

ATHENS CITY COUNCIL MINUTES OF MEETING

March 16, 2021

The Athens City Council met in regular session on Tuesday, March 16, 2021, at 6:00 p.m. with Mayor Perkinson presiding. This meeting was held pursuant to Governor Bill Lee's Executive Order # 78, allowing the virtual attendance of council members, and CDC/White House guidelines limiting the number of the group present. The City of Athens upholds its citizens right to witness their legislative body in action and provided this meeting by livestream and the ability to physically attend. The invocation was given by Mayor Perkinson; and upon roll call, the following members were present:

Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

The following decisions were made and ordered made a part of the records of the Athens City Council.

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APPROVAL OF MINUTES

The Minutes of the February 16, 2021 regularly scheduled meeting were submitted and approved by unanimous consent.

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

None

Council Member Pelley stated he wanted to rise to a point of order and was recognized by Mayor Perkinson. Council Member Pelley stated the City Council held an Executive Session a month ago and he wanted to finish the discussion and called for another meeting of the Council. Mayor Perkinson stated he felt they had finished the discussion but asked if there was anyone on the Council that would like to have that meeting. Council Member Witt-McMahan stated she would like the Council to go ahead and have the meeting. Mayor Perkinson asked the City Attorney to decide on a date and time and then let the Council know. City Manager Sumner asked for clarification as to whether this was going to be a Called Meeting or an Executive Session and if there was a stated purpose for the meeting. Council Member Pelley responded that this was to be an Executive Session to discuss the issues they did not discuss at the last Executive Session.

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CONSENT AGENDA

Mayor Perkinson advised that the following items were discussed during the recent study session and are presented as a part of the Consent Agenda. The recording clerk read the following items into the record:

- a.) Reappoint Charles Byrd to Tax Equalization Board, term expires April 1, 2023.
- b.) Approve proposal by Baseline Sports Construction to convert two (2) tennis courts at Heritage Park into basketball courts.
- c.) Approve purchase of a tractor from Dooley Tractor Co. (using Sourcewell Cooperative Agreement) to replace Asset #2760, a 24-year-old Ford tractor, for maintenance of ballfields.
- d.) Approve second/final year extension of contract with Huggins Lawn Care for mowing and maintenance of Athens parks.
- e.) Approve Resolution No. 2021-08 designating Fair Housing Month in the City of Athens
- f.) Approve Resolution No. 2021-09 to authorize submission of grant application through the Governor's Highway Safety Program.
- g.) Approve Resolution No. 2021-10 to authorize Allen & Hoshall to proceed with the design phase for the Public Works Buildings.

Mayor Perkinson asked for a motion. **Council Member Pelley moved, Council Member Witt-McMahan seconded, that the Consent Agenda as stated above be approved.** Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson
NAYS: None

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ORDINANCES

ORDINANCE NO. 1099 – SECOND READING/PUBLIC HEARING

AN ORDINANCE TO AMEND 'THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,' SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED AT 412 SOUTH CONGRESS PARKWAY FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Perkinson opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. Mayor Perkinson asked for a motion. **Council Member Pelley moved, Council Member Curtis seconded, to approve Ordinance No. 1099 on Second and Final Reading.** Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson
NAYS: None

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OLD BUSINESS

None

- 6 -
NEW BUSINESS

None

- 7 -
REPORTS

ATHENS CITY SCHOOLS QUARTERLY REPORT

Mr. Robert Greene, Superintendent of the Athens City Schools, presented his quarterly update. He stated their COVID numbers were down and virtual numbers are down to around 10% compared to 20% at the beginning of the school year. A new round of stimulus funds is coming, and the amount is substantial. The bulk of the money will be spent on remodeling at the Middle School, reviewing all the heat and air units with an engineer so that they can be replaced, reroofing North City School, and tutoring for students in summer school. These funds will also pay for approximately 80 teachers to help those students catch up. The first phase of stimulus funds will be over \$5,000,000 which will be used for updating the Middle School, and program changes to make it more like a STEM and fine arts school. They will also be looking at the possibility of outdoor classrooms.

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FINANCE DEPARTMENT REPORT

Mr. Mike Keith, Finance Director, presented the Finance Department Report for the month of February 2021. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Chief Brandon Ainsworth presented the Fire Department Report for the month of February 2021. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Police Chief Cliff Couch presented the Police Department Report for the month of February 2021. The report was accepted as presented.

