



City of Etowah

City Commission Meeting Minutes

January 27, 2020

1) Call to Order:

Mayor Burke Garwood called the meeting to order

2) Roll Call

Mayor Garwood gave roll call with all commissioner present. Also present were City Manager (CM) Tina Tuggle and City Recorder Alison Bull and Eva Valentine.

3) Prayer

Commissioner Miller prayed.

4) Pledge of Allegiance

5) APPROVAL OF THE MINUTES—

REGULAR-----01/27/2020

*Commissioner Keller made a motion to approve the regular meeting minutes from 01/27/2020. Commissioner Miller seconded. All Ayes.*

**NEW BUSINESS:**

- a. Consideration and Passage of Resolution 1239

**RESOLUTION NO. 1239**

**CITY OF ETOWAH  
2020 COMMUNITY DEVELOPMENT  
BLOCK GRANT APPLICATION  
WATER SYSTEM IMPROVEMENTS**

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*Commissioner Casteel made a motion to approve Resolution 1239 and Vice-Mayor Swayne seconded the motion. All Ayes.*

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- b. Renewal of Brown, Jacob, and McDaniel Auditor Services

*Commissioner Keller made a motion to approve the contract renewal with Brown, Jacob, and McDaniel and Vice-Mayor Swayne seconded the motion. All Ayes.*

- c. Consideration and Approval of Additional Lighting for Gem Theatre--\$5,209.00

City Manager Tuggle stated this is the remainder of the County funds from the last fiscal year.

*Commissioner Keller made a motion to approve the purchase of the lighting in the amount of \$5,209.00 and Vice-Mayor Swayne seconded the motion. All Ayes*

- d. Consideration and Passage of Animal Control SOP

Ms. Tuggle explained this is the initial policy submitted for adoption which is more specific to this department and Post prefers this department to be a sub-department to the Police department.

*Commissioner Casteel made a motion to table this issue until the new police chief has time to review and update to his specification and Vice-Mayor Swayne seconded the motion. All Ayes*

- e. Consideration and First Reading of Ordinance 849

**ORDINANCE NUMBER 849**

**ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES AND REGULATIONS, AND TO PROVIDE FOR A SAFETY DIRECTOR AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN**

*Commissioner Casteel made a motion to approve Ordinance 849 and Vice-Mayor Swayne seconded the motion carried with All Ayes.*

- b) Consideration and First Reading of Ordinance 850

**ORDINANCE NO. 850**

**AN ORDINANCE TO AMEND ORDINANCE MUNICIPAL CODE, CHAPTER 115 – Alcoholic Beverages, Section 115.36 INTERFERENCE WITH PUBLIC HEALTH, SAFETY AND MORALS PROHIBITED**

*Mayor Garwood made a motion to approve Ordinance 850 and Commissioner Keller seconded the motion carried with All Ayes*

**OLD BUSINESS:**

- a. Second Reading and Passage of Ordinance # 848

**Ordinance # 848**

**AN ORDINANCE TO AMEND CHAPTER 30 – CITY COMMISSION WITH CHANGES TO VERBAGE IN 30.01 TIME AND PLACE OF REGULAR MEETINGS, 30.02 ORDER OF BUSINESS AND THE ADDING SUBSECTION 30.05 TO ADOPT A CODE OF ETHICS FOR THE CITY'S COMMISSIONS, BOARDS OFFICERS AND EMPLOYEES, ETC.**

*Vice-Mayor Swayne made a motion to approve Ordinance 848 and Commissioner Keller seconded the motion carried with All Ayes*

**CITY MANAGER'S REPORT:**

Ms. Tuggle announced that Det. Jim Shaw will be assuming the position of Interim Police Chief and staff is working hard to ensure the transition goes well.

Vice-Mayor Swayne inquired as to the possibility for the possible funds from the state to be used in repaving and not just patching and she stated that was at the top of the list but reminded everyone this will not be awarded until passage in the August election.

