

MINUTES OF MEETING, ATHENS CITY COUNCIL, JANUARY 15, 2013

The Athens City Council met in regular session on Tuesday, January 15, 2013, at 6:00 p.m. with Mayor Buttram presiding. The invocation was given by Council Member Burris; and upon roll call, the following members were present:

Burris, Pelley, Perkinson, Davis, Buttram

The following decisions were made and ordered made a part of the records of the Athens City Council.

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MINUTES

The Minutes of the regularly scheduled meeting of December 18, 2012 was submitted and approved by unanimous consent.

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COMMUNICATIONS

PRESENTATION OF PROCLAMATION – SCHOOL BOARD APPRECIATION WEEK

Council Member Perkinson read a proclamation recognizing the week of January 27 – February 2, 2013 as “School Board Appreciation Week”. Mike Bivens, Chairman from the Athens City Schools School Board, was present to accept the proclamation on behalf of the School Board. School Board Member Alf Hacker was also in attendance.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Buttram opened the meeting for petitions and requests from the audience. Glen Whiting, 237 County Road 655, addressed the Council about what he felt was a serious problem with court costs as a line item in the budget. He stated that having this line item in the budget is like putting quotas on the police officers. Mr. Whiting also stated that the council needed to change their policy regarding court costs. He did not feel they should be charging court costs when any individual is found not guilty of the charges. Dan Anderson, 2307 County Road 700, stated that he felt the police officers should be spending more time investigating and solving crimes than trying to catch children violating traffic laws. Nathan Hamby, 144 County Road 87, was ticketed for a loud muffler. He went to City Court on the violation and the judge told him that it was up to the discretion of the police officer to determine what he felt was a loud muffler. Mr. Hamby felt the law should be changed to use decibels and not the discretion of the police officer. Stacey Alexander, 138 County Road 189, asked for the Council’s approval to host a one day event on April 13, 2013 called “Paint the Town Periwinkle” in the downtown area to raise funds and awareness for esophageal cancer.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of December 2012. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of December 2012 and provided each council member and the city manager with a copy of a report detailing ten years of historical information on criminal activity in Athens. A discussion followed regarding traffic stops by the patrol officers, court costs, and quotas. The report was accepted as presented.

Mayor Buttram stated that he took offense to Mr. Whiting comments calling the Council thieves the way they were stealing from the community. Court costs are a revenue source and needs to be a line item in the budget. Vice Mayor Davis stated that she too was disappointed in Mr. Whiting's comments. Chief Ziegler stated the Police Department video tapes every traffic stop. When someone comes in to contest a stop, they can show exactly what happened. Anyone can come to court and see the videos. Council Member Perkinson stated he was upset by Mr. Whiting's choice of words. Municipalities across the country have to make these kinds of projections in their budgets. Council Member Burris stated he agreed with the comments of the other council members. Council Member Pelley commented that he was one of the biggest supporters of the police. Mr. Whiting may have said some things but he defended his right to say what he felt. Dr. Pelley stated that he was opposed to a line item for fines. Further discussion followed on traffic fines and quotas.

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#### FIRE DEPARTMENT REPORT

Fire Chief Jim Dyer presented the Fire Department Report for the month of December 2012. After brief comments, the report was accepted as presented.

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#### COMMUNITY DEVELOPMENT QUARTERLY/ANNUAL REPORT

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

Mayor Buttram asked Public Works Director Shawn Lindsey to give a report on how the city was doing stormwater wise after the recent rain event. Mr. Lindsey stated that the city had approximately seven or eight inches of rain in the past day or two which would be classified as having a 100 year rain event. Public Works was ahead of schedule with leaf collection which got a lot of the leaves and debris in the culverts cleaned out before the rains came. The biggest thing that residents can do to prevent flooding is to make sure that their culverts are kept clean.

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#### CONSENT AGENDA

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

- a.) Approve Resolution No. 2013-01 to declare the week of January 14-18, 2013, Athens Flood Awareness Week;
- b.) Approve (Resolution No. 2013-02) request to keep a scrap metal dumpster at recycling center for donations to Keep McMinn Beautiful;
- c.) Approve purchase of car camera systems from Kustom Signals, the sole source for this equipment;
- d.) Accept proposal from Lose and Associates, Inc. (Bid No. 1581) for professional services related to the Athens Regional Park Roadway Improvements project;
- e.) Appoint Mary Wyatt to Keep McMinn Beautiful, term expires March 3, 2016;
- f.) Appoint Troy Huff to the Council Advisory Committee, term expires March 21, 2015.

