

ATHENS CITY COUNCIL MINUTES OF MEETING

October 18, 2022

The Athens City Council met in regular session on Tuesday, October 18, 2022, 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.

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APPROVAL OF MINUTES

Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve the Minutes of the September 22, 2022 called meeting. Council Member Pelley commented that it was not a called meeting. Roll call vote:

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

NAYS: None

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

PRESENTATION OF PROCLAMATION – CALL TO ACTION TO PROMOTE WALKING AND WALKABLE COMMUNITIES

Mayor Perkinson read a proclamation supporting the United States Surgeon General’s Call to Action to Promote Walking and Walkable Communities.

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PRESENTATION OF PLAQUE FOR ATHENS’ 200TH ANNIVERSARY FROM DENSO AT THEIR 25TH ANNIVERSARY

City Manager Sumner presented the City Council with a plaque for Athens’ 200th Anniversary from Denso at their 25th Anniversary doing business in Athens.

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EMPLOYEE OF THE QUARTER

City Manager Sumner presented the “Employee of the Quarter” award for the fourth quarter of 2022 to Leslie McKee, Executive Assistant for the City Manager.

MISCELLANEOUS CORRESPONDENCE

None

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.) Appoint John Proffitt to fill a vacancy on the Athens Regional Planning Commission, term expires September 21, 2024.
- b.) Approve the recommendation by the Athens Police Department to dispose of unused equipment.
- c.) Approve contract extension for janitorial services for City buildings with MaidPro Chattanooga through October 31, 2023.
- d.) Approve Resolution No. 2022-26 authorizing submission of a Notice of Intent to the Tennessee Department of Environment & Conservation (TDEC) for Phase II MS4 Permit Coverage.
- e.) Approve Resolution No. 2022-27 authorizing submission of an application for TDEC American Rescue Plan Act (ARPA) Stormwater Project Funding.
- f.) Approve Resolution No. 2022-28 authorizing submission of a Stage One Strengthening, Mobility, and Revolutionizing Transportation (SMART) application requesting funds from the US Department of Transportation for a City-wide transportation study to assess the feasibility, logistics, and benefits of implementing an integrated traffic signal network.

Council Member Pelley moved, seconded by Vice Mayor Lockmiller, to remove Item A from the Consent Agenda and vote on it separately. The motion failed by the following roll call vote:

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

Council Member Witt-McMahan moved, Council Member Curtis seconded, that the Consent Agenda as stated above be approved. Roll call vote:

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

ORDINANCES

None

OLD BUSINESS

None

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NEW BUSINESS

CAPITAL CONTRIBUTION FOR THE EXPANSION OF THE ARTS CENTER

RESOLUTION NO. 2022-29

A RESOLUTION AUTHORIZING A CAPITAL CONTRIBUTION IN THE AMOUNT OF \$100,000 TO THE ATHENS AREA COUNCIL FOR THE ARTS.

The caption of Resolution No. 2022-29 was read by the recording clerk. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2022-29. Council Member Witt-McMahan moved, Council Member Curtis seconded, to amend the resolution by changing the funding source from our Capital Improvement Fund to read that the funding source is to be from the Hotel/Motel Tax Fund Capital Projects line item. Vice Mayor Lockmiller moved, Council Member Pelley seconded, to postpone this item to the next Study Session for more discussion.** The motion to postpone failed by the following roll call vote:

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

The motion to amend the funding source was approved by the following roll call vote:

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

The motion to approve Resolution No. 2022-29 as amended was approved by the following roll call vote:

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

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ORDINANCE NO. 1113 – FIRST READING

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 DUPITT STREET FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-3 (HIGH-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. **Council Member Pelley moved, Vice Mayor Lockmiller seconded, to approve Ordinance No. 1113 on First Reading.** Roll call vote:

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

ORDINANCE NO. 1114 – FIRST READING

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 DENSO DRIVE 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 Pelley moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1114 on First Reading.**

Roll call vote:

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

Council Member Pelley moved, Council Member Witt-McMahan seconded, to suspend the rules for Council Member Pelley to present his motion. Roll call vote:

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

Council Member Pelley moved, Council Member Witt-McMahan seconded, Athens Regional Park to be opened to the entire public on July 4, 2023. Mayor Perkinson moved, Council Member Curtis seconded, to postpone the motion to the next Study Session. The motion failed by the following roll call vote:

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

The original motion passed by the following roll call vote:

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

Council Member Pelley then moved that at all future monthly council meetings all citizens’ requests and petitions be followed by a vote of this Council that the issue raised by the citizen be included or not included in the next Study Session. Council Member Pelley was advised that he needed to make a motion to suspend the rules and list all the motions he was proposing to present. **Council Member Pelley moved to suspend the rules to present his motions.** The motion died for lack of a second.

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.

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FINANCE DEPARTMENT REPORT

Finance Director Mr. Mike Keith presented the Finance Department Report for September 2022. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Chief Brandon Ainsworth presented the Fire Department Report for September 2022. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Police Chief Fred Schultz presented the Police Department Report for September 2022. The report was accepted as presented.

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REQUESTS FROM CITIZENS

Ford Ector, 840 County Road 750 (business address) and 185 County Road 654 (home address), requested the Council consider the larger fireworks display to be on Vulcan Property. Glenn Whiting, 235 County Road 655, requested the Requests from Citizens portion of the agenda be moved back to the front of the agenda. Dick Pelley chose not to speak. Dale Newman, 1816 Cherokee Street, spoke regarding the human fecal matter that someone dumped in the middle of his street. The residents washed down the street, but it is still unsanitary. Public Works was called by several residents, and they said there was nothing they could do about it.

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REPORT FROM THE CITY MANAGER

City Manager Sumner reviewed current projects and upcoming projects and events.

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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 7:56 p.m.

WILLIAM BO PERKINSON, Mayor

C. SETH SUMNER, City Manager