Brooks II was absent. Also present was Anita Brooks, recorder of the minutes.

Councilmember Harvey Buchanan gave the invocation and led the audience in the Pledge of Allegiance to the Flag.

The minutes of the May 1, 2012, and May 15, 2012, meetings were approved and signed.

Mayor Gist presented a proclamation to Gene and Beverly Eller Pearce in honor of The Seventh Annual Albert A. Stone, Jr. Cup Golf Tournament.

Special recognition was given to Tennessee National Guardsman Master Sergeant Michael W. Parson, Special Agent with the Tennessee Bureau of Investigation and a former Jackson Police Officer who served as a non-commissioned officer in charge of a 45-member 164th Airlift Wing Security Forces Squadron while deployed with the 455 Expeditionary Security Forces in Afghanistan from April to October 2011, for being awarded the Bronze Star Medal for his outstanding leadership in orchestrating over 120 outside-the-wire patrols which denied insurgents freedom of movement and access to key terrain and for synchronizing his team’s rapid discovery in securing the

enemy's position after an indirect fire attack which provided vital information to the coalition forces.

FIRST READINGS:

On the motion of Councilmember Dodd, seconded by Councilmember Conger, unanimous approval was given to a request to revise the zoning restriction placed on 110 East Forest Street by allowing the placement of a monument sign in the natural tree buffer at the corner of North Highland Avenue and East Forest Avenue, submitted by Dr. Toby Hampton, Tri-County Family Medicine and Urgent Care Clinic.

The consideration of an Ordinance to amend the text of the Official Zoning Ordinance of the City of Jackson, Tennessee, Article V. SPECIFIC DISTRICT REGULATIONS, Section 20. O (Office) District, B. USES PERMITTED, by adding a Medical Fitness and Rehabilitation Center as a permitted use, submitted by Dr. Shannon Bone, was discussed. Dr. Shannon Bone advised that some of their patients receive an extreme amount of rehabilitation after medical treatment and adding a rehab/gym facility with extended business hours would allow their patients to work with fitness trainers and continue their rehabilitation therapy. Dr. Shannon Bone advised that in order for them to look at the entire cost of the facility and to make a good business decision, they would have to have some usage of the facility by people other than their patients. Dr. Shannon Bone also advised that they planned to target middle aged individuals and individuals who were on Medicare for open membership at the facility. Stan Pilant, City Planner, advised the proposed text amendment for the property and City Attorney Lewis Cobb advised his opinion on the intent of the text amendment. Councilmember Cisco advised that he had no problem with the medical clinic but he did have a problem with having a gym at the medical clinic. Councilmember Cisco also asked his fellow City Councilmembers to vote against the issue. Councilmember Rahm

made a motion to table the consideration of the ordinance until the matter could be discussed further with Dr. Shannon Bone to see if a solution could be reached that would satisfy both parties. Councilmember Dodd seconded the motion and the motion carried 6-2, with Councilmembers Bray, Conger, Dodd, Foote, Rahm and Wallace voting yea and Councilmembers Buchanan and Cisco voting nay.

An Ordinance to amend the Official Liquor District Map of the City of Jackson, Tennessee, by changing the boundary between Districts 5 and 6, generally from North Highland Avenue to Highway 45 Bypass, was not considered at the meeting because a committee comprised of three City Councilmembers had been established to study the matter. Councilmembers Conger, Dodd and Wallace were appointed to serve on the committee.

On the motion of Councilmember Rahm, seconded by Councilmember Wallace, an Ordinance to close and abandon a section of Cumberland Street running between East Main Street and East Lafayette Street, submitted by the Jackson Downtown Development Corporation, was approved 6-1-1, with Councilmembers Bray, Cisco, Conger, Dodd, Rahm and Wallace voting yea, Councilmember Buchanan voting nay and Councilmember Foote abstaining. Martha Thompson with BancorpSouth expressed support for the passage of the ordinance.

SECOND READINGS:

On the motion of Councilmember Conger, seconded by Councilmember Dodd, unanimous approval was given to an Ordinance to rezone property located at the northeast corner of Pleasant Plains Road and McClellan Road from RS (Single Family Residential) District to RS-1 (Single Family Residential) District, comprising 3.36 acres, more or less, submitted by McAlexander Engineering on behalf of NCG Partners.

On the motion of Councilmember Dodd, seconded by Councilmember Foote, unanimous approval was given to an Ordinance to rezone property located on the south side of Ashport Road behind the Waterstone PRD from RS-1/PRD (Single Family Residential/Planned Residential Development) District to RS-1 (Single Family Residential) District, comprising 9.73 acres, more or less, along with a revised preliminary development plan, submitted by Jerry Winberry.

