

ATHENS CITY COUNCIL MINUTES OF MEETING

June 15, 2021

The Athens City Council met in regular session on Tuesday, June 15, 2021, at 6:00 p.m. with Mayor Perkinson presiding. The invocation was given by Vice Mayor Lockmiller; 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 May 18, 2021 regularly scheduled meeting were submitted and approved by unanimous consent.

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

NORTH CITY ELEMENTARY SCHOOL PRESENTATION

Angel Hardaway, Principal at North City Elementary School, presented the Athens City Council and City Manager with thank you cards from the students for the Council's contributions to the construction of the new schools.

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EMPLOYEE OF THE QUARTER

City Manager Sumner presented the "Employee of the Quarter" award for the second quarter of 2021 to Will Houston, GIS Technician.

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PRESENTATION OF PROCLAMATION – AMATEUR RADIO WEEK

Vice Mayor Lockmiller read a proclamation declaring the week of June 20-26, 2021 as Amateur Radio Week. Several members of the McMinn County Amateur Radio Club were present to accept the proclamation. Everyone was invited to attend the Amateur Radio Field Day exercises on June 26th and 27th at the Athens Regional Park lake pavilion.

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PRESENTATION OF AWARD FROM THE OFFICE OF THE SECRETARY OF DEFENSE

City Manager Sumner stated the City of Athens had recently been bestowed with the Employer Patriot Award from the Office of the Secretary of Defense in recognition of our strong support of our employees military service. Joel Church, one of our employees in the City's sanitation division, was away on active duty for nearly a year. When he returned, he submitted his nomination of the City of Athens for this award. The City was recognized as a Patriotic Employer for contributing to national security and protecting liberty and freedom by supporting employee participation in America's National Guard and Reserve Force. City Manager Sumner presented the award to the City Council for their support of the City employees, especially its military heroes and their families.

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MISCELLANEOUS CORRESPONDENCE

Mayor Perkinson acknowledged a note City Manager Sumner received from Patrick Sheehan, Director of TEMA, in response to an article in the TML publication Town & City regarding the City's online budget tool to educate and engage citizens in the city budgetary process.

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.) Appoint Jeff Zabo to the Athens Utilities Board Board of Directors, term expires June 30, 2025.
- b.) Reappoint Erica Peden to Friendly City Sister Cities Committee, term expires July 17, 2024.
- c.) Approve proposed Athens Utilities Board budget for Fiscal Year 2021-2022.
- d.) Approve Athens City Schools Budget Amendment No. 4 (General Purpose) for Fiscal Year 2020-2021.
- e.) Approve Athens City Schools Budget Amendment No. 5 (General Purpose) for Fiscal Year 2020-2021.
- f.) Approve Athens City Schools Budget Amendment No. 2 (Food Service) for Fiscal Year 2020-2021.
- g.) Approve Athens Board of Education Appropriation Resolution regarding fund balance amounts at year end that will be committed or assigned for specific purposes.
- h.) Approve Athens Board of Education Appropriation Resolution stating the Athens City Schools Federal Projects Fund shall be the budget approved for the separate projects within the fund.
- i.) Approve City of Athens Budget Amendment for Fiscal Year 2020-2021.
- j.) Approve Resolution No. 2021-16 authorizing Allen & Hoshall to proceed with the design phase for City Hall.
- k.) Approve Resolution No. 2021-17 authorizing City Manager to apply for a 2021-22 PEP "Safety Partners" Matching Grant Program (50/50 match).
- l.) Approve Resolution No. 2021-18 authorizing City Manager to apply for a 2021-22 PEP James L. Richardson "Driver Safety" Match Grant Program (50/50 match).
- m.) Approve recommendation to declare assorted vehicles as surplus property and sold or scrapped.

Mayor Perkinson asked for a motion. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, that the Consent Agenda as stated above be approved.** Roll call vote:

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

ORDINANCES

ORDINANCE NO. 1101 – SECOND READING/PUBLIC HEARING

AN ORDINANCE TO AMEND THE ATHENS MUNICIPAL CODE FORMER CHAPTER 2 NOW CHAPTER 3 OF TITLE 8 TO ADD A NEW CLASSIFICATION ELIGIBLE FOR A BEER PERMIT AND ADDRESS REGULATIONS NOT APPLICABLE TO THE NEW CLASSIFICATION.

