



City of Etowah

City Commission Meeting Minutes

May 20, 2019

1) Call to Order:

Mayor Burke Garwood called the meeting to order.

2) Roll Call

Mayor Garwood gave roll call with all present with the exception of Commissioner Max Miller. Also present were City Manager (CM) Tina Toggle and City Recorder Alison Bull.

Prayer

Public Works Director Billy Ingram prayed

3) Pledge of Allegiance

4) APPROVAL OF THE MINUTES—REGULAR-----04/22/2019

*Vice-Mayor Swayne made a motion to approve the minutes from April 22, 2019 regular scheduled meeting. Commissioner Casteel seconded. All Ayes.*

5) New Business

- a. Frank McDaniel from the city's auditing firm, Brown Jake & McDaniel, PC presented the City's and the City School's official 2017-2018 audit. The opinion was unmodified/clean.
- b. Mayor Garwood announced that there would be a public hearing for the 2019-2020 budget on 6/24/19 immediately following the Etowah Utilities Board meeting, which will begin at 6:00 PM.
- c. First Reading of Ordinance 834

**ORDINANCE No. 834**

**AN ORDINANCE OF THE CITY OF  
ETOWAH, TENNESSEE ADOPTING  
THE ANNUAL BUDGET AND TAX  
RATE FOR THE FISCAL YEAR  
BEGINNING JULY 1, 2019 AND  
ENDING JUNE 30, 2020**

*Mayor Garwood presented the City of Etowah 2019-2020 budget ordinance and made a motion to approve. Commissioner Keller seconded. All Ayes.*

- d. First Reading of Ordinance 835

**ORDINANCE No. 835**

**AN ORDINANCE MAKING AND FIXING THE ANNUAL  
APPROPRIATIONS FOR THE ETOWAH CITY SCHOOL FOR THE  
FISCAL YEAR BEGINNING**

**JULY 1, 2019 AND ENDING JUNE 30, 2020**

*Mayor Garwood presented Etowah City School's 2019-2020 budget ordinance and made a motion to approve. Commissioner Keller seconded. All Ayes.*

- e. A purchase was presented for 1000 ft. /5" supply line and a 400 ft. /1.75" fire attack hose to go on the new fire truck.

*Mayor Garwood made a motion to accept the price of \$6,360.00. Vice-Mayor Swayne seconded. Commissioner Casteel asked about the freight charges. City Manager Tuggle and Fire Chief Adam Hafley explained that there would be free shipping on the purchase. All Ayes.*

- f. Consideration and Passage of Resolution 1219

**RESOLUTION NO. 1219**

**A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY  
SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED  
AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE  
OFFICIAL COMPILATION RULES AND REGULATIONS OF  
THE STATE OF TENNESSEE AUTHORIZING  
APPROPRIATIONS FOR FINANCIAL AID OF THE MCMINN  
ECONOMIC DEVELOPMENT AUTHORITY, A NONPROFIT  
ORGANIZATION WHO'S SERVICES BENEFIT THE GENERAL  
WELFARE OF THE RESIDENTS OF THIS MUNICIPALITY.**

*Commissioner Keller made a motion. Vice-Mayor Swayne seconded. All Ayes.*

- g. Consideration and Passage of Resolution 1220

**RESOLUTION NO. 1220**

**A RESOLUTION PURSUANT TO AUTHORITY, GRANTED BY SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE OFFICIAL COMPILATION RULES AND REGULATIONS OF THE STATE OF TENNESSEE AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID OF THE ETOWAH AREA SENIOR CITIZENS, A NONPROFIT ORGANIZATION WHO'S SERVICES BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF THIS MUNICIPALITY.**

*Mayor Garwood made a motion. Commissioner Casteel seconded. All Ayes.*

- h. Consideration and Passage of Resolution 1221

**RESOLUTION NO. 1221**

**A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE OFFICIAL COMPILATION RULES AND REGULATIONS OF THE STATE OF TENNESSEE AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID OF THE ETOWAH RESCUE SQUAD, A NONPROFIT ORGANIZATION WHO'S SERVICES BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF THIS MUNICIPALITY.**

*Vice-Mayor Swayne made a motion to approve. Commissioner Keller seconded.  
All Ayes.*

