

**ATHENS CITY COUNCIL
MINUTES OF MEETING
July 20, 2021**

The Athens City Council met in regular session on Tuesday, July 20, 2021, at 6:00 p.m. with Mayor Perkinson presiding. The invocation was given by Council Member Witt-McMahan; 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.

- 1 -

APPROVAL OF MINUTES

The Minutes of the June 15, 2021 regularly scheduled meeting were submitted and approved by unanimous consent.

- 2 -

COMMUNICATIONS AND SPECIAL PRESENTATIONS

PROCLAMATION – RUSTY ROLLINS DAY

Vice Mayor Lockmiller presented Hugh “Rusty” Rollins with a proclamation declaring July 20, 2021, as “Rusty Rollins Day”. Mr. Rollins was recognized for receiving the 2020 Jack C. Smith Store Manager of the Year Award from Food Marketplace, Inc. (FMI) as well as for his well-deserved accomplishments as a fellow Athenian and local business leader.

- 3 -

PROCLAMATION – KIWANIS CLUB OF ATHENS DAY

Council Member Curtis presented members of the Kiwanis Club of Athens, Tennessee, with a proclamation declaring August 11, 2021, as “Kiwanis Club of Athens Day” commemorating their one-hundred-year history of serving the children of Athens and McMinn County.

- 4 -

PRESENTATION OF ATHENS AREA YOUTH COUNCIL (AAYC) SCHOLARSHIP AWARDS FOR 2020-2021

Derek Phillips, Assistant Program Coordinator and Athens Area Youth Council (AAYC) Director, presented the awards for the 2020-2021 AAYC Scholarship Awards. Mackenzie Hill, an underclassman with the most volunteer hours during May 2020 – April 2021, received a \$50 Scholarship Award. Brady Adams, a senior with the most cumulative hours during May 2020 – April 2021, received a \$250 Scholarship Award.

- 5 -

VIVID AWARD – VALOR GUILD

Council Member Witt-McMahan presented the Very Important Volunteer Individuals (VIVID) Award for the month of July 2021 to the Valor Guild, a faith-based, non-funded organization of men that joined together to do good work in the community.

- 6 -

MISCELLANEOUS CORRESPONDENCE

Mayor Perkinson acknowledged a note from Dooley Tractor Company thanking the City of Athens for giving them an opportunity to serve the City.

- 7 -

CONSENT AGENDA

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

- a.) Approve purchase of a replacement breathing air compressor for the Athens Fire Department.

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

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

- 8 -
ORDINANCES

HOTEL/MOTEL TAX

ORDINANCE NO. 1104 – SECOND READING/PUBLIC HEARING

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 opened the public hearing. Kevin Lane, Executive Director of Coordinated Charities, stated Coordinator Charities helps a lot of people that are homeless with hotels and motels. There is a small group of people, approximately 20-22 residents, who permanently reside in motels in Athens. This proposed tax would increase the cost to those residents by approximately \$16/week. To some, this could mean having to decide whether to buy groceries or medicine. He asked if the Council could include an exemption for these individuals. Larry Eaton stated there is a homeless problem in the city that has never been addressed and this ordinance is going to cause issues with several lower income individuals. He recommended this ordinance be taken back to Study Session to discuss amending the ordinance to help those individuals. As there were no further comments, the Public Hearing was closed. City Manager Sumner brought to everyone’s attention Section 5-605 (2) titled “Collection and Refund” in the proposed ordinance that states “When a person has maintained occupancy for 30 continuous days, the person shall receive from the operator a refund or credit for the tax previously collected from or charged to said person, and the operator shall receive credit, in the form of a deduction on the monthly tax return, for the amount of the tax if previously remitted to the city.” Mayor Perkinson asked for a motion. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Ordinance No. 1104 on Second and Final Reading.** Council Member Pelley opposed the ordinance stating most people do not stay for 30 days. In his opinion, this tax is going to hurt hotels and motels in the long run. Council Member Witt-McMahan stated that after hearing the comments from the audience, she did not feel comfortable not knowing whether vulnerable people will be negatively impacted by this ordinance. Vice Mayor Lockmiller agreed with Council Member Witt-McMahan’s concerns and asked if this item could be taken back to Study Session. Council Member Curtis withdrew his motion. **Council Member Witt-McMahan moved, Vice Mayor Lockmiller seconded, to postpone discussion on Ordinance No. 1104 to the August Council meeting.** Roll call vote:

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

- 9 -
OLD BUSINESS

MCMINN COUNTY EMERGENCY COMMUNICATIONS DISTRICT CONTRACT

RESOLUTION NO. 2021-20

A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT WITH MCMINN COUNTY EMERGENCY COMMUNICATIONS DISTRICT TO CONTINUE AS A USER OF THEIR COMMUNICATIONS NETWORK.

The caption of Resolution No. 2021-20 was read by the recording clerk. **Council Member Pelley moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2021-20.** Roll call vote:

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

- 10 -

PURCHASE OF PROPERTY FOR ANIMAL SHELTER

RESOLUTION NO. 2021-21

A RESOLUTION TO AUTHORIZE THE PURCHASE OF PROPERTY FOR ANIMAL SHELTER.

The caption of Resolution No. 2021-21 was read by the recording clerk. **Vice Mayor Lockmiller moved, Council Member Pelley seconded, to approve Resolution No. 2021-21 contingent upon approval of substantial funding by McMinn County on July 26, 2021, in partnership with the City.** Roll call vote:

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

McMinn Regional Humane Society (MRHS) Board Member Larry Wallace thanked the City Council for the 5-0 vote. He stated it was a pleasure working with them on the negotiations. Mr. Wallace acknowledged the contributions of Mayor Perkinson, City Manager Sumner, Public Works Director Ben Burchfield, and MRHS Board President Dr. Harley Knowles on this project.

- 11 -

PURCHASE OF PROPERTY FOR STORMWATER INFRASTRUCTURE

RESOLUTION NO. 2021-22

A RESOLUTION TO AUTHORIZE THE PURCHASE OF PROPERTY TO ENHANCE STORMWATER INFRASTRUCTURE.

The caption of Resolution No. 2021-22 was read by the recording clerk. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2021-22.** Roll call vote:

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

- 12 -

NEW BUSINESS

PROPOSED RESOLUTION AUTHORIZING ISSUANCE OF BONDS AND LEVY OF TAXES

RESOLUTION NO. 2021-23

A RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND PAYMENT OF \$5,000,000 OF BONDS BY THE CITY OF ATHENS, TENNESSEE; AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES PRIOR TO THE ISSUANCE OF THE BONDS; AND AUTHORIZING THE LEVY OF TAXES TO PAY THE BONDS AND NOTES.

The caption of Resolution No. 2021-23 was read by the recording clerk. **Council Member Witt-McMahan moved, Council Member Curtis seconded, to approve Resolution No. 2021-23.** Roll call vote:

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

- 13 -

RESOLUTION NO. 2021-24

A RESOLUTION AUTHORIZING AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A WASTEWATER FACILITIES PROJECT, INCLUDING AUTHORIZING THE EXECUTION OF APPLICATIONS, CONTRACTUAL AGREEMENTS, AND OTHER NECESSARY DOCUMENTS, AND MAKING CERTAIN REPRESENTATIONS, CERTIFICATIONS, AND PLEDGES OF CERTAIN REVENUE IN CONNECTION WITH SUCH FINANCING.

