

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Regular Meeting Date June 13, 2011 Sheet No. _____

A regular meeting of the Etowah City Commission was held on Monday, June 13, 2011 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, Finance Director Melissa Henderson and Recording Secretary Jamie Davis. Absent was Vice Mayor Charles Slack.

Mayor Garwood called the meeting to order at 6:30 p.m. followed by the Pledge of Allegiance and Prayer.

APPROVAL OF THE MINUTES

A motion was made by Commissioner Morgan and seconded by Commissioner Abbott to approve the minutes for May 23, 2011. The motion passed unanimously by a commission vote.

A motion was made by Commissioner Goodin and seconded by Commissioner Morgan to approve the minutes for Special Called Meeting on June 2, 2011. The motion passed unanimously by a commission vote.

PETITIONS AND COMMUNICATIONS FROM THE PUBLIC

Charles Schultz, 525 8th Street, came forward to address a petition of his son being banned from the old Community Center area. He was charged with criminal trespassing and vandalism but the case was dismissed however he is still banned from the old Community Center. Commissioner Morgan asked if he was inside the gate and he was but had only been there about 2 minutes when the police showed up. The fence had already been opened when he arrived. Commissioner Morgan asked if he stayed out of trouble for a couple of months could the ban be lifted. Commissioner Goodin stated that it sounded like a situation of wrong place, wrong time as the other 4 were found guilty and his case was dismissed. Mr. Schultz stated that there's no signs posted, no warnings, and it just feels unjust. Mayor Garwood stated that the Commission would back up the City Manager and the City Manager would back up the Police Chief on their decision. City Manager Gravley ask if Mr. Schultz could bring a copy of the court records to his office where the case was dismissed and they would review the situation at that point.

NEW BUSINESS

a. Mayor Garwood made new appointments to the Etowah Arts Commission Board of Directors and they included Jim Alsip, Ann Boyd, Jim Caldwell, Chanel Groomes, and Bob Holton. Their terms are 2011-2014.

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

b. The 4th of July Committee submitted a written request for \$1500.00 donation for FY 2011-2012.

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

c. Central Knights Youth Football and Cheerleading submitted a donation request for \$100.00. Mayor Garwood stated that the administrators need to come up with a process before donations are presented to the Board of Commissioners. A file should be made to collect all requests before a set deadline and at that point decide how the donations will be divided up. At a later time and date the Commission will announce the donations.

d. Approval to order the gym equipment for the Wellness Center, cost is approximately \$1200.00 per month to lease. Money is in the FY 11-12 budget. City Manager Gravley stated this equipment is lease to purchase for 3 years. The actual amount is \$1098.00 per month instead of the estimated \$1200.00 per month.

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

e. The McMinn County Economic Development Authority is hosting Industry Appreciation Day an Annual Meeting that's on Monday, June 27, 2011. City Manager Gravley stated that if anyone wants to participate please see him to make reservations before June 15th so that he can RSVP for Rafting, Golf Tournament, and/or Reception.

f. Report of the Tennessee Director of the Office of State and Local Finance Concerning the Proposed Issuance of General Obligation Refunding Capital Outlay Notes, Series 2011 Etowah, Tennessee (Etowah Utilities Board). Mayor Garwood read the following memo from Brian Solsbee, Utilities Manager, recapping the New Resolution #1024. The original Resolution #1024 was passed and sent to Nashville but the State decided they needed further information so a new Resolution #1024 which was 14 pages was drafted. The New Resolution #1024 basically states that when Rural Development receives their money this Resolution will cancel it out. Mayor Garwood and Brian Solsbee are meeting with Rural Development on Tuesday, June 14 at 10:30am to discuss this bridge loan.

MEMO:

After consulting with the State Comptroller's Office and Bond Counsel regarding the interim financing from Regions Bank, it has been determined that a new resolution will need to be passed in order to satisfy all of the State's requirements. This resolution will replace the previous resolution passed on May 23, 2011. This will allow the interim financing to be left in place without having to incur any expenses that would arise from another bid process. Permanent financing from Rural Development is anticipated within the next 90 days.

