

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

JANUARY 10, 2019

THE CITY COUNCIL OF THE CITY OF ELIZABETHTON MET AT  
CITY HALL THURSDAY, JANUARY 10, 2019 AT 6:00 P.M. IN REGULAR SESSION.

INVOCATION WAS LED BY MICHAEL KLAUS, FIRST CHRISTIAN CHURCH  
AND PLEDGE OF ALLEGIANCE TO THE FLAG WAS LED BY MAYOR ALEXANDER.

THE FOLLOWING OFFICIALS WERE PRESENT: CURT ALEXANDER, MAYOR;  
WILLIAM E. (BILL) CARTER, MAYOR PRO-TEM; RICHARD M. BARKER, WES  
FRAZIER, MICHAEL G. SIMERLY AND JEFFREY C. TREADWAY, COUNCILMEN;  
ROGER G. DAY, CITY ATTORNEY; DEBORAH B. KESSLER, FINANCE DIRECTOR  
/ CITY CLERK.

ABSENT WAS: KIM BIRCHFIELD, COUNCILMAN AND DANIEL A. ESTES,  
CITY MANAGER.

MINUTES

MOTION BY MR. SIMERLY, SECOND BY MR. CARTER, THAT MINUTES  
OF DECEMBER 13, 2018 REGULAR SESSION BE APPROVED UPON ONE (1)  
CORRECTION.

PASSED BY UNANIMOUS VOICE VOTE.

CERTIFICATES OF COMPLIANCE

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR  
CONSIDERATION AND ACTION ON RENEWAL OF CERTIFICATES OF  
COMPLIANCE FOR RETAIL LIQUOR STORES.

MOTION BY MR. FRAZIER, SECOND BY MR. BARKER THAT, A  
RESOLUTION APPROVING THE RENEWAL OF CERTIFICATES OF COMPLIANCE  
FOR DOE RIVER WINE & SPIRITS, LLC, BILLY CHAPPELL D/B/A LIGHTHOUSE  
WINE & LIQUOR, AND DHRUV PATEL, YOGESHKUMAR PATEL, AND NALIN  
PATEL, D/B/A EASTSIDE LIQUOR AND WINE, INC., FOR THESE RETAIL PACKAGE  
STORES TO SELL RETAIL ALCOHOLIC BEVERAGES WITHIN THE CITY LIMITS  
OF THE CITY OF ELIZABETHTON, TENNESSEE, BE PASSED.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE;  
SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

CITIZENS COMMENTS

JENETTE MORGAN, EAST “A” STREET, SPOKE REGARDING THE DEFINITION  
OF PUB BARS AND STATED THAT PUB BARS SHOULD HAVE TO SERVE FOOD.

COUNCILMAN TREADWAY SUGGESTED TO MS. MORGAN THAT SHE  
REQUEST A COPY OF THE PUB BAR ORDINANCE FOR CLARIFICATION.

COMMUNICATIONS & REPTS BY CITY MANAGER

MAYOR ALEXANDER STATED THAT CITY MANAGER ESTES WAS ABSENT  
BUT COUNCIL COULD PROCEED IF THERE WERE ANY QUESTIONS REGARDING  
MONTHLY DEPARTMENTAL REPORTS:

- LOCAL OPTION SALES TAX REPORT FROM THE TENNESSEE  
DEPARTMENT OF REVENUE FOR THE MONTH OF NOVEMBER  
2018 AND LOCAL OPTION SALES TAX GRAPHS FOR THE  
MONTH OF DECEMBER 2018

- POLICE, FIRE, STREETS AND SANITATION, CODE ENFORCEMENT, BUILDING DEPARTMENT PROJECT VALUATION & FEE REPORT, ELECTRIC, WATER RESOURCES CONSTRUCTION REPORT AND WATER RESOURCES FACILITIES REPORTS, PARKS & RECREATION, LIBRARY AND PLANNING & ECONOMIC DEVELOPMENT MONTHLY DEPARTMENT REPORTS FOR THE MONTH OF DECEMBER 2018

- LITIGATION TAX RETURN FOR THE MONTH OF NOVEMBER 2018 AND DECEMBER 2018

BOARD, COMMITTEE & COMMISSIONS

MAYOR ALEXANDER RECOMMENDED THE APPOINTMENT OF JOE ALEXANDER TO FILL THE UNEXPIRED TERM ON THE INDUSTRIAL DEVELOPMENT BOARD; REAPPOINTMENT OF AUBREY TONGRAY AS THE STUDENT REPRESENTATIVE ON THE PARKS & REC BOARD; REAPPOINTMENT OF PAM EGLER ON THE PARKS AND REC BOARD.

