

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

SEPTEMBER 14, 2017

THE CITY COUNCIL OF THE CITY OF ELIZABETHTON MET AT
CITY HALL ON THURSDAY, SEPTEMBER 14, 2017 AT 6:00 PM IN REGULAR
SESSION.

INVOCATION WAS LED BY PASTOR DENNIS DEESE 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; KIM BIRCHFIELD,
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.

MINUTES

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER, THAT THE
MINUTES OF AUGUST 10, 2017 REGULAR SESSION BE APPROVED AS
DISTRIBUTED.

PASSED BY UNANIMOUS VOICE VOTE.

PROCLAMATION

CITY ATTORNEY DAY READ A PROCLAMATION TO HONOR JAMES
“WILLIE” HOLSCRAW FOR HIS FIFTY YEARS OF SERVICE TO THE COMMUNITY
INCLUDING FORTY YEARS AS A WATER DEPARTMENT EMPLOYEE UNTIL
HIS RETIREMENT IN 1997 AND AFTER RETIREMENT WHEN HE RETURNED
IN 2007 AS A PART-TIME WATER DEPARTMENT EMPLOYEE AND IS STILL
PRESENTLY EMPLOYED.

MAYOR ALEXANDER PRESENTED MR. HOLSCRAW WITH THE
PROCLAMATION FOR HIS DEDICATED SERVICE TO THE CITY.

WILLIE HOLSCRAW ACCEPTED THE PROCLAMATION AND RECEIVED
A STANDING OVATION.

CITIZENS COMMENTS

LEE MILLER, ADDRESS NOT GIVEN, SUGGESTED THAT THE CITY USE
WATER WORKS BESIDE THE RECYCLING CENTER AS A FISH FARM. HE ALSO
STATED THAT HE COULD MANAGE IT AND HE OFFERED IT TO THE CITY.

CHRIS LITTLE, ADDRESS NOT GIVEN, SPOKE ON BEHALF OF THE
IDEAS GROUP AND SUMMARIZED SEVERAL ONGOING INTERESTS OF
THE GROUP AND ALSO SUMMARIZED THE VISIT FROM THE APPALACHIAN
STATE COLLEGE GROUP REGARDING THE COVERED BRIDGE PARK PROJECT.

COMMUNICATIONS FROM THE CITY MANAGER
CITY MANAGER KITCHENS PRESENTED MONTHLY DEPARTMENTAL
REPORTS FOR REVIEW:

- LOCAL OPTION SALES TAX REPORT FROM THE TENNESSEE
DEPARTMENT OF REVENUE FOR THE MONTH OF JULY 2017
AND LOCAL OPTION SALES TAX GRAPHS FOR THE MONTH
OF AUGUST 2017

- POLICE, FIRE, STREETS AND SANITATION, CODE ENFORCEMENT, BUILDING DEPARTMENT PROJECT VALUATION & FEE REPORT, ELECTRIC, WATER RESOURCES CONSTRUCTION REPORT AND WATER RESOURCES FACILITIES REPORT, PARKS & RECREATION, LIBRARY AND ECONOMIC DEVELOPMENT MONTHLY REPORTS FOR THE MONTH OF AUGUST 2017
- LITIGATION TAX RETURN FOR THE MONTH OF AUGUST 2017
- WATAUGA RIVER REGIONAL WATER AUTHORITY AGENDA FOR AUGUST 22, 2017
- CARTER COUNTY JOINT ECONOMIC & DEVELOPMENT BOARD AGENDA FOR MAY 16, 21017

HAPPY VALLEY HIGH SCHOOL HOMECOMING PARADE
 CITY MANAGER KITCHENS PRESENTED A REQUEST FOR CONSIDERATION AND ACTION ON AN ANNUAL HOMECOMING PARADE FOR HAPPY VALLEY HIGH SCHOOL ON FRIDAY, SEPTEMBER 30, 2017.

CITY MANAGER KITCHENS RECOMMENDED APPROVAL OF THE PARADE.

MOTION BY MR. SHIPLEY, SECOND BY MR. BIRCHFIELD, APPROVING THE HAPPY VALLEY HIGH SCHOOL HOMECOMING PARADE ON FRIDAY, SEPTEMBER 30, 2017 WITH TRAFFIC CONTROL ASSISTANCE BY THE POLICE DEPARTMENT.

PASSED BY UNANIMOUS VOICE VOTE.

ELIZABETHTON HIGH SCHOOL HOMECOMING PARADE
 CITY MANAGER KITCHENS PRESENTED A REQUEST FOR CONSIDERATION AND ACTION ON AN ANNUAL HOMECOMING PARADE FOR ELIZABETHTON HIGH SCHOOL ON FRIDAY, SEPTEMBER 15, 2017.

CITY MANAGER STATED THAT THE ROUTE WOULD BE THE SAME AND ANNOUNCED THE PARADE ROUTE. HE RECOMMENDED APPROVAL OF THE PARADE.

