

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

NOVEMBER 14, 2019

THE CITY COUNCIL OF THE CITY OF ELIZABETHTON MET AT  
CITY HALL ON THURSDAY, NOVEMBER 14, 2019 AT 6:00 PM IN REGULAR  
SESSION.

INVOCATION WAS LED BY PASTOR CHRIS SHUMATE, OAK STREET  
BAPTIST 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 BARKER,  
WES FRAZIER, MICHAEL SIMERLY AND JEFFREY C. TREADWAY, COUNCILMEN;  
ROGER G. DAY, CITY ATTORNEY; NIKKI NIDIFFER, INTERIM FINANCE DIRECTOR  
/ CITY CLERK AND DANIEL A. ESTES, CITY MANAGER.

ABSENT WAS: KIM BIRCHFIELD, COUNCILMAN.

AGENDA AMENDMENT

CITY MANAGER ESTES REQUESTED THAT NEW BUSINESS ITEM 10C,  
THE FIRST JUDICIAL DISTRICT MEMORANDUM OF UNDERSTANDING, BE  
REMOVED FROM THE AGENDA AND DEFERRED UNTIL NEXT MONTH.

MAYOR ALEXANDER ASKED FOR A MOTION AND SECTION TO DEFER  
NEW BUSINESS ITEM 10C.

MOTION BY MR. BARKER, SECOND BY MR. FRAZIER, APPROVING THE  
AMENDMENT TO THE AGENDA REMOVING NEW BUSINESS ITEM 10C, WHICH  
IS THE MEMORANDUM OF UNDERSTANDING WITH THE FIRST JUDICIAL  
DISTRICT.

PASSED BY UNANIMOUS VOICE VOTE WITH ONE (1) ABSENCE.

MINUTES

MOTION BY MR. SIMERLY, SECOND BY MR. FRAZIER, THAT THE  
MINUTES OF OCTOBER 10, 2019 REGULAR SESSION BE APPROVED AS  
DISTRIBUTED.

PASSED BY UNANIMOUS VOICE VOTE WITH ONE (1) ABSENCE.

PROCLAMATION

CITY ATTORNEY DAY READ A PROCLAMATION IN SUPPORT OF  
ADVERSE CHILDHOOD EXPERIENCES (ACE) AND PROCLAIMED THE  
MONTH OF NOVEMBER, 2019 AS:

“ADVERSE CHILDHOOD EXPERIENCES AWARENESS MONTH”

TO RAISE AWARENESS AND TO ENCOURAGE ALL RESIDENTS TO BECOME  
INFORMED AND TO BUILD A STRONGER AND HEALTHIER ELIZABETHTON.

MAYOR ALEXANDER PRESENTED THE PROCLAMATION TO JILLIAN  
REECE, DIRECTOR OF THE CARTER COUNTY DRUG PREVENTION COALITION.

JILLIAN REECE STATED THAT SHE HOPED THE AWARENESS WOULD  
IMPACT CITIZENS AND THE COMMUNITY IN A POSITIVE WAY.

RECOGNITION

MAYOR ALEXANDER AND COUNCILMAN RICHARD BARKER PRESENTED GARY SPARKS WITH A CERTIFICATE OF APPRECIATION FOR HIS SERVICE TO THE CITY BY SERVING AS INTERIM LIBRARY DIRECTOR AT THE ELIZABETHTON / CARTER COUNTY PUBLIC LIBRARY IN APRIL 2014 AND JULY 2019.

GARY SPARKS THANKED MAYOR ALEXANDER, COUNCILMAN BARKER AND CITY COUNCIL FOR THE CERTIFICATE OF APPRECIATION.

RECOGNITION

MAYOR ALEXANDER AND COUNCILMAN MIKE SIMERLY PRESENTED ED JORDAN, FOUNDER AND CHAIRMAN OF KCCB – KEEP CARTER COUNTY BEAUTIFUL, WITH A CERTIFICATE OF APPRECIATION FOR HIS DEDICATION IN BRINGING AWARENESS TO LITTER IN THE COMMUNITY AND ALSO FOR HIS EFFORTS IN HOLDING QUARTERLY LITTER PICK UP EVENTS IN THE CITY AND COUNTY.

