

**CITY OF ETOWAH, TENNESSEE  
COMMISSION MEETING**

**Record of Minutes of Regular Meeting Date August 22, 2016 Sheet No. **1 of 6****

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A regular meeting of the Etowah City Commission was held on Monday, August 22, 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, newly elected Commissioner Gene Keller, and Commissioner Jim Swayne and Commissioner Jason Cardin, absent from the meeting. Also present were Recording Secretary Eva Valentine, Finance Director Rebecca Penney, and Interim City Manager Mike Tallent.

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 Vice-Mayor David James to approve the previous minutes of the special called meeting held on Friday, July 22, 2016, and Commissioner Jim Swayne seconded the motion and motion carried with a unanimous vote.*

*A motion was made by Commissioner Jim Swayne to approve the previous minutes of the regular meeting previously held on Monday, July 25, 2016, and Mayor Garwood seconded the motion and motion carried with a unanimous vote.*

*A motion was made by Commissioner Jason Cardin to approve the previous minutes of the special called meeting previously held on Monday, August 8, 2016, and Mayor Garwood seconded the motion and motion carried with a unanimous vote.*

*Mayor Garwood turned the meeting over to Interim City Manager Mike Tallent to conduct the swearing in of incumbent Commissioner Jim Swayne and newly elected Commissioner Gene Keller and to conduct the selection of the Mayor and Vice-Mayor.*

**NEW BUSINESS**

(a.) Swearing in Of New Board Members (Gene Keller/Jim Swayne)

City Manager Mike Tallent conducted the swearing in of Jim Swayne and Gene Keller as Commissioners for the City of Etowah and presented them with their Certificates of Election.

(b.) Election of Mayor

*A motion was made Commissioner David James to nominate Gene Keller as mayor, and Commissioner Garwood seconded the motion to appoint Mr. Keller by acclamation as mayor and motion carried with a unanimous vote.*

(c.) Election of Vice-Mayor

*A motion was made by Commissioner Burke Garwood to nominate Jim Swayne as Vice-mayor, and Commissioner Cardin seconded the motion to appoint Jim Swayne by acclamation as vice-mayor and motion carried with a unanimous vote.*

(d.) Bid for Plotter - CDW-G

*A motion was made by Commissioner Burke Garwood to approve the bid for the plotter from CDW-G in the amount of \$3,587.61, and Commissioner Swayne seconded the motion and motion carried with a unanimous vote.*

(e.) Reading and Passage of Resolution 1166

**RESOLUTION # 1166**

**A RESOLUTION OF  
THE CITY COMMISSION OF THE CITY OF ETOWAH, TENNESSEE,  
ADOPTING AN AMENDMENT TO THE STANDARD OPERATING  
PROCEDURES (SOP'S) MANUAL  
SETTING FORTH POLICES, RULES AND REGULATIONS  
CONCERNING THE CITY OF ETOWAH POLICE DEPARTMENT**

*A motion was made by Commissioner Swayne to approve Resolution 1166 and Commissioner Cardin seconded the motion and motion carried with a unanimous vote.*

(f.) Consideration and First Reading of Ordinance 791

**ORDINANCE 791**

**AN ORDINANCE TO AMEND TITLE III SECTION 32.03 SUBSECTION (B) OF THE ETOWAH CODE OF ORDINANCES TO INCREASE THE AMOUNT THAT IS CHARGED FOR COURT COSTS**

*A motion was made by Commissioner James to approve Ordinance 791 and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.*

(g.) Bid for Leaf Machine Under Budget (ODB)

*A motion was made by Commissioner Cardin to approve the bid from ODB for the 25CY self-contained vacuum leaf collector in the amount of \$45,461.75 and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.*

(h.) Schedule Tour for City

After some discussion there was a consensus by the Commission to schedule the tour for the Commissioners for Saturday, September 24, 2016, beginning at City Hall from 8:00 am and final stop being at the Community Center where lunch will be served around noon. City Manager Tallent, Public Works Director Ingram and Parks and Rec Director Silber will be accompanying the Commissioners during the tour. All other directors will be in attendance in their respective departments.