MOTION BY MR. FRAZIER, SECOND BY MR. SHIPLEY, APPROVING THE ELIZABETHTON HIGH SCHOOL HOMECOMING PARADE REQUEST ON THE APPROVED ROUTE ON FRIDAY, SEPTEMBER 15, 2017 AT 5:30 PM INCLUDING TRAFFIC CONTROL ASSISTANCE BY THE POLICE DEPARTMENT.

PASSED BY UNANIMOUS VOICE VOTE.

RECOGNITION OF POLICE OFFICERS
 CITY MANAGER KITCHENS STATED THAT DUE TO POLICE CHIEF JASON SHAW BEING OUT OF TOWN AT A CONFERENCE THIS WEEK THAT ELIZABETHTON POLICE DEPARTMENT CAPTAIN JERRY BRADLEY WOULD PRESENT LIFESAVING AWARDS AND THE MEDALS OF DISTINGUISHED SERVICE TO OFFICERS UPON THE RECOMMENDATION OF THE AWARD COMMITTEE.

CITY MANAGER KITCHENS ASKED THE FAMILIES OF THE OFFICERS THAT WAS PRESENT FOR THE PRESENTATION TO STAND TO BE RECOGNIZED.

CAPTAIN BRADLEY STATED THAT CHIEF SHAW WOULD LIKE TO HAVE BEEN AT THE MEETING TO PRESENT THE AWARDS TO THE OFFICERS BUT SINCE HE WAS OUT OF TOWN HE HAD BEEN ASKED TO PRESENT THE AWARDS TO THEM IN HIS ABSENCE.

CAPTAIN BRADLEY DISCUSSED THE EVENT WHICH OCCURRED ON JULY 27, 2017 AND THEN PRESENTED LIFESAVING AWARDS TO CAPTAIN

PATRICK WHITE, SERGEANT LINCOLN ORELLANA AND PATROLMAN KENNETH LOWE.

CAPTAIN BRADLEY DISCUSSED THE EVENT WHICH OCCURRED ON JULY 29, 2017 AND THEN PRESENTED MEDALS OF DISTINGUISHED SERVICE TO SERGEANT DOUGLAS COMBS AND CORPORAL JAMES DEESE.

MAYOR ALEXANDER THANKED THE OFFICERS AND THEY RECEIVED A STANDING OVATION.

SPECIAL NEEDS PLAYGROUND THANK YOU

COREY GARDENHOUR, DIRECTOR OF ELIZABETHTON CITY SCHOOL STATED THAT THE DEDICATION OF THE SPECIAL NEEDS PLAYGROUND WAS HELD AT WESTSIDE ELEMENTARY SCHOOL AND THAT HE WOULD LIKE TO THANK CITY COUNCIL ON BEHALF OF THE PARENTS OF SPECIAL NEEDS CHILDREN THAT ATTEND WESTSIDE ELEMENTARY AND THE SCHOOL SYSTEM FOR THE SUPPORT OF THE PLAYGROUND.

BOARD, COMMITTEE & COMMISSIONS

MAYOR ALEXANDER MADE THE FOLLOWING RECOMMENDATIONS: THE REAPPOINTMENT OF PAT MCGINNIS TO THE AIRPORT COMMISSION FOR A FIVE YEAR REGULAR TERM; DEFERRAL OF THE BASEBALL COMMISSION APPOINTMENTS AND REQUEST TO ADD COUNCIL TERM; REAPPOINTMENT OF STAN BAILEY TO THE HOUSING AUTHORITY BOARD FOR A FIVE YEAR REGULAR TERM; REAPPOINTMENTS OF TOM MCNEIL AND BONNIE PETERS TO THE PARKS AND REC BOARD FOR THREE YEAR REGULAR TERMS AND REAPPOINTMENTS OF PAT HOLTSLAW, SHARON SHEPPARD, RUTH BOWERS, KELLY GEAGLEY, GLEN SHAW AND VICKIE MANUEL TO THE PERSONNEL ADVISORY BOARD FOR TWO YEAR REGULAR TERMS.

MOTION BY MR. TESTER, SECOND BY MR. CARTER, APPROVING THE REAPPOINTMENT OF PAT MCGINNIS TO THE AIRPORT COMMISSION FOR A FIVE YEAR REGULAR TERM; DEFERRAL OF THE BASEBALL COMMISSION APPOINTMENTS; REAPPOINTMENT OF STAN BAILEY TO THE HOUSING AUTHORITY BOARD FOR A FIVE YEAR REGULAR TERM; REAPPOINTMENTS OF TOM MCNEIL AND BONNIE PETERS TO THE PARKS AND REC BOARD FOR THREE YEAR REGULAR TERMS AND REAPPOINTMENTS OF PAT HOLTSLAW, SHARON SHEPPARD, RUTH BOWERS, KELLY GEAGLEY, GLEN SHAW AND VICKIE MANUEL TO THE PERSONNEL ADVISORY BOARD FOR TWO YEAR REGULAR TERMS.

PASSED BY UNANIMOUS VOICE VOTE.

1554 MILLIGAN HIGHWAY REZONING

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A REZONING REQUEST ON MILLIGAN HIGHWAY FROM AN R-1 ZONING TO AN R-3 ZONING.

