

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Regular **Meeting Date** January 25, 2016 **Sheet No. 1 of 3**

A regular meeting of the Etowah City Commission was held on Monday, January 25, 2016 at 6:30 p.m. in the Council Chambers of City Hall, 723 Ohio Avenue, Etowah, Tennessee. Members present were; Mayor Burke Garwood, Vice-Mayor David James, Commissioner Jim Bull, Commissioner Jason Cardin, and Commissioner Jim Swayne. Also present were City Manager Matthew Gravley, Recording Secretary Eva Valentine, and Finance Director Rebecca Penney.

Mayor Burke Garwood called the meeting to order followed by Public Works Director Billy Ingram leading the prayer, and the Pledge of Allegiance to the American flag.

APPROVAL OF THE MINUTES

A motion was made by Commissioner Jim Swayne and seconded by Commissioner Jason Cardin to approve the previous minutes of the regular meeting held on Monday, December 14, 2015, the motion passed unanimously by a commission vote.

NEW BUSINESS

a.) Landfill Contract

A motion was made by Mayor Burke Garwood and seconded by Vice-Mayor David James to approve the landfill contract presented by McMinn County and Waste Connections. After some discussion with Mr. Steve Taylor, representing Waste Connections assured the Commission he would provide the City with a copy of the signed contract.

He also explained the City would receive a lower rate to compensate for the additional distance and cost to the new site. He also explained the Host Agreement had a maximum life of thirty years. The Host fee will increase yearly by the published CPI until it reaches \$2.25 and then twelve months after that the contract will end and will need to be renegotiated. Motion passed with a unanimous Commission vote.

b.) Elevator Design at the Carnegie Library

A motion was made by Vice-Mayor David James and seconded by Commissioner Jim Swayne to approve the elevator design contract for the Etowah Carnegie Library presented by Canon and Canon in the amount of \$17,200.00 for all the professional services. Motion carried with a unanimous Commission vote.

c.) Change of status of Administrative Clerk/Library Assistant Position from part time to full time.

A motion was made by Vice-Mayor David James and seconded by Commissioner Jim Swayne to approve Change of status of Administrative Clerk/Library Assistant Position from part time to full time. Motion carried with a unanimous Commission vote.

d.) Consideration of Inclement Weather Policy

A motion was made by Commissioner Jason Cardin and seconded by Commissioner Jim Bull to approve the updated inclement weather policy. Motion carried with a four to one vote. Commissioner Jim Swayne voted in opposition to this policy stating he did not feel this was a fair policy in regard to the emergency personnel.

e.) Consideration of Resolution 1153

RESOLUTION NO. 1153

**A RESOLUTION AUTHORIZING THE CITY OF ETOWAH
TO PARTICIPATE IN THE POOL'S
PROPERTY CONSERVATION MATCHING GRANT PROGRAM**

A motion was made by Commissioner Jim Swayne and seconded by Commissioner Jim Bull to approve Resolution 1153. Motion carried with a unanimous Commission vote.

f.) Consideration of Resolution 1154

RESOLUTION NO. 1154

**CITY OF ETOWAH
2016 COMMUNITY DEVELOPMENT
BLOCK GRANT APPLICATION
Sewer System Improvement**

A motion was made by Commissioner Jim Bull and seconded by Commissioner Jim Swayne to approve Resolution 1154. Motion carried with a unanimous Commission vote.

g.) First Reading and Passage of Ordinance 783

ORDINANCE NO. 783

**AN ORDINANCE AMENDING ORDINANCE NO. 783, THE CAPTION OF WHICH IS "AN
ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATIONS FOR THE SEVERAL
DEPARTMENTS OF THE CITY OF ETOWAH FOR THE FISCAL YEAR BEGINNING JULY 1, 2015
AND ENDING JUNE 30, 2016", BY ADJUSTING REVENUES AND EXPENDITURES IN THE
VARIOUS FUNDS TO ASSURE EACH FUND REFLECTS SUFFICIENT MONIES TO CONCLUDE
THE FISCAL YEAR ENDING JUNE 30, 2016.**

