

**MINUTES OF THE MEETING OF  
CITY COUNCIL  
CITY OF ELIZABETHON, TENNESSEE  
REGULAR SESSION**

**MAY 11, 2023**

The City Council of the City of Elizabethton met at City Hall, 136 S. Sycamore Street, Elizabethton, Tennessee on Thursday, May 11, 2023, at 6:00 PM in Regular Session.

THE FOLLOWING OFFICIALS WERE PRESENT: Curt Alexander, Mayor; William E. (Bill) Carter, Mayor Pro-Tem; Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Jeffrey C. Treadway, Michael G. (Mike) Simerly, Councilmen; Daniel Estes, City Manager; Roger Day, City Attorney; and Preston Cobb, Finance Director/City Clerk.

**1. CALL TO ORDER BY THE MAYOR**

**A. Invocation - Trevor Waycaster, Youth Pastor, Harmony Freewill Baptist**

**Church Pledge Allegiance To The Flag**

**2. ROLL CALL BY THE CITY CLERK**

**3. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

**A. Minutes of the Previous Regular Session Meeting - April 13, 2023**

MOTION BY Wesley D. (Wes) Frazier; SECOND BY Michael G. (Mike) Simerly  
THAT approves the April 13, 2023 regular session minutes as distributed.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**4. PROCLAMATIONS/RECOGNITION OF CITIZENS BY THE MAYOR**

**5. COMMENTS FROM CITIZENS**

**A. If you wish to make a comment to the City Council, please approach the lectern and state your name and address. Please keep comments limited to 3 minutes.**

Gary White, 2301 Eagle Drive - spoke to request removal of a curb located in front of his home. Mr. White briefly discussed the history of his request

to install the curb in 2002 because of a stormwater overflow problem occurring on his property from large rain events.

City Manager Estes spoke concerning reoccurring storm water issues if the curb was removed. Mr. White suggested a "California Curve" to alleviate possible issues with removal of the existing curb.

Steve Swecker, 2310 Eagle Drive - spoke regarding the current condition of the Elizabethton Golf Course. He stated that he has been a member of the golf course for eight (8) years. He discussed his concerns of projects not completed and the overall degrading appearance of the greens. He suggested that the city regain management of the course under the Parks and Recreation Department. He requested a workshop between councilmembers and concerned members of the golf course.

Robert Benfield, Elizabethton Arts Alliance member, spoke regarding the success and positivity of an art event downtown at August Muse, 518 East Elk Avenue on Saturday, May 6, 2023. Mr. Benfield thanked council for support of small downtown business events and also extended a thank you to the community for participation in the event.

Paula Augustine, 601 Evergreen Lane, owner of August Moon, 518 East Elk Avenue - spoke regarding her concern with an incident involving a Carter County Car Club representative questioning a young artist about permission to use the sidewalk area in front of her business. Ms. Augustine stated that this incident occurred during the previous car show event on Saturday, May 6, 2023.

Nash Acuna, President of Elizabethton Arts & Cultural Alliance, also spoke regarding her concerns of the inappropriate interaction by a car show representative involving a young artist that occurred on Saturday, May 6, 2023. She spoke on the need for encouragement and support of youth by suggesting that the city develop, create and provide resources to give talented youth the ability to grow and flourish in the arts industry.

Justin McClain, Roan Mountain, TN, owner of Wayward Springs Tack & Consignment, 441 E. Elk Avenue, spoke regarding his concern of the Carter County Car Club's weekly (Saturday evening) car show being a hardship of downtown activity by downtown business owners.

Steven Wilson, Elizabethton Golf Course General Manager, spoke and provided a copy of his resignation to councilmembers. Mr. Wilson spoke to address and state his opinion regarding some current issues at the golf course as follows: defense of

the course's operations regarding the issue of trees, stumps, and trimmings being left at the golf course property due to not having a disposal site locally to dispose of the tree trimmings; golf course could not have a country club look of appeal on a municipal budget; golf course needs capital improvements including a new irrigation system. He further stated that membership at the golf course is currently up to 123 members from 78 members previously.

**6. COMMUNICATIONS FROM THE CITY MANAGER**

**A. Memorial Day Ceremony - Road Closure on Armed Forces Drive**

MOTION BY Richard M. Barker; SECOND BY William E. (Bill) Carter THAT approves the Memorial Day Ceremony request and temporary road closure on Armed Forces Drive on Monday, May 29, 2023 from 10:15 am to 12:00 Noon to hold the Memorial Day Ceremony at the Elizabethton-Carter County Veterans War Memorial.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**B. City Manager's Monthly Departmental Reports & Miscellaneous Reports.** City Manager Estes presented the following departmental reports for the month of April: Building Department - Code Enforcement; Building Department; Electric Department; Finance Department; Fire Department; Litigation Tax Report; Parks & Recreation Department; Planning Department; Police Department; Street Department; Water Resources Department - Construction; and Water Resources Department - Facilities.

**7. APPOINTMENT OF BOARDS, COMMISSION AND COMMITTEES**

There were no appointments for the month of May.

**8. REPORTS FROM COMMITTEES, MEMBERS OF COUNCIL AND OTHER OFFICERS**

**9. OLD BUSINESS**

**A. Ordinance to Consider on Second Reading and Public Hearing City of Elizabethton 2022/2023 Budget Ordinance Amendment #3 for the Water/Sewer Fund regarding year-end activity involving Ductile Iron Pipe, Engineering, and other operational expenses.**

A public hearing was held. There was no one present wishing to speak.

