

MINUTES OF MEETING. ATHENS CITY COUNCIL. DECEMBER 19, 2017

The Athens City Council met in regular session on Tuesday, December 19, 2017, at 6:00 p.m. with Mayor Burris presiding. The invocation was given by Vice Mayor Pelley; and upon roll call, the following members were present:

Coker, Raper, Perkinson, Pelley, Burris

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 November 21, 2017 were submitted and approved by unanimous consent.

- 2 -
COMMUNICATIONS

MISCELLANEOUS CORRESPONDENCE

Mayor Burris acknowledged receipt of a letter of appreciation from Holly Owens, Principal of North City School, thanking City of Athens employees for volunteering their time at the school to allow the teachers to eat lunch out during American Education Week.

- 3 -
PETITIONS AND REQUESTS

AUDIENCE

Mayor Burris asked City Attorney Chris Trew to clarify the meaning of "Petitions and Requests". City Attorney Trew stated City Council meetings are always open to the public with a few exceptions. The public participates by attending the meeting, listening and following up with the individual council members later at a different time. In order to allow the Council to conduct its business, they allow people to sign up if they want to say something at the meeting before they get into the regular agenda. If you have something on your mind or something you want to push for the Council to consider, you are always welcome to do that but you must sign up out front. The Council would ask that you keep it to whatever your specific purpose is such as you want the streets to be cleaned up, you want them to add more fire department employees or more police officers that would be fine but please don't use this as a forum to attack council members. When the Council takes up the agenda there are some ordinances here that some of you may be interested in and you should listen to what they discuss and how they act upon that. This is not the opportunity for the public to express an opinion as that always happens at the second reading of an ordinance. If an ordinance is passed tonight, it will be on the agenda at the next regular meeting of the City Council and the first thing that will be considered before the second reading of the ordinance would be a public hearing. That is where you would have the opportunity to express your concerns regarding the ordinance. Darrell McCormick, 701 High Street, stated that he did not understand the procedure until City Attorney Trew explained it to them tonight. He just wanted to ask the City to vote no on the proposed ordinances. Mayor Burris advised Mr. McCormick that the proper time to speak against the ordinances would be at the public hearing prior to the second and final reading of the ordinance in January, assuming the ordinances passed on first reading tonight. Kristin Walden, principal of City Park School, who resides at 409 East Madison Avenue, thanked the City Council and City departments for always supporting their schools and the fire and police departments for always keeping them safe. She especially wanted to thank Chief Couch for assisting them with an incident that occurred at their early morning care with their Kids Connection and he was there and assisted with the parents.

- 4 -
REPORTS

ATHENS CITY SCHOOLS QUARTERLY REPORT

Dr. Melanie Miller, Superintendent of Athens City Schools, presented the City Council with her quarterly update.

- 5 -

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of November 2017. The report was accepted as presented.

- 6 -

POLICE DEPARTMENT REPORT

Police Chief Couch presented the Police Department Report for the month of November 2017. The report was accepted as presented.

- 7 -

FIRE DEPARTMENT REPORT

Chief Dyer presented the Fire Department Report for the month of November 2017. The report was accepted as presented.

- 8 -

CONSENT AGENDA

Mayor Burris 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 Debt Management Policy, annual review by the Athens City Council.
- b.) Approve Resolution No. 2017-30 authorizing the City Manager to enter into a contractual agreement with Cooperative Strategies for professional school forecasting consultant services.

A motion was made by Vice Mayor Pelley, seconded by Council Member Perkinson, to consider the Consent Agenda items one at a time. The motion passed by the following roll call vote:

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

A motion was made by Council Member Perkinson, seconded by Vice Mayor Pelley, to approve Consent Agenda item 9a.) City of Athens Debt Management Policy, annual review by the Athens City Council. The motion passed by the following roll call vote:

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

A motion was made by Council Member Perkinson, seconded by Council Member Coker, to approve Consent Agenda item 9b.) Resolution No. 2017-30 authorizing the contractual agreement with Cooperative Strategies for professional school forecasting consultant services. Vice Mayor Pelley felt this was a misuse of taxpayer money and was delaying the work needed on Athens City Schools. In his opinion, Athens City Schools had done a phenomenal job putting together the prospectus, research, etc. It was his feeling that this consultant was not necessary. Council Member Coker spoke in favor of the resolution. He felt the biggest question the Council had before it was can the City taxpayers afford to pay for this project. If they decide to move forward, the City Council will have the burden on its back to tell the citizens it is going to have to raise taxes, sales taxes and/or both to fund these schools. City Manager Sumner recommended the City Council take a step back and see if this City can afford to do what they are being asked to do. Vice Mayor Pelley asked to speak. Mayor Burris asked Vice Mayor Pelley to speak on the issue at hand and not debate Council Member Coker. Vice Mayor Pelley moved to challenge the decision of the chair. The motion died for lack of a second. Mayor Burris read an excerpt from Robert's Rules of Order regarding discussion on a motion. Vice Mayor Pelley stated he felt he was not being allowed to discuss the issue and

