

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Regular Meeting Date **July 23, 2018** Sheet No. 1 of 8

A regular meeting of the Etowah City Commission was held on Monday, July 23, 2018 at 6:30 p.m. in the Meeting Room of the Etowah Community Center located at 155 Robinson Street, Etowah, Tennessee. All Commissioners were present Also present were Finance Director Alison Bull. Recording Secretary, Eva Valentine and City Manager Tina Tuggle.

Mayor 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 Commissioner Garwood to approve Regular Minutes from June 25, 2018 meeting and Commissioner Helms seconded the motion and motion carried with a unanimous vote.

A motion was made by Commissioner Garwood to approve minutes for the Special Called meeting held on July 2, 2018 meeting and Commissioner Helms seconded the motion and motion carried with a unanimous vote.

1) NEW BUSINESS:

a.) Consideration and Passage of Resolution 1207

RESOLUTION NO. 1207

**A RESOLUTION AUTHORIZING THE CITY OF ETOWAH
TO PARTICIPATE IN THE TML RISK MANAGEMENT POOL
“SAFETY PARTNERS” LOSS CONTROL MATCHING GRANT PROGRAM**

A motion was made by Vice-Mayor Swayne to approve Resolution 1207 and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.

b.) Animal Impoundment Fees

A motion was made by Commissioner Helms to approve the Animal Impoundment fees as suggested by City Manager Tuggle, and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.

c.) Request From Rafters Bucking Bulls to Place Rodeo Sign at Hwy 411 and Hwy 30

A motion was made by Vice-Mayor Swayne to allow the Rafter Bucking Bulls Rodeo signs to remain at Hwy 411 and Hwy 30 until after the event and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.

d.) Request Permission to Solicit Bids for Mowing in Regard to Code Violations

The Commission came to a consensus to allow Ms. Tuggle to solicit bids for the additional mowing projects that have recently come to light.

e.) Review of EMS Fee Schedule and Contract

The Commission came to a consensus to require the EMS Board to provide the City of Etowah a working budget and to stay at the 2017/2018 budget rate of 3% and reject the increase proposed by the EMS Board.

f. Consideration and Passage of Resolution 1208

RESOLUTION NO. 1208

**CITY OF ETOWAH 2018 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION
COMMERCIAL FAÇADE GRANT PROGRAM**

A motion was made by Commissioner Helms to approve Resolution 1208 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

f.) Consideration and Passage of Resolution 1209

RESOLUTION NO. 1209

**A RESOLUTION AUTHORIZING THE CITY OF ETOWAH
TO PARTICIPATE IN THE LOWE'S COMMUNITY PARTNESHIP GRANT**

A motion was made by Commissioner Garwood to approve Resolution 1209 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

g.) Volunteer Program Guidelines

A motion was made by Commissioner Garwood to dissolve the Voluntary EMA position and revert to the County for direction and Mayor Keller seconded the motion and motion carried with a unanimous vote.

h.) Consideration and Passage of Ordinance 822

ORDINANCE NO. 822

**AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE TITLE XI,
CHAPTER 114, PERSONAL PROPERTY SALES, SECTION 114.06, 114.07, 114.08, 114.09, 114.11, 114.16, and
114.18**

A motion was made by Vice-Mayor Swayne to approve Ordinance 822 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

i.) Consideration and Passage of Ordinance 823

ORDINANCE NO. 823

**AN ORDINANCE AMENDING OF TITLE IX, CHAPTER 92,
SUBSECTION 92.15 JUNK VEHICLES WITH THE ADDITION OF DEFINITION OF ABANDONED
VEHICLES**

A motion was made by Commissioner Garwood to approve Ordinance 823 and Mayor Keller seconded the motion and motion carried with a unanimous vote.

j.) Consideration and Passage of Ordinance 824

ORDINANCE NO. 824

**AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE TITLE XI,
CHAPTER 111, PERMITS AND SOLICITATIONS, SECTIONS 111.01 111.03, 111.04, 111.05, 111.08, 111.13,
11.27 and addition of 111.31 and 111.32**

A motion was made by Vice-Mayor Swayne to approve Ordinance 824 and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.

k.) Consideration and Selection of Submitted Bid for Moisture Problem at the EPD Facility