**On motion by Vice Mayor Davis, seconded by Council Member Burris, the Consent Agenda as stated above was approved by the following roll call vote:**

**AYES:           Burris, Pelley, Perkinson, Davis, Buttram**  
**NAYS:           None**

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NEW BUSINESS

PAINT THE TOWN PERIWINKLE

Mayor Buttram stated that it would be his recommendation that although Stacey Alexander had not formally presented proper documentation for the "Paint the Town Periwinkle" event on April 13, 2013, the Council go ahead and approve her request subject to the proper documentation being submitted. **A motion was made by Council Member Pelley, seconded by Vice Mayor Davis, to approve Stacey Alexander's request to hold a one day event called "Paint the Town Periwinkle" in the downtown area to raise funds and awareness for esophageal cancer.** A brief discussion followed on keeping the event as compact as possible and focusing activities mostly around the Market Park area. Council Member Perkinson asked that Austin Fesmire, Parks and Recreation Director, the City Manager and staff work with Stacey on the logistics of the event at the front end in the same way as staff does with the Pumpkintown event. The motion was approved by the following roll call vote:

**AYES: Burris, Pelley, Perkinson, Davis, Buttram**  
**NAYS: None**

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ORDINANCE NO. 1015

**AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF ATHENS, TENNESSEE TO ESTABLISH REASONABLE COURT COSTS.**

The caption of the above-described Ordinance was read by the recording clerk. **A motion was made by Council Member Perkinson, seconded by Vice Mayor Davis, to approve Ordinance No. 1015 on First Reading.** Upon roll call, the first reading of Ordinance No. 1015 was approved by the following vote:

**AYES: Burris, Pelley, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: None**

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ORDINANCE NO. 1016

**AN ORDINANCE TO AMEND TITLE 8 OF THE ATHENS MUNICIPAL CODE, ENTITLED 'ALCOHOLIC BEVERAGES', MORE SPECIFICALLY CHAPTER 2, SECTION 8-213 (17) TO CLARIFY PROVISIONS REGARDING DANCING.**

The caption of the above-described Ordinance was read by the recording clerk. **A motion was made by Vice Mayor Davis, seconded by Council Member Burris, to approve Ordinance No. 1016 on First Reading.** Council Member Pelley stated that he would like to see the provisions of dancing as it relates to beer be removed in its entirety from the ordinance as he felt it was rather archaic. He felt the proposed ordinance did clean up the language of the existing code. Upon roll call, the first reading of Ordinance No. 1016 was approved by the following vote:

**AYES: Burris, Pelley, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: None**

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REVIEW COMPREHENSIVE FINANCIAL AUDIT (CITY/AUB/ACS)

Mike Keith, Finance Director, presented the Comprehensive Annual Financial Report for the year ended June 30, 2012. Mr. Keith briefly highlighted the key components of the report and noted that on the city's web site interested individuals will find the current report and reports from the past seven years as well as seven years of the city budget. The report was accepted as presented.

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MANAGER'S REPORT

Mayor Buttram asked Vice Mayor Davis to give them an update on the day's activities of the Workforce Development Committee. Vice Mayor Davis stated that they had started off the day with a Career Open House. There were approximately 500 high school seniors in attendance to meet with 12 different industries to discuss the wages and training then moved on to the educational requirements. They then had a segment on the Ready to Work program that deals with getting certified followed by a wrap up meeting of the committee. There was discussion on going forward with the Center of Innovation which would include building a training facility where all industries would have access for training and a small business incubator area with bays for startup businesses.

City Manager Moore presented the Manager's Report. He reviewed the progress of current city projects/meetings scheduled during the months of January and February. After brief comments, the report was accepted as presented.

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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 8:00 p.m.



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R. HAL BUTTRAM, Mayor



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MITCHELL B. MOORE, City Manager