- i. Consideration and Passage of Resolution 1222

**RESOLUTION NO. 1222**

**A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE OFFICIAL COMPILATION RULES AND REGULATIONS OF THE STATE OF TENNESSEE AUTHORIZING APPROPRIATIONS FOR FINANCIAL AID OF THE ETOWAH 4<sup>TH</sup> OF JULY, A NONPROFIT ORGANIZATION WHO'S SERVICES**

**BENEFIT THE GENERAL WELFARE OF THE RESIDENTS OF  
THIS MUNICIPALITY.**

*Commissioner Keller made a motion to approve. Mayor Garwood seconded. All Ayes.*

- a. Consideration and Passage of Resolution 1223

**RESOLUTION NO. 1223**

**A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY  
SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED  
AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE  
OFFICIAL COMPILATION RULES AND REGULATIONS OF  
THE STATE OF TENNESSEE AUTHORIZING  
APPROPRIATIONS FOR FINANCIAL AID OF THE ETOWAH  
CHAMBER OF COMMERCE, A NONPROFIT ORGANIZATION  
WHO'S SERVICES BENEFIT THE GENERAL WELFARE OF  
THE RESIDENTS OF THIS MUNICIPALITY.**

*Vice-Mayor Swayne made a motion to approve. Commissioner Casteel seconded. All  
Ayes.*

- b. Consideration and Passage of Resolution 1224

**RESOLUTION NO. 1224**

**A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY  
SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED AND IN  
ACCORDANCE WITH SECTION 0380-3-7-02 OF THE OFFICIAL  
COMPILATION RULES AND REGULATIONS OF THE STATE OF  
TENNESSEE AUTHORIZING APPROPRIATIONS FOR FINANCIAL  
AID OF THE TRI-COUNTY CENTER, A NONPROFIT ORGANIZATION  
WHO'S SERVICES BENEFIT THE GENERAL WELFARE OF THE  
RESIDENTS OF THIS MUNICIPALITY**

*Mayor Garwood made a motion to approve. Commissioner Casteel seconded. All Ayes.*

- c. Consideration and Passage of Resolution 1225

**RESOLUTION NO. 1225**

**A RESOLUTION PURSUANT TO AUTHORITY GRANTED BY  
SECTION 6-54-111 OF THE TENNESSEE CODE ANNOTATED  
AND IN ACCORDANCE WITH SECTION 0380-3-7-02 OF THE  
OFFICIAL COMPILATION RULES AND REGULATIONS OF**



**THE STATE OF TENNESSEE AUTHORIZING  
APPROPRIATIONS FOR FINANCIAL AID OF THE ETOWAH  
CHRISTMAS FOR KIDS, A NONPROFIT ORGANIZATION  
WHO'S SERVICES BENEFIT THE GENERAL WELFARE OF  
THE RESIDENTS OF THIS MUNICIPALITY.**

*Commissioner Keller made a motion to approve. Vice-Mayor Swayne seconded. All Ayes.*

d. Consideration and Passage of Resolution 1226

**RESOLUTION NO. 1226**

**AN RESOLUTION TO AMEND Chapter 6 ADMINISTRATION AND ENFORCEMENT,**

**Section 6.03 BUILDING PERMITS of the Etowah Zoning Codes**

*A resolution to amend 6.03 of the Etowah zoning codes was presented. Commissioner Keller asked if this amount applied to any changes done. City Manager Tuggle and Etowah Codes Enforcement Officer, Jon Troutt discussed with Keller. They all agreed and Mayor Garwood concluded that this resolution needed to be referred back to the planning commission before passage.*

e. Annual SETD Contract Renewal

*Mayor Garwood made a motion to approve the renewal. Commissioner Keller seconded. All Ayes*

6.) Old Business:

a. Excavation of New City Hall Building Site-SM&E Invoice Amt. \$6,304.44

*City Manager Tina Tuggle presented the quote of \$6,304.44 to the board and said she had been waiting on the price as now presented, Commissioner Keller made a motion to approve. Vice-Mayor Swayne seconded. All Ayes.*

b. Second Reading and Passage of Ordinance 831

**ORDINANCE NO. 831**

**AN ORDINANCE AMENDING THE ETOWAH MUNICIPAL CODE**

**TITLE XI, CHAPTER 90, ANIMALS, 90.06 (A) and the additional of 90.06 (C) Permit Fee.**

*Commissioner Casteel made a motion to approve Ordinance 831 and. Mayor Garwood seconded. All Ayes.*

c.) Approval of Emergency Addition to Demo Contract for New City Hall Site--  
\$10,290.00

