

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Regular **Meeting Date** February 27, 2012 **Sheet No.** _____

A regular meeting of the Etowah City Commission was held on Monday, February 27, 2012 at 6:30 p.m. in the Council Chambers of City Hall, 723 Ohio Avenue, Etowah, Tennessee. Members present were Mayor Burke Garwood, Commissioner Ann Abbott, Commissioner Matt Goodin, and Commissioner Dennis Morgan. Also present were City Manager Matthew Gravley, Recording Secretary Jamie Davis, and Finance Director April Preston. Absent was Vice Mayor Charles Slack.

Mayor Burke Garwood called the meeting to order at 6:30 p.m. followed by the Pledge of Allegiance and Prayer. Girl Scout Troop #40058 presented the flag and led the pledge.

APPROVAL OF THE MINUTES

A motion was made by Commissioner Dennis Morgan and seconded by Commissioner Ann Abbott to approve the minutes for January 23, 2012. The motion passed unanimously by a commission vote.

A motion was made by Commissioner Matt Goodin and seconded by Commissioner Ann Abbott to approve the minutes for Special Called Meeting on February 6, 2012. The motion passed unanimously by a commission vote.

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

Chanel Groomes, Interiors by Design, came forward on behalf of the downtown businesses to request a reversal of 7 parking spots on Tennessee Avenue. We are all together on this request; we really are not sure why this happened because nobody came to discuss this with the business owners. Commission Ann Abbott said she feels it is strictly a safety issue. Mayor Burke Garwood said it is a safety issue because of cars parked to the end of the curbs. Chanel Groomes ask if the City Charter stated the length is 15 feet? And TDOT is 20 feet from the intersection, is that right? Billy Ingram, Director of Public Works, said it is a Federal requirement and TDOT adopts their laws. Chanel Groomes said they only recommend not instruct. Billy Ingram said we follow MUTCD which is 20 feet back from crosswalk and yours is about 14 or 15 feet if I recall correctly. Chanel Groomes said that with the 2008 Street Scape project it was TDOT approved. Mayor Burke Garwood said we did something 3 or 4 weeks ago because we felt it was unsafe. Chanel Groomes said there are other ways of doing it. Parking has always been an issue and parking is very valuable to our businesses. We need to get some no turn on red signs. Chanel Groomes ask why was there a sudden change? People should use the red light! Mayor Burke Garwood said that at 6th Street, 7th Street, and 8th Street you cannot see to pull out. Chanel Groomes said we need to enforce the 2 hour parking limit and offer all day parking and include large all day parking signs. We feel this should have been discussed with the businesses beforehand. Commissioner Dennis Morgan said he don't understand why TDOT built turn lanes at places like 12th Street. Chanel Groomes went and measured all spots some were within a few inches but just depends on where it was measured. Mayor Burke Garwood said we will look at it but with no sight line we are in trouble. Chanel Groomes said we have a petition with 122 people on it. Chanel Groomes ask if we can make lanes as parking spots so they cannot use as a turn lane. Mayor Burke Garwood said we will study and City Manager Matthew Gravley and Billy

Ingram will get together and figure out something. Commissioner Matt Goodin said we cannot hinder any business in any way, we need to help!

NEW BUSINESS

a. A Proclamation Declaring 2012 as the Year of the Girl and Celebrating 100 years of Girl Scouting. The City of Etowah proclaims March 12th, 2012 as “Girl Scout Day” was read by Mayor Burke Garwood and presented the proclamation to the Cadette Troop #40058.

b. Approval to purchase one full set of turn out gear for the Fire Department for \$1274.80.

A motion was made by Commissioner Matt Goodin and seconded by Commissioner Ann Abbott to approve. The motion passed unanimously by a commission vote.

c. Discussion of parking spots at end of blocks on Tennessee Ave. This item was discussed under the Petitions and Communications from the Public portion of the meeting.

d. Discussion and approval of using Tennessee Highway Patrol Certificate for Towing Services. Chief Eric Armstrong explained that THP uses a vetting process and we should use because we could have a lot of liability involved if they are not covered with licenses, etc. THP is continuously updating their list. There are 3 types of insurances involved for towing services and Etowah Towing is the only company represented here tonight.

