

MINUTES OF MEETING, ATHENS CITY COUNCIL, AUGUST 18, 2015

The Athens City Council met in regular session on Tuesday, August 18, 2015, at 6:00 p.m. with Mayor Davis presiding. The invocation was given by Council Member Raper; and upon roll call, the following members were present:

Burris, Pelley, Raper, Perkinson, Davis

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

- 1 -
MINUTES

The Minutes of the regularly scheduled meeting of July 21, 2015 was submitted and approved by unanimous consent.

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COMMUNICATIONS

PRESENTATION OF SOAP BOX DERBY PROCLAMATIONS

Vice Mayor Perkinson presented a proclamation honoring Ashlyn Liner (Local Stock Car Champion), Council Member Raper presented a proclamation honoring Caroline Alexander (Local Super Stock Car Champion), and Council Member Burris presented a proclamation honoring Haylee Rodgers (Super Kids Champion) for their participation in the 2015 All-American World Championship Soap Box Derby in Akron, Ohio.

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MISCELLANEOUS CORRESPONDENCE

Mayor Davis acknowledged receipt of letters of appreciation received by Parks and Recreation.

- 4 -
PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Bill Bennett, 257 County Road 169 and who owns property on East Washington Avenue, commented that the property tax increase should be rescinded because three members of the City Council had a conflict of interest that was not disclosed. He complained about the drugs, "flop houses" and parking problems in the downtown area. Taylor Milton, 3362 Highway 39 West, stated she grew up in McMinn County and received her degree from Tennessee Wesleyan College. Whenever she wants to do something, she has to go out of town to Knoxville, Cleveland or Chattanooga. She wished she could put her money into her community but there was nothing being offered. Downtown had no appeal to it and felt old. She asked who they were going to try to appeal to with the Main Street Program as young people have money to spend too. Council Member Burris asked Ms. Milton what she would like to see in the downtown area. Ms. Milton responded she would like to see restaurants, art galleries and music.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of July 2015. 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 July 2015. The report was accepted as presented.

Chief Ziegler announced that the Athens Police Department Citizen Partnership event “No Crime in MY Neighborhood, MY City” will to be held on Saturday, September 12, 2015 from 3 to 7 p.m. at Market Park pavilion. This will be a totally free event for the public. There will be free pizza, drinks and Mayfield’s ice cream along with free activities for all ages including children’s games, a 14’ double lane inflatable slide, a 68’ double lane obstacle course, 18’ rock climbing wall, 24’ inflatable climbing wall, and TVs broadcasting college football games including the UT game. There will also be free giveaways. This will be an opportunity for the community to come and meet the police officers, watch the games and have a good time.

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FIRE DEPARTMENT REPORT

Chief Dyer presented the Fire Department Report for the month of July 2015. The report was accepted as presented. Mayor Davis commended Chief Dyer and the employees in the Fire Department on their efforts to reduce the City’s ISO rating. Chief Dyer noted the lower ISO rating will not have a big impact on the residential customer but should reduce fire insurance premiums by 10% to 12% for businesses and industries. He noted AUB, the 911 Center and industries in the City should also be commended for their involvement in the effort to the lower rating.

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COMMUNITY DEVELOPMENT QUARTERLY REPORT

Mr. Anthony Casteel, Community Development Director, presented the Building Permit Quarterly Report for the City of Athens. Mr. Casteel stated that the City had a record quarter as well as record year because of DENSO. A permit was issued to them this quarter for an \$18,000,000 interior build out. Last quarter a permit was issued to DENSO for the shell which was valued at \$7,500,000. The second largest project was the tower Verizon put on top of their store to help boost communications. The project was valued at \$160,000. The report was accepted as presented.

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CONSENT AGENDA

Mayor Davis 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 expenditure of \$62,265.71 for Tasers and Taser products from Taser International (Sole Source);
- b.) Approve Resolution No. 2015-19 to participate in the TML Risk Management Pool “Safety Partners” Loss Control Matching Grant Program.

