

MINUTES OF MEETING, ATHENS CITY COUNCIL, JANUARY 16, 2018

The Athens City Council met in regular session on Tuesday, January 16, 2018, at 6:00 p.m. with Mayor Burris presiding. The invocation was given by Council Member Coker; and upon roll call, the following members were present:

Coker, Perkinson, Raper, 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 December 19, 2017 were submitted and approved by unanimous consent.

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COMMUNICATIONS

PRESENTATION OF PROCLAMATION – SCHOOL BOARD APPRECIATION WEEK

Council Member Raper read a proclamation recognizing the week of January 21-27, 2018 as "School Board Appreciation Week". Mike Bivens, Chairman of Athens City Schools Board of Education, was present to accept the proclamation on behalf of the School Board. Dr. Melanie Miller, Director of Athens City Schools, was also in attendance.

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MISCELLANEOUS CORRESPONDENCE

Mayor Burris acknowledged receipt of thank you notes to City Manager Sumner from several members of City boards and committees thanking him for the Christmas card acknowledging their time and talents in service to the Friendly City and for the Food City gift card.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Burris opened the meeting for petitions and requests from the audience. Trey Winder, 1115 Ridgeway Circle, stated he had thanked the City Council members individually but wanted to thank them as a whole for eight years of trusting him to be their City Judge. Mr. Winder also thanked City employees Amber Cross, Amy Arnwine, former Police Chief Chuck Ziegler, and Police Chief Cliff Couch. Justin Wallace, 143 County Road 452, the new Assistant Principal at Athens City Middle School, thanked the City for beginning the hiring process of finding a Student Resource Officer (SRO) for Athens City Schools. A SRO will be able to build a positive relationship with the students and provide the schools with a safe and secure environment.

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REPORTS

MCMINN COUNTY ECONOMIC DEVELOPMENT AUTHORITY UPDATE

Ms. Kathy Price, Executive Director of McMinn County Economic Development Authority, presented the City Council with her quarterly update.

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FINANCE DEPARTMENT REPORT

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

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POLICE DEPARTMENT REPORT

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

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FIRE DEPARTMENT REPORT

Chief Dyer presented the Fire Department Report for the month of December 2017. 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.

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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.) Appoint Larry Rhodes to fill vacancy on the Recreation Advisory Board, term expires June 30, 2022.
- b.) Accept bids as submitted by BSN for baseball uniforms and Southern Athletic Supply for softball uniforms as detailed in memorandum from Mike Keith dated January 2, 2018.
- c.) Approve Resolution No. 2018-01 to declare the week of January 21-27, 2018, Athens Flood Awareness Week.
- d.) Approve Resolution No. 2018-02 authorizing the distribution of Athens Utilities Board's electrical in lieu of tax payments for fiscal year 2017/2018.
- e.) Approve Resolution No. 2018-03 authorizing the distribution of Athens Utilities Board's gas in lieu of tax payments for fiscal year 2017/2018.
- f.) Approve Resolution No. 2018-04 authorizing submission of a grant application to the Tennessee Department of Environment and Conservation for a Federal Historical Preservation Grant to develop professional design guidelines for the treatment of Historic Assets.
- g.) Approve Resolution No. 2018-05 authorizing the amendment to the original contract with TDOT for intersection improvements and signals at the intersection of Tellico Avenue and Railroad Avenue.

Vice Mayor Pelley requested the City Council address each item on the Consent Agenda separately.

A motion was made by Council Member Perkinson, seconded by Council Member Coker, to appoint Larry Rhodes to fill vacancy on the Recreation Advisory Board, term expires June 30, 2022. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Coker, seconded by Council Member Raper, to accept bids as submitted by BSN for baseball uniforms and Southern Athletic Supply for softball uniforms. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Raper, seconded by Council Member Perkinson, to approve Resolution No. 2018-01 to declare the week of January 21-27, 2018 as Flood Awareness Week. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Coker, seconded by Council Member Perkinson, to approve Resolution No 2018-02 authorizing the distribution of Athens Utilities Board's electrical in lieu of tax payments for fiscal year 2017/2018. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Perkinson, seconded by Council Member Raper, to approve Resolution No 2018-03 authorizing the distribution of Athens Utilities Board's gas in lieu of tax payments for fiscal year 2017/2018. The motion was approved by the following roll call vote:

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

A motion was made by Council Member Coker, seconded by Council Member Raper, to approve Resolution No 2018-04 authorizing submission of a grant application to the Tennessee Department of Environment and Conservation for a Federal Historical Preservation Grant to develop professional design guidelines for the treatment of Historic Assets. Vice Mayor Pelley stated he was opposed to spending \$30,000 of taxpayers' money when no one was going to be required to make changes. In his opinion, it was a waste of money. After brief comments, the motion was approved by the following roll call vote:

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

A motion was made by Council Member Coker, seconded by Council Member Raper, to approve Resolution No 2018-05 authorizing the amendment to the original contract with TDOT for intersection improvements and signals at the intersection of Tellico Avenue and Railroad Avenue. The motion was approved by the following roll call vote:

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

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ORDINANCES

ORDINANCE NO. 1067 – SECOND/FINAL READING – PUBLIC HEARING
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. Mayor Burris opened the public hearing. Jordan Curtis stated word around town was this ordinance is known as the downtown beer ordinance. In his opinion, the proposed ordinance was about lifestyle amenities and economic development. Millennials are now the largest demographic in the workforce. Studies show that when millennials look for a place to make their home, they look for the lifestyle amenities and the additional things in life that they want over purely just a job. There are jobs in the area but the things that they need to continue to catch up on are the bonuses that entice people to want to live here. Last year during election time there was a lot of talk on what was needed to bring the young people home. Mr. Curtis felt this was the City Council's opportunity to send a message that it was open to trying things differently. Looking at the City seal, the word under the City of Athens says "Progress". When he thinks of the word progress, he thinks that we are going to try things differently to see how it goes. We are not going to be afraid of change. This ordinance opens the door for the City Council sitting as the

Athens Beer Board to vet people wishing to utilize a special event permit. Joseph Holmes stated he has been a resident of Athens for nearly 40 years and calls Athens home. His family has spent a lot of time at events downtown. His concern was not so much about people consuming beer at the event but after they leave the event. If those individuals don't have a designated driver, they are putting everyone in danger. Mr. Holmes stated he was personally opposed to this ordinance. If something happens to someone because of a drunk driver, who will be responsible. Will Estes stated he supported this ordinance for all the reasons Mr. Curtis stated. There being no one else present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Council Member Perkinson, seconded by Council Member Raper, to approve Ordinance No. 1067 on Second and Final Reading.** Vice Mayor Pelley stated he disagreed with Mr. Curtis and Mr. Estes. It is not progress when you put an addictive product such as alcohol at an event that is geared for family fun. He wished that this item was put to a referendum vote because then they would see how many people agree with Mr. Holmes. Council Member Perkinson stated this ordinance provides for a controlled environment for non-profits on a case by case basis and was not just for downtown but for the entire City. Council Member Coker stated he felt this ordinance was written too loosely and did not have any teeth in it. The ordinance does not require a confined area. The Beer Board will make the decision on whether to require a confined area and whether or not to issue a special event permit. He cannot vote for an ordinance that allows beer on the City's property. At the conclusion of the discussion, Ordinance No. 1067 was approved by the following roll call vote:

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

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OLD BUSINESS

PROPOSAL TO ALTER THE RESTAURANT AND GROCERY STORE (UNDER 10,000 SQUARE FEET) 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. **A motion was made by Council Member Coker, seconded by Council Member Perkinson, to approve Ordinance No. 1068 on First Reading.** The motion was approved by the following roll call vote:

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

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NEW BUSINESS

ACCEPTANCE OF COMPREHENSIVE FINANCIAL AUDIT (City/AUB/ACS)

Finance Director Mike Keith presented the Comprehensive Annual Financial Report for the year ended June 30, 2017. Interested individuals will find the current financial report and reports from prior years on the City's web site. Copies of the report are also available for review in the Finance Department. **A motion was made by Vice Mayor Pelley, seconded by Council Member Coker, to accept the Comprehensive Annual Financial Report for the year ended June 30, 2017 as presented.** Upon roll call, the motion was accepted by the following vote:

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

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APPOINTMENT OF DEREK TIMOTHY GREEN AS INTERIM CITY JUDGE

A motion was made by Vice Mayor Pelley, seconded by Council Member Perkinson, to appoint Derek Timothy Green as Interim City Judge. Upon roll call, the motion was accepted by the following vote:

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

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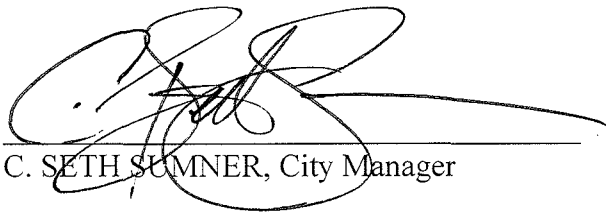
MANAGER'S REPORT

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.

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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 7:46 p.m.


C. SETH SUMNER, City Manager
CHARLES T. BURRIS, II, Mayor