

Meeting Minutes

November 13, 2023

The Mayor and Board of Commissioners of the City of Sweetwater met in a special called meeting on Monday, November 13, 2023 at 5 p.m. at City Hall. Mayor Doyle F. Lowe called the meeting to order with Commissioners present being: Lamar Hughes, Sam Moser, and Alan Richeson. Commissioners JoAnna Jinks was absent due to a scheduling conflict and Commissioner Stutts was ill. City Attorney John Cleveland was present.

Commissioner Richeson moved to approve Ordinance No. 1029 to acquire certain property from Sweetwater Utilities Board on second and final reading. The motion was seconded. Upon Roll Call Voting, the Ayes were as follows: Commissioners Hughes, Moser, and Richeson.

Commissioner Hughes moved to approve the Resolution to approve Sweetwater as Broadband Ready. The motion was seconded. All voted in favor, with none opposed. The motion was carried.

**SWEETWATER BROADBAND READY COMMUNITIES ORDINANCE**

**Whereas**, Sweetwater, Tennessee finds that broadband internet availability in the City is of critical importance to all people living, visiting, and doing business in Sweetwater, Tennessee, and

**Whereas**, the Tennessee State Legislature recently created the ability for Tennessee communities to be designated as "Broadband Ready Communities" through the Tennessee Department of Economic and Community Development, and

**Whereas**, Sweetwater, Tennessee seeks to promote private investment in broadband infrastructure, and

**Whereas**, Sweetwater, Tennessee seeks to be designated as a Broadband Ready Community pursuant to Tennessee Public Chapter 228, 4-3-709.,

**Public Chapter 228, S 4-3-709**

(a)(1) A political subdivision may apply to the department of economic and community development for designation as a "broadband ready community" pursuant to guidelines established by the department. The guidelines for designation must include a requirement that the political subdivision has adopted an efficient and streamlined ordinance or policy for reviewing applications and issuing permits related to projects relative to broadband services.

***NOW THEREFORE, BE IT ENACTED BY THE GOVERNING BODY OF THE CITY OF SWEETWATER THAT:***

## **AN ORDINANCE FOR A BROADBAND READY COMMUNITY**

**Section 1.** As used in this chapter, "permit" means any local permit, license, certificate, approval, registration, or similar form of approval required by policy, administrative rule, regulation, or ordinance with respect to a project.

**Section 2.** As used in this chapter, "project" means the construction or deployment of wireline or wireless communications facilities to provide communications services in a unit.

**Section 3:** Notwithstanding any other provision of Sweetwater's ordinance, the following shall apply to a project:

**(1)** Sweetwater, Tennessee has:

**(A)** Adopted an efficient and streamlined policy for reviewing applications and issuing permits related to projects relative to broadband services.

**(B)** Appointed a single point of contact in the city for all matters related to a broadband project;

**(C)** Established procedures to allow all forms, applications, and documentation related to a project be reviewed and either approved or denied within thirty (30) business days after the application is submitted; and to allow the project to be filed or submitted and signed by electronic means, where possible;

**(2)** The City of Sweetwater TN will not:

**(A)** Require an applicant to designate a final contractor to complete a project;

**(B)** Impose an unreasonable fee for reviewing an application or issuing a permit for a project. The fee will not exceed one hundred dollars (\$100);

**(C)** Impose a seasonal moratorium on the issuance of permits for projects; and

**(D)** Discriminate among communications services providers or utilities with respect to any action related to a broadband project, including granting access to public rights-of-way, infrastructure and poles, and any other physical assets owned or controlled by the political subdivision

**(3)** The City of Sweetwater acknowledges that:

**(A)** Tennessee Certified Broadband Ready Community has an affirmative duty to notify the Tennessee Economic and Community Development Department (TNECD) of any changes to the information submitted as part of its application.

**(B)** Failure to notify TNECD of changes may result in revocation of the City of Sweetwater's Broadband Ready Certification.

**Section 4.** This ordinance shall take effect immediately upon adoption by the governing body upon final reading, the public welfare requiring.

**PASSED AND SO ORDERED**, this 13th day of November, 2023.

ATTEST: \_\_\_\_\_  
RECORDER

\_\_\_\_\_  
*Doyle F. Lowe,*  
*Mayor*

The board adjourned and reconvened as Sweetwater Beer Board to review an on-premises application from The Lazy Beagle, LLC to be located at 107 N Main Street, Sweetwater. Commissioner Richeson moved to approve the application. The motion was seconded. Commissioner Moser recused himself from voting as an owner in the restaurant. Commissioner Richeson and Hughes voted in favor, the motion was carried.

The meeting was adjourned at 5:10 p.m.

This the 13<sup>th</sup> day of November, 2023.

\_\_\_\_\_  
Doyle F. Lowe

Attest: \_\_\_\_\_  
Recorder