asked City Attorney Trew to address the issue at hand. City Attorney Trew stated he was not going to tell the City Council that he knows all the ins and outs of Robert's Rules of Order. He recommended the Council make a decision and he will study their decision and let the Council know his opinion. Mayor Burris read the General Rules of Debate from Robert's Rules of Order and stated they were going to stay on the topic at hand but they were not going to debate each other. Council Member Perkinson stated this was a serious issue for the City of Athens. They have been through the process of evaluating the needs of the schools and now it was the Council's time to evaluate the funding. The City needs to determine the fiscal impact of these costs on its citizens. The consultant is being hired to help the City Council evaluate this impact and assist them in making the right decision in the right manner not just for now but for 10, 15 and even 20 years from now. Upon conclusion of the discussion, the motion passed by the following roll call vote:

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

- 9 -

OLD BUSINESS

CONSIDERATION OF A PROPOSED ORDINANCE TO ALLOW FOR ISSUANCE OF A SPECIAL EVENT PERMIT

ORDINANCE NO. 1067 – FIRST READING

AN ORDINANCE TO AMEND THE ATHENS MUNICIPAL CODE FORMER CHAPTER 2 NOW CHAPTER 3 OF TITLE 8 TO ADD A NEW CLASSIFICATION ELIGIBLE FOR A BEER PERMIT AND ADDRESS REGULATIONS NOT APPLICABLE TO THE NEW CLASSIFICATION

The caption of the above-described Ordinance was read by the recording clerk. **A motion was made by Council Member Perkinson, seconded by Council Member Raper, to approve Ordinance No. 1067 on First Reading. Council Member Perkinson moved to amend the ordinance to reduce the number of Special Event Organizer Beer Permits that can be issued to a non-profit, charitable organization or political organization in any one calendar year, measured from January 1 to December 31, from twelve to six, seconded by Council Member Coker.** Vice Mayor Pelley stated they did not need this ordinance as there were a lot of citizens in the community that did not want this type of permit. The motion to amend the ordinance was approved by the following roll call vote:

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

Council Member Perkinson stated this was a request from a non-profit organization. He felt this ordinance was a reasonable extension of the existing beer ordinance and was something the City needed to do. Vice Mayor Pelley stated he did not feel they needed beer at the City festivals. He urged the City Council to vote down the ordinance because it was not something that reflects the majority of people in the City. At the conclusion of the discussion, the ordinance as amended was approved by the following roll call vote:

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

- 10 -

NEW BUSINESS

CONSIDERATION OF PROPOSED ORDINANCE TO ALTER MINIMUM DISTANCE REQUIREMENTS FOR A BEER PERMIT

ORDINANCE NO. 1068 – FIRST READING

AN ORDINANCE TO AMEND TITLE 8, FORMER CHAPTER 2, NOW CHAPTER 3 "BEER" OF THE ATHENS MUNICIPAL CODE

The caption of the above-described Ordinance was read by the recording clerk. Vice Mayor Pelley, referring to the proposed ordinance in the City Council agenda packet, recommended that the minimum distance requirement for restaurants be 200 feet and all of the other minimum distance requirements be left the same as they appeared in the current Municipal

Code. Council Member Coker seconded the recommendation. Mayor Burris accepted Vice Mayor Pelley's recommendation in the form of a motion, seconded by Council Member Coker. Council Member Perkinson stated at Study Session the consensus of the City Council was to reduce all of the minimum distance requirements to 185 feet. He asked to hear Vice Mayor Pelley's reasoning for making the change. Vice Mayor Pelley responded that he did not think it was necessary to reduce the distance requirements for the other categories. He wants to see more restaurants coming in to town. They were running out of space for these mom and pop restaurants and needed to make it easier for them to get a beer permit. City Attorney Trew stated the original motion would be to pass an ordinance that only changes the Code in one respect. The City Council would be lessening the distance requirement for restaurants only to 200 feet not affecting any of the other distance requirements. Upon conclusion of the discussion, the motion was approved by the following roll call vote:

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

City Attorney stated that the original motion would be to pass an ordinance that only lessens the minimum distance requirement for restaurants to 200 feet. It would not be affecting the minimum distance requirements for any of the other permit classifications. **A motion was made by Council Member Coker, seconded by Mayor Burris, to reduce the minimum distance requirement for grocery stores under 10,000 square feet to 200 feet.** Vice Mayor Pelley stated he deliberately did not change that distance requirement in his motion because he did not feel it was necessary. The motion was approved by the following roll call vote:

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

- 11 -


MANAGER'S REPORT

City Manager Sumner presented the Manager's Report. The various Parks and Recreation and Public Works projects and activities going on throughout the city were presented in his monthly report.

- 12 -

ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:30 p.m.


C. SETH SUMNER, City Manager


CHARLES T. BURRIS, II, Mayor