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. FRAZIER, SECOND BY MR. BIRCHFIELD, APPROVING AN ORDINANCE UPON THE RECOMMENDATION OF THE ELIZABETHTON REGIONAL PLANNING COMMISSION, TO REZONE A PARCEL OF LAND, THE SAME BEING THE PROPERTY OF KATHY GOUGE GATLIN CURRENT, ANDREW CODY GATLIN, MORGAN GATLIN HAYNIE, AND NICOLETTE GATLIN STOKHOLM, IN THE FIFTH (5TH) CIVIL DISTRICT OF CARTER COUNTY, TENNESSEE, WITHIN THE CORPORATE LIMITS OF THE CITY OF ELIZABETHTON, TENNESSEE, FROM DESIGNATION R-1 (LOW DENSITY) RESIDENTIAL DISTRICT TO R-3 (HIGH DENSITY) RESIDENTIAL DISTRICT BY AMENDING THE ZONING ORDINANCE OF THE CITY OF ELIZABETHTON, TENNESSEE, DATED JULY 8, 1971, AS ADOPTED AND ENACTED BY

ORDINANCE NO. 7-19, AND AMENDING THE ZONING MAP DATED AUGUST, 1971, ATTACHED AND MADE A PART OF ORDINANCE NO. 7-19, BE PASSED ON SECOND READING.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

402 BEMBERG ROAD REZONING

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON A REZONING REQUEST ON BEMBERG ROAD FROM AN M-R ZONING TO A B-2 ZONING.

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. FRAZIER, APPROVING THAT, THIS IS AN ORDINANCE UPON THE RECOMMENDATION OF THE ELIZABETHTON REGIONAL PLANNING COMMISSION TO REZONE A PARCEL OF LAND, THE SAME BEING THE PROPERTY OF UNION PRESCRIPTION OF ELIZABETHTON, TENNESSEE, INC., IN THE FIFTEENTH (15TH) CIVIL DISTRICT OF CARTER COUNTY, TENNESSEE, WITHIN THE CORPORATE LIMITS OF THE CITY OF ELIZABETHTON, TENNESSEE, FROM DESIGNATION M-R (MEDICAL RESIDENTIAL) TO B-2 (ARTERIAL) BUSINESS DISTRICT BY AMENDING THE ZONING ORDINANCE OF THE CITY OF ELIZABETHTON, TENNESSEE, DATED JULY 8, 1971, AS ADOPTED AND ENACTED BY ORDINANCE NO. 7-19, AND AMENDING THE ZONING MAP DATED AUGUST, 1971, ATTACHED AND MADE A PART OF ORDINANCE NO. 7-19, BE PASSED ON SECOND READING.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

2016-17 CITY SCHOOLS BUDGET ORDINANCE AMENDMENT

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON FY 2016-2017 FOR GENERAL PURPOSE, FEDERAL PROJECTS AND SCHOOL NUTRITION FUNDS.

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. FRAZIER, APPROVING AN ORDINANCE TO AMEND THE ELIZABETHTON CITY SCHOOLS BUDGET APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2016 AND ENDING JUNE 30, 2017 AND FURTHER REFERENCED AS FISCAL YEAR 2016/17 ELIZABETHTON CITY SCHOOL SYSTEM BUDGET APPROPRIATION ORDINANCE AMENDMENT NUMBER 3 FOR GENERAL PURPOSE FUND, AMENDMENT 3 FOR FEDERAL PROJECTS FUND AND AMENDMENT 1 FOR NUTRITION FUND, BE PASSED ON SECOND READING.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

FIREWORKS ORDINANCE AMENDMENT

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE MUNICIPAL CODE TO DEREGULATE AND PROHIBIT THE POSSESSION, DISCHARGE, SALE AND STORAGE OF FIREWORKS IN THE CITY LIMITS.

MAYOR ALEXANDER OPENED THE MEETING FOR PUBLIC HEARING.

JANETTE MORGAN, SPOKE IN OPPOSITION OF THE ORDINANCE AMENDMENT THAT WOULD PROHIBIT CITY RESIDENTS TO PURCHASE FIREWORKS TO TAKE OUT OF THE CITY LIMITS TO DISCHARGE.

WILLIAM MCVHEY AND BRIAN MCVHEY, STATED THAT SINCE THEIR REGULAR BUSINESS IS IN THE CITY LIMITS THEY REQUESTED TO BE "GRANDFATHERED" IN TO SELL FIREWORKS DURING THE SEASONAL FIREWORKS TIME WHICH IS THEIR SLOW MONTHS FOR THEIR MAIN BUSINESS. THEY STATED THAT THEY HAVE A REGULAR BUSINESS LICENSE UNLIKE THE OTHER SEASONAL VENDORS AND THAT THEY PAY CITY TAXES.

MAYOR ALEXANDER EXPLAINED THE INTENT OF THE ORDINANCE AMENDMENT AND STATED THAT CITY COUNCILMEMBERS HAD TO DO WHAT WAS BEST FOR THE MAJORITY OF CITY RESIDENTS WHICH IS BECAUSE OF THE NUISANCE ISSUES AND SAFETY CONCERNS.

