

**CITY OF ETOWAH, TENNESSEE  
COMMISSION MEETING**

**Record of Minutes of Regular Meeting Date **March 26, 2018** Sheet No. 1 of 7**

A regular meeting of the Etowah City Commission was held on Monday, March 26, 2018 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 Helm, Mayor Gene Keller, and Vice-Mayor Jim Swayne. Commissioner James was absent. Also present were Finance Director Alison Bull Recording Secretary Eva Valentine and City Manager Tina Tuggle.

Mayor Gene Keller called the meeting to order followed by Mr. 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 Swayne to approve Regular Minutes from February 26, 2018 meeting and Commissioner Helm seconded the motion and motion carried with a unanimous vote with the Vice Mayor Swayne requesting the following adjustments.*

*Commissioner Helm wanted clarification and correction in the minutes from the February meeting on the vote to approve the pool with a roll-call vote as indicated;*

*Commissioner Garwood—Yes, Commissioner Helms—No, Commissioner James—Yes, Mayor Keller—No, Vice-Mayor Swayne—Yes. The motion passed with a 3-2 vote.*

**NEW BUSINESS**

**NEW BUSINESS**

a.) Update of Authorized Signers on all City Bank Accounts

*A motion was made by Vice-Mayor Swayne to approve changing all the account signers for First Volunteer Bank to Finance Director Alison Bull, Administrative Assistant Brooke Moses, Mayor Keller, and Vice-Mayor Jim Swayne and remove all other signers that may be on any of the accounts effective immediately and Commissioner Helms seconded the motion and motion carried with a unanimous vote.*

b.) Presentation of 2018 John S. Wilder Rebuild TN Award

Ms. Beth Jones from the SETDD presented the 2018 John S. Wilder Rebuild TN Award to the City of Etowah for outstanding leadership regarding the past ten years of the “Street Scape Program”. This consists of façade improvements, murals, rebuilding and restructuring to improve Etowah.

c.) Discussion and Approval for Funding of Demolition of Old City Barn

*A motion was made by Commissioner Garwood to approve the demolition of the Old City Barn with the cost not to exceed \$7,500.00 and Mayor Keller seconded the motion and motion carried with a unanimous Commission vote.*

d.) Discussion and Approval to Purchase Mirrors for Exercise Room at Community Center

*A motion was made by Commissioner Garwood to approve the purchase of mirrors for the exercise room at the Community Center in the amount of \$2,528.75 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.*

e.) Changes to Annualized Interest and Cost for Loan Agreement V11-G-1 (Water, Sewer, Gas, City Post Office Loan)

*A motion was made by Commissioner Garwood to approve the re-financing of Loan Agreement VII-G-1 for a savings of \$69,000.00 in interest over a three year period and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.*

f.) Consideration and Passage of Resolution 1195

**CITY OF ETOWAH, TENNESSEE**

**RESOLUTION NO. 1195**

**A RESOLUTION AUTHORIZING AN APPLICATION AND  
ASSURANCE OF MATCHING FUNDS  
FOR A 2018 TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
LOCAL PARKS AND RECREATION FUND GRANT**

*A motion was made by Commissioner Garwood to approve Resolution 1195 and Vice-Mayor Swayne seconded the motion and Mayor Keller requested there be a roll call vote and motion did not carry with a tie vote of 2 yes and 2 no as shown below. No action was taken. Commissioner Garwood then requested a Special Called Meeting to reconsider this Resolution.*

*Commissioner Garwood—Yes    Commissioner Helms—No  
Mayor Keller—No            Vice-Mayor Swayne—Yes*

*Vice-Mayor Swayne asked when would be the next opportunity to apply for the grant and Ms. Tuggle stated it would be two years if the grant application was not filed by April 18, 2018 and verified the grant was in the process of being written.*

g.) Consideration and First Reading of Ordinance 815

**ORDINANCE NO. 815**

**AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE TITLE IX, CHAPTER 90, ANIMALS, PIT BULLS, SECTION 90.45 and 90.50.**

*A motion was made by Vice-Mayor Swayne to approve Ordinance 815 and Commissioner Garwood seconded the motion and after some discussion Vice-Mayor Swayne and Commissioner Garwood rescinded*