On motion by Council Member Pelley, seconded by Council Member Raper, the Consent Agenda as stated above was approved by the following roll call vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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ORDINANCES

ORDINANCE NO. 1039 – SECOND/FINAL READING

AN ORDINANCE TO ADD A CHAPTER 6 TO TITLE 13 OF THE ATHENS MUNICIPAL CODE RELATING TO PARKED OR STORED VEHICLES ON PRIVATE PROPERTY.

Mayor Davis advised the City Council that Ordinance No. 1039 dealing with parked or stored vehicles on private property needed to be added to their packet. This ordinance was approved on first reading at their May 19, 2015 meeting. At their regular meeting of June 16, 2015, a public hearing was held and the ordinance was tabled until their August 10, 2015 Work Session. At that meeting, it seemed to be the consensus of the Council to vote down Ordinance No. 1039 under the present wording and to look further at other cities. The Council was also going to give any additional suggestions to City Manager Moore. **A motion was made by Council Member Pelley, seconded by Council Member Raper, to approve Ordinance No. 1039.** Council Member Pelley stated he had submitted a proposal suggesting they amend the definition of ‘vehicle’ to exclude children’s toys and farm equipment. City Manager Moore stated Council Member Pelley’s proposal had been forwarded to City Attorney Trew along with the two recommendations to go with the Alcoa ordinance. It was his understanding that the Council had planned to defeat Ordinance No. 1039 and then he would bring the new ordinance back to the Council at their September work session. Council Member Pelley stated he misunderstood and thought they would incorporate the changes into the existing ordinance. City Manager Moore stated the recommendations were not going to be incorporated into Ordinance No. 1039 but instead taken to City Attorney Trew to draft a new ordinance for consideration. After a brief discussion, **Council Member Pelley moved to withdraw his motion, Council Member Raper agreed. Council Member Pelley moved to disapprove Ordinance No. 1039, seconded by Council Member Raper.** Upon roll call, the motion was approved by the following roll call vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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OLD BUSINESS

MAIN STREET

RESOLUTION NO. 2015-18

A RESOLUTION AUTHORIZING PARTICIPATION IN THE TENNESSEE MAIN STREET PROGRAM AND DESIGNATING A CITY OFFICIAL TO REPRESENT THE CITY ON THE LOCAL NONPROFIT MAIN STREET GOVERNING BOARD OF DIRECTORS.

The caption of Resolution No. 2015-18 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Resolution No. 2015-18.** Vice Mayor Perkinson stated he had been a proponent of the Main Street Program for some time. He listened to the other alternatives suggested and studied the Main Street Program not only in Tennessee but in other places as well. There were a number of cities in Tennessee that have used this program and had some level of success. Vice Mayor Perkinson did not believe any one suggestion to be a panacea that would solve all the problems downtown. He felt the Main Street Program was the right approach for the City with a director who would be focused several days a week on the downtown area. Council Member Raper stated that in order to revitalize downtown they needed the backing of Main Street and an individual selected by the Committee to guide them in making improvements. She urged everyone to visit other Main Street communities such as Dayton, Sweetwater and Greeneville and see how they are flourishing. Council Member Burris asked how much the Director of Main Street would be paid and who would oversee this individual. Mayor Davis referred Council Member Burris to the proposal in their agenda packet. If this resolution was approved, the next step would be to elect a Board of Directors. She stated the Director would be selected by the Board of Directors and report to them. Council Member Burris asked Patti Greek, President of the Downtown Business Association, how much the individual would be paid. Ms. Greek responded between \$25,000 and \$27,000 but it could get up to \$30,000 if there are enough