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

MOTION WAS BY MR. SHIPLEY, AND SECOND BY MR. CARTER, AN ORDINANCE TO AMEND TITLE 7, CHAPTER 4, OF THE MUNICIPAL CODE, ELIZABETHTON, TENNESSEE, 2015, AS AMENDED, BY DELETING THE CURRENT CODE SECTIONS 7-401 THROUGH 7-412 AND ADOPTING NEW CODE SECTIONS 7-401 AND 7-402 TO PROHIBIT THE POSSESSION, DISCHARGE, SALE AND STORAGE OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY OF ELIZABETHTON, TENNESSEE, BE PASSED ON SECOND READING.

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

THE MOTION PASSED BY A VOTE OF 6-1.

NOTE: IT WAS THE DESIRE OF CITY COUNCIL AT THE AUGUST 10, 2017 COUNCIL MEETING ON FIRST READING OF THE FIREWORKS ORDINANCE AMENDMENT FOR THE APPROVAL OF REFUNDS OF ONE HALF THE AMOUNT OF THE APPLICATION FEE FOR SEASONAL FIREWORKS SALES PERMITS ISSUED TO RETAIL SALES VENDORS DURING THE 2017 FIREWORKS SEASON).

2017 PERSONNEL RULES & REGULATIONS

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR CONSIDERATION AND ACTION TO AMEND THE MUNICIPAL CODE TO UPDATE THE PERSONNEL RULES AND REGULATIONS.

MAYOR ALEXANDER OPENED THE MEETING FOR PUBLIC HEARING.

DANNY HILBERT, STREET & SANITATION MANAGER, SPOKE IN OPPOSITION OF THE GOOD FRIDAY HOLIDAY BEING REMOVED AS A CITY EMPLOYEE HOLIDAY AND BEING CHANGED TO A PERSONAL DAY AND REQUESTED THAT COUNCIL REINSTATE THE HOLIDAY FOR CITY EMPLOYEES.

TONY GOUGE, CITY EMPLOYEE, SPOKE IN OPPOSITION OF THE REMOVAL OF THE GOOD FRIDAY HOLIDAY FOR CITY EMPLOYEES AND AGREED WITH DANNY HILBERT'S STATEMENT AND HIS REASONS FOR COUNCIL TO RECONSIDER THE REMOVAL OF THE HOLIDAY.

RUTH BOWERS, CHAIRMAN OF THE PERSONNEL ADVISORY BOARD, STATED THAT CHRISTIANITY WAS NOT THE ONLY RELIGION NOW AS IT WAS IN THE PAST AND THAT THE HOLIDAY WAS NOT A FEDERAL HOLIDAY; HOWEVER, SHE WAS ADVISED THAT GOOD FRIDAY WAS A STATE HOLIDAY.

DANNY HILBERT, SPOKE AGAIN REGARDING THE HOLIDAY AND STATED THAT THAT CITY AND COUNTY SCHOOL SYSTEM OBSERVED THE HOLIDAY AND BUSINESSES IN THE CITY ARE CLOSED FOR THE HOLIDAY OBSERVANCE.

COUNCILMAN SHIPLEY SPOKE ADDING THAT LOCAL CREDIT UNIONS ARE CLOSED FOR THE HOLIDAY OBSERVANCE.

JENNET MORGAN, SPOKE IN SUPPORT OF MR. HILBERT'S REQUEST TO REINSTATE THE GOOD FRIDAY HOLIDAY FOR CITY EMPLOYEES AND STATED THAT CITIZENS NEEDED TO STAND UP FOR WHAT WAS RIGHT.

PASTOR HAROLD MAINS, SPOKE IN SUPPORT OF THE HOLIDAY AND THE MEANING OF GOOD FRIDAY AND STATED THAT WE NEED TO HOLD ON TO THINGS THAT COUNT FOR ETERNITY.

DANNY HILBERT, SPOKE AGAIN REGARDING THE HOLIDAY REMOVAL AND STATED THAT THAT CITY NEEDS TO DO WHAT WAS RIGHT AS OTHER BUSINESSES IN THE CITY ARE CLOSED FOR THE HOLIDAY OBSERVANCE.

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

CITY ATTORNEY DAY READ THE ORDINANCE AND STATED IT WAS BROUGHT BEFORE COUNCIL FOR CONSIDERATION ON SECOND READING.

MOTION BY MR. TREADWAY, SECOND BY MR. TESTER, APPROVING AN ORDINANCE ADOPTING THE PERSONNEL RULES AND REGULATIONS, 2017 EDITION, AND AMENDING THE ELIZABETHTON MUNICIPAL CODE BY REVISING SECTIONS 4-101 AND 4-103 OF TITLE 4, CHAPTER 1, OF THE ELIZABETHTON MUNICIPAL CODE, 2015, AS AMENDED AND PRESENTED.

