

# ATHENS CITY COUNCIL MINUTES OF MEETING

May 15, 2018

The Athens City Council met in regular session on Tuesday, May 15, 2018, at 6:00 p.m. with Mayor Burris presiding. The invocation was given by Vice Mayor Coker; and upon roll call, the following members were present:

Pelley, Perkinson, Raper, Coker, Burris

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 April 17, 2018 were submitted and approved by unanimous consent.

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## COMMUNICATIONS

### CENTER FOR ENTREPRENEURIAL LEADERSHIP AND SOCIAL INNOVATION AT TENNESSEE WESLEYAN UNIVERSITY

City Manager Sumner stated Tennessee Wesleyan University had approached the City, Main Street and McMinn County regarding a proposal for a Center of Entrepreneurial Leadership and Social Innovation. The letter in the City Council's agenda packet from Dr. Harley Knowles, President of TWU, was a thank you for the City's involvement in exploring the possible vision and plans for the Center.

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### PRESENTATION OF ATHENS AREA YOUTH COUNCIL SCHOLARSHIP AWARDS FOR 2017-2018

Parks and Recreation Director Fesmire along with Mayor Burris presented the Athens Area Youth Council Scholarship Awards for 2017-2018 to Nathan Turner and Maddie Carroll. Nathan Turner, an underclassman with the most cumulative hours during May 2017-April 2018, was presented with a \$50 Scholarship Award. Maddie Carroll, a senior with the most cumulative hours, was presented with a \$250 Scholarship Award.

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### MISCELLANEOUS CORRESPONDENCE

Mayor Burris acknowledged receipt of thank you letters and notes from Merna Jaquish on being honored with the March VIVID award, Mouse Creek Community Club to City Manager Sumner for stepping in to assist with the American Cancer Society's Dancing for a Cure, McMinn County E-911 thanking the City for recognizing their staff during 2018 Telecommunicator Week, and Christ's Legacy Academy for the City's support during their 9<sup>th</sup> Annual Emergency Day.

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PETITIONS AND REQUESTS

REQUESTS FROM CITIZENS

Mayor Burris opened the meeting for requests from citizens. Walter Fitzpatrick, 412 South White Street, made two requests. He requested the City Council schedule a special meeting of the City Council to take remedial action to reinstate and restore Dick Pelley to his former position as Vice Mayor and to reinstate him to the committees he previously served. His second request was for the City Council to follow its own policies. Glen Whiting, 237 County Road 655, stated he had been removed from the previous study session agenda but had not been notified of that decision and requested to be added back to the next agenda. Mr. Whiting's expressed his concerns regarding the Athens Police Department's handling of a stolen vehicle belonging to Jerry Brown. Mayor Burris suggested Mr. Whiting and Mr. Brown meet with him, City Manager Sumner, and Chief Couch to discuss. Laura Sullivan, 19 Shawnee Trail, commented on how wonderful the Athens Police Department has been to her and her neighbors. There have been problems in her neighborhood and the Police Department has always responded quickly and professionally. Charles Womac, 605 County Road 443, commented that he had been cited in City court for code violations on his properties and wanted to know why the Code was not being enforced equally. City Attorney Trew advised the City Council that Mr. Womac's daughter is the owner of the properties. The daughter was found guilty in City court, fined, and choose not to appeal the situation. Kristine Walden, 409 E. Madison Avenue, thanked the City Council for providing the schools with SRO Cardin. Police Chief Couch was thanked for working with Athens City Schools and being patient with them through the SRO process. Ms. Walden commented that Officer Cardin has been wonderful and the kids love him. Ms. Walden invited the City Council to visit the schools anytime and attend their events held year round.

At 7:22 p.m., Mayor Burris called for a five minute recess. The meeting reconvened at 7:29 p.m.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of April 2018. 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 April 2018. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Captain Johnny Tate presented the Fire Department Report for the month of April 2018. The report was accepted as presented.