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REQUESTS FROM CITIZENS

Ms. Phyllis Williams stated she did not have anything to request and wanted to defer her time to Glenn Whiting. Mayor Perkinson advised Ms. Williams that they did not defer time. Jan Lane, 119 Elk Street, requested the timing on the traffic signal at Congress Parkway where Tellico Avenue comes out be adjusted so it would trip sooner or when there is no cross traffic. The problem she was specifically addressing was the light when you are heading west on Tellico coming up to Congress Parkway. Ms. Lane also requested someone look at the traffic signal when you are coming out of the shopping center where Hobby Lobby is located and trying to turn left onto Congress Parkway. The wait is extremely long at both intersections when there is no cross traffic. Larry Eaton, 279 Sweetfield Valley Road, presented the City Council and City Attorney with a folder containing a copy of his speech and documentation. He requested the City Manager be required to reimburse the City for travel and entertainment expenses related to his international trips to Israel and India and not be permitted to take any more international trips using City funds; the disciplinary action against the Parks & Recreation Director to be looked into and the Director's personnel record expunged and an apology issued by the City Manager; the City Manager's yearly evaluation system requiring a council member to explain the reasons for a bad grade be thrown out. This evaluation system needs to be looked into and the grading needs to be redone. Lastly, he requested action be taken now to upgrade the Animal Shelter. Glenn Whiting, 237 County Road 655, stated he wanted to file a complaint against the Mayor and City Manager for bringing up Larry Eaton and his name in the City Manager's conversation with his neighbor. He wanted to know who he should file the complaint with since he was in a lawsuit with the City Attorney and City Manager and his complaint involved the Mayor. His second request was for the Council to look at the City Charter as it relates to the City Manager serving as Hearing Officer on substandard housing issues. Cobia Edgemon was next on the sign in sheet but stated she thought you had to sign in to attend the meeting and did not have any requests. Larry Wallace, 127 Black Bear Cove, along with Dr. Harley Knowles and Paul Willson, stated something needs to be done with the Animal Shelter to make it safe for the animals and the people working at the Shelter and urged the City to move forward with the improvements.

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REPORT FROM THE CITY MANAGER

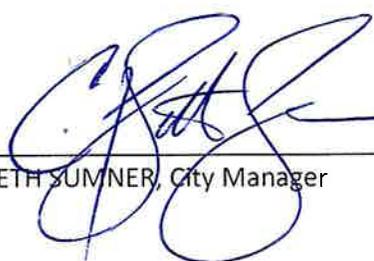
City Manager Sumner reviewed his monthly report including the various Parks and Recreation and Public Works projects and activities going on throughout the city.

Council Member Pelley stated he wanted to rise to a point of order and was recognized by Mayor Perkinson. He noted that he had completed an evaluation of the City Manager the same way for the past 18 years. This year the evaluation process was changed, and his evaluation was not included, and they might want to go back and redo it. He wanted the Council to know that he had filed a grievance against Angie Carrier, MTAS Consultant. Mayor Perkinson responded that the directions were the same last year as they were this year stating a mark of "Below Expectations" shall be accompanied by a reasonable narrative and marks without narrative would not be scored. Since Council Member Pelley chose not to follow the directions, his evaluation was not included in the scoring. When you put "Below Expectations" then directions tell you to make comments to the City Manager so he can make changes to improve. City Manager Sumner stated that this has been on the evaluations for many years back to the prior City Manager. He said that he had tried to speak to Council Member Pelley on numerous occasions on how he can meet his expectations but Council Member Pelley refuses to tell him what his expectations are. City Manager Sumner pointed out that Council Member Pelley has incorrectly used Point of Order in the meeting. A Point of Order can be raised at any time when a member notices a violation of the rules.

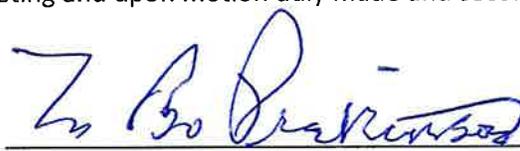
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ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:40 p.m.



C. SETH SUMNER, City Manager



WILLIAM BO PERKINSON, Mayor