- 1. Olshan---\$10,789.00
- 2. American Standard---\$7,076.93

A motion was made by Commissioner Garwood to accept the Olshan bid for \$10,789.00 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

l.) Consideration and Selection of Submitted Bid for Compressor, Cascade System; and SCBA Fill System

- 1. EVS / G & W Diesel---\$49,542.86 (does not include installation price)
- 2. MES--\$54,770.00
- 3. Mid-South Emergency--\$58,000.00 (did not use our preferred mfg)
- 4. Breathing Air Systems--\$37,950.00 (did not use our preferred mfg)

A motion was made by Commissioner Garwood to accept the MES bid for \$54,770.00 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

Ms. Pat Armstrong with the Etowah Arts Commission came before the Commission requesting additional funding to make needed repairs to the structure in which they are housed.

A motion was made by Vice-Mayor Swayne to allow Ms. Tuggle to solicit bids not to exceed \$8,000.00 to repair the Etowah Arts Commission facility located on Tennessee Avenue and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

2) OLD BUSINESS:

a.) Consideration and Second Reading of Ordinance 821

ORDINANCE NO. 821

AN ORDINANCE TO AMEND ORDINANCE 628 MUNICIPAL TRAFFIC CODE 73.02 Section II(1) and Section V(2) - REGULATING THE USE OF GOLF CARTS AND LOW SPEED MOTOR VEHICLES ON THE STREETS OF THE CITY OF ETOWAH, TENNESSEE.

A motion was made by Vice-Mayor Swayne to approve Ordinance 821 and Commissioner Helm seconded the motion and motion carried with a unanimous vote.

b.) Consideration and Second 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 Commissioner Garwood to approve Ordinance 815 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

c.) Consideration and Second Reading of Ordinance 819.

ORDINANCE NO. 819

AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATIONS FOR THE ETOWAH CITY SCHOOL FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018

A motion was made by Commissioner Garwood to approve Ordinance 819 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

8) CITY MANAGER'S REPORT

City Manager Report
June 25th, 2018 – July 21, 2018

- 1. *UPDATE: A 2nd meeting is being scheduled between D.R. Horton, Kathy Price, myself and Harold Massengil for the end of this month. We will begin the discussion as to terms that this time.*

Original comment from Mgr Report: I would like to inform you all as to a meeting that I had Wednesday of this week with DR Horton homes out of Knoxville. They have shown interest in the South Industrial Park are for a housing development. They would, if negotiations work out like to develop a subdivision with 120 - 150 homes ranging in price from 150 - 200 K. They would develop all of the infrastructure in phases at appx 15 to 20 homes at a time. Here is what they have mentioned as far as terms:

A. If the City of Etowah would donate the property?

B. Or if a price for the sale of the property could be negotiated for a reasonable amount they would purchase all. (A final number has yet to be discussed)

Or - As I know talks for the South Industrial Park has mentioned the land being donated to the interested party and if the Commission would be willing to do the same for a sizable donation to assist the City of Etowah with the Pool Grant or other amenities for the City. Then we could when and if we receive approval on the grant we could increase the project size.

PLEASE ADVISE AS TO YOUR THOUGHTS ON THIS MATTER. I will be meeting with them and Kathy Price again soon. They are very enthusiastic about this land. IF this would happen, it would increase our chances with the North Industrial Park being developed as one of the main issues that we have discuss is the lack of adequate housing for whom ever develops that property.

There was a consensus by the Commissioners for Ms. Tuggle to speak with the developer and report back to the board.

2. FEMA Flood Mitigation grant: I have spoken with Cameron Buckner from SETDD and we will be meeting soon to make application to FEMA for Flood Mitigation grants through the State of Tennessee. This could greatly assist the City with its plans and needs for storm water. I will advise as we obtain more information for the Grant application that will be due in November.
3. UPDATE: I have met with contactors as to a full restoration of the project for the Tennis and Basketball Court. As per their information they will not provide a bid for the work unless they can remove the entire court and replace due to the un-stability of the subsurface.

Therefore, I have taken a different route on this. We have two viable options at this time.

