

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Regular **Meeting Date** July 28, 2014 **Sheet No. 1 of 6**

A regular meeting of the Etowah City Commission was held on Monday, July 28, 2014 at 6:30 p.m. in the Council Chambers of City Hall, 723 Ohio Avenue, Etowah, Tennessee. All members of the commission were present. Also present were City Manager Matthew Gravley, Recording Secretary Eva Valentine, and Finance Director Rebecca Penney.

Mayor Jim Bull called the meeting to order at 6:30 p.m. followed with the Prayer by Jonathan Rayburn, Administrative Assistant of North Etowah Baptist Church and Pledge of Allegiance was led by Commissioner Jim Swayne.

APPROVAL OF THE MINUTES

A motion was made by Commissioner Burke Garwood and seconded by Commissioner Jim Swayne to approve the previous minutes of the regular Meeting held on Monday, June 23rd, 2014. Commissioner Burke Garwood made a motion to rescind his motion when Commissioner Dennis Morgan asked for a correction to his comments he had made in the unscheduled items section of the minutes. He reminded us he had also mentioned Sandy with Dixie Steele Market and Trade and her window painting she had done which had improved the area. Commissioner Jim Swayne seconded the motion to accept the changes and motion carried.

NEW BUSINESS

(a.) Report of expenditure for DPA publication of proposed revised Etowah City Charter-\$1,345.50

Vice-Mayor Charles Slack made a motion to approve payment of \$1,345.50 to publish the charter in the local paper. Commissioner Jim Swayne seconded the motion and motion carried.

(b.) Approval for approximately \$8,000.00 expense from the Sanitation Budget Fund to grind and remove brush at the South Industrial Park

Commissioner Jim Swayne made a motion to approve the motion and Vice-Mayor Charles Slack seconded the motion, after some discussion it was decided that bids should be solicited. Commissioner Jim Swayne made a motion to withdraw the motion and Vice-Mayor Charles Slack withdrew his motion. Item was passed until bids could be collected.

(c) Mayor Jim Bull read in its entirety Resolution 1118

RESOLUTION 1118

**A RESOLUTION OF
THE CITY COMMISSION OF THE CITY OF ETOWAH, TENNESSEE TO AUTHORIZE A JOINT
VENTURE'S PARTICIPATION IN THE TENNESSEE CONSOLIDATED RETIREMENT SYSTEM
IN ACCORDANCE WITH THE TENNESSEE CODE ANNOTATED, TITLE 8, CHAPTERS 34-37.**

Kathy Knight with the EDA came forward and explained the reasoning for the request as being a condition of her employment contract and would only be a stand-alone joint venture with the EDA that the Board of the TCRS requires.

Commissioner Burke Garwood made a motion to approve Resolution 1118 and Commissioner Jim Swayne seconded the motion and motion carried with a unanimous vote.

(d.) Mayor Jim Bull read in its entirety Resolution 1119

RESOLUTION 1119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ETOWAH, TENNESSEE TO AUTHORIZE CONSENT TO ASSIGNMENT AND CHANGE OF CONTROL OF COMCAST

Commissioner Burke Garwood made a motion to approve Resolution 1119 and Commissioner Jim Swayne seconded the motion and motion carried with a unanimous vote.

(e.) Approval for approximately \$8,080.00 expense from the Streets Budget Fund to tar and chip Beckley and Thacker Lane Road Projects

Commissioner Dennis Morgan made a motion to approve the expense to tar and chip Beckley and Thacker Lane Road Projects and Commissioner Burke Garwood seconded the motion and motion carried with a unanimous vote.

(f.) Approval for approximately \$3,900.00 expense to replace 2 hydraulic pumps for 4WD Hustler Mower

No action was taken with the stipulation that a bid would be needed for this repair.

(g.) Mayor Jim Bull read in its entirety Resolution 1120

RESOLUTION 1120

RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ETOWAH, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF SEVEN YEAR CAPITAL OUTLAY NOTES NOT TO EXCEED \$75,000 PURSUANT TO THE INFORMAL BID PROCESS

Commissioner Jim Swayne made a motion to approve Ordinance 763 and Vice-Mayor Charles Slack seconded the motion and motion carried with a unanimous vote.