MAYOR ALEXANDER ALSO RECOMMENDED TO DEFER THE COUNCIL APPOINTMENT ON THE CARTER COUNTY TOMORROW BOARD AND THE REGULAR TERM ON THE PLANNING COMMISSION AND ZONING APPEALS BOARD.

MOTION BY MR. FRAZIER, SECOND BY MR. CARTER, APPROVING THE APPOINTMENT OF JOE ALEXANDER TO FILL THE UNEXPIRED TERM ON THE INDUSTRIAL DEVELOPMENT BOARD UNTIL MARCH 14, 2019; REAPPOINTMENT OF AUBREY TONGRAY AS THE STUDENT REPRESENTATIVE ON THE PARKS & REC BOARD FOR A ONE-YEAR TERM; REAPPOINTMENT OF PAM EGLER ON THE PARKS AND REC BOARD FOR A THREE YEAR TERM AND DEFERRING THE APPOINTMENT ON THE CARTER COUNTY TOMORROW BOARD AND THE REGULAR TERM APPOINTMENT ON THE PLANNING COMMISSION AND ZONING APPEALS BOARD.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

BUDGET AMENDMENT

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A FISCAL YEAR 2018/19 BUDGET AMENDMENT NO. 2 CAPITAL PROJECTS FUND TO INCREASE THE FUND IN THE AMOUNT OF \$450,800.00 FOR THE JOE O'BRIEN STADIUM RENOVATION PROJECT.

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. BARKER, SECOND BY MR. FRAZIER, APPROVING AN ORDINANCE TO AMEND THE BUDGET APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 AND FURTHER REFERENCED AS FISCAL YEAR 2018-2019 BUDGET APPROPRIATIONS ORDINANCE AMENDMENT, BE PASSED ON SECOND READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

OFF-STREET AUTOMOBILE PARKING

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE MUNICIPAL CODE TO REDUCE OFF-STREET PARKING AND REQUIRE BIKE RACKS WITHIN AN ESTABLISHED DISTANCE OF A TRAIL SYSTEM.

MAYOR ALEXANDER OPENED THE MEETING FOR PUBLIC HEARING.

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

MOTION BY MR. FRAZIER, SECOND BY MR. CARTER, APPROVING AN ORDINANCE TO AMEND TITLE 14, CHAPTER 2, OF THE CITY OF ELIZABETHTON MUNICIPAL CODE, 2015, AS AMENDED, TO AMEND MUNICIPAL CODE SECTION 14-208 ENTITLED "OFF-STREET AUTOMOBILE PARKING" TO INCORPORATE THE MAJOR THOROUGHFARE PLAN'S RECOMMENDATIONS TO REQUIRE BIKE RACKS FOR ESTABLISHMENTS WITHIN ONE-FOURTH (1/4) MILE OF A TRAIL SYSTEM AND UPDATE VARIOUS PARKING STANDARDS FOR DIFFERENT LAND USES, BE PASSED ON SECOND READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

ALLEYWAY CLOSURE

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A REQUEST TO PERMANENTLY CLOSE AN UNOPENED ALLEYWAY ON CHARITY HILL ROAD.

