

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of: Regular Commission Meeting **Meeting Date:** October 22, 2018
Sheet No. 1 of 7

A regular meeting was held on Monday, October 22, 2018 beginning at 6:30 p.m. in the Council Chambers of City Hall, 155 Robinson Street Etowah, Tennessee to. Attending the hearing were Mayor Burke Garwood, Vice-Mayor Jim Swayne, and Commissioners Max Miller and Mike Casteel. Commissioner Gene Keller was absent. Also present were City Manager Tina Tuggle, Finance Director Alison Bull and recording secretary Eva Valentine

Mayor Burke Garwood called the meeting to order at 6:30 p.m. Seven citizens signed the attendance log.

Public Works Director, Billy Ingram led the prayer, and Mayor Garwood led the Pledge of Allegiance to the American flag.

APPROVAL OF THE MINUTES

A motion was made by Vice-Mayor Swayne to approve the Regular Commission Minutes from September 24, 2018 meeting and Commissioner Miller seconded the motion and motion carried with a unanimous vote.

NEW BUSINESS

- a.) First Reading and Consideration of Ordinance 828

**ORDINANCE NO. 828
AN ORDINANCE AMENDING OF TITLE IX, CHAPTER 90,
SUBSECTION 91.07 OVERGROWN AND DIRTY LOTS WITH THE ADDITION OF D (3)**

Mayor Garwood read and explained Ordinance 828.

- b.) Appointment of New Commissioner to Planning Commission

Mayor Garwood nominated Mr. Mike Cheek to be approved as a new member to the Etowah Planning Commission to fill the vacant position left by the relocation of Mr. Mike Vezzani to middle Tennessee and Commissioner Casteel seconded the motion and motion carried with a unanimous vote.

- c.) Discussion and Approval of Opening New Bank Account for the LPRF Pool Grant Funds

Vice-Mayor Swayne made a motion to approve the opening of a bank account with First Volunteer Bank for the LPRF Grant Funds and Mayor Garwood seconded the motion and motion carried with a unanimous vote.

d.) Design Review Appointment

The Commission came to a consensus to place the selection of the new commissioner to the DRC on hold

OLD BUSINESS

a.) Second Reading and Passage of Ordinance 826

**ORDINANCE NO. 826
AN ORDINANCE TO AMEND THE ETOWAH MUNICIPAL CODE
CHAPTER 50: REFUSE AND TRASH, Sections 50.01 and the additional of Section 50.14.**

Vice Mayor Swayne made a motion to approve the Ordinance 826 and Commissioner Miller seconded the motion and motion carried with a three to one vote in favor with Commissioner Casteel opposing.

b.) Second Reading and Passage of Ordinance 827

**ORDINANCE NO. 827
AN ORDINANCE TO AMEND ORDINANCE 400 CREATION OF
THE ETOWAH RECREATIONAL BOARD**

Commissioner Casteel made a motion to approve the Ordinance 827 with a change to the number of members to be 5 and Mayor Garwood seconded the motion and motion carried with a unanimous vote. Those members are Officer Hampton, Cody Hefner, Stephanie Shanahan, and Anne Abbott with one vacancy remaining.

c.) Debt Obligation for Dump Truck

Mayor Garwood made a motion to acknowledge the debt obligation for the Dump Truck and Vice with Premier Leasing and Mayor Swayne seconded the motion and motion carried with a unanimous vote.

d.) Review of Bids Received for Repairs to the Etowah Arts Commission Building

Mayor Garwood made a motion to approve the lowest bid from Design-Build Construction for \$20,860.00 and Vice Mayor Swayne seconded the motion and after some discussion both Mayor Garwood and Vice-Mayor Swayne retracted their motions and the Commission came to a consensus for City Manager Tuggle to review the issue and obtain an estimate of the cost that will get us through until next budget year.

CITY MANAGER'S REPORT

City Manager Report
September 24th, 2018 – October 19, 2018

Ms. Tuggle reported the LPRF check had been received and the new quote for 2019 employee health insurance premiums will reflect a 12.9% reduction from the 2018 premiums.