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 Curtis moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1101 on Second and Final Reading.** Vice Mayor Lockmiller stated that after the vote last month on first reading of this ordinance he was approached by several citizens that were upset with him because they thought he was voting for beer in downtown by the special event organizers. This ordinance is not to vote for beer downtown. The policy to allow beer downtown was put in place by a previous Council. This ordinance is just to clarify wording in the existing ordinance. In the future if a vote ever comes up for beer in downtown for special events, he will vote against it. Council Member Witt-McMahan concurred with Vice Mayor Lockmiller's comments. Roll call vote:

AYES: Curtis, Witt-McMahan, Lockmiller, Perkinson
NAYS: Pelley

ORDINANCE NO. 1102 – SECOND READING/PUBLIC HEARING

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2, SECTION 4.20 RESIDENTIAL TOWNHOUSE AND PATIO HOME (RT-PH) REGULATIONS

BE AMENDED; TO CORRECT PATIO HOME AND TOWNHOME DENSITY AND TO CHANGE PATIO HOME SETBACKS THAT CONFLICT WITH SUBDIVISION EASEMENT REQUIREMENTS; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Perkinson opened the public hearing. Several members in the audience expressed their concern about the future of the subdivision and possible rezoning. City Attorney Trew stated that the ordinance before the Council was only to clean up some inconsistencies in the Code regarding patio home and townhome density and setbacks. There was nothing in the ordinance that dealt with rezoning changes. Community Development Director Anthony Casteel stated that the developer had received preliminary concept approval but had not received final plat approval. The developer had received a variance for exactly what the changes in this ordinance would have allowed. City Attorney Trew stated that based on Mr. Casteel's comments, the developer still needs to submit the final plans to the Planning Commission so the public will have an opportunity to attend the Planning Commission meeting, look over the plans, and voice their concerns. Mr. Casteel asked those individuals interested in knowing when the plans had been submitted to leave him their email addresses so he could contact them. Public Hearing was closed. Mayor Perkinson asked for a motion. **Council Member Pelley moved, Council Member Curtis seconded, to approve Ordinance No. 1102 on Second and Final Reading.** Roll call vote:

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

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CITY OF ATHENS BUDGET FOR FISCAL YEAR 2021-2022

PRESENTATION OF BUDGET

City Manager Sumner shared his priority driven budgeting philosophy and an overview of capital items and changes in the 2021-2022 budget. He reviewed the items funded last year for accountability.

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ORDINANCE NO. 1103 – SECOND READING/PUBLIC HEARING

AN ORDINANCE TO ADOPT A BUDGET AND SET THE TAX RATE ON TAXABLE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE, FOR THE FISCAL YEAR JULY 1, 2021 THROUGH JUNE 30, 2022.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Perkinson opened the public hearing. Larry Eaton stated it was his understanding that the insurance for City employees was going up 10%. He felt the City should take care of its employees first before monies are given to outside agencies. Mr. Eaton also inquired about the \$700,000 budgeted for the Animal Shelter and the property tax increase as it relates to property values. Council Member Witt-McMahan stated that she had been contacted by several citizens that were not comfortable with the tax increase. Cynthia McCowan stated she appreciated the opportunity to participate in the City's Community Mobility Study and Balancing Act Budget Simulator on the website. She felt the City was moving in the right direction and the City Council needed to maintain its focus and diligence and stay on task. Lauren Shepherd, Director of the Athens Area Arts Council, thanked the City Council for their commitment to the outside agencies. These organizations not only contribute to the quality of life but also drive economics. When the City invests more in the Library, the Arts Council, and other organizations, it is contributing to making Athens a better place to live. Trey Ivans applauded the City Council, City Manager, and past Council's on their diligence as they approached the school building debate which was only a microcosm of how the Council handles everything fiscally. Brian McKinney suggested that the Council look at the possibility of giving a tax credit to those individuals over 65 that have lived in Athens for over ten years to offset the property tax increases because of the influx of individuals from out-of-state. The public hearing was closed. Mayor Perkinson asked for a motion. **Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1103 on Second and Final Reading.** Vice Mayor Lockmiller stated that the property tax increase was originally anticipated to be a permanent \$.20 increase, but they have now gone to a temporary \$.08 increase. Mayor Perkinson disclosed that his wife serves on the McMinn County Library Board and the budget includes increased funding for the Library.

