

# ATHENS CITY COUNCIL MINUTES OF MEETING

August 18, 2020

The Athens City Council met in regular session on Tuesday, August 18, 2020, at 6:00 p.m. with Mayor Burris presiding. The invocation was given by Council Member Pelley; and upon roll call, the following members were present:

Lockmiller, Pelley, Perkinson, Burris

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

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### APPROVAL OF MINUTES

The Minutes of the July 21, 2020 regularly scheduled meeting were submitted and approved by unanimous consent.

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### ATHENS CITY COUNCIL VACANCY

#### CONSIDERATION OF APPOINTMENT TO ATHENS CITY COUNCIL TO FILL VACANCY

Mayor Burris noted the City Charter states that when any vacancy shall occur on the City Council, such vacancy shall be filled by the Councilmen. He noted that four names were submitted for the seat - their names were Lisa Dotson, Eddie Arnwine, Amy Goodin, and Eric Morrow. At last week's Study Session, Eddie Arnwine withdrew his name from consideration and Council Member Pelley withdrew Eric Morrow's name.

**A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to select Lisa Dotson as the new council appointment to the Athens City Council.** Council Member Lockmiller stated they had requests from citizens to nominate a female of color to fill the vacancy. He wanted to go on record that he did not think that those two things were the only things that made a good candidate. He said he was voting yes for Lisa Dotson not because she was a female and not because of her race. He was voting for her because she was qualified to hold the position. After brief comments and upon roll call, the motion was approved by the following vote:

**AYES: Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

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#### SWEARING IN OF NEWLY APPOINTED COUNCIL MEMBER

The swearing in of the newly appointed Council Member Lisa Dotson was conducted by City Attorney Chris Trew. Upon the seating of the new council, the following members were in attendance:

Dotson, Lockmiller, Pelley, Perkinson, Burris

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### COMMUNICATIONS AND SPECIAL PRESENTATIONS

#### MISCELLANEOUS CORRESPONDENCE

Austin Fesmire, Parks and Recreation Director, received a card from Julia Reedy, Executive Director of the McMinn County Education Foundation, thanking his department for doing a spectacular job taking care of the Storybook Trail. Tracy Lee, Westside Elementary School Principal, provided a brief update on the preparation for this school year. She thanked the City Council for funding SRO Sarah Gray and the Fire Department for their help with the fire drills.

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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 following items into the record:

- a.) Appoint Herbert Lillard to fill vacancy on Athens Housing Authority, term expires March 6, 2024.
- b.) Appoint Vice Mayor Bo Perkinson to fill vacancy on Athens Utilities Board, term expires November 17, 2020.
- c.) Approve Resolution No. 2020-32 authorizing cooperative purchasing agreements for the use and benefit of all city departments.
- d.) Approve extension of contract with MaidPro Chattanooga for janitorial cleaning services through October 28, 2021.
- e.) Approve purchase of replacement front-loader commercial sanitation truck from Municipal Equipment, Inc.
- f.) Approve Resolution No. 2020-33 certifying the acceptance of signal systems at intersections as part of TDOT Highway Project CNR078.
- g.) Approve Athens City Schools Budget Amendment No. 1 (General Purpose) for Fiscal Year 2020-2021.
- h.) Approve Resolution No. 2020-34 authorizing participation in the PEP Property Conservation Matching Grant Program.
- i.) Approve Resolution No. 2020-35 authorizing participation in the BlueCross Healthy Places Grant.
- j.) Approve Resolution No. 2020-36 authorizing an agreement with American Medical Response for Athens Fire Department to operate as first responders.

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

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

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ORDINANCES

ORDINANCE NO. 1089 – 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 1303 FRYE STREET FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO M-1 (MEDICAL 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 Burris 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 Pelley, to approve Ordinance No. 1089 on Second and Final Reading.** Ordinance No. 1089 was approved by the following roll call vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

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ORDINANCE NO. 1090 – SECOND/FINAL READING - PUBLIC HEARING

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2, SECTION 3.04.11.B USES PERMITTED, BE AMENDED TO ADD LANGUAGE TO ALLOW VEHICLE SALES, RENTAL, AND SERVICE IN THE LIGHT INDUSTRIAL DISTRICT; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Burris 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 Vice Mayor Perkinson, to approve Ordinance No. 1090 on Second and Final Reading.** Ordinance No. 1090 was approved by the following roll call vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