private donations. Council Member Burris stated that would be more than some City employees make working full time and this person would be working part time. He asked Ms. Greek how long it would take before they saw a return on their investment. Ms. Greek responded the Main Street program was a three year project but hopefully they will be able to see a return in the first year. Council Member Burris asked Rob Preston, President/CEO of the Athens Area Chamber of Commerce, why the Chamber was only willing to commit \$2,500 to this program. Mr. Preston responded the Chamber had committed \$50,000 to CAMBI over a two year period. The Chamber's budget was only around \$250,000 and with the CAMBI commitment making up a large portion of that budget they were only able to commit \$2,500 to this program. Council Member Burris felt there were problems in the downtown area that needed to be addressed first before they brought anybody into the city. He did not feel it was the right time to proceed with this project. Council Member Pelley raised a point of order stating the Council does not usually get into a debate with the audience. He stated he was for the Main Street project but not at this time. They needed to look at the problem first. Council Member Pelley stated City Manager Moore shared with the Council at work session something from a book written by Robert J. Gibbs titled "Principles of Urban Retail Planning and Development" which he highly recommended they read. He had been reading the book for the past week and was more convinced that what they were trying to do was put the answer out there before they had seriously looked at the problem. He urged the Council to do due diligence at looking at the problem. Main Street was an answer but it is not the only answer. Council Member Pelley suggested the Council give him a committee comprised of five people with passion. He guaranteed the committee would identify the problem in six months to a year. At that time, the Council could revisit the Main Street program. Council Member Raper stated she supported the Main Street program. She felt they needed to go forward with the Main Street program because there were grants that needed to be written. There would be a time span between when they apply for the grants and when they come in to work on the problems downtown and address the issues that had been brought up. She had always been for the Main Street program for one reason and that was because it was for the development of downtown. She wants downtown revitalized and the only way they were going to do it was to quit talking about it and do something. Mayor Davis stated there were 13,454 residents in the city of Athens which equates to \$1.49 per citizen per year of investment. She had spoken to several grant agencies and the City qualifies for Main Street funding. If the City did not go with the Main Street program, there would be very little grant funding available. Their best bet if they were going to get money invested back into the community was to go through the Main Street program. The City had tried several options through the years with volunteers and none of those were sustainable. If they do not address the problems in the downtown area, they were failing the downtown merchants and citizens which is what she had been hearing. At the conclusion of the discussion, the resolution was approved by the following roll call vote:

AYES: Burris, Raper, Perkinson, Davis
NAYS: Pelley

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NEW BUSINESS

ATHENS CITY SCHOOLS PROPOSED BUDGET AMENDMENT #1 – FY 2015 - 2016

A motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Athens City Schools Budget Amendment #1 for fiscal year 2015 - 2016. The motion was approved by the following roll call vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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RESCHEDULING OF SEPTEMBER WORK SESSION DUE TO HOLIDAY

Mayor Davis called attention to the date change for the City Council's September Work Session. The regularly scheduled Work Session in September falls on Labor Day this year so the meeting had been rescheduled until Tuesday, September 8, 2015.

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MANAGER'S REPORT

City Manager Moore presented the Manager's Report. He reviewed the progress of current city projects/meetings scheduled during the months of August/September. City Manager Moore noted that on August 17th TDEC Commissioner Bob Martineau visited Athens to formally announcing the "de-posting" of Oostanaula Creek during a ceremony held in the Blue Room at the McMinn County Courthouse. The Oostanaula Creek had been posted since 1986 meaning it was unfit for human contact. This was a big deal because it took the cooperation of federal, state, and local agencies as well as farmers, city employees, and city residents. Athens Utilities Board's decision to improve its wastewater treatment facilities resulted in a significant improvement in water quality. Efforts by local farmers to keep cattle out of waterways also contributed to a cleaner creek. Our residents contributed by installing rain gardens. City Manager Moore stated Shawn Lindsey, Public Works Director, needed a big pat on the back for all the work that he did. He came to the City approximately ten years ago and hit the ground running. The cleanup of Oostanaula Creek was something they decided to hit head on and they did. While the creek remains on the 303(d) list it is no longer posted, which is a big deal. This was another excellent example of a coordinated team approach for solving a community-wide problem. All parties involved are to be congratulated and commended for addressing and correcting the problem.


City Manager Moore advised the City Council that the "Eureka Trail" name for the Rails to Trails project had been approved by the McMinn County Commission. It was his recommendation that the Council go along with the County Commission. **A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to approve the name "Eureka Trail".** The motion was approved by the following roll call vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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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 7:42 p.m.



ANN S. DAVIS, Mayor



MITCHELL B. MOORE, City Manager