- (i.) Reappointment of Brian Silber, Jennifer Hershey, and Rhonda Whaley to Etowah 4<sup>th</sup> of July Committee

*A motion was made by Commissioner Swayne to reappoint Brian Silber, Jennifer Hershey, and Rhonda Whaley to the Etowah 4<sup>th</sup> of July Committee and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.*

- (j.) Consideration and First Reading of Ordinance 792

**AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE TITLE XI, CHAPTER 115, ALCOHOL, SECTION 115.36.**

Mayor Keller and Interim City Manager Tallent brought before the Commission Ordinance 792 with two separate options to choose from and at which time Commissioner Cardin stated he would not support either option and recommended to the Commission not to proceed with the Ordinance.

*Commissioner James made a motion to accept Ordinance 792, Option 2 and Commissioner Garwood seconded the motion and called for a roll call vote. The votes were as follows:*

*Commissioner Cardin—No  
Commissioner Garwood---Yes  
Vice-Mayor Swayne—Abstain*

*Commissioner James--Yes  
Mayor Keller--Yes*

*Motion carried with a three (3) to one (1) vote and one (1) abstain in favor of Ordinance 792, option 2.*

7. OLD BUSINESS

None

8. CITY MANAGER'S REPORT

**Update on Depot Stage** – 2016 Tourism Grant/Depot State Cover. We have completed the Post Award Paperwork and are waiting for the state to send us the Grant Contract. We have contacted the Engineer (Cannon and Cannon) that we will be working with on this project to set up a meeting to begin. Until we have an executed Grant Contract we cannot have any expenditures towards the project otherwise they will not be reimbursed.

**Update on Depot Sprinklers** – All work has been completed, there were two items left off of the scope of work that our staff will need to complete. They are hard wiring the air compressor in and adding a heater to the basement.

**Library Book Drop-Off Receptacles** - The concrete pad has been poured and the receptacles have be set and anchored to the pad and are in use. The Library Director is to be commended for acquiring these boxes at a bargain price and public works staff is to be commended for an excellent job in mounting them.

**Cox Field/Knights Football** – All scheduled repairs and updates were completed on time. The Knights hosted the Jamboree on August 13 and had approximately 5500 in attendance. Several of our restaurants reported record sales for the day. Only issue reported for the day was the horn was not working on the score board, which has been fixed at no additional cost.

I want to commend the Parks and Recreation Director for an excellent job in working with the Knights in getting everything ready for the Jamboree. It was a major effort.

**2016 LPRF Grant/New Pool** – We did not receive the grant this year, the Mayor has requested the grant scoring sheet for us to review to determine how to improve our application for the 2018 Grant Cycle.

**Splash Pad-Average Cost per Month and Possible Conversion to Recirculation** – See attached.

**Recycling** – The City has purchased 18 gallon plastic totes for recycling paper, plastic and aluminum cans. Three totes have been placed in City Hall, Library, Public Works, Community Development, Fire headquarters, Police headquarters, Community and Recreation Center. The totes will be emptied once a week and the recycling material will be taken to recycle bins at the Public Works Yard.

**Elevator** – Negotiations are underway with Merit Construction and our engineer, but are only in the preliminary stage at this time.

**City Limit Signage on Mecca Pike** – The city limit sign on Hwy 310 or Mecca Pike has been moved to reflect the new city limits that are a result of the annexation the city did in 2013.

**Public Meeting for Demolition of 917 Washington, Ave. 08/23/2016 at 2 pm City Hall** - December 9, 2015 - A fire destroyed the house at 917 Washington Avenue. Property of Mr. George Yearwood

December 10, 2015 - Etowah Building Inspector entered the structure and, upon inspection, declared it UNSAFE and UNFIT FOR OCCUPANCY. A letter was posted on the structure because the mailing address of the owner is the house. Mr. Yearwood was not present at the time. The Building Inspector was informed by Etowah P.D. at the time that the fire was being investigated as a suspected arson.