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. CARTER, SECOND BY MR. SIMERLY, APPROVING AN ORDINANCE UPON THE RECOMMENDATION OF THE ELIZABETHTON REGIONAL PLANNING COMMISSION PERMANENTLY CLOSING AN ALLEYWAY RUNNING FROM CHARITY HILL ROAD TO THE REAR OF REAL PROPERTY OWNED BY THE MARJORIE CARDWELL TRUST AND BETWEEN A PARCEL OF LAND OWNED BY RUBY DILLON, A PARCEL OF LAND OWNED BY JAMES MCKINNEY, AND A PARCEL OF LAND OWNED BY KODY KOEHLER AND STEPHANIE KOEHLER, AS SHOWN ON THE ATTACHED MAP HEREINAFTER DESCRIBED, BE PASSED ON SECOND READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

BUDGET AMENDMENT

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A FISCAL YEAR 2018/19 BUDGET AMENDMENT GENERAL FUND #6.

MOTION BY MR. CARTER, SECOND BY MR. SIMERLY, APPROVING AN ORDINANCE TO AMEND THE BUDGET APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 AND FURTHER REFERENCED AS FISCAL YEAR 2018-2019 BUDGET APPROPRIATIONS ORDINANCE AMENDMENT, BE PASSED ON FIRST READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

BUDGET AMENDMENT

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A FISCAL YEAR 2018/19 BUDGET AMENDMENT GENERAL FUND #7.

MOTION BY MR. TREADWAY, SECOND BY MR. FRAZIER, APPROVING AN ORDINANCE TO AMEND THE BUDGET APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019 AND FURTHER REFERENCED AS FISCAL YEAR 2018-2019 BUDGET APPROPRIATIONS ORDINANCE AMENDMENT, BE PASSED ON FIRST READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

PUB BAR BEER SALES HOURS

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE MUNICIPAL CODE TO ADD THE REGULATION OF BEER SALES SERVICE HOURS.

MOTION BY MR. FRAZIER, SECOND BY MR. BARKER, APPROVING AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF ELIZABETHTON, TENNESSEE, 2015, AS AMENDED, BY REVISING TITLE 8, CHAPTER 2, SECTION 8-209, TO STATE THAT PUB BARS MAY NOT SERVE BEER AFTER 11:00 P.M., BE PASSED ON FIRST READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

MICROBREWERY BARREL INCREASE

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO TITLE 14 TO INCREASE THE GALLON SIZE AND NUMBER OF BARRELS.

MOTION BY MR. TREADWAY, SECOND BY MR. BARKER, APPROVING AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF ELIZABETHTON, TENNESSEE, 2015, AS AMENDED, BE REVISING TITLE 14, CHAPTER 2, SECTION 14-203 (36) TO CHANGE THE DEFINITION OF A "MICROBREWERY", BE PASSED ON FIRST READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, NAY; ALEXANDER, AYE.

ROLL CALL WAS 5-1 WITH ONE (1) ABSENCE.

BROWN & BROWN BROKER AGENT SERVICES

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN AGENT-OF-RECORD FOR THE CITY'S GROUP BENEFIT PROGRAM.

MOTION BY MR. FRAZIER, SECOND BY MR. SIMERLY THAT, A RESOLUTION ACCEPTING THE PROPOSAL FROM BROWN & BROWN INSURANCE TO PROVIDE BROKER AGENT SERVICES TO THE CITY OF ELIZABETHTON, TENNESSEE, FOR THE CITY'S GROUP BENEFITS PROGRAM, BE PASSED.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

PURCHASES, EXPENSES & BIDS

PURCHASING DIRECTOR GREG WORKMAN REQUESTED APPROVAL OF PURCHASES IN THE TOTAL AMOUNT OF \$26,496.00.

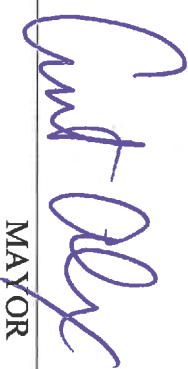
MOTION BY MR. FRAZIER, SECOND BY MR. TREADWAY, APPROVING: PURCHASES: (a) GASOLINE, GREENEVILLE OIL CO., \$12,325.00 AND DIESEL

FUEL, \$14,171.00 FOR THE CITY GARAGE FROM THE RECOMMENDED SOURCE AND NOT TO EXCEED \$ 26,496.00.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.

ROLL CALL WAS UNANIMOUS 6-0 WITH ONE (1) ABSENCE.

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



MAYOR



CITY CLERK