

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Regular Meeting Date August 28, 2017 Sheet No. 1of

A regular meeting of the Etowah City Commission was held on Monday, August 28th, 2017 at 6:30 p.m. in the Meeting Room of the Etowah Community Center located at 155 Robinson Street, Etowah, Tennessee. Members present were; Commissioner Burke Garwood, Commissioner Robbie Helms, Commissioner David James, Mayor Gene Keller, and Vice-Mayor Jim Swayne. Also present were Recording Secretary Eva Valentine, Finance Director Rebecca Penney, and City Manager Tina Tuggle.

Mayor Gene Keller called the meeting to order followed by Vice-Mayor Swayne leading the prayer, and the Pledge of Allegiance to the American flag.

APPROVAL OF THE MINUTES

A motion was made by Vice-mayor Jim Swayne to approve the previous minutes of the regular meeting held on Monday, July 24, 2017 and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.

1) PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

NEW BUSINESS

NEW BUSINESS

(a) Consideration and First Reading of Ordinance 809

ORDINANCE NO. 809

AN ORDINANCE TO AMEND THE OFFICIAL ZONING ORDINANCE TO BETTER DEFINE THE ENFORCEMENT OFFICER RESPONSIBLE FOR ENFORCING PROVISIONS OF THE ZONING ORDINANCE IN THE CITY OF ETOWAH, TENNESSEE

A motion was made by Vice-Mayor Swayne to approve Ordinance 809 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

(b) Veterans Parade (Jim Abbott)

Mr. Jim Abbott, residing at 814 9th Street, came before the Commission requesting having the Veterans Day Parade in Etowah again on November 4th and reserving the Gem Theater on the 3rd of November. The Veterans Day Parade is sponsored by The Athens Elk Lodge. There was little discussion on how to participate and what is all needed for the parade.

A motion was made by Vice-Mayor Swayne to approve request for Veterans Day Parade and Commissioner James seconded the motion and motion carried with a unanimous vote.

(c) Consideration and Passage of Resolution No. 1188

RESOLUTION NO. 1188

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ETOWAH, TENNESSEE, AUTHORIZING ACCEPTANCE OF CERTAIN REAL PROPERTY BY DEED OF CONVEYANCE FROM THE ETOWAH ROTARY CLUB AS A GIFT TO THE CITY OF ETOWAH

A motion was made by Commissioner James to approve Resolution 1188 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

d.) Consideration and Passage of Resolution 1189

RESOLUTION NO. 1189

A RESOLUTION OF THE CITY COMMISSION FOR THE CITY OF ETOWAH, TENNESSEE, AUTHORIZING PARTICIPATION in the USDA Program - Rural Town Recovery

City Manager Tina Tuggle discussed how the program works. Vice-Mayor Swayne mentioned looking at the lines that are faded and needed to be in the middle.

A motion was made by Commissioner Garwood to approve Resolution 1189 and Mayor Keller seconded the motion and motion carried with a unanimous vote.

8) **OLD BUSINESS**

a.) Second Reading and Final Approval of Ordinance 806

ORDINANCE 806

AN ORDINANCE AMENDING ORDINANCE NO. 800, THE CAPTION OF WHICH "AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATIONS FOR SEVERAL DEPARTMENTS OF THE CITY OF ETOWAH FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017", BY ADJUSTING REVENUES AND EXPENDITURES IN THE VARIOUS FUNDS TO ASSURE EACH FUND REFLECTS SUFFICIENT MONIES TO CONCLUDE THE FISCAL YEAR ENDING JUNE 30, 2017

A motion was made by Commissioner Garwood to approve Ordinance 806 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

b.) Second Reading and Final Approval of Ordinance 807

ORDINANCE NO 807

AN ORDINANCE TO AMEND CHAPTER 50, SECTION 50.08 A SERVICE FEES OF THE ETOWAH MUNICIPAL CODE.

A motion was made by Commissioner Garwood to approve Ordinance 807 and Commissioner James seconded the motion and motion carried with a unanimous vote.

