MINUTES OF THE MEETING OF
CITY COUNCIL
CITY OF ELIZABETHTON, TENNESSEE
REGULAR SESSION

JULY 13, 2017

THE CITY COUNCIL OF THE CITY OF ELIZABETHTON MET AT
CITY HALL ON THURSDAY, JULY 13, 2017 AT 6:00 PM IN REGULAR
SESSION.

INVOCATION WAS LED BY RAY AMOS, FIRST UNITED METHODIST
CHURCH AND PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY
WILLIAM BEAN OF THE SYCAMORE SHOALS STATE HISTORIC PARK’S
ANNUAL OUTDOOR DRAMA, LIBERTY?

MIKE BARNETTE WAS ALSO PRESENT TO REPRESENT THE LIBERTY
DRAMA AS WELL AS OTHER CREW MEMBERS.

MR. BARNETT STATED THAT TONIGHT’S OPENING STARTED THE
THIRTY-NINTH SEASON OF THE DRAMA AND ALSO STATED THAT
TONIGHT’S OPENING PERFORMANCE WAS FREE ADMISSION FOR
FIRST RESPONDERS AND ALSO INVITED COUNCIL TO SEE THE DRAMA
AND THANKED THEM FOR THE SUPPORT.

THE FOLLOWING OFFICIALS WERE PRESENT: CURT ALEXANDER,
MAYOR; WILLIAM E. (BILL) CARTER, MAYOR PRO-TEM; WES FRAZIER,
SAMUEL B. SHIPLEY, D. RICHARD TESTER, AND JEFFREY C. TREADWAY,
COUNCILMEN; ROGER G. DAY, CITY ATTORNEY; DEBORAH B. KESSLER,
FINANCE DIRECTOR / CITY CLERK AND JEROME D. KITCHENS,
CITY MANAGER.

ABSENT WAS: KIM BIRCHFIELD, COUNCILMAN.

AGENDA AMENDMENT

MAYOR ALEXANDER STATED THE AGENDA NEEDED TO BE
AMENDED TO REMOVE NEW BUSINESS ITEM 10E AND ADD A NEW
BUSINESS ITEM 10J AND REQUESTED A MOTION AND SECOND FROM
COUNCILMEMBERS.

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER, APPROVING
AN AMENDMENT TO THE AGENDA TO REMOVE NEW BUSINESS ITEM 10E
FROM THE AGENDA AND ADD NEW BUSINESS ITEM 10J.

PASSED BY UNANIMOUS VOICE VOTE OF SIX (6) WITH ONE ABSENCE.

MINUTES

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER, THAT
THE MINUTES OF JUNE 8, 2017 REGULAR SESSION BE APPROVED AS
DISTRIBUTED.

PASSED BY A UNANIMOUS VOICE VOTE OF SIX (6) AYES WITH
ONE ABSENCE.

PROCLAMATION

CITY ATTORNEY DAY CAPTION READ A PROCLAMATION TO RAISE
AWARENESS OF THE OPIOID ABUSE EPIDEMIC LOCALLY AND NATIONALLY
AND ALSO AID IN THE PREVENTION OF FURTHER OPIOID ABUSE BY
PROCLAIMING TUESDAY, AUGUST 1, 2017 AS:

"KNOCK OUT OPIATE ABUSE DAY"

IN ELIZABETHTON, TENNESSEE.
MAYOR ALEXANDER PRESENTED THE PROCLAMATION TO JILLIAN ROSS, DIRECTOR OF THE CARTER COUNTY DRUG COALITION.

MS. ROSS THANKED MAYOR ALEXANDER FOR THE PROCLAMATION AND SPOKE BRIEFLY ON THE EVENT.

MS. ROSS STATED THAT THE MEETING WOULD BE AN OPEN FORUM TYPE MEETING ON AUGUST 1, 2017 AT T.A. DUGGER JUNIOR HIGH FROM 6:30 PM TO 8:30 PM AND WOULD INCLUDE AN ICE CREAM SOCIAL AT THE CONCLUSION OF THE MEETING.

