

ATHENS CITY COUNCIL MINUTES OF MEETING

March 19, 2024

The Athens City Council met in regular session on Tuesday, March 19, at 6:00 p.m. Mayor Sherlin presiding. The invocation was given by Council Member Curtis; and upon roll call, the following members were present:

Curtis, Pelley, Eaton, Sherlin

Absent: Witt-McMahan

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 20, 2024, City Council Regular scheduled meeting were submitted and approved. **Council Member Curtis moved; Vice Mayor Eaton seconded approval of corrected minutes.**

AYES: Curtis, Pelley, Eaton, Sherlin

NAYS: None

ABSENT: Witt-McMahan

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COMMUNICATION AND SPECIAL PRESENTATIONS

ATHENS INTERMEDIATE SCHOOL UPDATE

Principal Angel Hardaway gave an update on Athens Intermediate School and the K-kids activities taking place at the school. Specifically giving a shoutout to our very own City Police and Fire Department.

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REQUESTS FROM CITIZENS

Mayor Sherlin addressed the audience and Council. He read the Civil Contract for Citizens. Mayor Sherlin also advised Council to not be on their phones during the meeting.

Eight (8) individuals addressed the Council expressing concerns about Resolution 2024-09, the Education Freedom Scholarship Act, Regional Park, Time Change, and Patricia Parker Property.

CONSENT AGENDA

Mayor Sherlin advised the recording clerk to read the following items into the record:

- a) Approve Purchase of Laptops for Police Vehicles Utilizing State Bid Prices.
- b) Approve Proposal from Pyro Shows in the amount of \$45,000 for July 4, 2024 Fireworks at Athens Regional Park.
- c) Approve Resolution No. 2024-06 designating April as Fair Housing Month in the City of Athens.
- d) Approve Resolution No. 2024-07 to apply for \$50,000 grant for the Tennessee Highway Safety Office Grant.
- e) Approve Resolution No. 2024-08 to Approve Engineering Selection for ARC Grant for Exit 52 Industrial Park.
- f) Declare Fire Burn Box as Surplus Property and sell as scrap material.
- g) Approve Excess Fund Balance Transfer in the amount of \$1,500,000 From the General Fund to the Capital Projects Fund.
- h) Approve Purchase of Equipment for Police Vehicles Utilizing State Bid Prices.
- i) Approve One Year Extension of Contract with Huggins Lawn Care for Mowing and Maintenance of City Properties.
- j) Approve One Year Extension of Contract with Total Lawn Care for Mowing and Maintenance of City Cemeteries.

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

AYES: Curtis, Pelley, Eaton, Sherlin.
NAYS: None
ABSENT: Witt-McMahan

ORDINANCES

- a) Ordinance No. 1125– Second Reading/Public Hearing –Approval of the rezoning request by Christopher S Lingerfelt to change a parcel located at 1304 North Jackson Street from I-1 (Light Industrial District) to R-2(Medium-Density Residential District).

Mayor Sherlin asked for a motion. **Vice Mayor Eaton moved, Council member Curtis seconded, that Ordinance 1125 as stated be approved. Mayor Sherlin opened the public hearing. There being no one wishing to speak, the public hearing was closed.** Roll call:

AYES: Curtis, Pelley, Eaton, Sherlin.
NAYS: None
ABSENT: Witt-McMahan

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- b) Ordinance No. 1126 – Second Reading/To amend the Athens Municipal Code Title 1, Chapter 1, Section 102 Council Order of Business Agenda Item Seven (7) From “Request of Citizens” to “Citizens Comments” At Regularly City Council Meetings.

Mayor Sherlin asked for a motion. **Council Member Curtis moved, Vice Mayor Eaton seconded, that Ordinance 1126 as stated be approved.** Mayor Sherlin opened for public hearing comments. There was an unknown citizen who spoke up and agreed from the audience.

Roll call:

AYES: Curtis, Pelley, Eaton, Sherlin.
NAYS: None
ABSENT: Witt-McMahan

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OLD BUSINESS

Motion Regarding Purchasing of Patricia Parker Property next to Athens Regional Park

Vice Mayor Eaton made a motion to approve the Mayor, City Manager, City Attorney to negotiate from the lowest appraisal to the highest appraisal with the Estate. **Council Member Curtis seconded the motion. Mayor Sherlin opened for discussion. Council Member Pelley** spoke in regards that it would be wise to delay until it’s been determined who owns the property. **Vice Mayor Eaton** said he would like the City Attorney to address the issue. **Attorney Chris Caldwell took to the podium.** He explained the dispute and process of the will and how the will has been placed with the clerk of Master, Chancery Court in McMinn County. Attorney Chris Caldwell informed the audience and Council there is no hurry and all heirs of Mrs. Parker have been notified. This will have been going on for over two years.

Roll Call:

AYES: Curtis, Eaton, Sherlin.
NAYS: Pelley
ABSENT: Witt-McMahan

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NEW BUSINESS

Approve Budget Amendment #1 for the City of Athens

Mayor Sherlin asked for a motion. Council Member Curtis moved, Vice Mayor Eaton seconded to approve the Budget Amendment. There was no discussion.

Roll call:

AYES: Curtis, Pelley, Eaton, Sherlin.
NAYS: None
ABSENT: Witt-McMahan

Approve Resolution No. 2024-09 Regarding Education Freedom Scholarship Act.

Councilmember Curtis moved that Resolution No. 2024-09 be moved to the April agenda when all council members are present. No second. No discussion. Motion failed.
Councilmember Pelley moved to approve Resolution No. 2024-09. No second. Motion failed.
Councilmember Pelley moved to postpone until April study session. Councilmember Curtis seconded. No discussion. Motion failed by the following vote:

Roll Call:

AYES: Curtis, Pelley,
NAYS: Eaton, Sherlin
ABSENT: Witt-McMahan

Vice Mayor Eaton moved to approve Resolution No. 2024-09. No second. Motion failed. Resolution dies.

Motion to Approve Converting Dennis Street at Rocky Mt. Road to a Four Way Stop at a Cost Not to Exceed \$5,000

Council Member Curtis moved approval. Vice Mayor Eaton second. Mayor Sherlin opened for discussion. Council Member Curtis addressed this motion would involve stop signs at the intersection. Vice Mayor Eaton requested a timeline be set up. Mayor Sherlin asked the City Manager if this could be done in 30 days. City Manager agreed.

Roll Call:

AYES: Curtis, Eaton, Sherlin
NAYS: Pelley
ABSENT: Witt-McMahan

REPORTS

FINANCE DEPARTMENT REPORT

Mike Keith presented the Finance Department Report for February 2024. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Chief Brandon Ainsworth presented the Fire Department Report for February 2024. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Police Chief Fred Schultz presented the Police Department Report for February 2024. The report was accepted as presented.

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REPORT FROM THE CITY MANAGER

City Manager Deb Wallace presented an update on various projects and programs taking place. The report was accepted as presented.

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ADJOURNMENT

There being no further business to come before the meeting, the meeting was adjourned at 7:15 p.m.

Council Member Curtis moved, Vice Mayor Eaton second, for the meeting to be adjourned.

AYES: Curtis, Pelley, Eaton, Sherlin.

NAYS:

ABSENT: Witt-McMahan



MITCHELL B. MOORE, Interim City Manager



STEVEN S. SHERLIN, Mayor