On the motion of Councilmember Conger, seconded by Councilmember Rahm, unanimous approval was given to an Ordinance to close and abandon Hull Cove, running west off of Walker Road, just south of Brooksie Drive, submitted by Freeman Webb Company Realtors.

Keith Patterson, Benefits Consultant for the City of Jackson, addressed questions from City Councilmembers regarding the city's medical plan.

Alan Laffoon, City Recorder, gave a summary on expense and recovery claims to the Federal Emergency Management Agency and detailed the following revisions to the 2012-2013 fiscal year operating and capital budget ordinance which resulted from changes made since the May 15th approval on first reading:

FY2012-2013
BUDGET
CHANGES:

| ACCOUNT # | DEPARTMENT | ORIGINAL BUDGT | NEW AMT | AMT OF CHANGE | INC/DEC |
|---------------|-------------------------------|----------------|---------------|-----------------|----------|
| EXPENSES | | | | | |
| 110-41900-767 | Approp to Other Agencies | \$216,210.00 | \$225,378.36 | \$9,168.36 | Increase |
| 110-41640-259 | IS Services Charged to Others | \$154,500.00 | -\$154,500.00 | -\$309,000.00 | Decrease |
| 110-41314-900 | EDI Grant | \$173,967.00 | \$0.00 | -\$173,967.00 | Decrease |
| 110-41706-290 | DOT: Transportation Grant | \$3,592,000.00 | \$92,000.00 | -\$3,500,000.00 | Decrease |
| 110-44426-130 | South Jackson Benefits | \$0.00 | \$14,663.38 | \$14,663.38 | Increase |
| 110-42159-130 | Extra Duty Benefits | \$0.00 | \$18,259.00 | \$18,259.00 | Increase |
| ACCOUNT # | DEPARTMENT | ORIGINAL BUDGT | NEW AMT | AMT OF CHANGE | INC/DEC |
| REVENUES | | | | | |
| 110-33151 | EDI Grant | \$173,967.00 | \$0.00 | -\$173,967.00 | Decrease |
| 110-37994 | DOT: Transportation Grant | \$3,592,000.00 | \$92,000.00 | -\$3,500,000.00 | Decrease |
| | | | | -\$3,673,967.00 | |

On the motion of Councilmember Buchanan, seconded by Councilmember Dodd, the revised 2012-2013 fiscal year operating and capital budget ordinance was approved 7-0. (Councilmember Bray exited the room before the voting took place on this matter and was absent for the duration of the meeting.)

On the motion of Councilmember Rahm, seconded by Councilmember Conger, an Ordinance to set the 2012 property tax rate at \$1.97 per one hundred dollars (\$100) of assessed valuation was approved 7-0.

On the motion of Councilmember Dodd, seconded by Councilmember Rahm, an Ordinance to amend Title 17 of the City Code of Jackson, Tennessee, regarding charges for garbage collection was approved 5-2, with Councilmembers Cisco, Conger, Dodd, Rahm and Wallace voting yea and Councilmembers Buchanan and Foote voting nay.

NEW BUSINESS:

On the motion of Councilmember Wallace, seconded by Councilmember member Conger, the revisions to the Jackson City Charter that were adopted as a private act by the Tennessee General Assembly were approved 7-0. Councilmember Buchanan suggested that the Mayor Salary Review and the Council Member Pay Review Committees be appointed as soon as possible so that it would not become an election issue. Councilmember Buchanan also inquired about the salaries for the Madison County General Session Judge, City Judge, Madison County Juvenile Court Clerk and City Court Clerk.

On the motion of Councilmember Rahm, seconded by Councilmember Dodd, a request to apply for funding under the FY 2012 Local Solicitation Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$54,140.00 was approved 7-0. The City of Jackson Police Department and the Madison County Sheriff's

Department will share the local JAG Funds equally. (A public hearing was held on this matter.)

On the motion of Councilmember Foote, seconded by Councilmember Conger, an Inter-Local Cooperation and Mutual Aid Agreement for Records and Information Management Systems with the City of Jackson and Madison County was approved 7-0.

On the motion of Councilmember Dodd, seconded by Councilmember Wallace, the acceptance of streets in Shepherd's Field Sections 16A and 16B – Moses Drive, Gideon Cove, Rehab Cove, Hezekiah Cove and Joseph Cove, as city streets was approved 7-0.