COUNCILMAN SHIPLEY ASKED IF THE MOTION MADE BY COUNCILMAN TREADWAY INCLUDED REINSTATING THE HOLIDAY.

MAYOR PRO-TEM CARTER ASKED TO CONFIRM THAT THE GOOD FRIDAY HOLIDAY HAD BEEN TAKEN AWAY AND REPLACED WITH A PERSONAL DAY.

MAYOR PRO-TEM CARTER STATED THAT HE WOULD MAKE A MOTION IF HE NEEDED TO, TO REINSTATE THE GOOD FRIDAY HOLIDAY.

COUNCILMAN TREADWAY STATED THAT WOULD LIKE TO LEAVE THE IT (PERSONNEL RULES & REGULATIONS) AS PRESENTED AND PROVIDE MAXIMUM FLEXIBILITY FOR EMPLOYEES FOR WHAT THEY CELEBRATE AND NOT DISCRIMINATE AGAINST ANOTHER PERSONS FAITH BUT BECAUSE OF THE PRACTICALITIES THAT HE WOULD AMEND HIS PREVIOUS MOTION TO INCLUDE THE REINSTATEMENT OF GOOD FRIDAY AS A CITY EMPLOYEE HOLIDAY AND ALLOW FOR DEPARTMENT HEADS TO BE SENSITIVE TO OTHERS BELIEFS AND ACCOMMODATE EMPLOYEES THAT WANTED TO OBSERVE ANOTHER RELIGION.

MAYOR ALEXANDER STATED HE RESPECTFULLY DISAGREED WITH THE LEGAL DECISION OF REMOVING THE GOOD FRIDAY HOLIDAY INDICATING THAT HOW WOULD THAT ONE RELIGIOUS HOLIDAY OBSERVANCE BE DIFFERENT THAN THE OBSERVANCE FOR CHRISTMAS WITH THE CHRISTMAS EVE HOLIDAY AND CHRISTMAS DAY HOLIDAY AND IF THE REMOVAL OF ONE WAS ALLOWED IT WOULD HAVE TO BE FOR THE CHRISTMAS HOLIDAY OBSERVANCE TOO.

RUTH BOWERS, CHAIRMAN OF THE PERSONNEL ADVISORY BOARD, STATED THAT SHE STOOD CORRECTED ON GOOD FRIDAY BEING A STATE HOLIDAY BECAUSE SHE DID NOT REALIZE THAT IT WAS A STATE HOLIDAY EVEN THOUGH IT IS NOT A FEDERAL HOLIDAY. SHE ALSO STATED THAT ON HOLIDAYS THAT THE CITY IS CLOSED FOR OBSERVANCE THAT THE DEPARTMENTS HAD TO DO IN FOUR (4) DAYS WHAT THEY NORMALLY DO IN FIVE (5) DAYS.

DANNY HILBERT SPOKE AND AGREED WITH MS. BOWERS SPOKE BUT STATED THAT THE CITY BEING CLOSED ON HOLIDAYS HAS NOT AFFECTED HIS DEPARTMENT AS THEY STILL GET THE JOB DONE REGARDING GARBAGE PICKUP BY ALTERING THE GARBAGE SCHEDULE ON OTHER HOLIDAYS WHEN THE CITY IS CLOSED.

COUNCILMAN TREADWAY STATED THAT IF MAYOR PRO-TEM CARTER MADE THE AMENDMENT THAT HE WOULD ACCEPT HIS REQUEST.

COUNCILMAN SHIPLEY ADDED THAT COUNCIL COULD MAKE DECISIONS ON OTHER RELIGIOUS HOLIDAYS BY "CROSSING THAT BRIDGE WHEN THEY COME TO IT".

COUNCILMAN TESTER STATED THAT IT WAS A LAW FOR BUSINESSES EMPLOYERS TO RESPECT AND ALLOW FOR EMPLOYEES TO OBSERVE RELIGIOUS HOLIDAYS.

MAYOR ALEXANDER STATED THAT THE FEDERAL RESERVE WAS OPEN ON THE GOOD FRIDAY HOLIDAY AND HE FELT THAT IS WHY THE BANKS ARE OPEN BUT THE NEW YORK STOCK EXCHANGE AND THE BOND MARKET WAS CLOSED.

CITY ATTORNEY DAY ASKED COUNCIL TO CLARIFY THAT IF THE ONE (1) PERSONAL DAY WOULD BE TAKEN A WAY IF THE GOOD FRIDAY HOLIDAY WAS REINSTATED.

COUNCIL AGREED THAT THE REINSTATEMENT OF THE GOOD FRIDAY HOLIDAY MEANT THAT THE ONE (1) PERSONAL DAY WOULD BE REMOVED.

AFTER COUNCIL DISCUSSION, MAYOR ALEXANDER ASKED COUNCILMAN TREADWAY AND COUNCILMAN TESTER IF THEY WOULD AMEND THEIR PREVIOUS MOTION TO REINSTATE GOOD FRIDAY AS AN EMPLOYEE HOLIDAY AND REMOVE THE ONE (1) PERSONAL DAY AND COUNCILMAN TREADWAY AND COUNCILMAN TESTER AGREED TO AMEND THEIR PREVIOUS MOTION TO INCLUDE THE AMENDMENT.