*their motion and Vice-Mayor Swayne made a motion to table this issue and Commissioner Helms seconded the motion and motion carried with a unanimous vote.*

a.) Appointments to Update Various City Committees

*A motion to table the updates to the various city committees to allow the staff to have more time to complete was made by Commissioner Garwood and Mayor Keller seconded the motion and motion carried with a unanimous vote.*

h.) Consideration and Passage of Resolution 1196

**RESOLUTION 1196**

**A RESOLUTION TO SET RESIDENTIAL PERMIT FEES BY THE CITY OF ETOWAH TENNESSEE**

*A motion was made by Commissioner Garwood to approve Resolution 1196 and Mayor Keller seconded the motion and motion carried with a unanimous vote*

i.) Consideration and Passage of Resolution 1197

**RESOLUTION NO. 1197**

**A RESOLUTION TO ADOPT AND OFFICIALLY ACCEPT THE CITY OF ETOWAH RECREATION & WELLNESS PLAN 2018-2038**

*A motion was made by Mayor Keller to approve Resolution 1197 and Commissioner Helm seconded motion and Vice- Mayor Swayne and Commissioner Garwood both abstained and motion failed to pass with a majority vote.*

**7) OLD BUSINESS**

a.) 2<sup>nd</sup> Reading of Ordinance 814

**ORDINANCE NO. 814**

**AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE TITLE IX, CHAPTER 90, ANIMALS, PIT BULLS, SECTION 90.46.**

*Commissioner Garwood made a motion to table Ordinance 814 and Mayor Keller seconded the motion and clarified this was addressing the possibility of a pit bull being considered a "service animal" and motion carried with a unanimous vote.*



## 9) CITY MANAGER'S REPORT

### City Managers Report

February 26, 2018 – March 23, 2018

1. The new sign is up at City Hall. The cost for this was 800.00. I have turned the other sign company over to Russ for action as they required a deposit and then were unable to complete the work as promised.
2. I was contacted today by a Rhonda Nelson of Etowah. She advised that she planned to sue the City due to hearing loss from the Tornado Sirens on Saturday. I advised her of the fact that she was the only person to complain as to this safety feature and that she could contact Russ Blair as to any further matters to this.
3. Jon Troutt and I will be meeting with Russ Blair next week to ensure that our Slum Clearance Ordinances and processes are correct before we begin action on any properties.
4. The final Pit Bull Procedures Ordinance is enclosed in your packet for the March Commission meeting, this will address City procedures for the determination of Pit Bull genetics and the percentage thereof.
5. Our new Finance person, Alison Bull, is now on site and is working well on all current matters. She and I will be working on the budget amendment for the April's Commission meeting.
6. Alison and I have met with Frank McDaniels today from Jake Brown and McDaniels. The final Audit documents should be to us at the beginning of next week. He will plan on attending the April Commission meeting for his final report. We have discussed his findings as to the finance office and issues that need corrected. Alison and I as well as Frank are in agreement on how to fix these minor issues and have a game plan in place to correct any issues.
7. The city has received payments in over \$3,000.00 for liens placed on 2017 property tax for code violations in the past 2 weeks. This appears to be working well. All other persons with liens due from code violations have been mailed a notice that the code violations charges will continue to add up and be placed as a tax lien, should they continue with code violations this year that the city will be required to clean up.
8. We have been advised that the property at 414 Ohio Ave., is going to be cleaned by the foreclosing Leander and rehabbed so it can be placed on the market.
9. I have spoken with the owner of the building that City Hall currently rents as to the code violations that exist on the back side of the property. He has agreed for the City to clean up and we will deduct from our rent the following month. Billy has estimate approximately \$ 1,000.00 for this clean up.
10. The gym is complete at the ECC and looks wonderful. I urge you to stop by and take a look next week before or after the Commission meeting.
11. I have received a Resolution from SETDD as to the LPRF grant match that will need to be passed at the next commission meeting.
12. The new bleachers for the ball fields have arrived and have been installed.