A motion was made by Commissioner Matt Goodin and seconded by Commissioner Dennis Morgan to approve. The motion passed unanimously by a commission vote.

e. Approval of Thacker Lane Project by Public Works for \$3,995.19. Billy Ingram, Director of Public Works, explained that they would be doing repairs with galvanized tile and repairing the collar and spillway. We will be cleaning out the ditches and roadways around it also.

A motion was made by Commissioner Ann Abbott and seconded by Commissioner Dennis Morgan to approve. The motion passed unanimously by a commission vote.

f. Report of an emergency expenditure for Public Works on the brake work for the garbage truck totaling \$1951.40.

A motion was made by Mayor Burke Garwood and seconded by Commissioner Matt Goodin to approve. The motion passed unanimously by a commission vote.

g. Discussion of using Fire, Rescue, & EMS Cost Recovery Specialists as our insurance billing service to replace supplies, periodic and scheduled maintenance on apparatus, fuel purchases, rehabilitation services, manpower expenses, repair and/or replacement of personal protective

gear and equipment. Chief Mike Moore explained that a lot of Rescue Squads use this. They would bill the insurance for us only we would not be billing any individuals. Most home and auto policies have a clause in them for us to do this.

A motion was made by Commissioner Matt Goodin and seconded by Commissioner Ann Abbott to approve. The motion passed unanimously by a commission vote.

h. Recommendation to use Adams and Reese LLP as our Bond Counsel for the Rural Development Loan with the legal fees and expenses not to exceed \$5000.00. Mayor Burke Garwood said we have to have this for the spending of any Federal and State money.

A motion was made by Mayor Burke Garwood and seconded by Commissioner Matt Goodin to approve. The motion passed unanimously by a commission vote.

i. Discussion and approval of County Pilot program changes. Jack Hammontree, Executive Director of Economic Development Authority, explained the changes and said there are two major categories. The first change being a minimum capital investment requirement of only \$1 Million instead of \$10 Million to qualify for the program. And the second being the maximum number of years to participate has been changed from 10 to 12 years. A section was also added for retained jobs applicants and for declining the tax abatement on the front end of the program. A statement was added for Assessment Appeal Waiver so that at closing they waive any and all appeals for real and personal property tax assessments for the term of the tax abatement. We are just making sure that cities understand up front we are utilizing all companies not just large companies. Mayor Burke Garwood said with the last line being added we must work together not to get hurt by it. Are we causing a problem by having an Industrial Development Board and Jack Hammontree said no. We will need a Bond Board to meet soon to approve.

A motion was made by Mayor Burke Garwood and seconded by Commissioner Matt Goodin to approve. The motion passed unanimously by a commission vote.

j. Recommendation and approval of an Asbestos Abatement company. City Manager Matthew Gravley explained that we had 3 bids: Helton & Associates for \$6,670.00, E. Luke Green Co. Inc. for \$10,400.00, and Hepaco for \$14,825.00 plus \$450.00 for each container. I recommend using Helton & Associates for \$6,670.00.

A motion was made by Mayor Burke Garwood and seconded by Commissioner Matt Goodin to approve. The motion passed unanimously by a commission vote.

Commissioner Ann Abbott said the large difference in costs concerns her. Mayor Burke Garwood said we were very lucky with the amount of asbestos that has to be removed. Commissioner Dennis Morgan ask what the timeframe would be and Dave Mason said it would take about 3 days once they get started. We have to wait on permit from the state which is typically 10 days before we can begin.

k. Reading of Resolution No. 1046 read by Mayor Burke Garwood.