(g.) Mayor Jim Bull read in its entirety Resolution 1121

RESOLUTION NO. 1121

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ETOWAH, TENNESSEE, AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT

Commissioner Burke Garwood made a motion to approve Resolution No. 1121 and Commissioner Jim Swayne seconded the motion to open the floor for discussion and Commissioner Burke Garwood voiced only an objection to the Ram Crew Cab 4x4 for the police department. Commissioner Jim Swayne was in agreement with the lease option. Motion did not carry with Commissioner Jim Swayne and Commissioner Dennis Morgan voting "nay", and no other votes were cast. Motion failed to approve the lease agreement for all eight vehicles.

Commissioner Burke Garwood made a motion to approve the lease agreement with Bancorp with the exception of the Ram Crew Cab 4x4; Vice-Mayor Charles Slack seconded the motion and motion carried with Commissioner Dennis Morgan voting "nay".

Mayor Bull stipulated the Ram Truck would be brought back to the Commission in the August meeting to reconsider different options.

(h.) Mayor Jim Bull read Ordinance 766 in its entirety

ORDINANCE NO. 766

AN ORDINANCE AMENDING ORDINANCE 751, THE CAPTION OF WHICH IS "AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATIONS FOR THE ETOWAH CITY SCHOOL FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014", BY ADJUSTING EXPENDITURES IN VARIOUS DEPARTMENTS

Vice-Mayor Charles Slack made a motion to approve Ordinance 766 and Commissioner Dennis Morgan seconded the motion and motion carried with a unanimous vote.

OLD BUSINESS

(a.) Mayor Jim Bull conducted the second reading of Ordinance 763.

ORDINANCE NO. 763

AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATIONS FOR THE ETOWAH CITY SCHOOL FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015

Vice-Mayor Charles Slack made a motion to approve Ordinance 763 and Commissioner Dennis Morgan seconded the motion and motion carried with a unanimous vote.

(b.) Mayor Jim Bull conducted the second reading of Ordinance 764.

ORDINANCE NO. 764

AN ORDINANCE AMENDING ORDINANCE NO. 755, 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, 2013 AND ENDING JUNE 30, 2014", BY ADJUSTING REVENUES AND EXPENDITURES IN THE VARIOUS FUNDS TO ASSURE EACH FUND REFLECTS SUFFICIENT MONIES TO CONCLUDE THE FISCAL YEAR ENDING JUNE 30, 2014

Commissioner Burke Garwood made a motion to approve Ordinance No. 764 and Commissioner Jim Swayne seconded the motion and motion carried with a unanimous vote.

CITY MANAGER'S REPORT

City Manager Gravley reported the roof of the Gem Theatre is in need of repair and the City had received insurance proceeds for the interior damage. The exterior damage was determined to be due to age of roof. We have published an ad for bids and hopefully we will have those by our next meeting.

He also reported the City employees received Harassment Training last week and Community Development Director; Chris Ingram attended the Commercial Building Inspector Class in Bell Buckle, TN.

City Manager Gravley also stated the seventh custom built home is being constructed on Cooper Street.

Mr. Gravley then reported the city had received two bids for the engineering of the Safe Routes to School and recommended the bid to be awarded to McGill and Associates.

Commissioner Burke Garwood made a motion to award the bid to McGill and Associates and Mayor Jim Bull seconded the motion and motion carried with a unanimous vote.

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

David James residing at 612 Bryant Street, Etowah addressed the Commission to express appreciation from the Bryan Street residents for improving the access to the grave sites at the end of that street. He also asked if the debris can be burned to increase the size of the cemetery. Mayor Bull stated he had spoken with John Boyd and suggested they obtain a burn permit and that he speak with the City Manager and the Fire Chief about having the fire truck on site at the time of the burn. Commissioner Burke suggested having the debris picked up by the City but access was questionable. Mr. James stated he would contact the caretakers to follow up with them.