Thanks,
Brian

A motion was made by Mayor Garwood seconded by Commissioner Goodin to approve the Ordinance. The motion passed unanimously by a commission vote.

g. First Reading of Ordinance No. 716 by Mayor Garwood

ORDINANCE NO. 716

**AN ORDINANCE MAKING AND FIXING THE ANNUAL APPROPRIATIONS
FOR THE ETOWAH CITY SCHOOL FOR THE FISCAL YEAR BEGINNING
JULY 1, 2011 AND ENDING JUNE 30, 2012**

WHEREAS, the Etowah City School has submitted to the Board of
Commissioner's a budget estimate for the fiscal year beginning July 1, 2011 and
ending June 30, 2012 covering the estimated needs of the school in detailed itemized
amounts and including salaries and other expenses; and,

WHEREAS, the Board of Commissioners has determined that the amount
hereinafter set forth are appropriate and proper;

NOW, THEREFORE, BE IT ORDINED BY THE CITY COMMISSION OF THE
CITY OF ETOWAH:

SECTION I.

That the following appropriations for the fiscal year beginning July 1, 2011 and ending June 30, 2012 be, and the same are hereby made for the use of the Etowah City School, in amounts as follows, to-wit:

GENERAL PURPOSE FUND: 141

Revenues	\$2,424,345
Expenditures	\$2,424,345

FEDERAL PROJECTS FUND: 142

Revenues	\$ 383,757
Expenditures	\$ 383,757

CAFETERIA FUND: 143

Revenues	\$ 188,650
Expenditures	\$ 188,650

SECTION II.

BE IT FURTHER ORDINED, that all ordinances or parts of ordinances in conflict, with the provisions hereof be, and the same are hereby repealed and superseded.

SECTION III.

BE IT FURTHER ORDINED that this Ordinance shall take effect and be in force ten (10) days from and after its final passage, the public welfare requiring it.

A motion was made by Mayor Garwood seconded by Commissioner Morgan to approve the Ordinance. The motion passed unanimously by a commission vote.

h. Appropriation Resolution for the Etowah City School Federal Projects Fund

A motion was made by Commissioner Goodin seconded by Commissioner Abbott to approve the Ordinance. The motion passed unanimously by a commission vote.

i. Second Reading of Ordinance No. 715 by Mayor Garwood

ORDINANCE NO. 715

AN ORDINANCE TO RESTRUCTURE THE TAX COLLECTION PERIOD FOR THE CITY OF ETOWAH AND TO NULLIFY ANY EXISTING ORDINANCES THAT CONFLICT

WHEREAS, it is the intention of the Etowah City Commission to restructure the collection period for City taxes beginning with the calendar year 2011; and

WHEREAS, it is the intention of the Etowah City Commission to coordinate the City's tax collection period with the collection period of McMinn County taxes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ETOWAH, TENNESSEE:

Section I.

The new due date for the City of Etowah property taxes is the 1st day of October, with the collection period running through February 28th. The taxes will become delinquent on March 1.

Section II.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances in conflict with the provisions hereof be, and the same are hereby repealed, and this ordinance shall take effect and be in force ten (10) days from and after its final passage, the public welfare requiring it.

A motion was made by Mayor Garwood seconded by Commissioner Goodin to approve the Ordinance. The motion passed unanimously by a commission vote.

j. First Reading of Ordinance No. 714 by Mayor Garwood

ORDINANCE NO. 714

AN ORDINANCE TO ESTABLISH THE TAX RATE AND PENALTY FOR REAL AND PERSONAL PROPERTY IN AND FOR THE CITY OF ETOWAH, TENNESSEE FOR THE 2011 CALENDAR YEAR.

WHEREAS, the City of Etowah is required by Charter to establish the property tax levy necessary to meet the expenses of the City for the next applicable fiscal year; and

WHEREAS, Article XI Section 3 of the City Charter provides that the City will collect taxes by ordinance and that same ordinance shall set the penalty and interest; and

WHEREAS, the operational expenses for Fiscal Year 2011-2012 for the City of Etowah have been projected in accordance with anticipated property tax revenues to be established; and

WHEREAS, Tennessee Code Annotated 6-22-112 has provisions for levying penalties and interest upon any taxpayer for late payment of taxes; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ETOWAH, TENNESSEE:

Section I.