Public Works Director Billy Ingram presented the Commission three options to repair the road damage at Sixth and Tennessee with the following results.

Vice-Mayor Swayne made a motion to approve Option 1 to repair Sixth Street and Tennessee Avenue with 8 inches of concrete and other stipulations for a total cost of \$7,110.00 and the work to be completed by the Etowah Public Works Dept. and Mayor Garwood seconded the motion and motion carried with a unanimous vote.

1. The cleanup work at the Depot creek area has been completed. We were advised that they removed appx 50 tandem truckloads of silt. With all of the rain that we have received I have to say it has apparently helped some. We will know more as the rain continues to fall.
2. Work is still being done to complete the road issue at 3rd Street. The wing wall work will continue next week and paving should happen shortly thereafter.
3. The ribbon cutting events went well and we have had good feedback as to both the stage and Fire Hall Park.
4. UPDATE: *As advised in the GEM Theater has been listed on the Tennessee Music Pathways. The sign has been installed at the front façade of the GEM.*
5. As we have new officers, I have requested that Chief Armstrong again re-enforce the standard procedures for heavy rain events within the City.
6. Property taxes are now being received and new details have been placed on the City website as to accepting payments for property taxes via the city website.
7. UPDATE: *As of today's date I have not new info on this matter.* I have received the completed Phase I study for the South Industrial Park, as we expected there are a few issues as this has been used as a dump site for the City of Etowah for some time. It now appears that we will be required to have a Phase II study completed to determine the depths of which we will have to go to correct or clean up the land. However, it appears that this study would be at full cost to the City of Etowah. Therefore, Kathy Price of the EDA has requested a price quote for this service. I will advise as soon as I am notified of costs.
8. UPDATE: *Mr. Blair has started some cleanup of the weeds at his Tennessee Ave. property, however, no new building permit has been applied for.* I did received a late reply from Mr. Russ Blair and to the state of his Tennessee Ave., property. He advised that the weeds will be cleaned up within two weeks and that they will apply for a new permit within a matter of a few weeks for the building. I will have Codes send notification of violations should we not see the promised work completed within 10 days.
9. The new Ford's for the PD are in at the shop where we have all lights installed and graphics installed. We are on the work list and it appears that we are still several weeks out from receipt. I will advise as soon as we have a set delivery date to the City of Etowah.
10. The new dump truck has been received and all employees have been advised on how we are to operate and maintain this truck.
11. UPDATE: The repairs to the PD crawl space are now complete.

12. As many of you are aware we have had an issue with the sprinkler system at the Depot with the high waters that we have during heavy rain events. We have had the compressor moved to the exterior of the building and this should eliminate further issues with damage to the compressor.
13. As you all are aware the City Tax billings have been mailed out. Yes, there are numerous complaints being heard as with any tax increase. However, this is also the result of a property tax reappraisal conducted in May/June of 2018. As those of you that were on the commission may recall during budget meetings we advised of this fact and that we had been told by the Property tax office that there where a total of 28000 properties within the county were to get reappraisals, 21,000 of them were going to increase in value and 7,000 of them were going to decrease. WE were unable to obtain the new valuations before the tax increase ordinances were put into place. Due to this we were forced to evaluate the tax increase based on the known values. I hope that this will help when you are questioned by citizens in the coming weeks.
14. *UPDATE: Cannon and Cannon has advised of how to address the issue as discussed below. We have asked Russ to draft a simple easement for this project to obtain owner's permission to be on property for work.* I will be contact Cannon and Cannon to ask Houston to come and take a look at the issues at the canal located behind 514 Pennsylvania Ave. As you all are aware Billy and his department have worked on this over the past few months and still have work to complete. However, as the Property Manager (Owner?) have concerns with the erosion at the property side, we feel it is best to discuss and review the plans with Cannon and Cannon prior to the work being completed. I will advise as to the outcome of this meeting.
15. *UPDATE: The paving of the courts is complete. We will begin the new court painting of lines and new nets within the next week depending on weather.* As you may have noted the work on the courts has begun. However, due to issues with the tennis court area as we have had to have a change in plans. As the stability of the area was a concern to the contractor. We have had to pack and backfill that area to the best of their ability and only repave the basketball court areas. The courts will be opened for citizens to use as soon as the new nets are received and the court lines are painted. I will advise of the opening date as we draw closer.
16. I have been speaking with pool contractors to get a base idea of what we can afford with this grant. I have been presented with several designs however, there are only a few that fit into our budget we will be able to do much for on the design selection once the grant contract is received.
17. Eva and I have met with our Health Insurance Reps and I am happy to advise that our costs of insurance for city employees will be going down next year across the board by appx \$50,000.00
18. Cody Elliot of the Fire Department has achieved his Fire Fighter 2 certification.
19. Parks and Rec Advisory Board – I have received only 2 request for participation on the Parks and Rec Board. That is from Mr. Daniel Hampton of the Etowah Police Department whom would like to serve as a member of the Parks and Rec Advisory Committee, and Cody Hefner of Code Fitness. Cody has also shown interest in assisting the City with the Little League Program next spring.