AYES: Curtis, Witt-McMahan, Lockmiller, Perkinson
NAYS: Pelley

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OLD BUSINESS

LODGING TAX ORDINANCE

ORDINANCE NO. 1104 – FIRST READING

AN ORDINANCE AMENDING TITLE 5 OF THE ATHENS MUNICIPAL CODE BY ADDING CHAPTER 6, HOTEL/MOTEL TAX.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Perkinson asked for a motion. **Vice Mayor Lockmiller moved, Council Member Curtis seconded, to approve Ordinance No. 1104 on First Reading.** The motion was approved by the following roll call vote:

AYES: Curtis, Witt-McMahan, Lockmiller, Perkinson
NAYS: Pelley

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NEW BUSINESS

SUNSET CLAUSE FOR PROPERTY TAX INCREASE

RESOLUTION NO. 2021-19

A RESOLUTION RECOMMENDING THAT AN EIGHT-CENT PROPERTY TAX INCREASE APPROVED FOR CAPITAL PROJECTS BE REMOVED ONCE THE DEBT SERVICE HAS BEEN SATISFIED.

The caption of Resolution No. 2021-19 was read by the recording clerk. **Vice Mayor Lockmiller moved, Council Member Pelley seconded, to approve Resolution No. 2021-19.** Roll call vote:

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

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REPORTS

ATHENS CITY SCHOOLS QUARTERLY REPORT

Mr. Robert Greene, Superintendent of the Athens City Schools, presented his quarterly update on the school building project, building improvements to upgrade the Middle and North City Schools using federal funds, and receipt of a grant to fund nurses in each school and provide first aid supplies.

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FINANCE DEPARTMENT REPORT

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

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REQUESTS FROM CITIZENS

Mayor Perkinson stated that last month Council Member Witt-McMahan expressed concern about how the City Council and City Manager were not being allowed to respond to statements being made by citizens. It was his understanding that she felt something needed to be done to resolve the conflict and move forward with the business of the city. At the last study session, he asked for ideas from Council on ways to resolve these issues that were fair, just, and reasonable. Staff is currently developing a form for citizens to make a request or present an issue they have to the City on the City's website. The completed form would be directed to the City Manager and appropriate department for response. These forms would also be available at City Hall for those individuals without computer access or experience. Another way they have come up with to communicate with the citizens is the return of the Council Night Out events, the first one is scheduled for July 1st at Heritage Park. Council Member Witt-McMahan stated she appreciated the Council trying to move forward and have civil meetings, but she wanted to make sure that citizens understand that the Council's doors and phones are always open. She suggested that when there is a complaint or suggestion about anything, the individual send it in writing or contact one of the City Council members. The Council Member could then find a way to include it in one of their meetings so it can be heard by everyone opening the door to being completely transparent. The voices of the citizens are very important to the Council, and they did not want to censure anyone. Council Member Pelley did not see anything wrong with the current process. Glenn Whiting, 237 County Road 655, requested Mayor Perkinson consider resigning from the position of Mayor because of allegations he brought to the Council's attention. Cynthia McCowan, 617 Walnut Boulevard, stated that if a citizen has a valid request about something that has to do with City services, she was willing to come to the meeting and listen to it. If that citizen has a complaint, she expects that citizen to come to the Council to address the Council and not have other individuals speak for him. Ms. McCowan expressed the need for a Youth Resource Center or a Boys & Girls Club. She had talked to Mayor Gentry about it and Mayor Gentry said the County had already been thinking about it and he mentioned a place he believed would be a great location. She had also talked to Derrick Kinsey, CEO of the Boys & Girls Club for the Ocoee Region. Mr. Kinsey said Athens was on his list and he was just waiting for Athens to create an interest group, do its fundraising, and do the paperwork. In order to have a Resource Center or Boys & Girls Club, you need to have the backing of your city officials. She requested the Council to take her request to their study session to consider. In the summertime there are no programs offered for the children from 8th grade to 18 years of age. The YMCA is great for the younger children but her 13-year-old grandson has nowhere to go in the summer. She asked the Council to reach out to her to discuss.

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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.

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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 8:35 p.m.



C. SETH SUMNER, City Manager


WILLIAM BO PERKINSON, Mayor