That the property tax rate for the City of Etowah for municipal purposes is hereby fixed at One Dollar and 27/100 (\$1.27) on each One Hundred Dollars (\$100.00) assessed value of property.

Section II.

That pursuant to Tennessee Code Annotated 6-22-112 a penalty of two percent (2%) shall be added to each unpaid tax bill after February 28th and an additional penalty of two percent (2%) shall be added to each unpaid bill every month thereafter.

Section III.

BE IT FURTHER ORDAINED, that all ordinances or parts of ordinances in conflict with the provisions hereof be, and the same are hereby repealed, and this ordinance shall take effect and be in force ten (10) days from and after its final passage, the public welfare requiring it.

A motion was made by Commissioner Morgan seconded by Commissioner Abbott to approve the Ordinance. The motion passed unanimously by a commission vote.

k. First Reading of Ordinance No. 717 by Mayor Garwood

ORDINANCE NO. 717

AN ORDINANCE MAKING AND FIXING THE
ANNUAL APPROPRIATIONS FOR THE SEVERAL
DEPARTMENTS OF THE CITY OF ETOWAH FOR
THE FISCAL YEAR BEGINNING JULY 1, 2011
AND ENDING JUNE 30, 2012.

WHEREAS, the City Manager, as required by the City Charter has submitted to the Board of Commissioners a budget estimate for the fiscal year beginning July 1, 2011 and ending June 30, 2012 covering the estimated needs of the several departments in detailed itemized amounts and including salaries and other expenses; and,

WHEREAS, the Board of Commissioners has determined that the amounts hereinafter set forth are appropriate and proper;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ETOWAH:

SECTION I.

That the following appropriations for the fiscal year beginning July 1, 2011 and ending June 30, 2012 be, and the same are hereby made for the use of the several departments of the City of Etowah, in amounts as follows, to-wit:

ESTIMATED REVENUES

GENERAL FUND

Local Taxes	<u>\$1,834,289.00</u>
Licenses & Permits	<u>\$ 3,950.00</u>
Intergovernmental Revenues	<u>\$ 466,561.00</u>
Fines, Forfeits & Penalties	<u>\$ 174,000.00</u>
Other Revenues	<u>\$ 159,405.00</u>
TOTAL GENERAL FUND REVENUES	<u>\$2,638,205.00</u>

SPECIAL FUNDS

<u>GEM THEATER RESTORATION FUND - 123</u>	<u>\$ 6,000.00</u>
<u>ETOWAH DRUG FUND - 126</u>	<u>\$ 15,000.00</u>

<u>SANITATION FUND - 131</u>	<u>\$ 310,640.00</u>
<u>ECONOMIC DEVELOPMENT FUND - 611</u>	<u>\$ 15,100.00</u>

TOTAL REVENUES ALL FUNDS	<u>\$2,984,945.00</u>
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ESTIMATED EXPENDITURES

GENERAL FUND

General Government	<u>\$ 8,559.00</u>
Judicial	<u>\$ 6,000.00</u>
City Administration Department	<u>\$ 179,320.00</u>
Finance Department	<u>\$ 92,583.00</u>
City Attorney	<u>\$ 6,700.00</u>
Non-Departmental	<u>\$ 354,597.00</u>
Post Office	<u>\$ 85,638.00</u>
Police Department	<u>\$ 642,350.00</u>
Fire Department	<u>\$ 346,992.00</u>
Building Inspection	<u>\$ 47,899.00</u>
Public Works Department	<u>\$ 262,802.00</u>
State Street Aid Department	<u>\$ 107,860.00</u>
Donations	<u>\$ 24,465.00</u>
Parks & Recreation Department	<u>\$ 175,116.00</u>
Gem Theater	<u>\$ 18,770.00</u>
Museum-Depot	<u>\$ 46,373.00</u>
Library Department	<u>\$ 70,992.00</u>
Education	<u>\$ 161,189.00</u>

TOTAL GENERAL FUND EXPENDITURES	<u>\$2,638,205.00</u>
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<u>GEM THEATER RESTORATION FUND - 123</u>	<u>\$ 6,000.00</u>
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<u>ETOWAH DRUG FUND - 126</u>	<u>\$ 15,000.00</u>
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<u>SANITATION FUND - 131</u>	<u>\$ 310,640.00</u>
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<i>ECONOMIC DEVELOPMENT FUND - 611</i>	<i>\$ 15,100.00</i>
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TOTAL EXPENDITURES ALL FUNDS	<u>\$2,984,945.00</u>
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SECTION II.