20. UPDATE: I will present a working draft to you within the next few weeks. I had planned for this to be ready with your packets, however, Eva is on Vacation and Ms. Lane is out due to illness, so I have had to help in City Hall this week. I am at this time reviewing Ordinances from other municipalities as to Food Truck Regulations and permitting. At this time the City of Etowah has 3 food trucks that come through the area with another 2 that have plans to do so on a weekly basis. At this time the City has no regulations or permit requirements for such trucks. With this the City maintains no income from these businesses, and not means in which to regulate, verify health regulations for the public's safety or verification that they are health inspected, etc....

21. UPDATE: *I have heard nothing back from Russ on this matter as of yet.* As mentioned in past meetings the question has been raised if the City can require property owners that rent residential properties within the city limits be required to register with the city for means of ease of contact for violations on said property. I have researched this matter and have found that T.C.A. Code 66-28-107. Residential landlord registration states that this is only allowed with municipalities that have over 500,000 residents as of the 2000 census. I have reached out to Russ Blair as to this matter for his input or assistance determining if there is any other way that this can be done in the City of Etowah.

22. UPDATE: *I have spoken with Chuck Hammonds and they are will to assist the City with this project if the Commission would be interested. We would obtain with the help of the Historic Society photos of the original buildings and do large inserts of the history of the building behind the glass store fronts. We would have to obtain permission from the property owners but this might be a great alternative to blacking out windows.* The Design Review Commission has requested that I present to the Commission a request for an ordinance requiring windows of unoccupied buildings on Tennessee Ave, within the historic district be required to paint(blackout) or paint decorative scene on all store front windows so that to hide any interiors that are not maintained or are used for excessive storage. There would be no locations grandfathered. I will submit a sample ordinance for you at the next commission meeting.

23. The Design Review Commission has also advised that Mr. Chris James has resigned from the DRC and they ask that a new appointment be made to the DRC by the City Commission. I have received no nomination for this at this time.

24. UPDATE: An appointment will be schedule with Mr. Blair and TML as to this matter next week. We have received a litigation papers against the City of Etowah and the Etowah Police Department. I have reviewed the suit and viewed the police report and all associated videos for this incident I can clearly state that the allegations in the suit are not true and there is video proof of the same. We have forward this matter to Russ Blair for this review and to respond to the complaint as required by law. I will advise as I learn more on this matter.

25. I will be attending the official Award ceremony for the LPRF grant on Thursday of this week.

26. Flyers are now out at the Community Center, Depot, Library, City Hall and the City website to advertise of the 1st Annual Christmas Light Contest. Please see copy of flyer in your packet.