CITIZENS COMMENTS

JANETTE MORGAN, EAST B STREET, SUGGESTED THAT OLD BUSINESS ITEMS ON COUNCIL AGENDA BE MORE DESCRIPTIVE.

MS. MORGAN ALSO READ A 7TC4 CODE ON MORAL TURPITUDE REGARDING ELECTED OFFICIALS AND PROCEEDED TO GIVE A COPY OF THE 7TC4 CODE TO CITY ATTORNEY DAY.

MAYOR ALEXANDER ENCOURAGED MS. MORGAN TO DO SOMETHING POSITIVE FOR THE CITY INSTEAD OF THE CONTINUATION OF NEGATIVE STATEMENTS.

COMMUNICATIONS & REPTS BY CITY MANAGER

CITY MANAGER KITCHENS PRESENTED MONTHLY DEPARTMENTAL REPORTS FOR REVIEW:


- POLICE, FIRE, STREETS AND SANITATION, BUILDING PROJECT VALUATION & FEE REPORT, ELECTRIC, WATER RESOURCES CONSTRUCTION AND WATER RESOURCES FACILITIES REPORT, PARKS & RECREATION, LIBRARY AND PLANNING & ECONOMIC DEVELOPMENT DEPARTMENTAL REPORTS FOR THE MONTH OF JUNE 2017

- LITIGATION TAX RETURN FOR THE MONTH OF JUNE 2017

- WATAUGA RIVER REGIONAL WATER AUTHORITY AGENDA FOR JUNE 13, 2017

FOLLOW-UP ON BONNIE KATE PACKET INFORMATION

CITY MANAGER KITCHENS ASKED MARSHA ROSS, BONNIE KATE BOARD MEMBER, TO GIVE A SUMMARY OF THE INFORMATION THAT WAS SENT OUT TO COUNCILMEMBERS IN LAST WEEK’S WEEKLY MEMO.

MS. ROSS DISCUSSED UPCOMING CONCERTS AND PLAYS AND THE FUNDRAISING EVENT TO BE HELD AT THE COVERED BRIDGE IN SEPTEMBER AND ALSO DETAILS OF THE RESTORATION NEEDS AT THE THEATER.

MS. ROSS STATED SUGGESTED COUNCIL MEMBERS GET INVOLVED AS VOLUNTEERS IN THE RESTORATION PROJECT AT THE BONNIE KATE.

CITY MANAGER KITCHENS RECOMMENDED COUNCILMAN JEFF TREADWAY BE APPOINTED AS A VOTING BOARD MEMBER AT NEXT MONTHS COUNCIL MEETING.

ROBERT BENFIELD, REPRESENTING THE CARTER COUNTY ARTS COUNCIL, SPOKE (FROM THE AUDIENCE) ABOUT ART GRANTS AND
WANTED TO INFORM THE CITY ABOUT APPLYING FOR AN ART GRANT, REFERRING TO THE BONNIE KATE AND POSSIBLE ART GRANTS.

BOARD, COMMITTEE & COMMISSIONS

MAYOR ALEXANDER STATED THAT THE Newly FORMED CARTER ANIMAL SHELTER STEERING COMMITTEE REQUESTED THAT TWO (2) ELIZABETHTON CITY COUNCIL MEMBERS BE APPOINTED TO THE COMMITTEE.

MAYOR ALEXANDER FURTHER STATED THAT IT WAS TEMPORARY TRANSITIONAL COMMITTEE FORMED BY THE CARTER COUNTY, TN GOVERNMENT AFTER CARTER COUNTY MAYOR LEON HUMPHREY RESCINDED THE MANAGEMENT DUTIES OF THE ANIMAL SHELTER BY HIS OFFICE.

BUFORD PETERS, CARTER COUNTY COMMISSION BOARD MEMBER, STATED HE WAS ON THE TRANSITION BOARD AND HAD BEEN GIVEN THE DUTIES OF TEMPORARILY SUPERVISING THE SHELTER AND FURTHER STATED THAT HE WAS OPEN TO ANY SUGGESTIONS FOR THE SHELTER FROM CITY COUNCIL.