A motion was made by Commissioner Jim Swayne and seconded by Vice-Mayor David James to approve Ordinance 783. Motion carried with a unanimous Commission vote.

h.) Discuss Location of Proposed City of Etowah Pool

Mayor Burke Garwood and the Commission agreed to call a Special Called Meeting to discuss and decide the location of the proposed City Pool on Tuesday, February 9th, 2016 at 5:30 P.M.

i.) Appointment of City of Etowah Representative to “Keep McMinn Beautiful” Board

A motion was made by Mayor Burke Garwood and seconded by Commissioner Jim Bull to appoint Public Works Director, Billy Ingram to the “Keep McMinn Beautiful” Board. Motion carried with a unanimous Commission vote.

OLD BUSINESS

None

CITY MANAGER’S REPORT

City Manager, Matthew Gravley reported the Public Works Department received a “Used Oil Grant”, for \$6,750.00 and will be installing the equipment to begin providing this service. Plumbing for the splash pad is complete and is on schedule and should be complete by the second week of February if the weather remains good. He also reported the Etowah Police will be hosting a Police Reserve Academy consisting of 120 hours for 25 officers on January 28th. McMinn County and the City of Etowah will be the first departments to conduct this training in the State of Tennessee since POST instituted this new regulations.

Mr. Gravley also reported Squire Court Apartments located at 107 Tatum Street have all been inspected and the owner is cooperating in rectifying the problems that were found there. He also stated the relocation of the Fire Department to Robinson Street, the former EVAC location, should become a reality very soon. Additionally he stated he had a meeting in Nashville with TDOT regarding the “Safe Routes to Schools”, in reference to right-of-ways and that it had gone very well and the process was now four years in the making.

Mr. Gravley reported a budgeted item for expense for turn out gear for the Fire Department in the amount of \$5,319.00. He also referenced the project list he had previously submitted to the Commissioners

HEARING OF PERSONS HAVING BUSINESS BEFORE THE COMMISSION

Ann Abbott residing at 814 Ninth Street, Etowah, TN came before the Commission and referenced an article in the DPA regarding the lawsuit filed by Hillborn Distillery against the City of Etowah. In her statement she expressed anger at North Etowah Baptist Church and stated she felt they were responsible for halting a legal manufacturing company from coming to Etowah and causing Etowah to be sued.

She then suggested the City of Etowah “file a suit against North Etowah Baptist Church for violation of U.S. Constitution on “separation of church and state”, as well as additional suits be filed against Commissioner Jim Bull and Commissioner Jim Swayne for “instigating a conflict of interest by introducing a resolution on behalf of their church and failing to recuse themselves from voting on it.” She also suggested an additional suit be brought against Commissioners Bull and Swayne as well as Commissioner Cardin in violation of State of

Tennessee “Sunshine Law”. She also suggested a request should be made to the State Attorney General to permanently remove them from the Etowah City Commission.”

Katherine Pate, P.O. Box 333, Etowah, TN, being a business owner in the city came before the Commission expressing her concern for the lawsuit brought by Hillborn Distilleries and was upset that her tax dollars will be used to “defend the city in this lawsuit”. She then urged the Commission “to do whatever it takes to get this lawsuit settled and done in order for everyone to go on with their lives.”

Haroldean Thompson, residing at 1031 Ohio Avenue, Etowah, TN, stated she wanted to comment on the suit and did not agree with suing North Etowah Baptist Church but did believe the three Commissioners that voted for the resolution should submit their resignations and that she did not find fault with North Etowah Baptist Church. She commended Mayor Garwood and Vice-Mayor James for listening to the city attorney when he advised against passing this resolution.

UNSCHEDULED ITEMS

ADJOURNMENT

A motion was made by Mayor Burke Garwood to adjourn the meeting and Vice-Mayor David James seconded the motion. The motion passed unanimously by a commission vote.

Burke Garwood, Mayor

Rebecca Penney, City Recorder

Respectfully submitted by:

Eva Valentine, Recording Secretary