That such salaries as the Board of Commissioners are required to fix by ordinance are hereby fixed as set forth in the detailed budget estimate for the respective departments.

SECTION III.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict with the provisions hereof are, and the same are hereby repealed and superseded.

SECTION IV.

BE IT FURTHER ORDAINED that this Ordinance shall take effect and be in force ten (10) days from and after its final passage, the public welfare requiring it.

A motion was made by Mayor Garwood seconded by Commissioner Morgan to approve the Ordinance. The motion passed unanimously by a commission vote.

OLD BUSINESS

None

CITY MANAGER'S REPORT

City Manager Matthew Gravley discussed expenditure to do now for the library of \$3000.00 for Early Literacy Station. This is a computer with 50 programs on it that are bilingual for early literacy and would cost us about \$650/year with software. The money is already in the budget and City Manager Gravley asked for approval to purchase.

A motion was made by Commissioner Abbott seconded by Commissioner Goodin to approve the Ordinance. The motion passed unanimously by a commission vote.

City Manager Gravley has been asked by the Athens YMCA to participate in a Washington D.C. trip July 25th-27th that's 100% paid via grant for 10 people to attend the training. The Board of Commissioners saw no problem with City Manager Gravley attending the training as long as we reschedule the regular City Commission Meeting from Monday, July 25th to Thursday, July 28th at 6:30 p.m. due to scheduling conflicts. And the Utility Meeting will be rescheduled to Thursday, July 28th at 6:00 p.m. as well.

City Manager Gravley informed everyone that Billy Ingram from the Public Works Department has been working with TTAP of the University of Tennessee and they have chosen us for a regulatory signs grant. We have been granted \$24,000 worth of regulatory signs that are reflective with posts to include traffic signs, speed signs, stop signs, etc. This grant does not include street name signs. We have until 2015 to replace all ground mounded signs and make them reflective.

The exterior paint at the Wellness Center is almost done according to City Manager Gravley. The volunteers were great last week and we are going to have 81 volunteers this week.

Two mechanics and City Manager Gravley went to Alabama last weekend to survey the Fire Truck the city is discussing the purchase of and all 3 were extremely impressed with the condition of the truck. The mechanics approved and agreed it would be a good investment.

The sanitation department will be using the new Sanitation Ordinance Reminder that includes the Etowah Municipal Code Title 17. The city employee will complete the form and keep the front copy for the city's records and attach the back (yellow) copy to the front door of the residence. City Manager Gravley also stated that we would be developing one for the Property Maintenance violators. Mayor Garwood suggested that we revise and update such as to omit the use of plastic bags and using garbage cans with lids only on the day of garbage pickup and after that moved back to the house. The Planning Commission needs to develop a list to go to the Utility Department so that all new residents will have a copy of the rules of the city. Commissioner Abbott suggested putting a flyer in all the utility bills as a reminder with a brief description of the ordinances to all residents of the city.

UNSCHEDULED ITEMS

Commissioner Ann Abbott made a motion to write an ordinance to allow beer sales on Sunday. She stated that Sweetwater had passed the ordinance to allow package stores, she had a lot of positive feedback from her letter to the editor in the DPA last week, and several thank yous for her stance on beer sales on Sunday.

A motion was made by Commissioner Abbott to draft an ordinance to sell beer on Sunday and the motion was not seconded. The motion was dropped.

Commissioner Goodin asked if the City Commission Meetings could be changed back to once a month since the budget season was about over. Mayor Garwood announced that we are probably about 1 month away from getting to that point and we would discuss again at that point. Commissioner Morgan thought it was a good idea and a workshop or special called meeting could be announced if needed. Mayor Garwood stated that we would wait until after the June 28th meeting to decide.

ADJOURNMENT

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

E. Burke Garwood III, Mayor

Melissa Henderson, City Recorder

Respectfully submitted by:

Jamie L. Davis, Recording Secretary