ED JORDAN THANKED MAYOR ALEXANDER AND COUNCILMAN SIMERLY FOR THE CERTIFICATE OF APPRECIATION. MR. JORDAN STATED THAT THE KCCB BOARD WAS PRESENT AND HE RECOGNIZED AND THANKED THEM ALSO FOR THEIR EFFORTS IN LITTER AWARENESS. HE FURTHER THANKED THE ELIZABETHTON STAR NEWSPAPER AND THE WBEJ RADIO STATION FOR THEIR AWARENESS EFFORTS IN MAKING RADIO ANNOUNCEMENTS.

CITIZENS COMMENTS

CHRIS LITTLE, CLAY LITTLE ROAD, SPOKE REGARDING THE CHAMBER OF COMMERCE'S DECISION TO NO LONGER PLAN AND COORDINATE THE COVERED BRIDGE CELEBRATION, CHRISTMAS TREE LIGHTING AND THE CHRISTMAS PARADE. HE ALSO SPOKE ON TOURISM AND READ A LIST OF WHAT OTHER LOCAL ORGANIZATIONS HAD ACCOMPLISHED IN THE LAST TWO (2) YEARS. HE ALSO SUGGESTED WAYS FOR THE CITY TO INCREASE REVENUE TO AID IN COMPLETION OF BEAUTIFICATION PROJECTS.

JASON DUPRELL, OWNER OF PROPERTY LOCATED AT 301 EAST ELK AVENUE, SPOKE BRIEFLY REGARDING THE REZONING REQUEST ON THE AGENDA FOR 301 EAST ELK AVENUE, FROM B-3 TO B-2. HE STATED THAT HE PURCHASED THE PROPERTY IN 2012 AND HE IS CURRENTLY LEASING THE PROPERTY.

COMMUNICATIONS FROM THE CITY MANAGER

CITY MANAGER ESTES PRESENTED THE FOLLOWING MONTHLY DEPARTMENTAL REPORTS & CORRESPONDENCE FOR REVIEW:

- LOCAL OPTION SALES TAX REPORT FROM THE TENNESSEE DEPARTMENT OF REVENUE FOR THE MONTH OF SEPTEMBER 2019 AND LOCAL OPTION SALES TAX GRAPHS FOR THE MONTH OF OCTOBER 2019
- 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, PLANNING AND ECONOMIC DEVELOPMENT MONTHLY DEPARTMENT REPORTS FOR THE MONTH OF OCTOBER 2019
- LITIGATION REPORT FOR THE MONTH OF SEPTEMBER 2019
- WATAUGA RIVER REGIONAL WATER AUTHORITY REPORT FOR THE MONTH OF SEPTEMBER 2019

BOARD, COMMITTEE & COMMISSIONS  
MAYOR ALEXANDER RECOMMENDED THAT THE TWO COUNCIL REPRESENTATIVE APPOINTMENTS TO THE CARTER COUNTY JOINT ECONOMIC & DEVELOPMENT BOARD BE DEFERRED UNTIL NEXT MONTH'S MEETING.

FY 1920 BUDGET AMENDMENT  
CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE FISCAL YEAR 2019-2020 GENERAL FUND BUDGET IN THE AMOUNT OF FIVE THOUSAND (\$5,000.00) DOLLARS TO ACCEPT FUNDS FROM WAL-MART STORES INC. FOR THE "SHOP WITH A COP" EVENT.

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. TREADWAY, SECOND BY MR. FRAZIER, APPROVING AN ORDINANCE TO AMEND THE BUDGET APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 AND FURTHER REFERENCED AS FISCAL YEAR 2019-2020 BUDGET APPROPRIATIONS ORDINANCE AMENDMENT #1, BE PASSED ON SECOND READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.  
PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

MUNICIPAL CODE AMENDMENT – OPEN BURNING  
CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE MUNICIPAL CODE, TO REVISE TITLE 7, CHAPTER 2, SECTION 7-202 ENTITLED "REVISIONS".

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. SIMERLY, APPROVING AN ORDINANCE TO AMEND THE MUNICIPAL CODE, ELIZABETHTON, TENNESSEE, 2015, AS AMENDED, BY REVISING TITLE 7, CHAPTER 2, SECTION 7-202, ENTITLED "REVISIONS" TO ASSIST THE ELIZABETHTON FIRE DEPARTMENT IN THEIR HANDLING OF OPEN BURNING WITHIN THE CITY LIMITS OF THE CITY OF ELIZABETHTON, TENNESSEE, BE PASSED ON SECOND READING.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.  
PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

ARC GRANT – BONNIE KATE THEATRE  
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN APPALACHIAN REGIONAL COMMISSION (ARC) GRANT FOR THE BONNIE KATE THEATRE.