On the motion of Councilmember Conger, seconded by Councilmember Dodd, the acceptance of streets in Traditions Section 2 and 3 – Reflection Cove, Sweetwater Cove, Thornhill Cove, Arbuckle Lane, and a portion of Livingston Way, as city streets was approved 7-0.

On the motion of Councilmember Dodd, seconded by Councilmember Conger, the acceptance of streets in Shiloh Springs Section 1, 2, and 3 – Woodwinds Cove, Gateway Drive, Shiloh Springs, Waterdance Cove, and a portion of Zachary Lane, as city streets was approved 7-0.

On the motion of Councilmember Buchanan, seconded by Councilmember Rahm, a Resolution approving a substantial amendment (#1) to the Jackson Community Development's Annual Action Plan (2010-2011) was approved 7-0.

On the motion of Councilmember Rahm, seconded by Councilmember Conger, the re-appointment of Mike McWherter to the Jackson Energy Authority Board was approved 7-0.

On the motion of Councilmember Conger, seconded by Councilmember Foote, the re-appointment of Jane Alderson to the Community Economic Development Commission was approved 7-0.

On the motion of Councilmember Dodd, seconded by Councilmember Conger, the re-appointment of Melvin Hamlett to the Civil Service Commission was approved 7-0.

On the motion of Councilmember Conger, seconded by Councilmember Dodd, the appointments of Ken McCorkle, Tenille Roberts, and Brenda Nichols to the Keep Jackson Beautiful Commission were approved 7-0.

On the motion of Councilmember Conger, seconded by Councilmember Foote, the re-appointments of Tammy Buchanan, Martha Coleman, Georgia Ann Wright, Abbie Hinton, Dave Ralston, Karen Davenport, Pat Hamlett and Sammy Britt to the Keep Jackson Beautiful Commission were approved 7-0.

On the motion of Councilmember Dodd, seconded by Councilmember Foote, the re-appointment of David Mathis to the Tree Board was approved 7-0.

On the motion of Councilmember Dodd, seconded by Councilmember Foote, the following budget amendment requests were approved 7-0:

| CAPITAL | | Current | Amendment | Amended |
|------------------|-----------------------------|---------|-----------|---------|
| FUND: | | Budget | Request | Budget |
| | | | | |
| <i>Expenses:</i> | | | | |
| 315-42600-900 | Central Dispatch | 100,000 | 58,000 | 158,000 |
| 315-42152-900 | Police – BellSouth Building | 12,250 | 1,740 | 13,990 |
| | | | | |
| <i>Revenue:</i> | | | | |
| 315-37900 | Fund Balance | 242,700 | 59,740 | 302,440 |
| | | | | |
| | | | | |

Budget amendment of \$58,000 is requested to complete renovations and additions needed for Central Dispatch building for the February move. Budget amendment of \$1,740 is needed to complete the renovations to Police BellSouth building for the July/August move which took place in 2011. These are necessary to get budget in compliance for year end.

On the motion of Councilmember Rahm, seconded by Councilmember Foote, the following budget amendment requests were approved 6-1, with Councilmember Wallace voting nay:

| GENERAL | | Current | Amendment | Amended |
|------------------|------------------------|--------------|------------|--------------|
| FUND: | | Budget | Request | Budget |
| <i>Expenses:</i> | | | | |
| 110-43195-xxx | Street Cleaning Budget | 514,024.34 | 189,443.63 | 703,467.97 |
| 110-43190-xxx | SSA Budget | 1,392,824.75 | 231,223.31 | 1,624,048.06 |
| 110-41900-595 | Unanticipated Expenses | 61,952.09 | -61,952.09 | 0 |
| 110-44500-xxx | Pringles Park Budget | 341,000 | 126,343.26 | 467,343.26 |
| <i>Revenue:</i> | | | | |
| 110-33551 | Gas, Motor, Fuel Tax | 1,549,048.06 | 75,000 | 1,624,048.06 |
| 110-37900 | From Fund Balance | 2,499,216.41 | 410,058.11 | 2,909,274.52 |
| | | | | |
| | | | | |

Budgets for the Street Cleaning, SSA, and Pringles Park budgets need to be increased for FY12 due to overrun in anticipated expenses. Revenue for SSA Gas Tax is also being increased by \$75,000 to have expenditures agree with proposed anticipated revenues. Remaining funds needed will be pulled from Fund Balance.

On the motion of Councilmember Dodd, seconded by Councilmember Rahm, the payment of invoices over \$10,000.00 was approved 7-0.

There being no further business, the meeting was adjourned.

JERRY GIST, MAYOR