13. The restrooms at the ball fields will be opened on Friday March 23, 2018 as we had to delay the opening due the cold spell this week.
14. I have had a new compressor installed at the depot for the fire suppression system. I have had the system re-inspected and have fixed minor repairs, so not to cause damage to the compressor again. There was a minor air leak that caused the compressor to run continuously and in turn it caused it to fail.
15. Last month I requested to sell the old City Car on Govdeals. The bidding has now closed and the city will receive \$960.00 for that car. The Volvo for the confiscated cars brought in \$520.00 which will be deposited into the drug fund upon receipt.
16. The City staff with the guidance of Billy Ingram and Jon Troutt are working on a required ADA Compliance report for all municipal owned buildings. We have a target date to be complete on this project by October 31, 2018.
18. The Police Department has been awarded \$1,600.00 seized cash from a past arrest. This money will be deposited into the Drug Fund upon its receipt from the state.
19. As we have saved funds from the original budget for the demo of the old fire hall I would like to ask the Commission that we take a portion of those funds and apply to the demo of the old barn. Billy and I have received 2 quotes. One from IFS for appx 17,000.00 and one from Pee Wee for appx 8,000.00. We will be scheduling the demo of the old fire hall soon and would like to have the Commission approve this work as well. I know that this was on the plans for demo before I arrived to the City, however, with the work load that Public Works is under I do not see nor does Billy see how we can get this done with only City labor
20. As you were advised we have had some issues with the post office returning tax payments to tax payers this month. This matter has been resolved.
21. The training held by the Etowah Police Department was a major success this week. We were honored with officers from throughout the state/counties.
22. Pipe Dreams plumbing has completed the relocation of the water line at the Carnegie Library/ Old Fire Hall location. This option was selected in consideration of EUB's and the City's consideration of what would be the best approach to correct this issue.
3. OSHA has made its annual site visit. This year the new Fire Hall and the New City Hall location have been viewed. We did very well at both locations. The new Fire Hall was missing one outlet plate and the City Hall location was missing 1 outlet plate, had one extension cord in a location not permitted, and the exit sign at the rear kitchen exit is to be removed. All of the above mentioned items have now been corrected and the response report will be sent out by mid next week.
4. We are still searching for a ladder truck that will serve the City. Mike Moore has spoken with a few brokers as to the ladder truck we need and they are to reach out to us should they have anything come available. We will continue the search and let you know as soon as we have located anything that is a possibility.
5. As I notified everyone last week, the Deed for the Grammar School property will be turned over to City. Attorney Russ Blair is working on documents now and this should all be completed very soon. I have advised SETDD that this has occurred and we can proceed with that locations for the Pool Grant application as per the motion made at the last commission meeting.

6. Work for the ADA Parking at the Depot will begin soon. The ADA parking lot will be located on the right side of the building. Since we are making this change, I would like to further request that we add Veteran's parking on the left side of the building. We would also like to do the same thing at the ECC to a minimum of 2 parking spots. The Veteran's parking will be lined in PURPLE paint. Please advise if you have any concerns as to this.
7. We have received the notice to proceed with bids for the Depot Stage Cover. Bids will be due in by April 11<sup>th</sup>, 2018. This could require a Special Called meeting to select a contactor so that we can proceed with the project ASAP. This has been a very drawn out/ lengthy process awaiting the designs from Red Chair and the Federal approval.

Respectfully,

Tina M. Tuggle  
City Manager

#### **10) PETITIONS AND COMMUNICATIONS FROM THE PUBLIC**

Ms. Haroldean Thompson addressed the board requesting an overview of each item on the agenda before they are consider each item.

#### **11) UNSCHEDULED ITEMS**

Commissioner Garwood questioned the different prices for the pool ranging from \$700,000.00 to \$1,000,000.00. He then explained the original plan was to obtain a grant for \$350,000.00, a donation for \$300,000.00 and the City would be responsible for \$50,000.00 for a \$700,000.00 pool.

Vice-Mayor Swayne addressed Commissioner Helm and asked him to remove his name from the petition and he agreed to do so.

Mayor Keller explained he did not have a problem paying for the pool but the cost to maintain the pool was the issue.

Commissioner Helm stated our town's needs are greater than our wants, such as needing a new fire truck.

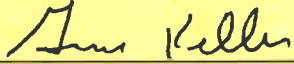
Vice-Mayor Swayne then reviewed the list of items needed to repair the fire truck which consisted of batteries, filters, etc. and Ms. Tuggle assured him the maintenance had not been an issue with the truck but the main concern is the engine, loss of pressure, and the nozzle.

Commissioner Garwood referring to Commissioner James stated, "I am going to talk to David James even if I have to put up with that big-headed son-of-a gun because he's going to know he's the tie-breaker vote and I'll drag him in here on his bed and we will have a Special Called Meeting".

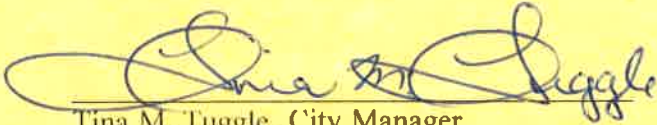


ADJOURNMENT

*A motion was made by Commissioner Garwood to adjourn and Mayor Keller seconded the motion and motion carried.*

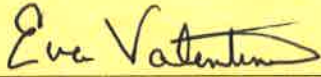


Gene Keller, Mayor



Tina M. Tuggle, City Manager

Respectfully submitted by:



Eva Valentine, Recording Secretary