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ORDINANCE NO. 1091 – 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 521 EAST AVENUE FROM I-2 (HEAVY INDUSTRIAL 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 Burris opened the public hearing. Cristian Fernandez stated he had requested the rezoning of his property located at 521 East Avenue. He wanted to rescind his rezoning request and asked the Council not to pass this ordinance on second/final reading. Ordinance No. 1090 allowing vehicle sales, rental, and service in the Light Industrial District addressed his problem. There being no others present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Lockmiller, to approve Ordinance No. 1091 on Second and Final Reading.** Ordinance No. 1091 failed by the following roll call vote:

**AYES: None**  
**NAYS: Dotson, Lockmiller, Pelley, Perkinson, Burris**

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OLD BUSINESS

None

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NEW BUSINESS

ORDINANCE TO REZONE PROPERTY LOCATED AT 708 KNIGHT ROAD – REQUEST BY GA CUMBERLAND ASSOCIATION OF SEVENTH DAY ADVENTISTS, INC.

ORDINANCE NO. 1092 – FIRST READING

A 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 708 KNIGHT ROAD FROM B-3 (INTENSIVE 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. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to approve Ordinance No. 1092 on First Reading.** The motion was approved by the following roll call vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

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PUBLIC HEARING ON PLAN OF SERVICES AND ANNEXATION OF HARRISON RIDGE SUBDIVISION

Mayor Burris opened the public hearing. Don Clark expressed concern about the proposed location of the entrance to the subdivision, which was across from his home at 914 Cedar Springs Road. He believed car headlights would shine directly into his windows at night and wanted to know if the entrance could be relocated. Beth Caulfield, 825 Keith Lane, expressed concerned about the driveways from the proposed development coming onto Keith Lane. Pam Clark stated she must back down her driveway as she does not have a way to turnaround on her property. She was concerned about how she was going to back out into the street safely. There being no others present wishing to discuss the Plan of Services and annexation of the Harrison Ridge Subdivision, Public Hearing was closed.

ADOPT A PLAN OF SERVICES FOR PROPOSED ANNEXATION OF HARRISON RIDGE SUBDIVISION AREA

RESOLUTION NO. 2020-37

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF THE HARRISON RIDGE SUBDIVISION AREA, PROPERTY ALONG KEITH LANE AND CEDAR SPRINGS ROAD, BY THE CITY OF ATHENS, TENNESSEE.

The caption of Resolution No. 2020-37 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Lockmiller, to approve Resolution No. 2020-37.** The individuals who spoke under the Public Hearing were urged to contact City staff to discuss their concerns. Anthony Casteel, Community Development Director, stated it was the Planning Commission's recommendation to adopt the Plan of Services as presented. Upon roll call, the resolution was approved by the following vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

APPROVE ANNEXATION REQUEST FOR HARRISON RIDGE SUBDIVISION

RESOLUTION NO. 2020-38

A RESOLUTION TO ANNEX THE HARRISON RIDGE SUBDIVISION AREA PROPERTY LOCATED ALONG KEITH LANE AND CEDAR SPRINGS ROAD AND DESCRIBED IN THE BODY OF THIS RESOLUTION, AND TO INCORPORATE THE SAME WITHIN THE BOUNDARIES OF THE CITY OF ATHENS, TENNESSEE.

The caption of Resolution No. 2020-38 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Lockmiller, to approve Resolution No. 2020-38.** Upon roll call, the resolution was approved by the following vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

ORDINANCE TO ZONE PROPERTY ALONG KEITH LANE AND CEDAR SPRINGS ROAD TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT)

ORDINANCE NO. 1093 – FIRST READING

AN ORDINANCE TO AMEND 'THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,' SO AS TO AMEND THE OFFICIAL ZONING MAP TO INCLUDE AND ZONE PROPERTY ALONG KEITH LANE AND CEDAR SPRINGS ROAD 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. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to approve Ordinance No. 1093 on First Reading.** The motion was approved by the following roll call vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

CONSIDERATION OF SAVINGS AGREEMENT WITH ATHENS CITY BOARD OF EDUCATION

City Attorney Trew presented for City Council consideration a savings agreement between the City of Athens and the Athens City Board of Education for partial funding of consolidation of schools through a Pre-K-5 and Athens City Middle School Building Program. **A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to authorize the Mayor to sign the Savings Agreement with Athens City Board of Education as submitted.** The motion was approved by the following roll call vote:

**AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris**  
**NAYS: None**

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Mike Keith, Finance Director, presented the Finance Department Report for the month of July 2020. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Chief Ainsworth presented the Fire Department Report for the month of July 2020. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Police Chief Cliff Couch presented the Police Department Report for the month of July 2020. The report was accepted as presented.

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REQUESTS FROM CITIZENS

None

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REPORT FROM THE CITY MANAGER

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 7:27 p.m.



C. SETH SUMNER, City Manager



CHARLES T. BURRIS, II, Mayor