May 11, 2015 - Etowah Building Inspector was informed that the arson investigation had concluded with no finding of illegal activity, and that the owner's insurance company had paid for the damage to the structure. To date, there had been no activity at the house and no attempts made by the owner to contact the Etowah Building Inspector. A second letter was posted on the structure informing the owner that the house had been condemned and that the City of Etowah would begin the process to demand either its renovation or demolition.

August 15, 2016 - Upon finding that a reasonable amount of time had passed for the owner of the property to respond to the City's demands for the disposition of the property, the Building Inspector proceeded to implement the next steps of the Slum Clearance process. A public hearing has been scheduled for August 23, 2016. A notice of the public hearing was posted on the structure, advertised in the Daily Post Athenian and a copy of the notice was attached to the property deed in the Register of Deeds' office.

August 15, 2016 - A State-Certified Appraiser made a site-visit and will provide an appraisal of the current value of the structure in time for the public meeting.

August 17, 2016 - A State-Certified Contractor made his final inspection of the structure to provide an estimate to repair the structure.

To date, repeated attempts to contact Mr. Yearwood by telephone have been unsuccessful. The Building Inspector was able to obtain a working phone number, but calls have not yet been answered and the voice mail box is always full.

### **Requested Alley Paving by Private Property Owner 800 Block PA Ave.**

Mr. Terry Bracewell of 813 Pennsylvania Avenue and his neighbor at 811 Pennsylvania are requesting to pave approximately 50 feet in the alley between their houses and First Baptist Church. They wish to connect to what remains of the existing pavement at 8th Street and pave up to the garage located in the back yard of 813 Pennsylvania. Each owner also plans to create an apron off of the improved roadway onto their personal property to stabilize the surface for the entry and egress of vehicles. This project will be contingent on approval of the E.U.B. and to an agreement with the contractor that the new pavement will conform to the specifications of the Public Works Director. The contractor is requesting a letter of agreement between himself and the City for work to commence.

*Commissioner Garwood made a motion to grant Mr. Bracewell permission to pave the ally approximately 50 feet in the alley between their houses and First Baptist Church once EUB has established an agreement with the paving company and the Public Works Director has verified the specifications required have been met by the homeowners and contractor, and Mayor Keller seconded the motion and motion carried with a unanimous commission vote.*

## 1) PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

### (a) Homecoming Parade Approval

Ms. Lori Hutchinson, representing McMinn Central High School came before the Commission requesting approval for the school's Homecoming Parade to be held on Thursday, September 22, 2016 on Tennessee Avenue (Hwy 411) beginning at 7:00 PM.

*A motion was made by Commissioner James to grant approval for the MCHS Homecoming Parade to be held on Thursday, September 22, 2016 on Tennessee Avenue (Hwy 411) and Commissioner Swayne seconded the motion and motion carried with a unanimous vote.*

Ms. Sabre Cassada and Denia Pedilla came before the Commission to express their appreciation for new scoreboard and the field preparation for the Knights football team and to now have a home field.

## 2) UNSCHEDULED ITEMS

Vice-Mayor Swayne stated he was looking forward to four more years and Commissioner Garwood acknowledged his approval of the Commission's choice for Gene Keller as the new mayor.

3) ADJOURNMENT

*A motion was made by Vice-Mayor Jim Swayne to adjourn the meeting and Mayor Gene Keller seconded the motion. The motion passed unanimously by a commission vote.*

*Gene Keller*

Gene Keller, Mayor

*Rebecca S. Penney*

Rebecca Penney, City Recorder

Respectfully submitted by:

*Eva Valentine*

Eva Valentine, Recording Secretary