The caption of Resolution No. 2021-24 was read by the recording clerk. **Council Member Witt-McMahan moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2021-24.** Roll call vote:

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

- 14 -

MCMINN COUNTY RECREATION MASTER PLANRESOLUTION NO. 2021-25

A RESOLUTION TO ADOPT AND OFFICIALLY ACCEPT THE MCMINN COUNTY RECREATION MASTER PLAN AS PREPARED BY KIMLEY-HORN

The caption of Resolution No. 2021-25 was read by the recording clerk. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2021-25.** Council Member Witt-McMahan asked if Cook Park had been moved to a higher priority in the plan. City Manager Sumner indicated that the change had been made. Roll call vote:

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

- 15 -

PROPOSED RESOLUTION TO APPLY FOR AND ACCEPT FUNDING FOR A LPRF GRANT FOR HERITAGE PARK RENOVATIONSRESOLUTION NO. 2021-26

A RESOLUTION TO APPLY FOR AND ACCEPT FUNDING FOR A GRANT FROM THE LOCAL PARKS AND RECREATION FUND (LPRF) BEING ADMINISTERED THROUGH THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC) FOR HERITAGE PARK.

The caption of Resolution No. 2021-26 was read by the recording clerk. **Vice Mayor Lockmiller moved, Council Member Witt-McMahan seconded, to approve Resolution No. 2021-26.** Roll call vote:

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

- 16 -

ADOPTION OF COMMUNITY MOBILITY PLAN FOR ATHENSRESOLUTION NO. 2021-27

A RESOLUTION TO ADOPT A COMMUNITY MOBILITY PLAN FOR ATHENS.

The caption of Resolution No. 2021-27 was read by the recording clerk. **Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve Resolution No. 2021-27.** Roll call vote:

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

- 17 -

RESOLUTION NO. 2021-28

A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO NEGOTIATE FOR THE PURCHASE OF PROPERTY WITHIN THE CITY OF ATHENS, TENNESSEE FOR AN EMERGENCY SERVICES FIRE TRAINING FACILITY AND TO AUTHORIZE FUNDS TO SERVE AS EARNEST MONEY FOR SAID PURCHASE.

The caption of Resolution No. 2021-28 was read by the recording clerk. **Council Member Pelley moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2021-28.** Roll call vote:

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

- 18 -

PURDUE PHARMA LAWSUIT

Council Member Curtis moved, Council Member Witt-McMahan seconded, to authorize Stephen D. Crump, District Attorney General, to represent the interests of the City of Athens in the District Attorneys' lawsuit against Purdue Pharma. Roll call vote:

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

- 19 -
REPORTS

COMMUNITY DEVELOPMENT QUARTERLY BUILDING REPORT

Mr. Anthony Casteel, Community Development Director, presented the Building Permit Quarterly Report for the City of Athens. The report was accepted as presented.

- 20 -

FINANCE DEPARTMENT REPORT

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

- 21 -

FIRE DEPARTMENT REPORT

Deputy Fire Chief Tim Schultz presented the Fire Department Report for the month of June 2021. The report was accepted as presented.

- 22 -

POLICE DEPARTMENT REPORT

Deputy Police Chief Jason Garren presented the Police Department Report for the month of June 2021. The report was accepted as presented.

- 23 -
REQUESTS FROM CITIZENS

Glenn Whiting, 237 County Road 655, requested a policy be written for citizens to address the Council and include stiff penalties for not following the policy. Cynthia McCowan, 617 Walnut Boulevard, expressed a need for a local Boys & Girls Club. This would not be a duplication of services with the YMCA. Ms. McCowan requested the Council consider how the City may back such an endeavor. The second item Ms. McCowan addressed was regarding the cemetery located at Prof Powers Park. She asked if there was something the City could do to clean it up.

- 24 -
REPORT FROM THE CITY MANAGER

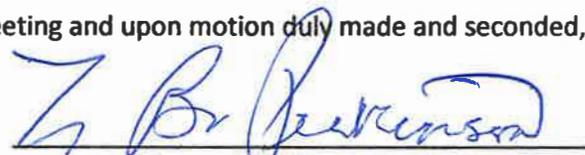
City Manager Sumner reviewed his monthly report including the various Parks and Recreation and Public Works projects and activities going on throughout the city.

- 25 -
ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:41 p.m.



C. SETH SUMNER, City Manager



WILLIAM BO PERKINSON, Mayor