Commissioner Miller inquired as to status of the pool and Ms. Tuggle stated she hoped to hear within the next 4 weeks or so.

**City Manager  
Monthly Report  
January 24<sup>th</sup>, 2020 to February 21, 2020**

1. UPDATE: We plan to have the Commission Desk relocated for Monday's meeting. We are planning on removing the rock wall in the next week and then repainting walls after repairs are made. The batting cage/carport has been ordered and electric will be installed after the carport is delivered.
2. The new City Hall is still going strong, we still plan to be able to move the 18<sup>th</sup> of March with the current City Hall closed the 19<sup>th</sup> and 20<sup>th</sup>.
3. I have spoken with McMinn Beautiful and they will be supplying the City of Etowah with 5 pole mounted ash tray containers for downtown. We should receive in March or April
4. The new toilet partitions for the Walking trail restrooms have been received as well as the new sinks. The new vandal proof mirrors will be in in the next few days.
5. The safe has been moved to the new city hall and the floors are now being installed.
6. The sidewalk connectivity project is about to be scheduled for the start of construction. We will be meeting in the next 2 weeks to determine the exact start date. I will advise.
7. We have advertised the catch basin projects as discussed at the last commission meeting. We had 1 contractor attend the pre-bid meeting. Bids will be due March 19<sup>th</sup>. As I am sure you all have heard there was been a citizen upset as to the Animal Control Officer citing him for 4 canines that were not registered and there was no proof of vaccinations.
8. UPDATE: I have not heard much more as to the complaints as to the animal control issue a few weeks ago. However, I still plan to bring the documentation as to that event should it be needed.
9. I have received an updated set of plans for the Community Pool. They are now finishing up on the utility connections and a full set will be sent to the State for approval. I am unsure of how long the State approval process will take. However, I will advise as soon as the approval is received and when the bid packets will be sent out.
10. Public works has continued to focus on the cleaning of catch basins, ditch lines due to the recent rains.
11. The brush truck has been repaired and is back in the city as of yesterday.
12. I wanted to inform you all as to a bill that Governor Lee has proposed for all state counties and municipalities. The State is proposing that they provide a share of excess

funds to all the counties and municipalities base on population of each area. The funds would be required to be used for 1 of the following type of projects.

- a. IT Hardware
- b. Capital Maintenance
- c. Utility Systems upgrades
- d. Road Projects
- e. Public Safety

The City of Etowah would be eligible for 53,421.00 in the 2020-2021 fiscal year. I will draft the resolution for approval needed as soon as the state releases confirmation that the bill passes.

13. As I am sure you have read the article in the DPA as to the proposed legislation on property tax caps in Tennessee. The proposed formula for an increase would be 2 – 3% + the CPI each year. The formula for the 2020 fiscal year would be 2-3% + 1.1%. = 3.1 to 4.1% for this next fiscal year if we wish to increase. Just in case I will have a breakdown of the taxes for increase if the Commission so decides to do so.
14. We now have a new corporate account with staples and are saving appx 55% on all of the city office supplies. This will help greatly cutting down on office expenses.
15. I continue to work on the budget and plan to have it out to you all for first review by March 23, 2020. If there are items that you wish to address in the budget please reach out to me in the next week so that I can gather details needed to fulfil your request. I will still have time to adjust and edit after first meeting.  
I have received one request for budget items thus far. If you have anything please advise.
16. Public works is investigating a potential tile issue on Louisiana. We are planning to run dye into the line to see if we have any signs of penetration on the residential property.
17. I have requested that Public works begin doing scraping of street sides at curbs to remove overgrowth and weeds before we enter into the spring season.
18. Gary, Jake and I have once again viewed the Miller property and the adjacent property as to flooding/drainage issues. Gary has determined that our side alone from the property line out will cause us appx 11,000.00. The residents will be a cost of appx 6,000.00 for the owner's total. As I have once again reviewed the deeds for both properties and confirm that there are no easements for such drainage.
19. We have ordered all needed items for the beginning of little league this season and will begin training of the concession staff within the next 3 weeks.
20. We will be ordering new fencing cover for the ball fields this week. This will cover the ball fields and football field.
21. The signs on the dumpsters stating the fine and ord. number for persons dumping illegally are being put up this week and next. Some of the signs are on posts and others will be applied directly to the dumpsters themselves. The PD is keeping an eye on dumpsters behind Tennessee Ave.