MAYOR ALEXANDER ASKED FOR ROLL CALL TO VOTE ON THE ORDINANCE WITH THE AMENDMENT TO REINSTATE GOOD FRIDAY AS AN EMPLOYEE HOLIDAY AND REMOVE THE ONE (1) PERSONAL DAY THAT WAS PROPOSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

BUDGET ORDINANCE AMENDMENT

CITY ATTORNEY DAY CAPTION READ AN ORDINANCE FOR AN AMENDMENT TO THE FY 2017/18 CITY OF ELIZABETHTON 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 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 SECOND READING.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

STADIUM RENOVATION ARCHITECT AGMT AMENDMENT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN AMENDMENT AND PROPOSAL TO INCLUDE SURVEYING AND CIVIL ENGINEERING SERVICES TO THE

CONTRACT WITH THOMAS WEEMS ARCHITECTS FOR THE JOE O'BRIEN FIELD RENOVATION PROJECT.

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER THAT, A RESOLUTION APPROVING AN AMENDMENT NO. 1 TO THE AGREEMENT WITH THOMAS WEEMS ARCHITECT TO PROVIDE FUNDING IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$7,500.00) FOR SURVEYING AND CIVIL ENGINEERING SERVICES FOR THE PROPOSED NEW HOME CLUB HOUSE BUILDING AT JOE O'BRIEN FIELD, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

JOE O'BRIEN FIELD RENOVATIONS MOU & AGMT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A MEMORANDUM OF UNDERSTANDING WITH THE MINNESOTA TWINS, LLC BASEBALL CLUB.

MOTION BY MR. FRAZIER, SECOND BY MR. BIRCHFIELD, APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) FOR THE JOE O'BRIEN FIELD RENOVATION PROJECT AND FIVE (5) YEAR AGREEMENT AS A COMMITMENT TO STAY IN ELIZABETHTON BETWEEN THE CITY OF ELIZABETHTON AND THE MINNESOTA TWINS, LLC.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

TRANSFER OF OPEB ASSETS

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON THE TRANSFER OF OPEB ASSETS TO A NEW BROKER, CUSTODIAN AND A NEW PLATFORM FOR TRADING PURPOSES.

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER THAT, A RESOLUTION AUTHORIZING THE TRANSFER OF THE CITY OF ELIZABETHTON'S OPEB TRUST FUNDS FROM CBIZ FINANCIAL SOLUTIONS, INC. D/B/A CBIZ RETIREMENT PLAN SERVICES TO CBIZ INVESTMENT ADVISORY SERVICES, LLC, CHANGING THE MANAGED ASSET SOLUTIONS PLATFORM TO ENVESTNET FOR TRADING PURPOSES AND, FURTHER, CHANGING THE CUSTODIAN FOR THE OPEB TRUST FUNDS FROM NATIONAL FINANCIAL SERVICES TO FIDELITY INVESTMENTS, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

ENA CONTRACT AMENDMENT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN AMENDMENT TO THE CONTRACT WITH ENA FOR DARK FIBER AT ELIZABETHTON CITY SCHOOLS.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY THAT, A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE DATA TRANSPORT SERVICE AGREEMENT BETWEEN THE CITY OF ELIZABETHTON, ELIZABETHTON ELECTRIC DEPARTMENT, AND EDUCATION NETWORKS OF AMERICA, INC (ENA) TO PROVIDE DARK FIBER TO THE ELIZABETHTON CITY SCHOOLS CURRENTLY SERVED BY THE ELIZABETHTON ELECTRIC DEPARTMENT, WHICH AMENDMENT NO. 1 REDUCES THE TOTAL CONTRACT PRICE FROM ONE HUNDRED THIRTY SIX THOUSAND THREE HUNDRED FORTY THREE AND 30/100 (\$136,343.30) DOLLARS TO ONE HUNDRED TWENTY SIX THOUSAND THREE HUNDRED EIGHTY NINE AND 55/100 (\$126,389.55) DOLLARS AND, FURTHER, REDUCES THE MONTHLY RENTAL FEE FROM THREE THOUSAND SIX HUNDRED FORTY FOUR AND 07/100 (\$3,644.07) DOLLARS OVER A FIVE (5) YEAR PERIOD TO THREE THOUSAND THREE HUNDRED TWENTY ONE AND 75/100 (\$3,321.75) DOLLARS, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

TVA RATE ADJUSTMENT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN ELECTRIC RATE ADJUSTMENT FOR CUSTOMERS OF THE ELIZABETHTON ELECTRIC DEPARTMENT.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY THAT, A RESOLUTION APPROVING THE TENNESSEE VALLEY AUTHORITY (TVA) RATE CHANGE AMENDMENT TO THE CONTRACT WITH TVA REGARDING THE SCHEDULE OF RATES AND CHARGES FOR THE CITY OF ELIZABETHTON, ELIZABETHTON ELECTRIC DEPARTMENT, EFFECTIVE OCTOBER 1, 2017, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

TML SAFETY PARTNERS GRANT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A TML SAFETY PARTNERS GRANT FOR THE ELIZABETHTON ELECTRIC DEPARTMENT.