*Mayor Garwood made a motion that this amount could be approved, not to exceed \$3,000. Keller seconded. All Ayes.*

*Mayor Garwood made a motion to approve topo purchase from S&ME not to exceed \$8,000. Keller seconded. After discussion, Keller withdrew his second and Garwood withdrew his motion in order to wait on the final amounts before a vote is made.*

8) City Manager Report

April 22, 2019 – May 17, 2019

- *A purchase to BKT for police vests was presented to the board. Vice-Mayor Swayne made a motion to approve the purchase of \$3,000. Commissioner Casteel seconded. All Ayes.*
- *City Manager Tuggle submitted to the board the carpet and paint samples that she's interested in pursuing for the Gem Theater. The amounts would be \$3,800 to purchase the carpet and \$2,200 for carpet installation. Commissioner Casteel made a motion to approve. Mayor Garwood seconded. All Ayes.*
- City Manager Tuggle told that the LPRF Contract for the Etowah City Pool should be signed and in place by 6/1/19 with the design and planning to follow.
- City Manager Tuggle stated that she had a meeting with CSX and they have agreed to do trench work behind the depot properties starting this week.
- UPDATE: I have spoken with the prospective developer and they have visited the South Industrial Park again this week to determine if some of the concrete items could be used to build a berm on the back side of the property so that the cleanup would be less expensive for the City to complete. Their interest in the property has not changed at all, and are still ready to make this happen with the City of Etowah
- UPDATE: City Hall Property – All of the demo and soil removal is complete. As you will note on your agenda this week we will need to approve the Invoices for the extra work complete by E & S Excavation due to the oil tank matter as well as the Invoice from SM& E for the assistance with the soil testing and TDEC documentation. Both of these items were addressed last month.
- UPDATE: I have found the CSX original lease agreement and all addendums that updated and or continued the contract. However, I was unable to get the consent of CSX for the Tourism Enhancement Grant as required per the lease. Therefore, as I texted last week to obtain approval; I will need to have approval from the City Commission for the change to apply for sound and light for the Depot Stage. Just so all records are updated.

- The little league tournament the Week of May 6<sup>th</sup> at both the 6<sup>th</sup> and 7<sup>th</sup> street ball fields were set off schedule a bit due to all of the rain. Some of the games will be made up this week and week end.
- UPDATE: Just as a reminder we will be having an appreciation celebration at the Depot Grounds on May 17<sup>th</sup> from 5:30 to 7:30 p.m. We will be having a simple picnic style dinner after the program for the employees, their family and the City Commissioners that plan to attend. We have several local establishments doing things as well in support of the Fire and Police Department that week. WE WILL ALSO BE SHOWING THE NEW CITY OF ETOWAH FIRE TRUCK TO THE CITY AS WELL. IT WAS RECEIVED ON WEDNESDAY/ IT IS A WONDERFUL ADDITION TO OUR COMMUNITY.
- UPDATE: The plans for the New City Hall Location have been approved by the DRC. They were very impressed with the design of the new facility and believe the color selection will be good for the downtown location.
- UPDATE: Executives from Dalton and Zetron (manufacturing company of our radios system) have conducted ride along with our Police Department to determine the issues that we are having with our radios. Please note that our backup channel is working fine. So we have switched to that at this time until repairs can be made, the Fire Chief and Police Chief will be meeting with Dalton Communication next week as to issues we are having with the radios. I will advise of the outcome.
- We have completed utility patching as mentioned last week. We still have more to do with standard hole patching and that will be continuously worked on by Billy and his crew. We will be doing utility patching next week weather permitting.
- I have received notification that the LPRF contact will be in our hands very soon. Cameron (SETDD) has prepared a time line for the next few tasks that I will need to complete/submit documents. However, we are very near doing RFQ for the Engineers. I will advise as soon as I have received the contract.
- I have spoken with Mayor Gentry as to the funds that they have encumbered for the GEM Theater. They will hold the 29,000.00 funds for us to be used as need between this current fiscal year and the next fiscal year. I will be submitting the carpet, light fixtures and interior paint colors to the Historical Commission for their consideration.
- The no Cell Phone Signs have been installed in the school zone.
- I have met with Studio 4 and Cannon and Cannon this morning. The meeting was very productive and they will soon begin work on the site plan. They are now working on the site plan. Cannon and Cannon should be on site to do some final topo work.