22. As it has been for the past few week budget prep has been my main focus. As we will have at least a few months of operations of the Community pool within the next budget I am working on our initial costs.
23. I was asked to have a meeting with 2 downtown business owners as to traffic citations in the downtown area. Mayor Garwood was present for this meeting along with Jim Shaw and Eric Armstrong of the Etowah Police Department. At this meeting, details as to our citation standards and ticket to warning ratio was provided.

As a side note confirmed with Shaw and Armstrong, 80 to 90% of our drug seizures are done during traffic stops.

24. Eva and I will be meeting with Diane Elrod from Waupaca as to an event that we will be hosting together. I will advise as we have more details and dates set.
25. Stephanie, Jennifer and I are working on rates and payment schedules for Summer Camp at the ECC. They are also working on this year's Theme and planning of lessons and events for each day.

Respectfully,

Tina M. Tuggle  
City Manager

#### **CITIZENS COMMENTS:**

Ms. April Wise, residing at 232 Ohio Street, submitted a questionnaire to the Board and to give them time to review before providing her answers at a later time.

Mr. Daniel Tallent, residing at 811 Illinois Avenue, addressed the Board in regard to his opinion that he and his family have been harassed by the Etowah Police Dept with having 15 citations within the past fourteen months. He was upset the video of his receiving a ticket by the Animal Control Officer was scheduled to be played tonight to humiliate him. He wanted to apologize to the public due him being upset with the officer. He was of the opinion his civil rights had been violated.

Vice-Mayor Swayne commented that if we go to a residence for cats that is where we stop.

Ms. Tuggle informed the Commission the City the plan to hold a Rabies Clinic at the Community Center, on Saturday, February 29, 2020.

*Vice-Mayor Swayne made a motion to reduce the animal registration fee from \$5.00 to \$2.00 and Commissioner Miller seconded the motion carried with All Ayes.*

Ms. Ann Abbott commented she was very pleased with the improvements made to the Commission Chambers.

Mr. Dennis Stewart residing at 501 Carroll Street inquiring from the Commission if warning tickets were given before someone being ticketed in regard to animal control violations. His position was that the community was not educated as to the laws. At the suggestion of Ms. Tuggle the Commission agreed to include during the review of the Animal Control SOP.

### **UNSCHEDULED ITEMS**

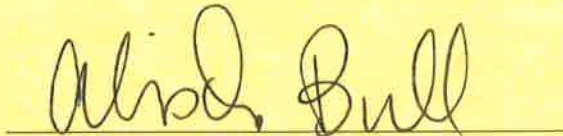
Vice-Mayor Swayne addressed the water flow issue with the Miller property and Ms. Tuggle explained that after reviewing the deeds there is not an easement to the property. She also stated the catch basins did need to repair with a total cost of \$6,500.00. She also stated she had easement prepared and ready for Commissioners to consider for approval. There was a consensus by the Commission to add to agenda for next month for consideration.

### **ADJOURNMENT**

*Mayor Garwood made a motion to adjourn and Vice-Mayor Swayne seconded the motion and motion carried.*

A handwritten signature in cursive script, appearing to read "Burke Garwood", written over a horizontal line.

Burke Garwood, Mayor

A handwritten signature in cursive script, appearing to read "Alison Bull", written over a horizontal line.

Alison Bull, City Recorder