

ATHENS CITY COUNCIL MINUTES OF MEETING

June 18, 2024

The Athens City Council met in regular session on Tuesday, June 18, 2024, at 6:00 p.m. with Mayor Sherlin presiding. The invocation was given by Councilmember Witt-McMahan; and upon roll call, the following members were present:

Curtis, Witt-McMahan, Pelley, Eaton, Sherlin

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

Councilmember Curtis moved to approve both session minutes (May 21, 2024, regular scheduled meeting and June 6, 2024, called meeting), Vice Mayor Eaton seconded. Minutes approved.

Roll call vote:

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

NAYS: None

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

Proclamation – TWU Baseball

No representative from TWU was in attendance. Council members agreed to postpone the presentation of the proclamation until a TWU representative could be present.

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CITIZEN'S COMMENTS

Four (4) individuals addressed the city council regarding the Harris / Clark Street stormwater project, Whiting v. City of Athens, investigation into Dr. Pelley and Glenn Whiting, and a special thank you to all who helped make the new animal shelter possible.

CONSENT AGENDA

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

- a.) Approve Athens Board of Education Appropriation Resolution regarding fund balance amounts at year-end that will be committed or assigned for specific purposes.
- b.) 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.
- c.) Approve Budget Amendment #1-Athens City Schools Centralized Cafeteria Fund.
- d.) Approve Budget Amendment #3 - Athens City Schools General Purpose School Fund.
- e.) Approve proposed Athens Utilities Board budget for fiscal year 2024-2025.
- f.) Approve purchase of Aerial Ladder Truck for Fire Department utilizing Sourcewell Cooperative Agreement.
- g.) Approve purchase of Side Loader Garbage Truck utilizing state bid pricing and declare asset #4309 as surplus upon receipt of new truck.
- h.) Approve request to surplus 2008 Heil Front Loader Garbage Truck, asset #3690.
- i.) Approve purchase of Truck for Parks and Recreation utilizing state bid and declare asset #3072 as surplus property.
- j.) Accept bid #24-01 from East TN Construction for Sidewalk Maintenance and Construction.

Vice Mayor Eaton moved to approve all items as read, Councilmember Witt-McMahan seconded. No discussion. Motion approved.

Roll call vote:

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

NAYS: None

ORDINANCES

Ordinance No. 1128 – Second Reading / Public Hearing- Ordinance to adopt a Budget and set the tax rate for the fiscal year July 1, 2024, through June 30, 2025.

Mayor Sherlin opened the public hearing. There being no one wishing to speak, the public hearing was closed.

Councilmember Curtis moved to approve Ordinance No. 1128, Vice Mayor Eaton seconded. Motion approved.

Roll call vote:

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

NAYS: None

OLD BUSINESS

Results of investigations and other matters requested by Athens City Council.

Athens City Attorney, Christopher M. Caldwell, Esq., addressed the council regarding his investigation into those matters and submitted, to public record, the document "Report of Findings".

Councilmember Witt-McMahan moved to close the investigation into the bans issued against Councilmember Pelley, Councilmember Curtis seconded. Motion approved.

Roll call vote:

AYES: Curtis, Witt-McMahan, Pelley, Sherlin

NAYS: None

ABSTAIN: Eaton

Councilmember Witt-McMahan moved to have a public hearing to research or proceed with an ouster, Councilmember Curtis seconded.

Roll call vote:

AYES: Curtis, Witt-McMahan, Pelley, Sherlin

NAYS: None

ABSTAIN: Eaton

NEW BUSINESS

Recommendation from the Planning Commission:

Approve the rezoning request by Milliard Ray Judd III to change a parcel located at 507 Young Street from B-2 (Central Business District) to R-2 (Medium-Density Residential District).

Vice Mayor Eaton moved to approve; Councilmember Curtis seconded. No discussion. Motion approved.

Roll call vote:

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

NAYS: None

Recommendation from the Planning Commission:

Approve the rezoning request by Ethan Peacock to change a parcel located at 509 Young Street from B-2 (Central Business District) to R-2(Medium-Density Residential District).

Councilmember Curtis moved to approve; Vice Mayor Eaton seconded. No discussion. Motion approved.

Roll call vote:

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

NAYS: None

Recommendation from the Planning Commission:

Approve the rezoning request by Chris and Anastasia Kitsos on behalf of Eric Arnett to change a parcel located at 2128 West Madison Avenue from R-E (Residential Estate District) to R-3 (High Density Residential District).

Vice Mayor Eaton moved to approve; Councilmember Witt-McMahan seconded. No discussion. Motion approved.

Roll call vote:

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

NAYS: None

Approve purchase of property on Elizabeth Street for Fire Station 3.

Councilmember Curtis moved to approve; Councilmember Witt-McMahan seconded. No discussion. Motion approved.

Roll call vote:

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

NAYS: None

Approval to submit application for the Tennessee Department of Safety and Homeland Security 2024-2025 School Resource Officer Grant.

Vice Mayor Eaton moved to approve; Councilmember Curtis seconded. No discussion. Motion approved.

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Roll call vote:

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

NAYS: None

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Approve Resolution #2024-12 for a contract with Croy Engineering for the Mt. Verd ARC grant project.

Councilmember Curtis moved to approve; Councilmember Pelley seconded. Motion approved.

Roll call vote:

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

NAYS: None

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Approve Resolution #2024-13 to surplus drug Canine "Kenna" and donate to the McMinn County Sheriff's office.

Vice Mayor Eaton moved to approve; Councilmember Witt-McMahan seconded. No discussion. Motion approved.

Roll call vote:

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

NAYS: None

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MTAS will be used as a tool to research and set up interviews with City Manager candidates.

Councilmember Pelley moved to approve; Councilmember Curtis seconded. No discussion. Motion approved.

Roll call vote:

AYES: Curtis, Witt-McMahan, Pelley, Sherlin

NAYS: None

ABSTAIN: Eaton

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REPORTS

FINANCE DEPARTMENT REPORT

Finance director, Mike Keith, presented the Finance Report for May 2024. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

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

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POLICE DEPARTMENT REPORT

Police Chief, Fred Schultz, presented the Police Department Report for May 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 programs and initiatives taking place. As Ms. Wallace's final report came to an end, she reflected on the time she spent as Athens City Manager. She concluded: *"It is a real honor to serve others and help contribute to the direction and the success of the place that you are privileged to live in and call home. Thank you, Athens, for allowing me to serve..."* The report was accepted as presented.

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ADJOURNMENT

Vice Mayor Eaton moved to adjourn; Councilmember Pelley seconded. The meeting adjourned at 7:38 p.m.



STEVEN S. SHERLIN, Mayor

MITCHELL B. MOORE, Interim City Manager