MOTION BY MR. TREADWAY, SECOND BY MR. CARTER THAT, A RESOLUTION IN SUPPORT OF AN APPALACHIAN REGIONAL COMMISSION (ARC) GRANT APPLICATION FOR THE BONNIE KATE THEATER, BE PASSED.

ROLL CALL: BARKER, AYE; BIRCHFIELD, ABSENT; FRAZIER, AYE; SIMERLY, AYE; TREADWAY, AYE; CARTER, AYE; ALEXANDER, AYE.  
PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

FY 1920 BUDGET AMENDMENT #5

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON BUDGET AMENDMENT TO INCREASE GRANT REVENUE LINE BY TEN THOUSAND (\$10,000.00) DOLLARS FOR THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) GRANT AWARD TO PROVIDE MENTORING SERVICES FOR YOUTH IN THE COMMUNITY.

MOTION BY MR. TREADWAY, SECOND BY MR. CARTER THAT, A RESOLUTION IN SUPPORT OF AN APPALACHIAN REGIONAL COMMISSION (ARC) GRANT APPLICATION FOR THE BONNIE KATE THEATER, BE PASSED.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

LIBRARY SERVICES & TECHNOLOGY GRANT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A TECHNOLOGY GRANT FOR THE ELIZABETHTON / CARTER COUNTY PUBLIC LIBRARY.

MOTION BY MR. BARKER, SECOND BY MR. TREADWAY THAT, A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS INCIDENTAL TO A FOUR THOUSAND EIGHT HUNDRED AND SIXTY EIGHT DOLLAR (\$4,868.00) GRANT FROM THE STATE OF TENNESSEE, OFFICE OF THE SECRETARY OF STATE, TENNESSEE STATE LIBRARY AND ARCHIVES, OR THE PURCHASE OF COMPUTERS TO REPLACE THE OLD PUBLIC ACCESS COMPUTERS, SOFTWARE LICENSES FOR ALL LIBRARY COMPUTERS, A NEW IPAD FOR ALL SQUARE TRANSACTIONS AND WIRELESS ACCESS POINTS TO PROVIDE WIRELESS INTERNET ACCESS TO THE LAW LIBRARY AND ARCHIVES FOR THE CITY OF ELIZABETHTON- CARTER COUNTY PUBLIC LIBRARY, BE PASSED.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

PEP MATCHING GRANT – ELECTRIC DEPT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A MATCHING GRANT IN THE AMOUNT OF UP TO FIVE THOUSAND (\$5,000.00) DOLLARS FOR THE ELIZABETHTON ELECTRIC DEPARTMENT.

MOTION BY MR. FRAZIER, SECOND BY MR. CARTER THAT, A RESOLUTION AUTHORIZING THE CITY OF ELIZABETHTON, ELIZABETHTON ELECTRIC DEPARTMENT, TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS 2019 – 2020 PROPERTY CONSERVATION MATCHING GRANT PROGRAM, BE PASSED.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

PEP MATCHING GRANT – CITY

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A PROPERTY CONSERVATION MATCHING GRANT APPLICATION WITH THE PUBLIC ENTITY (PEP) PARTNERS IN THE AMOUNT OF UP TO TEN THOUSAND (\$10,000.00) DOLLARS.

MOTION BY MR. FRAZIER, SECOND BY MR. CARTER THAT, A RESOLUTION AUTHORIZING THE CITY OF ELIZABETHTON TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS' PROPERTY CONSERVATION MATCHING GRANT PROGRAM, BE PASSED.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

JOB POSITION CREATION & ADDENDUMS TO WATER DEPT JOB DESCRIPTIONS  
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A NEW JOB POSITION IN THE PARKS & REC DEPARTMENT AND ADDENDUMS TO WATER DEPARTMENT JOB DESCRIPTIONS.

