

MINUTES OF MEETING, ATHENS CITY COUNCIL, JULY 19, 2016

The Athens City Council met in regular session on Tuesday, July 19, 2016, at 6:00 p.m. with Mayor Davis presiding. The invocation was given by Mayor Davis; 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 June 21, 2016 were submitted and approved by unanimous consent.

- 2 -
COMMUNICATIONS

PRESENTATION OF APPRECIATION AWARD BY BOY SCOUTS TROOP 118

Scoutmaster Steven Hackler and members of Boy Scout Troop 118 thanked the Parks & Recreation Director Austin Fesmire and the entire city government for the use of the disc golf course at Athens Regional Park for their fundraisers. Approximately four years ago Mr. Fesmire had suggested to Mr. Hackler that Boy Scout Troop 118 use the disc golf course for their fundraisers. They took his advice and it has proven to be very successful. Mr. Fesmire was made an honorary member of Boy Scout Troop 118. The City Council and Mr. Fesmire were presented with a Troop 118 "Hogsnake" (the team name) t-shirt.

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MISCELLANEOUS CORRESPONDENCE

Mayor Davis acknowledged receipt of letter from Tennessee House of Representatives Speaker Beth Harwell to Fire Chief Jim Dyer congratulating him on being recognized by the Tennessee Municipal League for a 2016 Achievement Award – Excellence in Fire Services. The Athens Police Department received numerous emails from citizens thanking them for all they do to serve and protect the community.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Larry Eaton, 279 Sweetfield Valley Road, asked the City Council to direct the City Manager's office to

obtain the itemized credit card receipt from Merchants Restaurant showing the food and beverages ordered at their dinner as requested in his public records request.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of June 2016. The report was accepted as presented.

- 6 -

POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of June 2016. The report was accepted as presented.

- 7 -

FIRE DEPARTMENT REPORT

Chief Dyer presented the Fire Department Report for the month of June 2016. The report was accepted as presented.

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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. 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 City of Athens Budget Amendment No. 1 for Fiscal Year 2016-2017;
- b.) Approve Resolution No. 2016-16 to participate in the TML Risk Management Pool "Safety Partners" Loss Control Matching Grant Program;
- c.) Approve staff's recommendation to declare assorted items as surplus property and authorize sale or trade-in as detailed in memorandum from Matthew Marshall, Director of Purchasing dated July 6, 2016;

- d.) Approve staff's recommendation to dispose of unclaimed property items as detailed in memorandum from Matthew Marshall, Director of Purchasing dated July 6, 2016;
- e.) Appoint Joseph Holmes to fill vacancy on Council Advisory Committee, term expires March 21, 2019;
- f.) Appoint Joseph Ratledge to fill vacancy on Council Advisory Committee, term expires March 21, 2019;
- g.) Appoint Robert Miller to fill vacancy on Recreation Advisory Board, term expires June 30, 2020;
- h.) Reappoint Tom Hamilton to the Athens Regional Planning Commission, term expires August 18, 2019;
- i.) Reappoint Janice Hardaway to the Athens Regional Planning Commission, term expires August 18, 2019.

On motion by Vice Mayor Perkinson, seconded by Council Member Raper, the Consent Agenda was approved by the following roll call vote:

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

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ORDINANCES

ORDINANCE NO. 1053 – SECOND/FINAL READING – PUBLIC HEARING

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 AT 1414 RAILROAD AVENUE FROM B-1 (LOCAL BUSINESS DISTRICT) TO R-2 (MEDIUM 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. Mayor Davis opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Council Member Pelley, seconded by Council Member Burris, to approve Ordinance No. 1053 on Second and Final Reading.** Ordinance No. 1053 was approved by the following roll call vote:

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

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ORDINANCE NO. 1054 – SECOND/FINAL READING – PUBLIC HEARING

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 AT 1307 EAST MADISON AVENUE FROM B-1 (LOCAL BUSINESS DISTRICT) TO R-2 (MEDIUM 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. Mayor Davis opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Council Member Pelley, seconded by Council Member Raper, to approve Ordinance No. 1054 on Second and Final Reading.** Ordinance No. 1054 was approved by the following roll call vote:

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

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ORDINANCE NO. 1055 – SECOND/FINAL READING – PUBLIC HEARING

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 AT 1022 KNIGHT ROAD FROM R-3 (HIGH DENSITY RESIDENTIAL 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. Mayor Davis opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Burris, to approve Ordinance No. 1055 on Second and Final Reading.** Ordinance No. 1055 was approved by the following roll call vote:

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

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NEW BUSINESS

2016 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – COMMERCIAL FAÇADE GRANT PROGRAM

RESOLUTION NO. 2016-17

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A 2016 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO THE COMMERCIAL FAÇADE GRANT PROGRAM

The caption of Resolution No. 2016-17 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Resolution No. 2016-17.** Mayor Davis noted this grant required a 75% / 25% match. Upon roll call, the resolution was approved by the following vote:

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

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CERTIFICATE OF GOOD MORAL CHARACTER FOR JAMES HANEY, VFW POST 5146

A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to approve a Certificate of Good Moral Character for James Haney, VFW Post 5146. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Pelley, seconded by Council Member Burris, to cancel the Springbrook Golf and Country Club membership as soon as possible. Council Member Pelley stated the City is spending \$2,500 a year for a membership that is seldom used. City Manager Moore stated the membership's primary use is for industrial recruitment and, sometimes, as part of the process of hiring a new employee or for special events. He noted it was up to the City Council to decide whether to be a member or not. Council Member Pelley stated there were other venues the City could use that would serve the same purpose. Mayor Davis stated it was her understanding that Springbrook offered different membership tier options and asked City Manager Moore to look into any lower-cost membership options. Upon conclusion of the discussion, the motion failed by the following roll call vote:

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

A motion was made by Council Member Burris, seconded by Council Member Raper, to continue the discussion on the Springbrook Golf and Country Club membership at the August Work Session. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Pelley, seconded by Council Member Burris, to direct the City Manager to stop all proceedings effective immediately with regard to the hiring of the Police Chief and Human Resource Director. Council Member Pelley stated he disagreed with the rulings from the City Attorney and another person. He felt the incoming city manager needs to be the one that hires these individuals and asked the Council to let the city manager who was going to work with them do the hiring. Council Member Burris questioned whether the City Manager had the authority to hire a police chief and HR director

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prior to the retirement of the individuals currently holding those positions. Vice Mayor Perkinson responded that the City Attorney had rendered a two page opinion on this subject and concluded the City Manager had the right to select and hire the successors before the Police Chief and HR Director leave office. Council Member Pelley agreed the City Manager had the right to hire these positions but felt the City Council had the right to tell the City Manager not to do so. Upon conclusion of the discussion, the motion failed by the following roll call vote:

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

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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 July/August. 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 7:23 p.m.

ANN S. DAVIS, Mayor

MITCHELL B. MOORE, City Manager