MOTION BY Richard M. Barker; SECOND BY Kim Birchfield THAT approves an Ordinance To Amend The Budget Appropriations For The Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, And Further Referenced As Fiscal Year 2022-2023 Budget Appropriations Ordinance Amendment #10, Be Passed On Second Reading.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**10. NEW BUSINESS**

**A. Resolution to approve an Agreement with Education Networks of America Services LLC for Construction and Rental of Dark Fiber to the New Carter County Vocational Tech Building.**

MOTION BY Michael G. (Mike) Simerly; SECOND BY Jeffrey C. Treadway THAT approves a Resolution Approving A Five (5) Year Data Transport Service Agreement And Service Order Between The City Of Elizabethton, Elizabethton Electric Department, And ENA Services, LLC, (ENA) To Construct And Provide Dark Fiber To The New Carter County Vocational Tech Building Located At 5325 Highway 19E In Hampton, Tennessee, Be Passed.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**B. Fiscal Year 2023/2024 State Highway Maintenance Contract**

MOTION BY Wesley D. (Wes) Frazier; SECOND BY Kim Birchfield THAT approves

A Resolution Approving And Authorizing The Mayor To Execute Any And All Necessary Documents Incidental To The Annual State Highway Maintenance Contract For The Maintenance Of State Routes Within The City Of Elizabethton For The Fiscal Year Commencing July 1, 2023, And Ending On June 30, 2024, Be Passed.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**C. Ordinance to Consider on First Reading City of Elizabethton 2022/2023 Budget Ordinance Amendment #10 for the General Fund regarding Rural Violent Crime Reduction Initiative Grant.**

MOTION BY Wesley D. (Wes) Frazier; SECOND BY Michael G. (Mike) Simerly THAT approves An Ordinance To Amend The Budget Appropriations For The Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, And Further Referenced As Fiscal Year 2022-2023 Budget Appropriations Ordinance Amendment #11, Be Passed On First Reading.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**D. Resolution to accept the donation of real property from the State of Tennessee to the City of Elizabethton**

MOTION BY Kim Birchfield; SECOND BY Wesley D. (Wes) Frazier THAT approves A Resolution Accepting The Donation Of Real Property Located At 411 Cherokee Park Drive In Elizabethton, Tennessee, From The State Of Tennessee, Be Passed.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**E. Ordinance to Consider on First Reading City of Elizabethton 2022/2023 Budget Ordinance Amendment #11 for the General Fund regarding Year-End Fuel Sales and Cost of Goods Sold (COGS).**

MOTION BY Richard M. Barker; SECOND BY Wesley D. (Wes) Frazier THAT approves An Ordinance To Amend The Budget Appropriations For The Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, And Further Referenced As Fiscal Year 2022-2023 Budget Appropriations Ordinance Amendment #11, Be Passed On First Reading.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**F. Ordinance to Consider on First Reading City of Elizabethton 2022/2023 Budget Ordinance Amendment #1 for the Water Capital Projects Fund regarding Jacobs Engineering for the Automated Metering Infrastructure (AMI) Project.**

MOTION BY Richard M. Barker; SECOND BY Wesley D. (Wes) Frazier THAT approves An Ordinance To Amend The Budget Appropriations For The Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, And Further Referenced As Fiscal Year 2022-2023 Budget Appropriations Ordinance Amendment #1 For The Water Capital Projects Fund, Be Passed On First Reading.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G. (Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander

NAY: None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

**G. Ordinance to Consider on First Reading City of Elizabethton 2022/2023 Budget Ordinance Amendment #1 for the American Rescue Plan Act Fund regarding transfers to the Water Capital Projects Fund for the Automated Metering**

**Infrastructure (AMI) Project.**



MOTION BY Wesley D. (Wes) Frazier; SECOND BY Richard M. Barker  
THAT approves An Ordinance To Amend The Budget Appropriations For The  
Fiscal Year Beginning July 1, 2022, And Ending June 30, 2023, And Further  
Referenced As Fiscal Year 2022-2023 Budget Appropriations Ordinance  
Amendment #1 For The American Rescue Plan Act Fund, Be Passed On  
First Reading.

ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G.  
(Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander NAY:  
None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

## **11. PURCHASES, EXPENSES AND BIDS**

### **A. Purchases, Expenses and Bids for the month of April 2023.**

MOTION BY Wesley D. (Wes) Frazier; SECOND BY Michael G. (Mike) Simerly  
THAT approves Purchases: 3D Scanner - Police Department - \$63,125.00 (100%  
Grant Reimbursement) and Bids: Bid #600 - 1,600 feet of 8 inch Ductile Iron Water  
Pipe - Water Resources (\$48,960.00); Purchases and Expenses in the total  
amount of \$112,085.00.

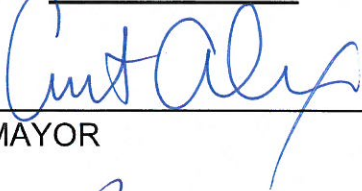
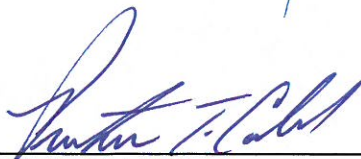
ROLL CALL:

YAY: Richard M. Barker, Kim Birchfield, Wesley D. (Wes) Frazier, Michael G.  
(Mike) Simerly, Jeffrey C. Treadway, William E. (Bill) Carter, Curt Alexander NAY:  
None

ABSTAIN: None

THE MOTION PASSED BY A VOTE OF 7 - 0

## **12. ADJOURNMENT**

  
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MAYOR  
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CITY CLERK