Chris Elrod, with Central Knights Football Commission residing at 263 County Road 801, came before the Commission to discuss the "no parking" along Eighth Street. He stated with school starting soon, and the various activities the school routinely have will present a problem for the ball practices and games. City Manager explained the school entrance is sometimes blocked and since Eighth Street is only a two lane street and presents a safety problem but suggested parking on Beckley. Commissioner Burke Garwood suggested they use the school parking areas and the Football Commission to make sure they do not park on the street.

Parks and Recreation Director, Brian Silber stated Mr. Smith, owner of the lot that had previously been used for parking will not allow anyone to park on his property due to the liability issue. Commissioner Garwood stated the inability to get the fire truck through when there is parking on the street is a major concern and more importantly safety hazard to the pedestrians. Mr. Gravley stated the City is considering opening the impound lot to offer more parking.

Haroldean Thompson of 1031 Ohio came forward to express her appreciation for the service on the Commission for the past few years of Vice-Mayor Charles Slack and Commissioner Dennis Morgan and Commissioner Burke Garwood.

Wayne Davis of Clermont Drive at Seven Cedars came before the Commission requesting a cross-over in the median near his residence in Seven Cedars. City Manager, Matthew Gravley suggested the sub-division create a POA for the residence of that neighborhood. Commissioner Morgan suggested removing the curbing and striping the street. Mr. Gravley stated he would look into the possibility. Commissioner Swayne suggested he go before the Etowah Planning Commission to explore the options.

Mr. Davis requested the "No Jake Brake" sign be placed at the edge of the city limits on Highway 30 when the road is completed. Mr. Gravley stated yes it could.

Ms. Shay Payne residing at 430 Washington Avenue came before the Commission to inquire as to what the plan is for the property at 426 Washington Avenue. She requested a new and most current appraisal be considered before any auction, and to also place in the bid sheets that it stipulates before any work is started they must be aware of the percentage of the actual value is a factor and that there is no guarantee the Etowah City Planning Commission will approve a variance. City Manager Gravley assured her the City takes this very seriously and will be handled through a public auction as they have the quick claim deed in hand and verified the house had been condemned for two years and Community Development Director Chris Ingram referenced the code stating that 50% of the reasonable value is all that can be used to renovate and Mr. Ingram recommended it be demolished. Ms. Shay inquired as to when the auction will be conducted? Mr. Gravley responded this would be done as soon as possible.

Commissioner Burke Garwood made a motion to place 430 Washington Avenue up for public auction and to be sold as is with the purchaser understanding he or she must demolish the house and clear property and Commissioner Dennis Morgan seconded the motion and motion carried with a unanimous vote.

UNSCHEDULED ITEMS

Commissioner Swayne inquired as the status of the revisions to Ordinance 765, which will establish the Design Review Committee. Mayor Bull responded the list of members for the committee has not been finalized as of yet but should be ready by the August meeting.

Vice-Mayor Charles Slack bid his farewell to the Commission and expressed his thanks to all the Commissioners', City Manager, and department heads during his term serving the city.

Mayor Jim Bull stated he had enjoyed working with all the commission members and felt they had accomplished quite a bit for the city.

Commissioner Dennis Morgan commented on the condition of 1016 Ohio Avenue as being grown up and unattractive. He also mentioned that he had witnessed all police officers sitting at a restaurant with the police

chief at the same time and expressed concern the city being unprotected in this situation. He also stated he had not seen any improvements to Tennessee Avenue during his term and felt it was discouraging new residents coming to Etowah.

Commissioner Garwood commented on the need for a red light at Hwy 30 and Seven Cedars. He also stated he had thoroughly enjoyed his time as a commissioner and if he did not return would still be nearby.

ADJOURNMENT

Commissioner Burke Garwood made a motion to adjourn and Commissioner Dennis Morgan seconded the motion and motion carried.

Jim Bull, Mayor

Rebecca Penney, City Recorder

Respectfully submitted by:

Eva Valentine, Recording Secretary