MOTION BY MR. BIRCHFIELD, SECOND BY MR. CARTER THAT, A RESOLUTION AUTHORIZING THE CITY OF ELIZABETHTON, ELIZABETHTON ELECTRIC DEPARTMENT, TO PARTICIPATE IN THE POOL'S 2017-2018 "SAFETY PARTNERS" MATCHING GRANT PROGRAM, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

FTDD ADMINISTRATIVE SERVICES CONTRACT

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON AN ADMINISTRATIVE SERVICES CONTRACT WITH THE FIRST TENNESSEE DEVELOPMENT DISTRICT.

MOTION BY MR. FRAZIER, SECOND BY MR. BIRCHFIELD THAT, A RESOLUTION APPROVING A CONTRACT FOR ADMINISTRATIVE SERVICES AND HOUSING REHABILITATION PROFESSIONAL SERVICES WITH THE FIRST TENNESSEE DEVELOPMENT DISTRICT (FTDD) RELATIVE TO THE CITY OF ELIZABETHTON 2017 THDA HOME PROGRAM, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

2017 HOME GRANT POLICIES & PROCEDURES

CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON POLICIES AND PROCEDURES FOR THE 2017 HOME PROGRAM.

MOTION BY MR. SHIPLEY, SECOND BY MR. CARTER THAT, A RESOLUTION APPROVING THE "PROGRAM POLICIES AND PROCEDURES FOR THE CITY OF ELIZABETHTON 2017 HOME PROGRAM", BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

AUTHORIZATION OF EHDA REDEVELOPMENT & URBAN RENEWAL PLAN
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR CONSIDERATION AND ACTION ON A REQUEST TO AUTHORIZE THE ELIZABETHTON HOUSING & DEVELOPMENT AGENCY TO INITIATE A REDEVELOPMENT & URBAN RENEWAL PLAN.

MOTION BY MR. TESTER, SECOND BY MR. BIRCHFIELD THAT, A RESOLUTION AUTHORIZING THE ELIZABETHTON HOUSING & DEVELOPMENT AGENCY TO STUDY AND PREPARE A REDEVELOPMENT AND URBAN RENEWAL PLAN FOR THE WATAUGA RIVER DISTRICT WITHIN THE CITY OF ELIZABETHTON AND TO CONDUCT A PUBLIC HEARING REGARDING THE NECESSITY FOR THE ADOPTION OF SUCH A REDEVELOPMENT AND URBAN RENEWAL PLAN, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

SCHWEITZER ENGINEERING SERVICES AGMT
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR
CONSIDERATION AND ACTION ON AN AGREEMENT WITH SEL FOR
ENGINEERING SERVICES.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY THAT, A
RESOLUTION APPROVING AN AGREEMENT WITH SCHWEITZER
ENGINEERING SERVICES, INC. FOR AN ENGINEERING STUDY OF THE
EXISTING WATER RESOURCES DEPARTMENT SYSTEM HARDWARE AND
CONFIGURATION, INCLUDING A CYBER SECURITY VULNERABILITY
ASSESSMENT, AT A TOTAL CONTRACT PRICE NOT TO EXCEED THIRTY ONE
THOUSAND (\$31,000.00) DOLLARS AND A CONTINGENCY BUDGET OF AN
ADDITIONAL FIVE THOUSAND (\$5,000.00) DOLLARS, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

OWNERSHIP OF RETIRED POLICE K9 KERO
CITY ATTORNEY DAY READ A REQUEST FOR CONSIDERATION
AND ACTION TO AWARD OWNERSHIP OF POLICE CANINE KERO TO HIS
HANDLER CORPORAL SARAH ELLISON UPON HIS RETIREMENT FROM
THE ELIZABETHTON POLICE DEPARTMENT.

MOTION BY MR. SHIPLEY, SECOND BY MR. CARTER, APPROVING
THE REQUEST FOR THE RELINQUISHMENT OF OWNERSHIP OF POLICE
CANINE KERO UPON HIS RETIREMENT TO HIS HANDLER CORPORAL
SARAH ELLISON.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

ANIMAL SHELTER BOARD BY-LAWS ADOPTION
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR
CONSIDERATION AND ACTION ON THE ADOPTION OF BY-LAWS OF
THE ELIZABETHTON ANIMAL SHELTER.

MOTION BY MR. CARTER, SECOND BY MR. SHIPLEY THAT, A
RESOLUTION APPROVING THE BYLAWS OF THE ELIZABETHTON/CARTER
COUNTY ANIMAL SHELTER AS APPROVED AND ADOPTED BY THE
ANIMAL SHELTER TRANSITION COMMITTEE, BE PASSED.

ROLL CALL: BIRCHFIELD, ABSENT (AT TIME OF ROLL CALL);
FRAZIER, AYE, SHIPLEY, AYE; TESTER, AYE; TREADWAY, NAY; CARTER,
AYE; ALEXANDER, AYE.

