

ATHENS CITY COUNCIL MINUTES OF MEETING

December 21, 2021

The Athens City Council met in regular session on Tuesday, December 21, 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 November 16, 2021 regularly scheduled meeting were submitted and approved by unanimous consent.

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

PRESENTATION OF PROCLAMATION – NEYLAND PICKEL

Council Member Curtis presented Neyland Pickel with a proclamation declaring December 16, 2021 as Neyland Pickel Day in celebration of his positive outlook throughout his battle with cancer. Neyland has been an inspiration to many across Athens and McMinn County. Neyland, along with his family and Coach Berry, were present for the presentation.

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NORTH CITY ELEMENTARY SCHOOL UPDATE

Angel Hardaway, Principal at North City Elementary School, thanked the Council for Officer Hensley’s presence in their schools. She has been doing a wonderful job bonding with the students. Ms. Hardaway expressed her appreciation for the Athens firefighters who came to do the Fire Prevention program with students and for the City of Athens, who is their Adopt-A-School partner, for all they do for them. North City has started NCTV, their very own weekly news this year. A group of approximately 20 students ranging from 3rd to 5th grades, write their own news stories and share them weekly.

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MISCELLANEOUS CORRESPONDENCE

None

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CONSENT AGENDA

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

- a.) Approve City of Athens Debt Management Policy, annual review by the Athens City Council.
- b.) Approve Resolution 2021-41 to authorize submission of an application to the Department of Homeland Security for Fiscal Year 2021 Assistance to Firefighters Grant.
- c.) Approve Resolution No. 2021-42 authorizing the distribution of Athens Utilities Board’s electrical in lieu of tax payments for fiscal year 2021/2022.
- d.) Approve Resolution No. 2021-43 authorizing the distribution of Athens Utilities Board’s gas in lieu of tax payments for fiscal year 2021/2022.
- e.) Approve purchase of 2021 International HV607 4x2 Chassis to replace existing Knuckleboom truck (Asset #3077) as part of TDEC VW Medium & Large Truck Grant and to declare existing vehicle as surplus, to be destroyed per grant requirement upon receipt of new City vehicle, subject to TDEC approval.

Mayor Perkinson asked for a motion. **Council Member Pelley 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

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ORDINANCES

BUILDING AND FIRE CODES UPDATE

ORDINANCE NO. 1105 – SECOND READING

AN ORDINANCE TO AMEND THE ATHENS MUNICIPAL CODE, TITLE 7 ENTITLED “FIRE PROTECTION AND FIREWORKS” AND TITLE 12 ENTITLED “BUILDING, UTILITY, ETC. CODE” TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL, BUILDING, PLUMBING, MECHANICAL, FUEL GAS, FIRE, AND ENERGY CONSERVATION CODES; AND THE 2017 EDITION OF THE NATIONAL ELECTRICAL CODE.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Perkinson asked for a motion. **Council Member Curtis moved, Council Member Pelley seconded, to approve Ordinance No. 1105 on Second and Final Reading.** Roll call vote:

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

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OLD BUSINESS

ANIMAL SHELTER RENOVATION CONCEPT AND MRHS MOU

RESOLUTION NO. 2021-44

A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH MCMINN REGIONAL HUMANE SOCIETY (MRHS) FOR RELOCATION OF COUNTY ANIMAL SHELTER.

The caption of Resolution No. 2021-44 was read by the recording clerk. **Council Member Pelley moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2021-44.** The motion was approved by the following roll call vote:

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

Council Member Pelley asked for a point of personal privilege regarding a member’s behavior. He asked the Council to consider if the current path was showing any signs of getting better. If not, then it is time to make a change. He laid out his grounds for new leadership. Council Member Pelley stated he hoped that Mayor Perkinson would step down as Mayor and, if not, that he be removed as Mayor. Council Member Pelley moved to suspend the rules to make a motion. The motion died for lack of a second.

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NEW BUSINESS

ORDINANCE TO REZONE PARCELS LOCATED ON INGLESIDE AVENUE – REQUEST BY GEORGE HESTER

ORDINANCE NO. 1106

AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,’ SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTIES LOCATED ON INGLESIDE AVENUE FROM B-1 (LOCAL 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. **Vice Mayor Lockmiller moved, Council Member Curtis seconded, to approve Ordinance No. 1106 on first reading.** Roll call vote:

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

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ORDINANCE TO REZONE PARCEL LOCATED ON EAST AVENUE – REQUEST BY BUDDIE BEAVERS

ORDINANCE NO. 1107

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 ON EAST AVENUE FROM I-2 (HEAVY INDUSTRIAL DISTRICT) TO B-3 (INTENSIVE BUSINESS 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. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Ordinance No. 1107 on first reading.** Roll call vote:

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

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ONE-TIME BONUS FOR NON-PERMANENT EMPLOYEES

City Manager Sumner stated that Council Member Witt-McMahan brought forth a recommendation to give non-permanent employees a \$150 one-time bonus. There are approximately 20 employees that have worked at least one shift in the current fiscal year who would qualify to receive the bonus. In Study Session, a recommendation was made to increase that bonus to \$175. **Council Member Witt-McMahan moved, Vice Mayor Lockmiller seconded, to approve a \$250 one-time bonus to non-permanent employees who have worked during the current fiscal year.** Council Member Witt-McMahan stated that she had been contacted by staff who were concerned that some people did not receive a bonus. In fairness to those non-permanent employees that had worked and are still in the service of the City, she felt a bonus would be appropriate. Upon conclusion of the discussion, the motion was approved by the following roll call vote:

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

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SUBSCRIPTION WITH POLCO FOR A CITIZEN FEEDBACK SURVEY

Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve a one-year subscription with Polco for a citizen feedback survey. City Manager Sumner stated that going back a couple of years, they looked into doing a citizen survey to get good feedback on the services the City is providing to its citizens. At that time, he asked the Council Advisory Committee to look over a community survey. It was a very popular discussion, and the Committee recommended the Council move forward with the survey and gave some ways to do it such as mailers to make sure it was reaching the houses and making sure it was handled in the appropriate manner to capture the widest swath of citizen feedback. An enhanced version of the survey they reviewed in 2019 is now available and the cost is \$20,900. Funds are available in this year’s budget for the survey. City Manager Sumner felt this would be an important dataset for the City and help with the Strategic Plan. Council Member Pelley commented that the City has an institute of higher learning that he felt could perform this survey for less money and would probably be more effective. He stated he would be interested in voting down this motion in favor of working with and supporting the institutes of higher learning. Council Member Witt-McMahan also expressed concern about the cost to perform the survey. Council Member Curtis withdrew this motion. **Council Member Witt-McMahan moved, Vice Mayor Lockmiller seconded, to postpone this item until the January Study Session.** Roll call vote:

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

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SURPLUS OF TWO (2) POLICE CARS AND DONATION TO CITY OF DRESDEN, TENNESSEE

Mayor Perkinson stated this item was to approve the surplus of two police cars and authorize donating them to the City of Dresden, Tennessee as the result of them losing four police cars during the recent tornadoes. City Manager Sumner noted that this was an EF3 tornado that took out City Hall. There was massive damage to this community. This was an idea that Deputy Chief Jason Garren brought to him. The City was going to surplus these working but inactive vehicles next month but wanted to see if the Council wanted to reach out to our neighbors in need. The City has been trying to reach out to the City of Dresden but has been having difficulty contacting them with telephone lines in the area down. If the City of Dresden has already had their need fulfilled before we can get the cars to them, then the vehicles would be put on GovDeals if they are not going to be of use to Dresden. **Council Member Curtis moved, Council Member Witt-McMahan seconded, to declare the two vehicles surplus and donate them to the City of Dresden, Tennessee.**

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, was not able to join the meeting and give his report. His report will be rescheduled for next month.

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FINANCE DEPARTMENT REPORT

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

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FIRE DEPARTMENT REPORT

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

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POLICE DEPARTMENT REPORT

Interim Police Chief Fred Schultz presented the Police Department Report for the month of November 2021. The report was accepted as presented.

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REQUESTS FROM CITIZENS

Andrew McCay, 2236 Breckenridge Street, requested the City Council seek out an outside investigator to investigate the former Police Chief's claims of retaliation as well as address claims made by several private citizens in the community. Lisa Blos-Johnson, 1112 Springfield Drive, requested an answer to why Athens did not have a tornado warning system. Her second request was to Mayor Perkinson and his wife, Lynn, to ask why they felt it was appropriate to contact a charitable organization that her husband had just joined to ask them to have him removed. She believed this was done because of comments he had made on Facebook. Dan Anderson, 2307 County Road 700, stated he had met with Mr. Sumner and the Fire Chief regarding accusation about leaving a lady stranded. It was agreed that this was a misunderstanding. Mr. Anderson asked City Manager Sumner to apologize to Council Member Pelley and himself to clear their names. Glenn Whiting, 237 County Road 655, expressed his opinions but did not make any requests. Stephen Dick, 610 Greenwood Drive, spoke in support of the City Manager, City Attorney, and most of the City Council. Mr. Dick requested citizens come to the Council meetings to protest the bullying. He requested the Council address the citizens of the community. Larry Eaton, 279 Sweetfield Valley Road, requested an investigation by an organization, not by the City Attorney and City Manager, on the tactics by the City Manager on him individually, on personnel, and on businesses.

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REPORT FROM THE CITY MANAGER

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

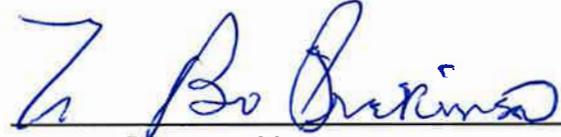
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ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:50 p.m.



C. SETH SUMNER, City Manager



WILLIAM BO PERKINSON, Mayor