MOTION BY MR. BARKER, SECOND BY MR. FRAZIER THAT, A RESOLUTION APPROVING AND ADOPTING THE RECOMMENDATIONS OF THE ELIZABETHTON PERSONNEL ADVISORY BOARD TO (1) APPROVE THE CREATION OF A NEW JOB POSITION IN THE PARK & RECREATION DEPARTMENT OF MENTOR PROGRAM COORDINATOR AND, FURTHER, APPROVE THE JOB DESCRIPTION, PHYSICAL DEMANDS AND ENVIRONMENTAL CONDITIONS ADDENDUM TO JOB DESCRIPTION QUESTIONNAIRE (ADA SPECIFICATIONS) AND THE CLASSIFICATION/COMPENSATION FOR THIS POSITION; AND (2) APPROVE THE JOB DESCRIPTIONS AND PHYSICAL DEMANDS AND ENVIRONMENTAL CONDITIONS ADDENDUM TO JOB DESCRIPTION QUESTIONNAIRE (ADA SPECIFICATIONS) FOR THE WATER RESOURCES MAINTENANCE WORKER I AND WATER RESOURCES MAINTENANCE WORKER II POSITIONS; AND (3) AMEND THE JOB DESCRIPTION FOR THE WATER RESOURCES MAINTENANCE SUPERVISOR POSITION, BE PASSED.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

301 E. ELK AVENUE REZONING REQUEST  
CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A REZONING REQUEST TO REZONE 301 EAST ELK AVENUE FROM B-3 (CENTRAL) BUSINESS DISTRICT TO B-2 (ARTERIAL) BUSINESS DISTRICT.

AFTER LENGTHLY DISCUSSION AMONG COUNCILMEMBERS, MAYOR ALEXANDER, CITY MANAGER ESTES AND THE PROPERTY OWNER JASON DUPRELL, A MOTION WAS MADE BY MR. CARTER, SECOND BY MR. SIMERLY, TO DEFER FIRST READING OF THE REZONING REQUEST FOR 301 E. ELK AVENUE FROM B-3 TO B-2.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

SIDEWALK REGULATIONS ORDINANCE AMENDMENT  
CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO TITLE 16, CHAPTER 3 OF THE MUNICIPAL CODE.

MOTION BY MR. FRAZIER, SECOND BY MR. BARKER OPENING DISCUSSION AMONG COUNCILMEMBERS AND JON HARTMAN, PLANNING & ECONOMIC DEVELOPMENT DIRECTOR.

FOLLOWING COUNCIL DISCUSSION, COUNCILMAN FRAZIER AND COUNCILMAN BARKER AMENDED THEIR PREVIOUS MOTION TO REMOVE THE .50 CENT CHARGE FOR EACH ADDITIONAL SQUARE FOOT IN SECTION 4 (4) OF THE ORDINANCE.

MOTION BY MR. FRAZIER, SECOND BY MR. BARKER, APPROVING AN ORDINANCE TO AMEND TITLE 16, CHAPTER 3, SECTIONS 16-304(B), 16-307(D), 16-307(J)(1)(2)(3), AND 16-311(C)(2)(3)(4) OF THE ELIZABETHTON MUNICIPAL CODE, 2015, AS AMENDED, TO UPDATE THE SIDEWALK USAGE REGULATIONS FOR DOWNTOWN ELIZABETHTON, TENNESSEE, BE PASSED ON FIRST READING.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

PURCHASES, EXPENSES & BIDS

CITY ATTORNEY DAY STATED THAT THE CITY'S TOTAL OF PURCHASES EXPENSES AND BIDS IN THE TOTAL AMOUNT NOT TO EXCEED \$82,629.97.

MOTION BY MR. BARKER, SECOND BY MR. SIMERLY, APPROVING

PURCHASES: (a) FUEL PURCHASES FOR CITY GARAGE - LYKINS OIL, GASOLINE, \$15,084.95; GREENEVILLE OIL CO - DIESEL, \$14,763.00. EXPENSES: N/A

BIDS: (a) STATE CONTRACT COMPACT TRACK LOADER - WATER RESOURCES, \$52,782.02. ALL PURCHASES, EXPENSES AND BIDS NOT TO EXCEED \$82,629.97.

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

PASSED BY ROLL CALL VOTE OF 6-0 WITH ONE (1) ABSENCE.

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

  
MAYOR

  
CITY CLERK