THE MOTION PASSED BY A VOTE OF 5-1 WITH ONE ABSENCE.

ANIMAL SHELTER OPERATING AGREEMENT
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR
CONSIDERATION AND ACTION ON AN OPERATING AGREEMENT WITH
CARTER COUNTY, TENNESSEE FOR THE ELIZABETHTON-CARTER COUNTY
ANIMAL SHELTER.

MOTION BY MR. SHIPLEY, SECOND BY MR. FRAZIER THAT, A
RESOLUTION APPROVING AN OPERATING AGREEMENT TO OPERATE THE
ELIZABETHTON/CARTER COUNTY ANIMAL SHELTER AS ADOPTED AND
RECOMMENDED TO THE ELIZABETHTON CITY COUNCIL BY THE ANIMAL
SHELTER TRANSITION COMMITTEE, BE PASSED.

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

THE MOTION CARRIED BY A 6-1 VOTE.

CITY SCHOOLS SCHOOL RESOURCE OFFICER AGMT
CITY ATTORNEY DAY CAPTION READ A RESOLUTION FOR
CONSIDERATION AND ACTION ON AN AGREEMENT WITH THE ELIZABETHTON
CITY SCHOOLS FOR A SCHOOL RESOURCE OFFICER AGREEMENT.

MOTION BY MR. CARTER, SECOND MR. BIRCHFIELD THAT, A
RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF
ELIZABETHTON, TENNESSEE, ELIZABETHTON POLICE DEPARTMENT,
AND THE ELIZABETHTON CITY SCHOOL SYSTEM FOR THE PLACEMENT
OF ONE (1) ELIZABETHTON POLICE OFFICER AT THE T.A. DUGGER JUNIOR
HIGH SCHOOL AS THE SCHOOL RESOURCE OFFICER AND ONE (1)
ELIZABETHTON POLICE OFFICER AT THE ELIZABETHTON HIGH SCHOOL
AS THE SCHOOL RESOURCE OFFICER, BE PASSED.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

AGENDA AMENDMENT

MAYOR ALEXANDER ASKED FOR A MOTION AND SECOND TO
AMEND THE AGENDA TO ADD AN AGENDA ITEM 100 TO CONSIDER A
MOSQUITO CONTROL GRANT WITH THE TENNESSEE DEPARTMENT OF
HEALTH.

MOTION BY MR. CARTER, SECOND BY MR. SHIPLEY, APPROVING
THE AMENDMENT TO THE AGENDA TO ADD THE MOSQUITO CONTROL
GRANT.

PASSED BY UNANIMOUS VOICE VOTE.

MOSQUITO CONTROL GRANT

CITY ATTORNEY DAY READ A REQUEST FOR CONSIDERATION
AND ACTION ON A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT
OF HEALTH.

MOTION BY MR. BIRCHFIELD, SECOND BY MR. TREADWAY, APPROVING
A MOSQUITO CONTROL GRANT CONTRACT WITH THE TENNESSEE
DEPARTMENT OF HEALTH IN THE AMOUNT OF THIRTY-ONE THOUSAND
SIX HUNDRED FIFTEEN (\$31,615.00) DOLLARS.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

PURCHASES, EXPENSES & BIDS

PURCHASING DIRECTOR GREG WORKMAN REQUESTED APPROVAL
OF PURCHASES, EXPENSES AND BIDS IN THE AMOUNT OF \$564,331.78.

MOTION BY MR. SHIPLEY, SECOND BY MR. TREADWAY, APPROVING
THE FOLLOWING PURCHASES: (a) FUEL PURCHASES – CITY GARAGE,
MANSFIELD OIL – GAS \$14,494.20; MANSFIELD OIL – DIESEL \$13,247.48
EXPENSES: (a) TREE TRIMMING – EED \$71,871.79 (b) BUILDING & PERSONAL
PROPERTY – HUMAN RESOURCES, \$101,297.00 BIDS: (a) BID #572 SMALL DUMP
TRUCK – WATER DEPARTMENT, \$57,795.30 (b) BID #573 COMPACT EXCAVATOR
– WATER DEPARTMENT, \$57,044.00 (c) STATE CONTRACT TWO (2) SERVICE
TRUCKS – WATER DEPARTMENT \$78,394.66 (d) BID (NJPA) TRAILER WITH
AIR BRAKES – WATER DEPARTMENT \$12,021.21 (e) STATE CONTRACT
ASPHALT ROLLER – STREET DEPARTMENT (f) BID (NJPA) DUMP TRUCK
– STREET DEPARTMENT \$112,896.00 (g) BID #574 6” DUCTILE IRON PIPE
– WATER DEPARTMENT \$21,672.00, ALL FROM THE RECOMMENDED
SOURCES NOT TO EXCEED THE TOTAL AMOUNT OF \$564,331.78.

ROLL CALL WAS UNANIMOUS AND THE MOTION CARRIED.

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

Sharon B. Keeler
CITY CLERK

Art Oly
MAYOR