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CONSENT AGENDA

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

- a.) Reappoint Robert Sevigny to Athens Utilities Board, term expires June 30, 2022
- b.) Reappoint Kenny Charles to Board of Zoning Appeals, term expires June 30, 2023
- c.) Reappoint Johnny Coffman to Recreation Advisory Board, term expires June 30, 2022
- d.) Accept bids as submitted by Rogers Group Inc. (primary vendor) and Central Asphalt (secondary vendor) for the asphalt services.
- e.) Accept bid as submitted by Trio M Rentals LLC for equipment rental services.
- f.) Accept bid as submitted by Bonnell Industries Inc. for the purchase of a leaf collection system.
- g.) Reject all submitted bids for the high mast lighting project and accept management's recommendation to have Athens Utilities Board conduct the scope of work required.
- h.) Accept bid as submitted by Matthew's Grinding for debris grinding services.
- i.) Accept bid as submitted by Mobile Container Services for refuse container repair.
- j.) Accept bid as submitted by Sequatchie Concrete for concrete services.
- k.) Approve request for financial support for American flag and other flags – Memorial at I-75 adding American Legion as a Funded Agency.
- l.) Approve Resolution No. 2018-15 authorizing the commitment of additional funds to complete the funded CDBG Project for Sewer Line Rehabilitation with Athens Utilities Board.

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

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

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OLD BUSINESS

ADOPTION OF CLASSIFICATION AND COMPENSATION PLAN

**Motion was made by Vice Mayor Coker, seconded by Council Member Raper, to approve the Classification and Compensation Plan as submitted.** Council Member Perkinson stated he would have to vote nay to approval of the Classification and Compensation Plan. In his opinion, the study was based on a flawed set of benchmark cities. He has always supported the City employees but did not feel this study represented where the City wants to go. There were 21 cities benchmarked and at least half of them were metropolitan cities. The City of Athens' population is less than 14,000. Council Member Perkinson felt they could resolve this issue by simply going back and looking at cities with a population between 14,000 and 25,000. He could support the Classification and Compensation Plan if a different set of benchmarks were used. Council Member Perkinson did not feel the City Manager should be included in the Classification Plan. Mayor Burris and Vice Mayor Coker disagreed. Vice Mayor Coker stated that City Manager Sumner added the city manager position in the Classification Plan to be open and transparent. Upon conclusion of the discussion, **Council Member Perkinson made a motion to amend the Classification and Compensation Plan to remove the city manager from the classification plan, seconded by Council Member Pelley.** Upon roll call, the motion was approved by the following vote:

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

Upon roll call, the motion to approve the Classification and Compensation Plan was approved by the following vote:

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

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APPOINTMENT OF COUNCIL REPRESENTATIVES

**Motion was made by Council Member Perkinson, seconded by Vice Mayor Coker, to appoint Council Member Raper to serve as Council representative on the Athens Regional Planning Commission. Upon roll call, the motion was approved by the following vote:**

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

**Motion was made by Council Member Perkinson, seconded by Council Member Raper, to appoint Vice Mayor Coker to serve as Council representative on the Board of Directors for McMinn County Department of Juvenile Services. Upon roll call, the motion was approved by the following vote:**

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

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NEW BUSINESS

PROPOSED BUDGET ORDINANCE FOR FISCAL YEAR 2018-2019

ORDINANCE NO. 1069 – FIRST READING

AN ORDINANCE TO ADOPT A BUDGET AND SET THE TAX RATE ON TAXABLE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE, FOR THE FISCAL YEAR JULY 1, 2018 THROUGH JUNE 30, 2019

The caption of Ordinance No. 1069 was read by the recording clerk. City Manager Sumner presented the FY19 Capital Budget. **Motion was made by Vice Mayor Coker, seconded by Council Member Raper, to approve Ordinance No. 1069 on first reading.** Upon roll call, the motion was approved by the following vote:

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

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APPROVAL OF CITY MANAGER PERFORMANCE COMPENSATION ADJUSTMENT

Council Member Perkinson stated it was his recommendation at Study Session to give the City Manager the same 2% cost of living increase that was proposed for the City employees. In addition, he recommended giving the City Manager an additional 5% merit raise. At that time, he did not realize the City Manager was in the Classification and Compensation Plan and thought a total of 7% was a satisfactory increase. **Motion was made by Council Member Perkinson, seconded by Vice Mayor Coker, to approve a 2% cost of living increase plus an additional 5% merit raise for a total increase of 7%. Council Member Pelley moved to amend the motion to give the City Manager a total raise of 2%.** The motion died for lack of a second. Upon conclusion of discussion and upon roll call, the motion was approved by the following vote:

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

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MANAGER'S REPORT

City Manager Sumner reviewed his monthly report including the various Parks and Recreation and Public Works projects and activities going on throughout the city.

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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 8:54 p.m.



C. SETH SUMNER, City Manager



CHARLES T. BURRIS, II, Mayor