- The condemnation Hearing was held yesterday for the 809 Illinois property. The Judge found in favor of the City of Etowah for the demolition of said property. However, the owner Ms. Debra Buckner was very difficult in this meeting and states that she will be filling suit against the City of Etowah for condemnation of the property that was started by Chris Ingram in 2014, and that was never completed.

Please note that Russ feels that we would still come out on top in a suit as they have miss represented themselves as to facts, they have not paid taxes on this and 3 other properties since prior to this first action. I will update as I learn more as to any litigation on this matter.

- Animal control seized a suspected pit from a residence this week. It was suffering from mange and malnutrition. The owner has been charged with animal cruelty and will be charged with harboring a pit if the DNA test returns positive as suspected.
- As we are closing in on our fiscal year end we will soon begin preparing the budget amendment for the 2018 - 2019 fiscal budget. It should be presented to you by the end of July for passage.
- I have provided the paint colors and carpet selection to the Historical Commission for their approval for the work to be done for the GEM Theater.
- Jon Troutt is researching the State of Tennessee Rules and Regs for Junk yards and car dealerships. So that we can address some outstanding issues we have in several locations in Etowah. We should be able to begin corrective actions next week.
- We have had a few plumbing issues at the 7<sup>th</sup> Street Ball Field restroom facilities and have called to have the lines snaked to correct the issues.
- As you may have seen the Mural Grant is underway. However with the rain it is been delayed somewhat. Also, please note that I have yet to receive any assistance from the Historical Commission as to images for the faces of the train riders. Therefore I will submit to her next week the images that I have.
- Also please note that the DRC has requested a copy of the preliminary drawing to view; which was submitted to them the day after the DRC meeting.
- Public Works is working on the 3<sup>rd</sup> Street issue and we hope to have completed soon. Once again the rain has been a bit of an issue.
- As advised Mayor Garwood, Jon Troutt, Frank Kurlleman and I met with Mr. Sasser from CSX to discuss the issue of the flooding caused by the rail area behind the Depot Properties. As I had not heard from him in two weeks I reached out to him yesterday and was advised that they had not come to a decision and that the Yard Manager was to be getting in contact with me next week. Should I not hear from him by Monday morning I will contact them and see what they plans are if any and urge them to assist us. If we do



not receive any assistance from them I will proceed with ordering sea wall blocks and we shall take matters into our own hands and block in water that is diverted onto the City Property.

- Also, just as a reminder I will be on vacation beginning June 6<sup>th</sup> and will return to the office on June the 17<sup>th</sup>. I will have my City Cell with me for emergencies should I be needed. I will check periodically. Should you need me immediately please contact Eva and she will contact me or leave a message for me at my hotel.

Eva, Jon, and Eric will be assisting any day to day items that are of a regular operation matter. Anything that is not standard day to day they will contact me on.

Thank you for your time and attention to the above matters. Should you have any questions as to the above, please do not hesitate to contact me directly.

Respectfully,

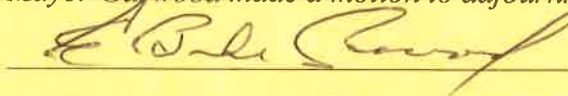
Tina M. Tuggle  
City Manager

9) **PETITIONS AND COMMUNICATIONS FROM THE PUBLIC -None**

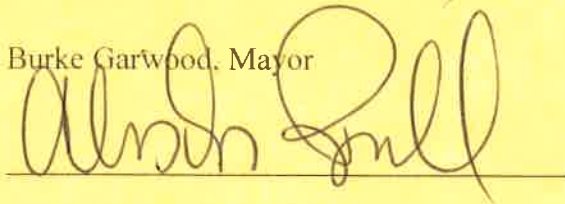
10) **UNSCHEDULED ITEMS-None**

11) **ADJOURNMENT**

*Mayor Garwood made a motion to adjourn. Commissioner Keller seconded. All Ayes.*



Burke Garwood, Mayor



Alison Bull, City Recorder