27. We have had some issues with the wiring for the fire system at the Depot. We have the sprinkler system company and the fire suppression company working on this now. It appears that we have had some damage to wiring due to the water levels at the Depot. I have requested a quote to correct this issue.

28. We now have yoga classes scheduled at the ECC and are still working on obtain more classes for our members. We are also still awaiting a reply from the state for the child care. The main contact for this has been on vacation this week.

29. As I will soon be starting budget prep within the next few months, I would like to ask the Commission as to how they wish to proceed with the Anderson Drug Building once it is vacated by Anderson Drugs? I have been advised by Studio 4 Design that they estimate that the renovations of the building for City Hall to be approximately \$ 280,000.00 to \$350,000.00. This would not include any repaving of the parking lot. If we can stay at the 280,000 to 300,000 range we should be able to complete paving for the total cost of 350,000.00. This could be achieved if we only renovate the working offices of City Hall at this time and the exterior of the building and continue to hold all City meetings at the Community center until such time that we could renovate the other sections.

I will need to know if the Commission wishes for me to proceed with this project in the 2019 – 2020 fiscal year so that I can begin on obtaining quotes for the financing of the balance of the City Hall Renovations. If so approved I will work with Cannon and Cannon to prepare a bid packet for this project.

30. As to the financing issue mentioned above, if we are going to proceed with that project, this would be a good time to decide if we are going to need to take out funds to cover the LPRF Pool grant for an extension of the pool size and to fund the project until the project pays out.

31. We have done some value engineering for our cleaning supplies and have changed to Cintas as they can cut our current costs.

32. Within your packets this week you will find a few paint samples that I would ask the Commission to approve for the ECC. As research finds brighter colors promotes higher energy levels we feel that this would be a wonder choice for the Interior of the ECC. We have spoken to ECC customers, staff and vendors and they all have been very excited as to the color pallet. I have budgeted for this to be done within this fiscal year and would hope that we could begin this project this winter.

33. The rain has slowed the exchange of fixtures for the upper level of the depot I hope that we will have the install complete next week and all spot light issues will be resolved.

34. I have met with Chuck Hammonds on Wednesday of this week as to the Mural Grant that Etowah received. We are at the stage to send out RFP as to the design and costs to complete the two murals. We will be scheduling another group meeting to select the final designs. I will advise as we are ready to proceed. As we are nearing winter, we will not begin the murals themselves until spring.

35. We are still waiting letter to the property owners from Russ so that we can proceed with the condemnations of 3 properties. (Iowa, Athens Pike and Illinois)

Thank you for all of your time and assistance with the about matters. Please advise if you have any questions as to the above or if I have asked for a response please email me your thoughts.

Respectfully,
Tina M. Tuggle
City Manager

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

None

9) UNSCHEDULED ITEMS

Commissioner Casteel inquired about the loss of the proposed tennis courts and Ms. Tuggle stated that two contractors refused to bid because of the sinkage. Commissioner Casteel also commented on reports he had received there were no traffic control at Mountain View School. Detective Shaw advised the school is in the county and not in the city.

Mayor Garwood inquired if the financials had been received from the 911 Center and Ms. Tuggle stated no, their auditors had not completed July and August as of yet.

Ms. Tuggle also reported the cost of the Phase II Study for the South Industrial Park was unknown at this time and would advise as it is received.

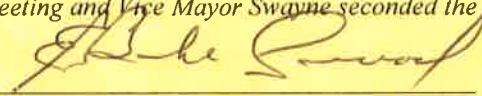
A Special Called meeting was agreed upon to be held on Tuesday, November 13, 2018 to discuss the renovation of the Anderson Drug building, pool design options, and the Arts Commission Building project.

10) ADJOURNMENT

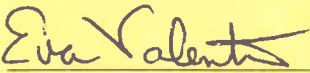
Commissioner Burke Garwood made a motion to adjourn the hearing/meeting and Vice Mayor Swaine seconded the motion and motion carried.



Alison Bull, City Recorder



Burke Garwood, Mayor



Eva Valentine, Recording Secretary