MR. PETERS STATED HE HAD MET WITH SHELTER DIRECTOR SHANNON POSADA TO LOOK OVER THE ANIMAL SHELTER BUDGET FOR PLACES TO CUT EXPENSES AND SAVE THE CITY AND COUNTY MONEY. HE FURTHER STATED THAT THE ANIMAL SHELTER WAS BEING RUN GREAT BY MS. POSADA BUT IT STILL NEEDED THE COOPERATION OF THE CITY AND COUNTY GOVERNMENTS TO HAVE THE BEST SHELTER AT THE CHEAPEST COST FOR THE BETTERMENT OF THE COMMUNITY.

IN CONCLUSION MR. PETERS STATED THAT THERE WILL BE A STEERING COMMITTEE MEETING AT THE COURTHOUSE ON JULY 27TH AT 4:30 PM AND INVITED CITY COUNCIL TO ATTEND THE MEETING.

MAYOR ALEXANDER RECOMMENDED THAT COUNCILMAN WES FRAZIER AND COUNCILMAN SHIPLEY BE APPOINTED TO THE STEERING COMMITTEE.

MOTION BY MR. TREADWAY, SECOND BY MR. TESTER, APPROVING THE APPOINTMENTS OF COUNCILMAN FRAZIER AND COUNCILMAN SHIPLEY TO THE ANIMAL CONTROL STEERING COMMITTEE AS COUNCIL REPRESENTATIVE TERMS.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; AND ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

FY 17/18 CITY SCHOOLS BUDGET

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON THE FY 2017/18 ELIZABETHTON CITY SCHOOLS BUDGET.

MAYOR ALEXANDER OPENED THE MEETING FOR PUBLIC HEARING.

THERE BEING NO ONE PRESENT WISHING TO SPEAK, MAYOR ALEXANDER CLOSED THE MEETING FOR PUBLIC HEARING.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY, APPROVING AN ORDINANCE ESTABLISHING THE ELIZABETHTON SCHOOL SYSTEM EXPENDITURE APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 BY THE ELIZABETHTON, TENNESSEE CITY COUNCIL FOR THE FISCAL YEAR 2017/2018, BE PASSED ON SECCND READING.
ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; AND ALEXANDER, AYE.

PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

NON-PROFIT & CHARITABLE ORGANIZATIONS ALLOCATION DISBURSEMENT CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION TO AUTHORIZE THE DISBURSEMENT OF ALLOCATED FUNDS TO NON-PROFIT ORGANIZATIONS.


ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; AND ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

FY 2017/18 BUDGET ORDINANCE AMENDMENT CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION TO AMEND THE FY 2017/18 CITY OF ELIZABETHTON BUDGET.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY, APPROVING AN ORDINANCE TO AMEND THE BUDGET APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 AND FURTHER REFERENCED AS FISCAL YEAR 2017-2018 BUDGET APPROPRIATIONS ORDINANCE AMENDMENT, BE PASSED ON FIRST READING.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; AND ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

CAPITAL OUTLAY NOTE CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON ISSUANCE OF A CAPITAL OUTLAY NOTE FOR THE WATER/SEWER FUND.

MOTION BY MR. TREADWAY, SECOND BY MR. SHIPLEY THAT, A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ELIZABETHTON, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF A FIVE (5) YEAR CAPITAL OUTLAY NOTE NOT TO EXCEED THREE HUNDRED NINETY SEVEN THOUSAND FIVE HUNDRED ($397,500.00) DOLLARS TO PURCHASE A FORD F150 WITH SERVICE BED, A 4 X 4 EXTRA CAB MEDIUM TRUCK, AN E-55 MINI EXCAVATOR, A TRAILER WITH AIR BRAKES, TWO (2) SMALL TRUCKS WITH SERVICE BEDS, AN F4540-F550 DUMP TRUCK AND A SEWER CAMERA WITH ANCILLARY EQUIPMENT FOR THE WATER RESOURCES DEPARTMENT, BE PASSED.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, NAY; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, NAY.