Option 1: Resurface the entire court with asphalt at the cost of 29,000.00 upgrade backboards and goals, replace all tennis netting equipment, and install 4 benches reline all courts with reflective sports tape (permanent) for a total of 4900.00 with a grand total of 33,900.00

Option 2: Resurface the 2nd tennis court to the last basketball court. Demo the first court where the issues is of the most concern and replace, backboards, goals, tennis net equipment install 3 benches. Then would could move the last section of fence to close off the courts and fill and seed the exposed area. At the cost of 26,000.00

I will be happy to proceed as the commission directs. I will have to make a formal bid for the asphalt work but that should only take a week or so.

A motion was made by Commissioner Helm to approve Option 2 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

4. Boy Scout Lodge - As Bill and I along with Cannon and Cannon have determined that this could be a good area for a retention pond or bio-sell area for our storm water issues. I would like to ask the Commission if we could once again have Russ reach out to the School Board and request that this property be decded over to the City of Etowah, as we have maintained it for many years and would be an asset to the city. I will reach out to Russ when he returns from vacation.
5. UPDATE; The Anderson Lease addendum has been signed and place with the original lease. The same has been sent to the insurance carrier so that coverage can be corrected accordingly.
6. Fire Hall Park - As my may have noticed the Fire Truck has been delivered to Fire Hall Park. The remaining work shall be complete within the next few weeks.

7. Arts Commission Building Repairs - I have been contacted by the Art's Commission as to some issues that were determined with the floor supports. I have a contractor coming to look at the issue within the next week or so. I will advise as to issues if any determined and the costs to repair.
 8. Arrest - Child Endangerment - There was an arrest made off of Ohio Ave this week as to unfit living conditions where a minor child was involved. The home owner and the Tenant have both been advised of a hearing to determine the outcome of this property. The owner has requested that we proceed with this so that he has opportunity to have tenants removed and make required corrections. The Etowah PP and Codes worked hand in hand on this Wednesday night. The child has been placed with DCF for protection.
 9. Within your packet you will find Details from Jon James and the Park and Rec Committee as to their suggestions for changing the current Little League Program from Athens to Dixie Youth. It will have their suggestions as well as the thoughts of the Parks and Rec department.
 10. As Public Works is still working hard to complete the repairs to 3rd street we have yet to begin the work at the ball field parking lot. That will begin soon, as it is the next major job to begin. Original Comments from Mgr. Report: Billy Ingram and I have discussed the issue of flooding on Louisiana Ave across from the Ball field. Public works will begin working on the drainage at the parking lot location to open up capacity for all run. This work should begin in the next two weeks weather permitting.
 11. We have received a donation of 4 backup cameras from Review Systems of Sweetwater for the Fire Department at a value of \$900.00. A letter of thanks has been sent for the City of Etowah Fire Department/Administration.
 12. As you have been advised we have scheduled a Public Hearing/Special Call Meeting for July 30th for the 2018 Façade Grant. I will be reaching out to all of the persons that participated in the application process last year and see if they will be wanting to participate again this year. I will also be posting this to the city website for further details.
 13. The question was asked during last month meeting as to the property at 917 Washington Ave. This is a property that we did demo, however, we do not own. The owner of the property has not been located and the former mortgage hold of the property has released its lien. Therefore, we can only continue to follow the codes for mowing maintenance. We will continue to look for the owner of the property (George Yearwood).
- Please note that this is one of the issues that we are hoping to address with the Ord's in this week's packet.
14. I have reached out to Russ after the last meeting as to the Annexation of the purchased Armstrong Property and I have not received a reply back as of yet. Also, I know that Kathy Price was going to speak to the Commission as to this matter , but has had family emergencies with her husband and has not been able to schedule as of yet. I will speak with her again on this and see if there is an update.
 15. I have been advised that we did not receive the Dog Park Grant at this time there was over 14000 application for 14- \$25,000 grants. We can try again next year as we will have more time to plan.
 16. As Billy and I have had several discussions as to the sidewalks on Tennessee Ave that have been the area of flooding over the past few months a meeting with TDOT was held with Billy today and they have advised him of the fact that we can make alterations to the sidewalk area to allow for water runoff. Billy will be working on the plan and will be required to submit it to TDOT for their approval prior to any work beginning.

17. Within your packets you will find a summary sheet of 2 bids for water remediation under the Police Department. You may recall a few years back where this issue was addressed and work was completed. However, at this time the warranty has expired on this service and is failing causing a mold issue at the PD. WE will need to select one of the two companies to address the encapsulation and replacement of the sump pump. I suggest that we go with Olshan, as they are not the lowest, but their representative was much more informed as to how we can correct the issues.