9) CITY MANAGER'S REPORT

1. As of today's date there are no updates as to the EPD gun issue or as to the murder in July. Again, as soon as the details of either are released I will provide you with the same.
2. Due to the issues that were addressed last week with the renovations of the new city hall location the project has been suspended. I have spoken with Cannon and Cannon on this matter and they could assist with the site plan but the architect would have to be contracted out either with them or by the City Directly. I have also sent an email to Studio Four design that assisted with the lift for details as to time frame for this project. I have a call into Mr. Thress with Athens to see if he could be of assistance on this matter as well.
3. The engineered drawings for the fire hall are provided for the pre engendered building that they city has contracted for; and the drawings for the footers are being completed now as were had to have Planning Commission approval for the site before he could begin.
4. The website planning and development is on schedule we should start imputing web pages within the next few weeks.
5. The repairs to the lift have been made and it is fully operational. There was an issue with the mechanism that operates the opening and closing of the door so that the lift can engage.
6. The final paper work for the Fire Department grant is being completed and we will be obtaining bids for the equipment as spelled out in the grant submission.
7. A few weeks back I was advised as to an issue with the pitching machine at the Community Center. The parts are on order and repairs will be made once the parts are received.
8. The new street name signs have been ordered and we will begin to install as they arrive.
9. The Police Department advised that there were no major issues the day of the eclipse event, and they were thanked repeatedly by all they came in contact with. The Chief of Police states there was appx 4000 to 5000 visitors during the days events.
10. We are continuing to work on code violations. We are seeing a great amount of compliance with these violations that have been sent out. I have received good feedback from neighbors as to the improvements that they are seeing.
11. I have met with Larry Parker as to the Code Violations, Citations to court

12. As advised in a past weekly reports we have requested bids for the road patch repairs. The Bids are due in by 4:00 p.m. and we will have a listing for you on Monday at the Commission meeting.
13. We are working on details for the bids for the Basketball/Tennis Courts and bids should go out within the next week. I will forward to you a layout and details within the next week.
14. Parks and Rec has worked out arrangements for the use of the Gem Theater with the Tennessee State Parks for some new programs to be held August 29, September 5, and September 12th from 7:00 p.m. to 8:30 p.m. as to the Smithsonian Waterways.
15. The question has been raised to me if we are still losing officers at the EPD. The feedback on the department in the last 12 weeks from EPD employees are wonderful. Michael Richmond has left the Department and within his exit interview completed today, he advised that he have enjoyed working for EPD and the raise was very much appreciated. However, he has an opportunity with the Troopers department to grow and advance his career. He has also advised the City that should any of his cases require him to be present in court that he is more than willing to do so.

Officer Wilder was released from duty due to the fact that he was only with the city for a matter of a few weeks and he totaled a patrol car by crashing it into a power pole. He had already be counseled unprofessional driving/hard driving on the city patrol cars.

Officer Zack Hawkins submitted to the City his resignation after receiving a written warning for violation of the SOP and for advising the Chief of the fact that he was getting tired of getting counseled as to his work habits. His notice was for 4 days, 3 of the working days and then he advised that he would not be in for an additional 2 of those days. We advised that we accepted his resignation effective immediately without the one day of work. He has been billed for this vest and employment cost in the amount of 1020.00. \$720.00 of that amount was repaid with his final check.

The only other outstanding issue we currently have is with an officer that I will discuss with on a private basis that has been written up in the past 12 weeks for harassment of an officer that has now left the city due to this matter and I have received another written statement of harassment from the Chief of Police as to this same officer. Unfortunately, I have handed this matter over to Russ Blair as said officer has fired an attorney. I will advise as we proceed with this matter.

16. Red Chair Architects is working on the design to make the addition of the required ADA access that was not a part of the original design. We should have their completed design within the next few weeks.
17. Grapple Truck: As we have sent a cylinder out for repair twice and it has now failed after both attempts to install; our only option is to purchase a new cylinder for the grapple truck at the cost of appx \$4000.00. We will have costs for you on Monday evening.

A motion was made by Commissioner Garwood to approve the spending of \$4,000 to fix the grapple truck and Commissioner James seconded the motion and motion carried with a unanimous vote.

18. You will find a Resolution within your packets to approve participation with the USDA for the Rural Town Recovery – This program was discussed with the Commission a few months back as a planned

cleanup for the Athens Pike area. We will begin planning for that cleanup within the next month. It should be scheduled in the month of October.

19. The bids for the DEMO of the old fire hall are as follows:

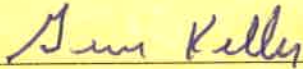
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| a. Deign-Build Construction | \$ 33,390.00 |
| b. Garner Construction and Excavating | \$ 36,250.00 |
| c. E & S Demolition | \$ 17,250.00 |
| d. Havron Contracting Corp. | \$ 36,416.08 |

We had budgeted for this matter \$49,000 based on the estimated costs of asbestos removal.

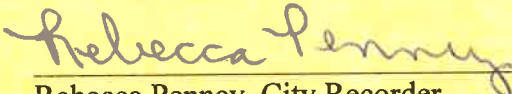
10) UNSCHEDULED ITEMS

11) ADJOURNMENT

A motion was made by Commissioner Garwood to adjourn and Commissioner Helm seconded the motion and motion carried.

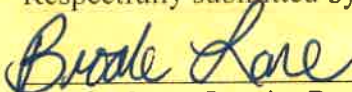


Gene Keller, Mayor



Rebecca Penney, City Recorder

Respectfully submitted by:



Brooke Lane, Interim Recording Secretary