PASSED BY A VOTE OF 4-2 WITH ONE ABSENCE.
FY 2017/18 LIHEAP CONTRACT AGMT & RATIFICATION

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A BENEFIT/VOUCHER AGREEMENT WITH THE UPPER EAST TENNESSEE HUMAN DEVELOPMENT AGENCY AND RATIFICATION OF THE MAYOR'S SIGNATURE ON THE AGREEMENT.

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER THAT, A RESOLUTION APPROVING A VENDOR (BENEFIT CHECK/VOUCHER) AGREEMENT FOR PARTICIPATION IN THE 2017 - 2018 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) BETWEEN THE CITY OF ELIZABETHTON, TENNESSEE, ELIZABETHTON ELECTRIC DEPARTMENT, AND THE UPPER EAST TENNESSEE HUMAN DEVELOPMENT AGENCY, INC., A LOCAL LIHEAP AGENCY, FOR THE PERIOD FROM JULY 1, 2017, THROUGH JUNE 30, 2018, BE PASSED.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

CDBG GRANT CONTRACT AMENDMENT NO. 2 & RATIFICATION

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE CONTRACT WITH THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT.


ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

PROFESSIONAL SERVICES AGREEMENT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A PROFESSIONAL SERVICES AGREEMENT WITH MATTERN & CRAIG FOR ENGINEERING SERVICES.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY THAT, A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH MATTERN & CRAIG, INC. TO ASSIST THE CITY OF ELIZABETHTON ON THE STATE ROUTE 91 UTILITY RELOCATIONS AT A TOTAL CONTRACT PRICE NOT TO EXCEED ONE HUNDRED NINeteen Thousand One Hundred Sixty Dollars ($119,160.00), BE PASSED.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

LIBRARY TECHNOLOGY & TRAINING GRANT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A LIBRARY TECHNOLOGY & TRAINING GRANT.

MOTION BY MR. CARTER, SECOND BY MR. FRAZIER THAT, A RESOLUTION APPROVING A GRANT CONTRACT BETWEEN THE STATE
OF TENNESSEE, OFFICE OF THE SECRETARY OF STATE, TENNESSEE STATE LIBRARY AND ARCHIVES, AND THE ELIZABETHTON-CARter COUNTY PUBLIC LIBRARY FOR A GRANT IN THE AMOUNT OF EIGHT THOUSAND FOUR HUNDRED TWENTY EIGHT AND 32/100 ($8,428.32) DOLLARS TO PAY TRAINERS TO OFFER FREE COMPUTER-ORIENTED CLASSES TO THE PUBLIC AND PURCHASE NEW LAPTOPS FOR THE ELIZABETHTON-CARter COUNTY PUBLIC LIBRARY, BE PASSED.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

FEASIBILITY STUDY/ PLAN FOR COVERED BRIDGE & EDWARDS ISLAND CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN AGREEMENT WITH APPALACHIAN STATE FOR ENGINEERING SERVICES RELATED TO IMPROVEMENTS AT THE COVERED BRIDGE PARK AND EDWARDS ISLAND.

MOTION BY MR. CARTER, SECOND BY MR. SHIPLEY THAT, A RESOLUTION APPROVING AN EDUCATIONAL LETTER OF AGREEMENT BETWEEN THE CITY OF ELIZABETHTON, TENNESSEE, AND APPALACHIAN STATE UNIVERSITY TO PERFORM A FEASIBILITY STUDY AND DEVELOP A MASTER PLAN FOR IMPROVEMENTS TO THE COVERED BRIDGE PARK AND EDWARDS ISLAND PARK AT A TOTAL COST OF TEN THOUSAND DOLLARS ($10,000.00) BE PASSED.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

FIREWORKS ORDINANCE DISCUSSION

MAYOR ALEXANDER STATED THAT HE WOULD LIKE COUNCIL TO DISCUSS THE CURRENT FIREWORKS ORDINANCE FOR A POSSIBLE REPEAL DUE TO VARIOUS CONCERNS.