RESOLUTION NO. 1046

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF A NOT TO EXCEED \$177,000 GENERAL OBLIGATION BOND OF THE CITY OF ETOWAH, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

A motion was made by Mayor Burke Garwood and seconded by Commissioner Ann Abbott to approve. The motion passed unanimously by a commission vote.

l. Reading of Resolution No. 1047 read by Mayor Burke Garwood.

RESOLUTION NO. 1047

CITY OF ETOWAH 2012 COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION
SEWER SYSTEM IMPROVEMENTS

A motion was made by Commissioner Dennis Morgan and seconded by Commissioner Ann Abbott to approve. The motion passed unanimously by a commission vote.

m. Recommend using Thomas Johnson Architecture for restoration and renovation drawings of the L&N Depot; project totaling \$4,000.00. The other 2 bids we received were from ISS Inc. for \$32,104.00 and Thomas Caldwell Architect for \$37,310.00.

A motion was made by Commissioner Matt Goodin and seconded by Mayor Burke Garwood to approve. The motion passed unanimously by a commission vote.

City Manager Matthew Gravley said this for the drawings of the project and the 4 phases involved: preliminary design, design development, bidding negotiation, and construction supervision. There is a scope issue with some of these larger companies and the smaller ones understand.

OLD BUSINESS

a. Second Reading of Ordinance No. 720 read by Mayor Burke Garwood.

ORDINANCE NO. 720

AN ORDINANCE TO ESTABLISH A POLICY AND PROCEDURES
FOR THE USE OF MOBILE SANITATION COLLECTION TRAILERS
AND CONSTRUCTION AND REMODELING WASTE

A motion was made by Mayor Burke Garwood and seconded by Commissioner Ann Abbott to approve. The motion passed 3-1 by a commission vote, Commissioner Dennis Morgan voted against it.

b. Discussion of Resolution No. 1045 that was deferred from January

RESOLUTION NO. 1045

A RESOLUTION REQUESTING THE ETOWAH MUNICIPAL-REGIONAL PLANNING COMMISSION TO STUDY AND ISSUE A WRITTEN REPORT ON THE PROPOSED PLAN OF SERVICES ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, PURSUANT TO T.C.A. §6-51-102, RELATIVE TO 176 PARCELS OF REAL PROPERTY WHICH ARE CONTIGUOUS TO THE WESTERN CORPORATE LIMITS OF THE CITY OF ETOWAH, TENNESSEE, AS SHOWN ON THE ATTACHED MAP.

Mayor Burke Garwood deferred this again until March.

CITY MANAGER'S REPORT

City Manager Matthew Gravley announced to the Commission we have hired April Preston as our Financial Director and City Recorder. Brian Silber, Director of Parks and Recreation, came forward with a report on the Community Center. He said usage is going up and renewals are going up too. We currently have 356 paying memberships and are continuing to do well. Commissioner Matt Goodin ask if Brian Silber could provide the Commission with a full picture of expenditures including utilities, staffing, etc. City Manager Matthew Gravley said that we will probably prepare a separate financial statement, balance sheet, etc.

Mayor Burke Garwood ask if the Community Center still needed tables and chairs? Brian Silber said yes at least 8 tables and 28 chairs are needed which is \$1732.00. This is half of what we actually want to get eventually. Mayor Burke Garwood said he would consider this an emergency expenditure.

A motion was made by Mayor Burke Garwood and seconded by Commissioner Matt Goodin to approve a purchase up to \$1732.00 for tables and chairs. The motion passed unanimously by a commission vote.

UNSCHEDULED ITEMS

Commissioner Ann Abbott welcomed April Preston to the City. And she also would like to see a petition for TDOT to install weigh stations for trucks on Highway 411 to get rid of the trucks. They just come through town to avoid weigh stations on I-75.

ADJOURNMENT

A motion was made by Mayor Burke Garwood seconded by Commissioner Matt Goodin to adjourn the meeting. The motion passed unanimously by a commission vote.

E. Burke Garwood III, Mayor

April Preston, City Recorder

Respectfully submitted by:

Jamie L. Davis, Recording Secretary