18. Within your packets you will find a listing of 4 bids for the completion of the FEMA grant that was approved last year. WE will need to select one to complete this grant process. AT this time we have also requests a grant extension of 120 days.

19. I have spoken with Harold of EUB and he is arranging for one of their sales person to get with me as to the options for lights at the walking trail. I will advise as I get further details.

20. The training classes for the two public work employees to get certified in Animal Control have been scheduled. They will be leaving for Georgia in October/November.

21. We have received the 3 appraisals for the properties being considered for condemnation. All 3 of them exceed the 50% threshold for repairs. We will soon schedule the Administrative Hearing as to these properties with the Owners. We will advise as we progress.

22. Jon and I will be setting a meeting with the County to speak with Mayor Gentry, Mark Cochran and their tax attorney to discuss options as to the City of Etowah doing our own tax sales so that we are not losing the property to the county. They too feel that this would be best for the City of Etowah. We will advise as to the outcome.

23. Please note that there has been one demotion and one promotion within the Police Department. The person that was demoted is now on a 30 day probation for his actions that violated the SOP of the Police Department and he will be subject to a full review by myself and the Chief of Police at the end of 30 days. Should you wish to have more details on this matter I will be happy to speak with you privately.

24. As you will note the issue of the volunteer EMA Director is back on the agenda. As I know this is a matter that has been addressed several time I have once again included the documents from TML as to Volunteer's within this packet.

As the City appointed Mr. Haney to this position before my arrival I will continue to work with him and supervise him. However, I believe the difficulty will still rest with Mr. Haney's cooperation. Since my arrival to the City he has planned one training exercise, been resistant to listen communication from the City Hall as to the process on how we make purchases, the replacement cell phones, following through on getting quotes for work he has requested as Volunteer EMA Director, I have had no communication from him as to ice, rain, storms, no assistance from him during flooding issues, etc.

I have had more assistance from Tom Trotter of the McMinn County EMA during these times and I feel that the County will have a much more organized process for us all to follow their plan then develop our own. This has all so be suggested by Tom Trotter several months ago. As mentioned to me a few months ago as placing a supervisor over MR. Haney as I had requested, it appears that no one is willing to tackle that duty except for me.

It is my suggestion and that of the Chief of Police and the Fire Chief (both past and present) that we dissolve this volunteer position and we would work directly with the Counties EMA department and Tom Trotter.

25. Update to the Mural Grant Application—Mr. Chuck Hammonds has advised the amount of the Mural Grant has been approved for a total of \$5,000.00. The two chosen locations for this project are Eighth and Tennessee Avenue and the Rotary Park. The project managers are Chuck Hammonds and Durant Tullock.

Ms. Tuggle reported that MCH is willing to donate a scoreboard.

A motion was made by Commissioner Helm to accept the donation and Commissioner Garwood seconded the motion and motion carried with a unanimous vote.

Thank you ever so much for your time.
Respectfully,

Tina M. Tuggle
City Manager

9) PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

Ms. Anne Abbott, 814 Ninth Street came before the Commission to express her dissatisfaction in the loss of Mr. Brian Silber as Parks and Rec Director.

Ms. Ruth Sowers of Etowah stated she thought Mr. Silber was great to work with.

10) UNSCHEDULED ITEMS

Ms. Alison Bull, City Recorder submitted Ordinance 824 for consideration.

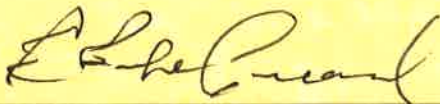
ORDINANCE NO. 824

**AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR
THE CITY OF ETOWAH, TENNESSEE FOR FISCAL YEAR 2017-2018**

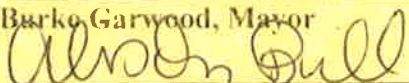
A motion was made by Commissioner Garwood to approve Ordinance 824 and Vice-Mayor Swayne seconded the motion and motion carried with a unanimous vote.

11) ADJOURNMENT

A motion was made by Commissioner Garwood to adjourn and Vice-Mayor Swayne seconded the motion and motion carried.



Burke Garwood, Mayor



Alison Bull, City Recorder