COUNCILMAN SHIPLEY STATED THAT HE WOULD LIKE TO HAVE THE FIREWORKS ORDINANCE RESCINDED FOR THE RETAIL SALE OF FIREWORKS AND THE RESIDENTIAL DISCHARGE OF FIREWORKS IN THE CITY LIMITS.

COUNCILMAN SHIPLEY FURTHER STATED THE REASONS TO NOT SELL OR DISCHARGE FIREWORKS IN THE CITY INCLUDE THE POTENTIAL OF THE FOLLOWING: PROPERTY DAMAGE, FIRES, BODILY INJURY, PETS, ANIMALS & OLDER CITIZENS REACTION DUE TO HEALTH REASONS, VETERANS WITH PTSD AND DEBRIS LEFT BEHIND AFTER FIREWORKS ARE SHOT.

CITY MANAGER KITCHENS STATED THAT AN ORDINANCE TO RESCIND WOULD EXCLUDE PROFESSIONAL FIREWORKS DISPLAYS TO CLARIFY THAT THE ELIMINATION WOULD BE RESIDENTIAL AND FOR RETAIL SALES.

COUNCILMAN SHIPLEY STATED THAT JULY 5TH WAS THE CUT OFF DATE FOR RETAIL SALES AND FOR RESIDENTIAL DISCHARGING OF FIREWORKS BUT THERE WERE FIREWORKS STILL BEING SHOT AFTER THE FIFTH OF JULY.

COUNCILMAN TREADWAY ASKED POLICE CHIEF SHAW ABOUT THE NUMBER OF CALLS THAT THE POLICE DEPARTMENT RECEIVED DUE TO FIREWORKS.
POLICE CHIEF SHAW STATED THAT PERSONALLY HE HAD NOT RECEIVED ANY CALLS BUT HE DID NOT HAVE THE 911 REPORT READILY AVAILABLE TO KNOW HOW MANY CALLS THE DEPARTMENT MAY HAVE RECEIVED OVER THE HOLIDAY PERIOD.

COUNCIL MEMBERS ALSO DISCUSSED THE CUT OFF TIME TO SELL AND DISCHARGE WHICH IS 11:00 PM BUT RESIDENTIAL FIREWORKS HAVE BEEN DISCHARGED PAST THE 11:00 PM ENDING TIME.

CITY ATTORNEY DAY WAS ASKED TO PREPARE AN ORDINANCE FOR CONSIDERATION AND ACTION ON FIRST READING FOR NEXT MONTHS MEETING TO RESCIND THE FIREWORKS ORDINANCE FOR THE RETAIL SALE OF FIREWORKS AND FOR THE RESIDENTIAL DISCHARGE OF FIREWORKS.

PURCHASES, EXPENSES & BIDS
PURCHASING DIRECTOR GREG WORKMAN REQUESTED APPROVAL OF PURCHASES & EXPENSES IN THE AMOUNT NOT TO EXCEED $89,959.50.

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER, APPROVING THE FOLLOWING PURCHASES AND EXPENSES FROM THE RECOMMENDED SOURCES: PURCHASES: (a) FUEL PURCHASE - CITY GARAGE, MANSFIELD OIL COMPANY - GAS $13,588.95 (b) ROUND MANHOLE TRENCH SHIELD - WASTEWATER - $11,863.75. EXPENSES: (a) TREE TRIMMING - EED $35,950.80. (b) PAMET ANNUAL SUPPORT - POLICE $28,556.00 BIDS: NO BIDS.

ROLL CALL: BIRCHFIELD, ABSENT; FRAZIER, AYE; SHIPLEY, AYE; TESTER, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

PASSED BY A VOTE OF 6-0 WITH ONE ABSENCE.

THERE BEING NO OTHER BUSINESS TO COME BEFORE COUNCIL, MAYOR ALEXANDER DECLARED THE MEETING ADJOURNED.

CITY CLERK

MAYOR